AN ACT concerning State government.

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

Article 1.

Section 1-5. The Election Code is amended by changing Section 1-20.1 as follows:

(10 ILCS 5/1-20.1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-20.1. Task Force to Review Eligibility to Hold Public Office.

(a) The Task Force to Review Eligibility to Hold Public Office is created. The purpose of the Task Force is to review what criminal conduct precludes a person from holding public office in this State and to make recommendations as to what criminal conduct should preclude an individual from holding public office.

(b) The Task Force shall be comprised of the following members:

(1) The president of a statewide bar association or his or her designee, the executive director of a statewide association advocating for the advancement of civil liberties or his or her designee, an executive director of

a legal aid organization or statewide association with a practice group dedicated to or focused on returning citizen expungements and sealing of criminal records, all appointed by the Governor.

(2) 4 members of the public, one appointed by each of the following: the Speaker of the House of Representatives; the Minority Leader of the House of Representatives; the President of the Senate; and the Minority Leader of the Senate.

(3) 2 individuals who have been formerly incarcerated, appointed by the Governor.

(4) The Attorney General or his or her designee.

(5) 2 individuals from the Illinois Sentencing Policy Advisory Council appointed by the Executive Director.

(6) 2 State Representatives appointed by the Speaker of the House of Representatives; 2 State Representatives appointed by the Minority Leader of the House of Representatives; 2 State Senators appointed by the President of the Senate; 2 State Senators appointed by the Minority Leader of the Senate.

The members of the Task Force shall serve without compensation. All appointments under this subsection must be made within 30 days after the effective date of this amendatory Act of the 104th ~~103rd~~ General Assembly.

(c) The State Board of Elections shall provide administrative and technical support to the Task Force and be

responsible for administering its operations and ensuring that the requirements of the Task Force are met. The Executive Director of the State Board of Elections shall appoint a cochairperson for the Task Force and the President of the Senate and the Speaker of the House of Representatives shall jointly appoint a cochairperson for the Task Force.

(d) The Task Force shall meet at least 4 times with the first meeting occurring within 60 days after the effective date of this amendatory Act of the 104th ~~103rd~~ General Assembly. The Executive Director of the State Board of Elections shall designate the day, time, and place for each meeting of the Task Force.

(e) The Task Force shall review what conduct currently precludes an individual from holding public office in this State; the policy rationale for precluding an individual from holding public office based on certain criminal conduct; available research and best practices for restoring returning individuals to full citizenship; and the processes of restoration of eligibility to hold public office in this State. After this review, the Task Force shall make recommendations as to what criminal conduct shall preclude an individual from holding public office in this State.

(f) The Task Force shall produce a report detailing the Task Force's findings and recommendations and needed resources. The Task Force shall submit a report of its findings and recommendations to the General Assembly and the

Governor by May 1, 2027 ~~2025~~.

(g) This Section is repealed on January 1, 2028 ~~2026~~.

(Source: P.A. 103-562, eff. 11-17-23.)

Section 1-10. The Illinois Act on the Aging is amended by changing Section 8.10 as follows:

(20 ILCS 105/8.10)

(Section scheduled to be repealed on May 16, 2026)

Sec. 8.10. The Illinois Commission on LGBTQ Aging.

(a) Commission purpose. The Commission is created to investigate, analyze, and study the health, housing, financial, psychosocial, home-and-community-based services, assisted living, and long-term care needs of LGBTQ older adults and their caregivers. The Commission shall make recommendations to improve access to benefits, services, and supports for LGBTQ older adults and their caregivers. The Commission, in formulating its recommendations, shall take into account the best policies and practices in other states and jurisdictions. Specifically, the Commission shall:

(1) Examine the impact of State and local laws, policies, and regulations on LGBTQ older adults and make recommendations to ensure equitable access, treatment, care and benefits, and overall quality of life.

(2) Examine best practices for increasing access, reducing isolation, preventing abuse and exploitation,

promoting independence and self-determination, strengthening caregiving, eliminating disparities, and improving overall quality of life for LGBTQ older adults.

(3) Examine the impact of race, ethnicity, sex assigned at birth, socioeconomic status, disability, sexual orientation, gender identity, and other characteristics on access to services for LGBTQ older adults and make recommendations to ensure equitable access, treatment, care, and benefits and overall quality of life.

(4) Examine the experiences and needs of LGBTQ older adults living with HIV/AIDS and make recommendations to ensure equitable access, treatment, care, benefits, and overall quality of life.

(5) Examine strategies to increase provider awareness of the needs of LGBTQ older adults and their caregivers and to improve the competence of and access to treatment, services, and ongoing care, including preventive care.

(6) Examine the feasibility of developing statewide training curricula to improve provider competency in the delivery of culturally responsive health, housing, and long-term support services to LGBTQ older adults and their caregivers.

(7) Assess the funding and programming needed to enhance services to the growing population of LGBTQ older adults.

(8) Examine whether certain policies and practices, or the absence thereof, promote the premature admission of LGBTQ older adults to institutional care, and examine whether potential cost-savings exist for LGBTQ older adults as a result of providing lower cost and culturally responsive home and community-based alternatives to institutional care.

(9) Examine outreach protocols to reduce apprehension among LGBTQ older adults and caregivers of utilizing mainstream providers.

(10) Evaluate the implementation status of Public Act 101-325.

(11) Evaluate the implementation status of Public Act 102-543, examine statewide strategies for the collection of sexual orientation and gender identity data and the impact of these strategies on the provision of services to LGBTQ older adults, and conduct a statewide survey designed to approximate the number of LGBTQ older adults in the State and collect demographic information (if resources allow for the implementation of a survey instrument).

(b) Commission members.

(1) The Commission shall include at least all of the following persons who must be appointed by the Governor within 60 days after the effective date of this amendatory Act of the 102nd General Assembly:

(A) one member from a statewide organization that advocates for older adults;

(B) one member from a national organization that advocates for LGBTQ older adults;

(C) one member from a community-based, multi-site healthcare organization founded to serve LGBTQ people;

(D) the director of senior services from a community center serving LGBTQ people, or the director's designee;

(E) one member from an HIV/AIDS service organization;

(F) one member from an organization that is a project incubator and think tank that is focused on action that leads to improved outcomes and opportunities for LGBTQ communities;

(G) one member from a labor organization that provides care and services for older adults in long-term care facilities;

(H) one member from a statewide association representing long-term care facilities;

(I) 5 members from organizations that serve Black, Asian-American, Pacific Islander, Indigenous, or Latinx LGBTQ people;

(J) one member from a statewide organization for people with disabilities; and

(K) 10 LGBTQ older adults, including at least:

(i) 3 members who are transgender or gender-expansive individuals;

(ii) 2 members who are older adults living with HIV;

(iii) one member who is Two-Spirit;

(iv) one member who is an African-American or Black individual;

(v) one member who is a Latinx individual;

(vi) one member who is an Asian-American or Pacific Islander individual; and

(vii) one member who is an ethnically diverse individual.

(2) The following State agencies shall each designate one representative to serve as an ex officio member of the Commission: the Department, the Department of Public Health, the Department of Human Services, the Department of Healthcare and Family Services, and the Department of Veterans Affairs.

(3) Appointing authorities shall ensure, to the maximum extent practicable, that the Commission is diverse with respect to race, ethnicity, age, sexual orientation, gender identity, gender expression, and geography.

(4) Members of the Commission shall serve until this Section is repealed. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled by the appointing authority. Any vacancy occurring

other than by the dissolution of the Commission shall be filled for the balance of the unexpired term. Members of the Commission shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties.

(c) Commission organization. The Commission shall provide for its organization and procedure, including selection of the chairperson and vice-chairperson. A majority of the Commission shall constitute a quorum for the transaction of business. Administrative and other support for the Commission shall be provided by the Department. Any State agency under the jurisdiction of the Governor shall provide testimony and information as directed by the Commission.

(d) Meetings and reports. The Commission shall:

(1) Hold at least one public meeting per quarter. Public meetings may be virtually conducted.

(2) Prepare and submit an annual report to the Governor, the Illinois General Assembly, the Director, and the Illinois Council on Aging that details the progress made toward achieving the Commission's stated objectives and that contains findings and recommendations, including any recommended legislation. The annual report shall be made available to the public on the Department's publicly accessible website.

(3) Submit, by no later than March 30, 2027 ~~2026~~, a final report in the same manner as an annual report,

detailing the work the Commission has done since its inception and providing the findings and recommendations, including any recommended legislation. The final report shall be made available to the public on the Department's publicly accessible website.

The Department and Commission may collaborate with an institution of higher education in Illinois to compile the reports required under this Section.

(e) This Section is repealed July 1, 2027 ~~May 16, 2026~~.

(Source: P.A. 103-1059, eff. 12-20-24; 104-234, eff. 8-15-25.)

Section 1-12. The Children and Family Services Act is amended by changing Section 5.27 as follows:

(20 ILCS 505/5.27)

(Section scheduled to be repealed on January 1, 2026)

Sec. 5.27. Holistic Mental Health Care for Youth in Care Task Force.

(a) The Holistic Mental Health Care for Youth in Care Task Force is created. The Task Force shall review and make recommendations regarding mental health and wellness services provided to youth in care, including a program of holistic mental health services provided 30 days after the date upon which a youth is placed in foster care, in order to determine how to best meet the mental health needs of youth in care. Additionally, the Task Force shall:

(1) assess the capacity of State licensed mental health professionals to provide preventive mental health care to youth in care;

(2) review the current payment rates for mental health providers serving the youth in care population;

(3) evaluate the process for smaller private practices and agencies to bill through managed care, evaluate delayed payments to mental health providers, and recommend improvements to make billing practices more efficient;

(4) evaluate the recruitment and retention of mental health providers who are persons of color to serve the youth in care population; and

(5) any other relevant subject and processes as deemed necessary by the Task Force.

(b) The Task Force shall have 9 members, comprised as follows:

(1) The Director of Healthcare and Family Services or the Director's designee.

(2) The Director of Children and Family Services or the Director's designee.

(3) A member appointed by the Governor from the Office of the Governor who has a focus on mental health issues.

(4) Two members from the House of Representatives, appointed one each by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(5) Two members of the Senate, appointed one each by the President of the Senate and the Minority Leader of the Senate.

(6) One member who is a former youth in care, appointed by the Governor.

(7) One representative from the managed care entity managing the YouthCare program, appointed by the Director of Healthcare and Family Services.

Task Force members shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties.

(c) The Task Force shall meet at least once each month beginning no later than July 1, 2022 and at other times as determined by the Task Force. The Task Force may hold electronic meetings and a member of the Task Force shall be deemed present for the purposes of establishing a quorum and voting.

(d) The Department of Healthcare and Family Services, in conjunction with the Department of Children and Family Services, shall provide administrative and other support to the Task Force.

(e) The Task Force shall prepare and submit to the Governor and the General Assembly at the end of each quarter a report that summarizes its work. The Task Force shall submit its final report to the Governor and the General Assembly no later than December 31, 2026 ~~2025~~. Upon submission of its

final report, the Task Force is dissolved.

(f) This Section is repealed on January 1, 2027 ~~2026~~.

(Source: P.A. 102-898, eff. 5-25-22; 103-154, eff. 6-30-23; 103-811, eff. 8-9-24.)

Section 1-15. The Grocery Initiative Act is amended by changing Section 10 as follows:

(20 ILCS 750/10)

(Section scheduled to be repealed on January 1, 2026)

Sec. 10. Grocery Initiative Study. The Department shall, subject to appropriation, study food insecurity in urban and rural food deserts. The study may include an exploration of the reasons for current market failures, potential policy solutions, geographic trends, and the need for independent grocers, and it shall identify communities at risk of becoming food deserts. The study may also include a disparity study to assess the need for aspirational goals for ownership among minority, women, and persons with a disability as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act. The Department may enter into contracts, grants, or other agreements to complete this study. This report shall be submitted to the General Assembly by December 31, 2026 ~~2024~~. This Section is repealed on January 1, 2027 ~~2026~~.

(Source: P.A. 103-561, eff. 1-1-24.)

Section 1-20. The Illinois Lottery Law is amended by changing Sections 21.4, 21.5, and 21.8 as follows:

(20 ILCS 1605/21.4)

Sec. 21.4. Joint Special Instant Scratch-off game.

(a) The Department shall offer a joint special instant scratch-off game for the benefit of the special causes identified in Sections 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.13, 21.15, and 21.16. The operation of the game shall be governed by this Section and any rules adopted by the Department. The game shall commence on January 1, 2024 or as soon thereafter, at the discretion of the Director, as is reasonably practical ~~and shall be discontinued on January 1, 2027~~. If any provision of this Section is inconsistent with any other provision in the Act, then this Section governs.

(b) Once the joint special instant scratch-off game is used to fund a special cause, the game will be used to fund the special cause for the remainder of the special causes' existence per the causes' respective Section of this Act.

(c) ~~New specialty tickets and causes authorized by this Act shall be funded by the joint special instant scratch-off game. New specialty tickets and causes after February 1, 2024 must have a sunset date.~~ The Department shall be limited to supporting no more than 10 causes in total at any given time.

(d) Net revenue received from the sale of the joint

special instant scratch-off game for the purposes of this Section shall be divided equally among the special causes the game benefits. At the direction of the Department, the State Comptroller shall direct and the State Treasurer shall transfer from the State Lottery Fund the net revenue to the specific fund identified for each special cause in accordance with the special cause's respective Section in this Act. As used in this Section, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and to retailers, and direct and estimated administrative expenses incurred in operation of the ticket.
(Source: P.A. 103-381, eff. 7-28-23; 103-574, eff. 12-8-23.)

(20 ILCS 1605/21.5)

Sec. 21.5. Carolyn Adams Ticket For The Cure.

(a) The Department shall offer a special instant scratch-off game with the title of "Carolyn Adams Ticket For The Cure". The game shall commence on January 1, 2006 or as soon thereafter, in the discretion of the Director, as is reasonably practical~~, and shall be discontinued on December 31, 2026~~. The operation of the game shall be governed by this Act and any rules adopted by the Department. The Department must consult with the Carolyn Adams Ticket For The Cure Board, which is established under Section 2310-347 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, regarding the design and

promotion of the game.

(b) The Carolyn Adams Ticket For The Cure Grant Fund is created as a special fund in the State treasury. The net revenue from the Carolyn Adams Ticket For The Cure special instant scratch-off game shall be deposited into the Fund for appropriation by the General Assembly solely to the Department of Public Health for the purpose of making grants to public or private entities in Illinois for the purpose of funding breast cancer research, and supportive services for breast cancer survivors and those impacted by breast cancer and breast cancer education. In awarding grants, the Department of Public Health shall consider criteria that includes, but is not limited to, projects and initiatives that address disparities in incidence and mortality rates of breast cancer, based on data from the Illinois Cancer Registry, and populations facing barriers to care. The Department of Public Health shall, before grants are awarded, provide copies of all grant applications to the Carolyn Adams Ticket For The Cure Board, receive and review the Board's recommendations and comments, and consult with the Board regarding the grants. For purposes of this Section, the term "research" includes, without limitation, expenditures to develop and advance the understanding, techniques, and modalities effective in the detection, prevention, screening, and treatment of breast cancer and may include clinical trials. The grant funds may not be used for institutional, organizational, or

community-based overhead costs, indirect costs, or levies.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

As used in this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and to retailers, and direct and estimated administrative expenses of the Department solely related to the Ticket For The Cure game.

(c) During the time that tickets are sold for the Carolyn Adams Ticket For The Cure game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

(Source: P.A. 103-381, eff. 7-28-23.)

(20 ILCS 1605/21.8)

Sec. 21.8. Quality of Life scratch-off game.

(a) The Department shall offer a special instant scratch-off game with the title of "Quality of Life". The game shall commence on July 1, 2007 or as soon thereafter, in the discretion of the Director, as is reasonably practical~~, and~~

~~shall be discontinued on December 31, 2025~~. The operation of the game is governed by this Act and by any rules adopted by the Department. ~~The Department must consult with the Quality of Life Board, which is established under Section 2310-348 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, regarding the design and promotion of the game.~~

(b) The Quality of Life Endowment Fund is created as a special fund in the State treasury. The net revenue from the Quality of Life special instant scratch-off game must be deposited into the Fund for appropriation by the General Assembly solely to the Department of Public Health for the purpose of HIV/AIDS-prevention education and for making grants to public or private entities in Illinois for the purpose of funding organizations that serve the highest at-risk categories for contracting HIV or developing AIDS. Grants shall be targeted to serve at-risk populations in proportion to the distribution of recent reported Illinois HIV/AIDS cases among risk groups as reported by the Illinois Department of Public Health. The recipient organizations must be engaged in HIV/AIDS-prevention education and HIV/AIDS healthcare treatment. ~~The Department must, before grants are awarded, provide copies of all grant applications to the Quality of Life Board, receive and review the Board's recommendations and comments, and consult with the Board regarding the grants.~~ Organizational size will determine an organization's

competitive slot in the "Request for Proposal" process. Organizations with an annual budget of $300,000 or less will compete with like size organizations for 50% of the Quality of Life annual fund. Organizations with an annual budget of $300,001 to $700,000 will compete with like organizations for 25% of the Quality of Life annual fund, and organizations with an annual budget of $700,001 and upward will compete with like organizations for 25% of the Quality of Life annual fund. The lottery may designate a percentage of proceeds for marketing purposes. The grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies.

Grants awarded from the Fund are intended to augment the current and future State funding for the prevention and treatment of HIV/AIDS and are not intended to replace that funding.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

As used in this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and to retailers, and direct and estimated administrative expenses of the Department solely

related to the Quality of Life game.

(c) During the time that tickets are sold for the Quality of Life game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section in consultation with the Quality of Life Board.

(Source: P.A. 102-813, eff. 5-13-22; 103-381, eff. 7-28-23.)

Section 1-25. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-542 as follows:

(20 ILCS 2310/2310-542)

(Section scheduled to be repealed on January 1, 2026)

Sec. 2310-542. Safe gun storage public awareness campaign.

(a) Subject to appropriation, the Department shall develop and implement a comprehensive 2-year statewide safe gun storage public awareness campaign. The campaign shall include the following:

(1) Sustained and focused messaging over the course of the 2-year campaign period.

(2) Messages paired with information about enforcement or incentives for safe gun storage.

(3) Geographic and cultural considerations.

(b) The campaign shall be divided into the following 3 phases:

(1) A statewide messaging strategy that shall develop research-based, culturally appropriate messaging for awareness of gun safety, reducing access to lethal means, and encouraging safe storage. The campaign shall include formats such as paid advertising on Chicago Transit Authority trains, bus stops, billboards, digital or social media campaigns, radio, and other public education and outreach.

(2) A gun lock and gun safe distribution campaign and gun buy-back programs. This phase shall require the following:

(A) Developing a focused strategy to distribute, through community-based organizations, gun locks and gun safes in areas most affected by gun violence.

(B) Pairing gun lock distribution with brief counseling or education sessions, which has been shown to significantly increase safe storage practices.

(C) Developing an education and training program on safe storage counseling and screening for health care professionals, including pediatric primary care and emergency room departments.

(D) Developing education and training on the Firearms Restraining Order Act for practitioners, law enforcement, and the general public.

(E) Focusing on suicide prevention, youth or young adult survivors of gun violence, and families at risk due to domestic violence.

(F) Incorporating gun buy-back opportunities in partnership with law enforcement, community-based organizations, and other local stakeholders.

(3) A comprehensive evaluation to measure changes in gun safety behaviors and the overall impact and effectiveness of the campaign to promote safety. Metrics to be measured include, but are not limited to, the following:

(A) Changes in parent behavior and perception.

(B) Media campaign metrics and digital analytics.

(C) The number of people reached through each strategy.

(D) The number of gun locks and gun safes distributed.

(E) Changes in intentional and unintentional firearm injury.

(c) This Section is repealed on July ~~January~~ 1, 2026.

(Source: P.A. 102-1067, eff. 1-1-23.)

Section 1-30. The Illinois Power Agency Act is amended by changing Section 1-130 as follows:

(20 ILCS 3855/1-130)

(Section scheduled to be repealed on January 1, 2026)

Sec. 1-130. Home rule preemption.

(a) The authorization to impose any new taxes or fees specifically related to the generation of electricity by, the capacity to generate electricity by, or the emissions into the atmosphere by electric generating facilities after the effective date of this Act is an exclusive power and function of the State. A home rule unit may not levy any new taxes or fees specifically related to the generation of electricity by, the capacity to generate electricity by, or the emissions into the atmosphere by electric generating facilities after the effective date of this Act. This Section is a denial and limitation on home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

(b) This Section is repealed on January 1, 2028 ~~January 1, 2026~~.

(Source: P.A. 102-671, eff. 11-30-21; 102-1109, eff. 12-21-22; 103-563, eff. 11-17-23; 103-1059, eff. 12-20-24.)

Section 1-35. The Illinois Health Facilities Planning Act is amended by changing Section 3.6 as follows:

(20 ILCS 3960/3.6)

(Section scheduled to be repealed on June 25, 2026)

Sec. 3.6. Facilities maintained or operated by a State agency.

(a) For the purposes of this Section, "Department" means the Department of Veterans Affairs.

(b) Except for the requirements set forth in subsection (c), any construction, modification, establishment, or change in categories of service of a health care facility funded through an appropriation from the General Assembly and maintained or operated by the Department is not subject to requirements of this Act. The Department is subject to this Act when the Department discontinues a health care facility or category of service.

(c) The Department must notify the Board in writing of any appropriation by the General Assembly for the construction, modification, establishment or change in categories of service, excluding discontinuation of a health care facility or categories of service, maintained or operated by the Department of Veterans Affairs. The Department of Veterans Affairs must include with the written notification the following information: (i) the estimated service capacity of the health care facility; (ii) the location of the project or the intended location if not identified by law; and (iii) the date the health care facility is estimated to be opened. The Department must also notify the Board in writing when the facility has been licensed by the Department of Public Health or any other licensing body. The Department shall submit to the Board, on behalf of the health care facility, any annual facility questionnaires as defined in Section 13 of this Act

or any requests for information by the Board.

(d) This Section is repealed on July 1, 2029 ~~5 years after the effective date of this amendatory Act of the 102nd General Assembly~~.

(Source: P.A. 104-234, eff. 8-15-25.)

Section 1-40. The Hydrogen Economy Act is amended by changing Section 95 as follows:

(20 ILCS 4122/95)

(Section scheduled to be repealed on June 1, 2026)

Sec. 95. Repealer. This Act is repealed on July 1, 2028 ~~June 1, 2026~~.

(Source: P.A. 102-1086, eff. 6-10-22; 102-1129, eff. 2-10-23.)

Section 1-45. The Community Land Trust Task Force Act is amended by changing Sections 30 and 35 as follows:

(20 ILCS 4126/30)

(Section scheduled to be repealed on December 31, 2025)

Sec. 30. Report. The Task Force shall submit its final report to the Governor and General Assembly no later than December 31, 2026 ~~2025~~. The final report shall be made available on the Illinois Housing Development Authority's website for viewing by the general public.

(Source: P.A. 103-250, eff. 6-30-23; 103-811, eff. 8-9-24.)

(20 ILCS 4126/35)

(Section scheduled to be repealed on December 31, 2025)

Sec. 35. Dissolution; repeal. The Task Force is dissolved and this Act is repealed on December 31, 2026 ~~2025~~.

(Source: P.A. 103-250, eff. 6-30-23; 103-811, eff. 8-9-24.)

Section 1-50. The Community-Based Corrections Task Force Act is amended by changing Section 20 as follows:

(20 ILCS 4134/20)

Sec. 20. Report.

(a) On or before July 1, 2026 ~~December 31, 2025~~, the Task Force shall publish a final report of its findings, developments, and recommendations and after the publication of its final report the Task Force shall be dissolved. The report shall, at a minimum, detail findings and recommendations related to the duties of the Task Force and the following:

(1) information and recommendations related to the benefits of community-based corrections and specialty courts; and

(2) the development and implementation of a new community-based corrections program.

(b) The final report shall be shared with the following:

(1) the General Assembly; and

(2) the Offices of the Governor and Lieutenant

Governor.

(Source: P.A. 103-982, eff. 8-9-24.)

Section 1-52. The Illinois Procurement Code is amended by changing Sections 1-15.93 and 30-30 as follows:

(30 ILCS 500/1-15.93)

Sec. 1-15.93. Single prime. "Single prime" means the design-bid-build procurement delivery method for a building construction project in which the Capital Development Board or a public institution of higher education, as defined in Section 1-13 of this Code, is the construction agency procuring 2 or more subdivisions of work enumerated in paragraphs (1) through (5) of subsection (a) of Section 30-30 of this Code under a single contract. The provisions of this Section are inoperative for public institutions of higher education on and after January 1, 2027 ~~2026~~.

(Source: P.A. 102-671, eff. 11-30-21; 102-1119, eff. 1-23-23; 103-570, eff. 1-1-24.)

(30 ILCS 500/30-30)

Sec. 30-30. Design-bid-build construction.

(a) Except as provided in subsection (a-5), for building construction contracts in excess of $250,000, separate specifications may be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of

the work to be performed:

(1) plumbing;

(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;

(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;

(4) electric wiring; and

(5) general contract work.

Except as provided in subsection (a-5), the specifications may be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof may award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract.

For single prime projects: (i) the bid of the successful low bidder shall identify the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions

of work set forth in this Section; (ii) the contract entered into with the successful bidder shall provide that no identified subcontractor may be terminated without the written consent of the Capital Development Board; (iii) the contract shall comply with the disadvantaged business practices of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act; and (iv) the Capital Development Board shall submit an annual report to the General Assembly and Governor on the bidding, award, and performance of all single prime projects.

Until December 31, 2023, for building construction projects with a total construction cost valued at $5,000,000 or less, the Capital Development Board shall not use the single prime procurement delivery method for more than 50% of the total number of projects bid for each fiscal year. Until December 31, 2023, any project with a total construction cost valued greater than $5,000,000 may be bid using single prime at the discretion of the Executive Director of the Capital Development Board.

For contracts entered into on or after January 1, 2024, the Capital Development Board shall determine whether the single prime procurement delivery method is to be pursued. Before electing to use single prime on a project, the Capital Development Board must make a written determination that must include a description as to the particular advantages of the

single prime procurement method for that project and an evaluation of the items in paragraphs (1) through (4). The chief procurement officer must review the Capital Development Board's determination and consider the adequacy of information in paragraphs (1) through (4) to determine whether the Capital Development Board may proceed with single prime. Approval by the chief procurement officer shall not be unreasonably withheld. The following factors must be considered by the chief procurement officer in any determination:

(1) The benefit that using the single prime procurement method will have on the Capital Development Board's ability to increase participation of minority-owned firms, woman-owned firms, firms owned by persons with a disability, and veteran-owned firms.

(2) The likelihood that single prime will be in the best interest of the State by providing a material savings of time or cost over the multiple prime delivery system. The best interest of the State justification must show the specific benefits of using the single prime method, including documentation of the estimates or scheduling impacts of any of the following: project complexity and trade coordination required, length of project, availability of skilled workforce, geographic area, project timelines, project budget, ability to secure minority, women, persons with disabilities and veteran participation, or other information.

(3) The type and size of the project and its suitability to the single prime procurement method.

(4) Whether the project will comply with the underrepresented business and equal employment practices of the State, as established in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, Section 45-57 of this Code, and Section 2-105 of the Illinois Human Rights Act.

If the chief procurement officer finds that the Capital Development Board's written determination is insufficient, the Capital Development Board shall have the opportunity to cure its determination. Within 15 days of receiving approval from the chief procurement officer, the Capital Development Board shall provide an advisory copy of the written determination to the Procurement Policy Board and the Commission on Equity and Inclusion. The Capital Development Board must maintain the full record of determination for 5 years.

(a-5) Beginning on the effective date of this amendatory Act of the 104th ~~102nd~~ General Assembly and through December 31, 2026 ~~2025~~, for single prime projects in which a public institution of higher education is a construction agency awarding building construction contracts in excess of $250,000, separate specifications may be prepared for all equipment, labor, and materials in connection with the 5 subdivisions of work enumerated in subsection (a). Any public institution of higher education contract awarded for any part

thereof may award 2 or more of the 5 subdivisions of work together or separately to responsible and reliable persons, firms, or corporations engaged in these classes of work if: (i) the public institution of higher education has submitted to the Procurement Policy Board and the Commission on Equity and Inclusion a written notice that includes the reasons for using the single prime method and an explanation of why the use of that method is in the best interest of the State and arranges to have the notice posted on the institution's online procurement webpage and its online procurement bulletin at least 3 business days following submission to the Procurement Policy Board and the Commission on Equity and Inclusion; (ii) the successful low bidder has prequalified with the public institution of higher education; (iii) the bid of the successful low bidder identifies the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in subsection (a); (iv) the contract entered into with the successful bidder provides that no identified subcontractor may be terminated without the written consent of the public institution of higher education; and (v) the successful low bidder has prequalified with the University of Illinois or with the Capital Development Board.

For building construction projects with a total construction cost valued at $20,000,000 or less, public institutions of higher education shall not use the single prime delivery method for more than 50% of the total number of

projects bid for each fiscal year. Projects with a total construction cost valued at $20,000,000 or more may be bid using the single prime delivery method at the discretion of the public institution of higher education. With respect to any construction project described in this subsection (a-5), the public institution of higher education shall: (i) specify in writing as a public record that the project shall comply with the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act; and (ii) report annually to the Governor, General Assembly, Procurement Policy Board, and Auditor General on the bidding, award, and performance of all single prime projects. On and after the effective date of this amendatory Act of the 102nd General Assembly, the public institution of higher education may award in each fiscal year single prime contracts with an aggregate total value of no more than $100,000,000. The Board of Trustees of the University of Illinois may award in each fiscal year single prime contracts with an aggregate total value of not more than $300,000,000.

(b) For public institutions of higher education, the provisions of this subsection are operative on and after January 1, 2026. For building construction contracts in excess of $250,000, separate specifications shall be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

(1) plumbing;

(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;

(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;

(4) electric wiring; and

(5) general contract work.

The specifications must be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof shall award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract.

(Source: P.A. 102-671, eff. 11-30-21; 102-1119, eff. 1-23-23; 103-570, eff. 1-1-24.)

Section 1-55. The Illinois Income Tax Act is amended by

changing Sections 221 and 231 as follows:

(35 ILCS 5/221)

Sec. 221. Rehabilitation costs; qualified historic properties; River Edge Redevelopment Zone.

(a) For taxable years that begin on or after January 1, 2012 and begin prior to January 1, 2018, there shall be allowed a tax credit against the tax imposed by subsections (a) and (b) of Section 201 of this Act in an amount equal to 25% of qualified expenditures incurred by a qualified taxpayer during the taxable year in the restoration and preservation of a qualified historic structure located in a River Edge Redevelopment Zone pursuant to a qualified rehabilitation plan, provided that the total amount of such expenditures (i) must equal $5,000 or more and (ii) must exceed 50% of the purchase price of the property.

(a-1) For taxable years that begin on or after January 1, 2018 and end prior to January 1, 2029 ~~2027~~, there shall be allowed a tax credit against the tax imposed by subsections (a) and (b) of Section 201 of this Act in an aggregate amount equal to 25% of qualified expenditures incurred by a qualified taxpayer in the restoration and preservation of a qualified historic structure located in a River Edge Redevelopment Zone pursuant to a qualified rehabilitation plan, provided that the total amount of such expenditures must (i) equal $5,000 or more and (ii) exceed the adjusted basis of the qualified

historic structure on the first day the qualified rehabilitation plan begins. For any rehabilitation project, regardless of duration or number of phases, the project's compliance with the foregoing provisions (i) and (ii) shall be determined based on the aggregate amount of qualified expenditures for the entire project and may include expenditures incurred under subsection (a), this subsection, or both subsection (a) and this subsection. If the qualified rehabilitation plan spans multiple years, the aggregate credit for the entire project shall be allowed in the last taxable year, except for phased rehabilitation projects, which may receive credits upon completion of each phase. Before obtaining the first phased credit: (A) the total amount of such expenditures must meet the requirements of provisions (i) and (ii) of this subsection; (B) the rehabilitated portion of the qualified historic structure must be placed in service; and (C) the requirements of subsection (b) must be met.

(a-2) For taxable years beginning on or after January 1, 2021 and ending prior to January 1, 2029 ~~2027~~, there shall be allowed a tax credit against the tax imposed by subsections (a) and (b) of Section 201 as provided in Section 10-10.3 of the River Edge Redevelopment Zone Act. The credit allowed under this subsection (a-2) shall apply only to taxpayers that make a capital investment of at least $1,000,000 in a qualified rehabilitation plan.

The credit or credits may not reduce the taxpayer's

liability to less than zero. If the amount of the credit or credits exceeds the taxpayer's liability, the excess may be carried forward and applied against the taxpayer's liability in succeeding calendar years in the manner provided under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first.

For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for the purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of this amendatory Act of the 101st General Assembly) shall not exceed $20,000,000 in any State fiscal year.

(b) To obtain a tax credit pursuant to this Section, the taxpayer must apply with the Department of Natural Resources. The Department of Natural Resources shall determine the amount of eligible rehabilitation costs and expenses in addition to the amount of the River Edge construction jobs credit within

45 days of receipt of a complete application. The taxpayer must submit a certification of costs prepared by an independent certified public accountant that certifies (i) the project expenses, (ii) whether those expenses are qualified expenditures, and (iii) that the qualified expenditures exceed the adjusted basis of the qualified historic structure on the first day the qualified rehabilitation plan commenced. The Department of Natural Resources is authorized, but not required, to accept this certification of costs to determine the amount of qualified expenditures and the amount of the credit. The Department of Natural Resources shall provide guidance as to the minimum standards to be followed in the preparation of such certification. The Department of Natural Resources and the National Park Service shall determine whether the rehabilitation is consistent with the United States Secretary of the Interior's Standards for Rehabilitation.

(b-1) Upon completion of the project and approval of the complete application, the Department of Natural Resources shall issue a single certificate in the amount of the eligible credits equal to 25% of qualified expenditures incurred during the eligible taxable years, as defined in subsections (a) and (a-1), excepting any credits awarded under subsection (a) prior to January 1, 2019 (the effective date of Public Act 100-629) and any phased credits issued prior to the eligible taxable year under subsection (a-1). At the time the

certificate is issued, an issuance fee up to the maximum amount of 2% of the amount of the credits issued by the certificate may be collected from the applicant to administer the provisions of this Section. If collected, this issuance fee shall be deposited into the Historic Property Administrative Fund, a special fund created in the State treasury. Subject to appropriation, moneys in the Historic Property Administrative Fund shall be provided to the Department of Natural Resources as reimbursement for the costs associated with administering this Section.

(c) The taxpayer must attach the certificate to the tax return on which the credits are to be claimed. The tax credit under this Section may not reduce the taxpayer's liability to less than zero. If the amount of the credit exceeds the tax liability for the year, the excess credit may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year.

(c-1) Subject to appropriation, moneys in the Historic Property Administrative Fund shall be used, on a biennial basis beginning at the end of the second fiscal year after January 1, 2019 (the effective date of Public Act 100-629), to hire a qualified third party to prepare a biennial report to assess the overall economic impact to the State from the qualified rehabilitation projects under this Section completed in that year and in previous years. The overall economic impact shall include at least: (1) the direct and indirect or

induced economic impacts of completed projects; (2) temporary, permanent, and construction jobs created; (3) sales, income, and property tax generation before, during construction, and after completion; and (4) indirect neighborhood impact after completion. The report shall be submitted to the Governor and the General Assembly. The report to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct.

(c-2) The Department of Natural Resources may adopt rules to implement this Section in addition to the rules expressly authorized in this Section.

(d) As used in this Section, the following terms have the following meanings.

"Phased rehabilitation" means a project that is completed in phases, as defined under Section 47 of the federal Internal Revenue Code and pursuant to National Park Service regulations at 36 C.F.R. 67.

"Placed in service" means the date when the property is placed in a condition or state of readiness and availability for a specifically assigned function as defined under Section 47 of the federal Internal Revenue Code and federal Treasury Regulation Sections 1.46 and 1.48.

"Qualified expenditure" means all the costs and expenses defined as qualified rehabilitation expenditures under Section 47 of the federal Internal Revenue Code that were incurred in

connection with a qualified historic structure.

"Qualified historic structure" means a certified historic structure as defined under Section 47(c)(3) of the federal Internal Revenue Code.

"Qualified rehabilitation plan" means a project that is approved by the Department of Natural Resources and the National Park Service as being consistent with the United States Secretary of the Interior's Standards for Rehabilitation.

"Qualified taxpayer" means the owner of the qualified historic structure or any other person who qualifies for the federal rehabilitation credit allowed by Section 47 of the federal Internal Revenue Code with respect to that qualified historic structure. Partners, shareholders of subchapter S corporations, and owners of limited liability companies (if the limited liability company is treated as a partnership for purposes of federal and State income taxation) are entitled to a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 703 and subchapter S of the Internal Revenue Code, provided that credits granted to a partnership, a limited liability company taxed as a partnership, or other multiple owners of property shall be passed through to the partners, members, or owners respectively on a pro rata basis or pursuant to an executed agreement among the partners, members, or owners documenting

any alternate distribution method.

(Source: P.A. 101-9, eff. 6-5-19; 101-81, eff. 7-12-19; 102-16, eff. 6-17-21.)

(35 ILCS 5/231)

Sec. 231. Apprenticeship education expense credit.

(a) As used in this Section:

"Accredited training organization" means an organization that:

(1) incurs costs related to training apprentice employees;

(2) maintains an apprenticeship program approved by the United States Department of Labor, Office of Apprenticeships, that results in an industry-recognized credential; and either

(3) is affiliated with a public or nonpublic secondary school in Illinois and is:

(A) an institution of higher education that provides a program that leads to an industry-recognized postsecondary credential or degree;

(B) an entity that carries out programs that are registered under the federal National Apprenticeship Act; or

(C) a public or private provider of a program of training services, including, but not limited to, a

joint labor-management organization; or

(4) is not affiliated with a public or nonpublic secondary school in Illinois but receives preapproval from the Department to receive tax credits under this Section.

"Department" means the Department of Commerce and Economic Opportunity.

"Employer" means an Illinois taxpayer who is the employer of the qualifying apprentice.

"Qualifying apprentice" means an individual who: (i) is a resident of the State of Illinois; (ii) is at least 16 years old at the close of the school year for which a credit is sought; (iii) during the school year for which a credit is sought, was a full-time apprentice enrolled in an apprenticeship program which is registered with the United States Department of Labor, Office of Apprenticeship; and (iv) is employed in Illinois by the taxpayer who is the employer.

"Qualified education expense" means the amount incurred on behalf of a qualifying apprentice not to exceed $3,500 for tuition, instructional materials, fees (including, but not limited to, book, license, and lab fees), or other expenses that are directly related to training the apprentices and that are preapproved by the Department. All expenses must be paid to or incurred for training at the school, community college, or organization where the apprentice receives training.

(b) For taxable years beginning on or after January 1, 2020, and beginning on or before January 1, 2027 ~~January 1,~~

~~2026~~, the employer of one or more qualifying apprentices shall be allowed a credit against the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act. The credit shall be equal to $3,500 per qualifying apprentice. A taxpayer shall be entitled to an additional $1,500 credit against the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act if (i) the qualifying apprentice resides in an underserved area as defined in Section 5-5 of the Economic Development for a Growing Economy Tax Credit Act during the school year for which a credit is sought by an employer or (ii) the employer's principal place of business is located in an underserved area, as defined in Section 5-5 of the Economic Development for a Growing Economy Tax Credit Act. In no event shall a credit under this Section reduce the taxpayer's liability under this Act to less than zero. For taxable years ending before December 31, 2023, for partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. For taxable years ending on or after December 31, 2023, partners and shareholders of subchapter S corporations are entitled to a credit under this Section as provided in Section

251.

(c) The Department shall implement a program to certify applicants for an apprenticeship credit under this Section. Upon satisfactory review, the Department shall issue a tax credit certificate to an employer incurring costs on behalf of a qualifying apprentice stating the amount of the tax credit to which the employer is entitled. If the employer is seeking a tax credit for multiple qualifying apprentices, the Department may issue a single tax credit certificate that encompasses the aggregate total of tax credits for qualifying apprentices for a single employer.

(d) The Department, in addition to those powers granted under the Civil Administrative Code of Illinois, is granted and shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Section, including, but not limited to, power and authority to:

(1) Adopt rules deemed necessary and appropriate for the administration of this Section; establish forms for applications, notifications, contracts, or any other agreements; and accept applications at any time during the year and require that all applications be submitted via the Internet. The Department shall require that applications be submitted in electronic form.

(2) Provide guidance and assistance to applicants pursuant to the provisions of this Section and cooperate

with applicants to promote, foster, and support job creation within the State.

(3) Enter into agreements and memoranda of understanding for participation of and engage in cooperation with agencies of the federal government, units of local government, universities, research foundations or institutions, regional economic development corporations, or other organizations for the purposes of this Section.

(4) Gather information and conduct inquiries, in the manner and by the methods it deems desirable, including, without limitation, gathering information with respect to applicants for the purpose of making any designations or certifications necessary or desirable or to gather information in furtherance of the purposes of this Act.

(5) Establish, negotiate, and effectuate any term, agreement, or other document with any person necessary or appropriate to accomplish the purposes of this Section, and consent, subject to the provisions of any agreement with another party, to the modification or restructuring of any agreement to which the Department is a party.

(6) Provide for sufficient personnel to permit administration, staffing, operation, and related support required to adequately discharge its duties and responsibilities described in this Section from funds made available through charges to applicants or from funds as may be appropriated by the General Assembly for the

administration of this Section.

(7) Require applicants, upon written request, to issue any necessary authorization to the appropriate federal, State, or local authority or any other person for the release to the Department of information requested by the Department, including, but not be limited to, financial reports, returns, or records relating to the applicant or to the amount of credit allowable under this Section.

(8) Require that an applicant shall, at all times, keep proper books of record and account in accordance with generally accepted accounting principles consistently applied, with the books, records, or papers related to the agreement in the custody or control of the applicant open for reasonable Department inspection and audits, including, without limitation, the making of copies of the books, records, or papers.

(9) Take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance or participation required under this Section or any agreement entered into under this Section, including the power to sell, dispose of, lease, or rent, upon terms and conditions determined by the Department to be appropriate, real or personal property that the Department may recover as a result of these actions.

(e) The Department, in consultation with the Department of Revenue, shall adopt rules to administer this Section. The aggregate amount of the tax credits that may be claimed under this Section for qualified education expenses incurred by an employer on behalf of a qualifying apprentice shall be limited to $5,000,000 per calendar year. If applications for a greater amount are received, credits shall be allowed on a first-come first-served basis, based on the date on which each properly completed application for a certificate of eligibility is received by the Department. If more than one certificate is received on the same day, the credits will be awarded based on the time of submission for that particular day.

(f) An employer may not sell or otherwise transfer a credit awarded under this Section to another person or taxpayer.

(g) The employer shall provide the Department such information as the Department may require, including, but not limited to: (i) the name, age, and identification number of each qualifying apprentice employed by the taxpayer during the taxable year; (ii) the amount of qualified education expenses incurred with respect to each qualifying apprentice; and (iii) the name of the accredited training organization at which the qualifying apprentice is enrolled and the qualified education expenses are incurred.

(h) On or before July 1 of each year, the Department shall report to the Governor and the General Assembly on the tax

credit certificates awarded under this Section for the prior calendar year. The report must include:

(1) the name of each employer awarded or allocated a credit;

(2) the number of qualifying apprentices for whom the employer has incurred qualified education expenses;

(3) the North American Industry Classification System (NAICS) code applicable to each employer awarded or allocated a credit;

(4) the amount of the credit awarded or allocated to each employer;

(5) the total number of employers awarded or allocated a credit;

(6) the total number of qualifying apprentices for whom employers receiving credits under this Section incurred qualified education expenses; and

(7) the average cost to the employer of all apprenticeships receiving credits under this Section.

(Source: P.A. 103-396, eff. 1-1-24; 103-1059, eff. 12-20-24; 104-6, eff. 6-16-25.)

Section 1-60. The Counties Code is amended by changing Sections 3-5010.8, 5-41065, and 5-43043 as follows:

(55 ILCS 5/3-5010.8)

(Section scheduled to be repealed on January 1, 2026)

Sec. 3-5010.8. Mechanics lien demand and referral pilot program.

(a) Legislative findings. The General Assembly finds that expired mechanics liens on residential property, which cloud title to property, are a rapidly growing problem throughout the State. In order to address the increase in expired mechanics liens and, more specifically, those that have not been released by the lienholder, a recorder may establish a process to demand and refer mechanics liens that have been recorded but not litigated or released in accordance with the Mechanics Lien Act to an administrative law judge for resolution or demand that the lienholder commence suit or forfeit the lien.

(b) Definitions. As used in this Section:

"Demand to Commence Suit" means the written demand specified in Section 34 of the Mechanics Lien Act.

"Mechanics lien" and "lien" are used interchangeably in this Section.

"Notice of Expired Mechanics Lien" means the notice a recorder gives to a property owner under subsection (d) informing the property owner of an expired lien.

"Notice of Referral" means the document referring a mechanics lien to a county's code hearing unit.

"Recording" and "filing" are used interchangeably in this Section.

"Referral" or "refer" means a recorder's referral of a

mechanics lien to a county's code hearing unit to obtain a determination as to whether a recorded mechanics lien is valid.

"Residential property" means real property improved with not less than one nor more than 4 residential dwelling units; a residential condominium unit, including, but not limited to, the common elements allocated to the exclusive use of the condominium unit that form an integral part of the condominium unit and any parking unit or units specified by the declaration to be allocated to a specific residential condominium unit; or a single tract of agriculture real estate consisting of 40 acres or less that is improved with a single-family residence. If a declaration of condominium ownership provides for individually owned and transferable parking units, "residential property" does not include the parking unit of a specified residential condominium unit unless the parking unit is included in the legal description of the property against which the mechanics lien is recorded.

(c) Establishment of a mechanics lien demand and referral process. After a public hearing, a recorder in a county with a code hearing unit may adopt rules establishing a mechanics lien demand and referral process for residential property. A recorder shall provide public notice 90 days before the public hearing. The notice shall include a statement of the recorder's intent to create a mechanics lien demand and referral process and shall be published in a newspaper of

general circulation in the county and, if feasible, be posted on the recorder's website and at the recorder's office or offices.

(d) Notice of Expired Lien. If a recorder determines, after review by legal staff or counsel, that a mechanics lien recorded in the grantor's index or the grantee's index is an expired lien, the recorder shall serve a Notice of Expired Lien by certified mail to the last known address of the owner. The owner or legal representative of the owner of the residential property shall confirm in writing the owner's or legal representative's belief that the lien is not involved in pending litigation and, if there is no pending litigation, as verified and confirmed by county court records, the owner may request that the recorder proceed with a referral or serve a Demand to Commence Suit.

For the purposes of this Section, a recorder shall determine if a lien is an expired lien. A lien is expired if a suit to enforce the lien has not been commenced or a counterclaim has not been filed by the lienholder within 2 years after the completion date of the contract as specified in the recorded mechanics lien. The 2-year period shall be increased to the extent that an automatic stay under Section 362(a) of the United States Bankruptcy Code stays a suit or counterclaim to foreclose the lien. If a work completion date is not specified in the recorded lien, then the work completion date is the date of recording of the mechanics

lien.

(e) Demand to Commence Suit. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to serve a Demand to Commence Suit, the recorder shall serve a Demand to Commence Suit on the lienholder of the expired lien as provided in Section 34 of the Mechanics Lien Act. A recorder may request that the Secretary of State assist in providing registered agent information or obtain information from the Secretary of State's registered business database when the recorder seeks to serve a Demand to Commence suit on the lienholder. Upon request, the Secretary of State, or the Secretary of State's designee, shall provide the last known address or registered agent information for a lienholder who is incorporated or doing business in the State. The recorder must record a copy of the Demand to Commence suit in the grantor's index or the grantee's index identifying the mechanics lien and include the corresponding document number and the date of demand. The recorder may, at the recorder's discretion, notify the Secretary of State regarding a Demand to Commence suit determined to involve a company, corporation, or business registered with that office.

When the lienholder commences a suit or files an answer within 30 days or the lienholder records a release of lien with the county recorder as required by subsection (a) of Section 34 of the Mechanics Lien Act, then the demand and referral

process is completed for the recorder for that property. If service under this Section is responded to consistent with Section 34 of the Mechanics Lien Act, the recorder may not proceed under subsection (f). If no response is received consistent with Section 34 of the Mechanics Lien Act, the recorder may proceed under subsection (f).

(f) Referral. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to proceed with a referral, the recorder shall: (i) file the Notice of Referral with the county's code hearing unit; (ii) identify and notify the lienholder by telephone, if available, of the referral and send a copy of the Notice of Referral by certified mail to the lienholder using information included in the recorded mechanics lien or the last known address or registered agent received from the Secretary of State or obtained from the Secretary of State's registered business database; (iii) send a copy of the Notice of Referral by mail to the physical address of the property owner associated with the lien; and (iv) record a copy of the Notice of Referral in the grantor's index or the grantee's index identifying the mechanics lien and include the corresponding document number. The Notice of Referral shall clearly identify the person, persons, or entity believed to be the owner, assignee, successor, or beneficiary of the lien. The recorder may, at the recorder's discretion, notify the Secretary of State regarding a referral determined to involve

a company, corporation, or business registered with that office.

No earlier than 30 business days after the date the lienholder is required to respond to a Demand to Commence Suit under Section 34 of the Mechanics Lien Act, the code hearing unit shall schedule a hearing to occur at least 30 days after sending notice of the date of hearing. Notice of the hearing shall be provided by the county recorder, by and through the recorder's representative, to the filer, or the party represented by the filer, of the expired lien, the legal representative of the recorder of deeds who referred the case, and the last owner of record, as identified in the Notice of Referral.

If the recorder shows by clear and convincing evidence that the lien in question is an expired lien, the administrative law judge shall rule the lien is forfeited under Section 34.5 of the Mechanics Lien Act and that the lien no longer affects the chain of title of the property in any way. The judgment shall be forwarded to all parties identified in this subsection. Upon receiving judgment of a forfeited lien, the recorder shall, within 5 business days, record a copy of the judgment in the grantor's index or the grantee's index.

If the administrative law judge finds the lien is not expired, the recorder shall, no later than 5 business days after receiving notice of the decision of the administrative

law judge, record a copy of the judgment in the grantor's index or the grantee's index.

A decision by an administrative law judge is reviewable under the Administrative Review Law, and nothing in this Section precludes a property owner or lienholder from proceeding with a civil action to resolve questions concerning a mechanics lien.

A lienholder or property owner may remove the action from the code hearing unit to the circuit court as provided in subsection (i).

(g) Final administrative decision. The recorder's decision to refer a mechanics lien or serve a Demand to Commence Suit is a final administrative decision that is subject to review under the Administrative Review Law by the circuit court of the county where the real property is located. The standard of review by the circuit court shall be consistent with the Administrative Review Law.

(h) Liability. A recorder and the recorder's employees or agents are not subject to personal liability by reason of any error or omission in the performance of any duty under this Section, except in the case of willful or wanton conduct. The recorder and the recorder's employees or agents are not liable for the decision to refer a lien or serve a Demand to Commence Suit, or failure to refer or serve a Demand to Commence Suit, of a lien under this Section.

(i) Private actions; use of demand and referral process.

Nothing in this Section precludes a private right of action by any party with an interest in the property affected by the mechanics lien or a decision by the code hearing unit. Nothing in this Section requires a person or entity who may have a mechanics lien recorded against the person's or entity's property to use the mechanics lien demand and referral process created by this Section.

A lienholder or property owner may remove a matter in the referral process to the circuit court at any time prior to the final decision of the administrative law judge by delivering a certified notice of the suit filed in the circuit court to the administrative law judge. Upon receipt of the certified notice, the administrative law judge shall dismiss the matter without prejudice. If the matter is dismissed due to removal, then the demand and referral process is completed for the recorder for that property. If the circuit court dismisses the removed matter without deciding on whether the lien is expired and without prejudice, the recorder may reinstitute the demand and referral process under subsection (d).

(j) Repeal. This Section is repealed on January 1, 2027 ~~January 1, 2026~~.

(Source: P.A. 102-671, eff. 11-30-21; 103-400, eff. 1-1-24; 103-563, eff. 11-17-23.)

(55 ILCS 5/5-41065)

(Section scheduled to be repealed on January 1, 2026)

Sec. 5-41065. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division, a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided in subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2027 ~~January 1, 2026~~.

(Source: P.A. 102-671, eff. 11-30-21; 103-563, eff. 11-17-23.)

(55 ILCS 5/5-43043)

(Section scheduled to be repealed on January 1, 2026)

Sec. 5-43043. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division,

a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided in subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2027 ~~January 1, 2026~~.

(Source: P.A. 102-671, eff. 11-30-21; 103-563, eff. 11-17-23.)

Section 1-65. The Park Commissioners Land Sale Act is amended by changing Sections 20 and 25 as follows:

(70 ILCS 1235/20)

(Section scheduled to be repealed on January 1, 2026)

Sec. 20. Elliot Golf Course.

(a) Notwithstanding any other provision of law, the Rockford Park District may sell all or part of the property

containing the former Elliot Golf Course or other property adjacent thereto if:

(1) the board of commissioners of the Rockford Park District authorizes the sale by a vote of 80% or more of all commissioners in office at the time of the vote; and

(2) the sale price equals or exceeds the average of 3 independent appraisals commissioned by the Rockford Park District.

(b) The sale may be performed in a single transaction or multiple independent transactions and to one or more buyers.

(c) The Public Works Department of the City of Rockford shall have the right to review any proposed development plan that is submitted to the Village of Cherry Valley for the properties described in this Section in order to confirm that the proposed development plan does not adversely impact drainage, water detention, or flooding on the property legally described in the perpetual flowage easement recorded as Document Number 9509260 in the Office of the Winnebago County Recorder on March 17, 1995. The Public Works Department of the City of Rockford shall complete its review of any proposed development plan under this subsection (c) within 45 days after its receipt of that plan from the Village of Cherry Valley.

(d) This Section is repealed January 1, 2027 ~~January 1, 2026~~.

(Source: P.A. 102-923, eff. 5-27-22; 103-1059, eff. 12-20-24.)

(70 ILCS 1235/25)

(Section scheduled to be repealed on January 1, 2026)

Sec. 25. Sale of Joliet Park District land.

(a) Notwithstanding any other provision of law, the Joliet Park District may sell Splash Station if:

(1) the board of commissioners of the Joliet Park District authorizes the sale by a four-fifths vote of the commissioners in office at the time of the vote; and

(2) the sale price equals or exceeds the average of 3 independent appraisals commissioned by the Joliet Park District.

(b) This Section is repealed on January 1, 2027 ~~January 1, 2026~~.

(Source: P.A. 103-499, eff. 8-4-23; 104-10, eff. 6-16-25.)

Article 5.

Section 5-5. The Statute on Statutes is amended by changing Section 9 as follows:

(5 ILCS 70/9)

Sec. 9. Stated repeal date; presentation to Governor. If a bill that changes or eliminates the stated repeal date of an Act or an Article or Section of an Act is passed ~~presented to the Governor~~ by the General Assembly before or within 7

calendar days after the stated repeal date and, after the stated repeal date, either the Governor approves the bill, the General Assembly overrides the Governor's veto of the bill, or the bill becomes law because it is not returned by the Governor within 60 calendar days after it is presented to the Governor, then the Act, Article, or Section shall be deemed to remain in full force and effect from the stated repeal date through the date the Governor approves the bill, the General Assembly overrides the Governor's veto of the bill, or the bill becomes law because it is not returned by the Governor within 60 calendar days after it is presented to the Governor.

Any action taken in reliance on the continuous effect of such an Act, Article, or Section by any person or entity is hereby validated.

(Source: P.A. 102-687, eff. 12-17-21.)

Article 10.

Section 10-5. The Election Code is amended by adding Section 1-21.5 and by reenacting and changing Section 1-22 as follows:

(10 ILCS 5/1-21.5 new)

Sec. 1-21.5. Continuation and validation of Illinois Elections and Infrastructure Integrity Task Force.

(a) The General Assembly finds and declares the following:

(1) The Illinois Elections and Infrastructure Integrity Task Force was created by Public Act 102-1108, effective December 21, 2022, through the addition of Section 1-22 to this Code.

(2) When it was added to this Code by Public Act 102-1108, Section 1-22 contained a subsection (d), which provided for the dissolution of the Illinois Elections and Infrastructure Integrity Task Force and the repeal of Section 1-22 on June 1, 2025.

(3) Senate Bill 2456 of the 104th General Assembly included a provision that amended Section 1-22 of the Election Code by extending the date for the dissolution of the Illinois Elections and Infrastructure Integrity Task Force and the repeal of Section 1-22 from June 1, 2025 to June 1, 2026, but Senate Bill 2456 did not become law until June 16, 2025.

(4) The Statute on Statutes sets forth general rules on the repeal of statutes, but Section 1 of that Act also states that these rules will not be observed when the result would be "inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute".

(5) The actions of the General Assembly in passing Senate Bill 2456 clearly manifested the intention of the General Assembly to extend the date for the dissolution of the Illinois Elections and Infrastructure Integrity Task

Force and the repeal of Section 1-22.

(6) Any construction of Section 1-22 that results in the dissolution of the Illinois Elections and Infrastructure Integrity Task Force and the repeal of Section 1-22 on June 1, 2025 would be inconsistent with the manifest intent of the General Assembly.

(b) It is hereby declared to be the intent of the General Assembly that Section 1-22 should not be subject to repeal on June 1, 2025 and that the repeal date of the Illinois Elections and Infrastructure Integrity Task Force and Section 1-22 of this Code should be further extended to July 1, 2027.

(c) Section 1-22 of this Code, therefore, shall not be subject to repeal on June 1, 2025 and, instead, shall be deemed to have been in continuous effect since its original effective date and shall remain in effect until it is otherwise lawfully repealed.

(d) All actions taken in reliance on or pursuant to Section 1-22 by any officer or agency of State government or any other person or entity are validated.

(e) To ensure the continuing effectiveness of the Illinois Elections and Infrastructure Integrity Task Force, Section 1-22 is set forth in full and re-enacted by this amendatory Act of the 104th General Assembly. This re-enactment is intended as a continuation of the Illinois Elections and Infrastructure Integrity Task Force and Section 1-22. It is not intended to supersede any amendment to Section 1-22 that is enacted by the

General Assembly.

(f) In this amendatory Act of the 104th General Assembly, the base text of the reenacted Section is set forth as amended by Public Act 104-10. Striking and underscoring is used only to show additional changes being made to the base text.

(g) This amendatory Act of the 104th General Assembly applies to all claims, civil actions, and proceedings pending on or filed on, before, or after the effective date of this amendatory Act.

(10 ILCS 5/1-22)

Sec. 1-22. The Illinois Elections and Infrastructure Integrity Task Force.

(a) The Illinois Elections and Infrastructure Integrity Task Force is created. The Task Force shall consist of the following members:

(1) 4 members appointed one each by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate;

(2) one member with subject matter expertise regarding cybersecurity, appointed by the Minority Leader of the House of Representatives;

(3) one member with subject matter expertise regarding voting technology or election integrity, appointed by the Speaker of the House;

(4) one member who is an individual with current experience in operational cybersecurity, preferably international operational cybersecurity, appointed by the President of the Senate;

(5) one county clerk, appointed by the Minority Leader of the Senate;

(6) the Chair of the Board of Election Commissioners for the City of Chicago or the Chair's designee;

(7) the county clerk of Cook County;

(8) one election administrator, appointed by the Governor;

(9) the Executive Director of the State Board of Elections or the Executive Director's designee;

(10) the Secretary of State or the Secretary's designee;

(11) the Director of the Illinois Emergency Management Agency or the Director's designee;

(12) the Secretary of Innovation and Technology or the Secretary's designee; and

(13) the Attorney General or the Attorney General's designee.

(b) The Task Force shall evaluate and make recommendations to prepare for and prevent foreign interference in elections in advance of the 2024 election and all future elections in the State and to prepare for and prevent potential cyberattacks on State infrastructure. In carrying out its duties, the Task

Force shall prioritize the security of all Illinois residents and cooperation with other states and with law enforcement to protect United States national sovereignty. The Task Force shall submit a report containing its findings and recommendations to the Governor and the General Assembly not later than January 1, 2024. The Task Force shall also submit a report evaluating the 2024 election to the Governor and the General Assembly not later than March 1, 2027 ~~2025~~.

(c) The State Board of Elections shall provide staff and administrative support to the Task Force.

(d) The Task Force is dissolved, and this Section is repealed, on July 1, 2027 ~~June 1, 2026~~.

(Source: P.A. 102-1108, eff. 12-21-22; 104-10, eff. 6-16-25.)

Article 15.

Section 15-5. The Criminal Code of 2012 is amended by reenacting and changing Article 33G as follows:

(720 ILCS 5/Art. 33G heading)

ARTICLE 33G. ILLINOIS STREET GANG

AND RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS LAW

(Source: P.A. 97-686, eff. 6-11-12.)

(720 ILCS 5/33G-1)

Sec. 33G-1. Short title. This Article may be cited as the

Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law (or "RICO").

(Source: P.A. 97-686, eff. 6-11-12.)

(720 ILCS 5/33G-2)

Sec. 33G-2. Legislative declaration. The substantial harm inflicted on the people and economy of this State by pervasive violent street gangs and other forms of enterprise criminality, is legitimately a matter of grave concern to the people of this State who have a basic right to be protected from that criminal activity and to be given adequate remedies to redress its harms. Whereas the current laws of this State provide inadequate remedies, procedures and punishments, the Illinois General Assembly hereby gives the supplemental remedies of the Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law full force and effect under law for the common good of this State and its people.

(Source: P.A. 97-686, eff. 6-11-12.)

(720 ILCS 5/33G-3)

Sec. 33G-3. Definitions. As used in this Article:

(a) "Another state" means any State of the United States (other than the State of Illinois), or the District of Columbia, or the Commonwealth of Puerto Rico, or any territory or possession of the United States, or any political subdivision, or any department, agency, or instrumentality

thereof.

(b) "Enterprise" includes:

(1) any partnership, corporation, association, business or charitable trust, or other legal entity; and

(2) any group of individuals or other legal entities, or any combination thereof, associated in fact although not itself a legal entity. An association in fact must be held together by a common purpose of engaging in a course of conduct, and it may be associated together for purposes that are both legal and illegal. An association in fact must:

(A) have an ongoing organization or structure, either formal or informal;

(B) the various members of the group must function as a continuing unit, even if the group changes membership by gaining or losing members over time; and

(C) have an ascertainable structure distinct from that inherent in the conduct of a pattern of predicate activity.

As used in this Article, "enterprise" includes licit and illicit enterprises.

(c) "Labor organization" includes any organization, labor union, craft union, or any voluntary unincorporated association designed to further the cause of the rights of union labor that is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers

concerning grievances, terms or conditions of employment, or apprenticeships or applications for apprenticeships, or of other mutual aid or protection in connection with employment, including apprenticeships or applications for apprenticeships.

(d) "Operation or management" means directing or carrying out the enterprise's affairs and is limited to any person who knowingly serves as a leader, organizer, operator, manager, director, supervisor, financier, advisor, recruiter, supplier, or enforcer of an enterprise in violation of this Article.

(e) "Predicate activity" means any act that is a Class 2 felony or higher and constitutes a violation or violations of any of the following provisions of the laws of the State of Illinois (as amended or revised as of the date the activity occurred or, in the instance of a continuing offense, the date that charges under this Article are filed in a particular matter in the State of Illinois) or any act under the law of another jurisdiction for an offense that could be charged as a Class 2 felony or higher in this State:

(1) under the Criminal Code of 1961 or the Criminal Code of 2012: 8-1.2 (solicitation of murder for hire), 9-1 (first degree murder), 9-3.3 (drug-induced homicide), 10-1 (kidnapping), 10-2 (aggravated kidnapping), 10-3.1 (aggravated unlawful restraint), 10-4 (forcible detention), 10-5(b)(10) (child abduction), 10-9 (trafficking in persons, involuntary servitude, and related offenses), 11-1.20 (criminal sexual assault),

11-1.30 (aggravated criminal sexual assault), 11-1.40 (predatory criminal sexual assault of a child), 11-1.60 (aggravated criminal sexual abuse), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-14.3(a)(2)(A) and (a)(2)(B) (promoting prostitution), 11-14.4 (promoting commercial sexual exploitation of a child), 11-18.1 (patronizing a sexually exploited child; patronizing a sexually exploited child), 12-3.05 (aggravated battery), 12-6.4 (criminal street gang recruitment), 12-6.5 (compelling organization membership of persons), 12-7.3 (stalking), 12-7.4 (aggravated stalking), 12-7.5 (cyberstalking), 12-11 or 19-6 (home invasion), 12-11.1 or 18-6 (vehicular invasion), 18-1 (robbery; aggravated robbery), 18-2 (armed robbery), 18-3 (vehicular hijacking), 18-4 (aggravated vehicular hijacking), 18-5 (aggravated robbery), 19-1 (burglary), 19-3 (residential burglary), 20-1 (arson; residential arson; place of worship arson), 20-1.1 (aggravated arson), 20-1.2 (residential arson), 20-1.3 (place of worship arson), 24-1.2 (aggravated discharge of a firearm), 24-1.2-5 (aggravated discharge of a machine gun or silencer equipped firearm), 24-1.8 (unlawful possession of a firearm by a street gang member), 24-3.2 (unlawful discharge of firearm projectiles), 24-3.9 (aggravated possession of a stolen firearm), 24-3A (gunrunning), 26-5 or 48-1 (dog-fighting), 29D-14.9 (terrorism), 29D-15

(soliciting support for terrorism), 29D-15.1 (causing a catastrophe), 29D-15.2 (possession of a deadly substance), 29D-20 (making a terrorist threat), 29D-25 (falsely making a terrorist threat), 29D-29.9 (material support for terrorism), 29D-35 (hindering prosecution of terrorism), 31A-1.2 (unauthorized contraband in a penal institution), or 33A-3 (armed violence);

(2) under the Cannabis Control Act: Sections 5 (manufacture or delivery of cannabis), 5.1 (cannabis trafficking), or 8 (production or possession of cannabis plants), provided the offense either involves more than 500 grams of any substance containing cannabis or involves more than 50 cannabis sativa plants;

(3) under the Illinois Controlled Substances Act: Sections 401 (manufacture or delivery of a controlled substance), 401.1 (controlled substance trafficking), 405 (calculated criminal drug conspiracy), or 405.2 (street gang criminal drug conspiracy); or

(4) under the Methamphetamine Control and Community Protection Act: Sections 15 (methamphetamine manufacturing), or 55 (methamphetamine delivery).

(f) "Pattern of predicate activity" means:

(1) at least 3 occurrences of predicate activity that are in some way related to each other and that have continuity between them, and that are separate acts. Acts are related to each other if they are not isolated events,

including if they have similar purposes, or results, or participants, or victims, or are committed a similar way, or have other similar distinguishing characteristics, or are part of the affairs of the same enterprise. There is continuity between acts if they are ongoing over a substantial period, or if they are part of the regular way some entity does business or conducts its affairs; and

(2) which occurs after the effective date of this Article, and the last of which falls within 3 years (excluding any period of imprisonment) after the first occurrence of predicate activity.

(g) "Unlawful death" includes the following offenses: under the Code of 1961 or the Criminal Code of 2012: Sections 9-1 (first degree murder) or 9-2 (second degree murder).

(Source: P.A. 103-1071, eff. 7-1-25.)

(720 ILCS 5/33G-4)

Sec. 33G-4. Prohibited activities.

(a) It is unlawful for any person, who intentionally participates in the operation or management of an enterprise, directly or indirectly, to:

(1) knowingly do so, directly or indirectly, through a pattern of predicate activity;

(2) knowingly cause another to violate this Article; or

(3) knowingly conspire to violate this Article.

Notwithstanding any other provision of law, in any prosecution for a conspiracy to violate this Article, no person may be convicted of that conspiracy unless an overt act in furtherance of the agreement is alleged and proved to have been committed by him, her, or by a coconspirator, but the commission of the overt act need not itself constitute predicate activity underlying the specific violation of this Article.

(b) It is unlawful for any person knowingly to acquire or maintain, directly or indirectly, through a pattern of predicate activity any interest in, or control of, to any degree, any enterprise, real property, or personal property of any character, including money.

(c) Nothing in this Article shall be construed as to make unlawful any activity which is arguably protected or prohibited by the National Labor Relations Act, the Illinois Educational Labor Relations Act, the Illinois Public Labor Relations Act, or the Railway Labor Act.

(d) The following organizations, and any officer or agent of those organizations acting in his or her official capacity as an officer or agent, may not be sued in civil actions under this Article:

(1) a labor organization; or

(2) any business defined in Division D, E, F, G, H, or I of the Standard Industrial Classification as established by the Occupational Safety and Health Administration, U.S.

Department of Labor.

(e) Any person prosecuted under this Article may be convicted and sentenced either:

(1) for the offense of conspiring to violate this Article, and for any other particular offense or offenses that may be one of the objects of a conspiracy to violate this Article; or

(2) for the offense of violating this Article, and for any other particular offense or offenses that may constitute predicate activity underlying a violation of this Article.

(f) The State's Attorney, or a person designated by law to act for him or her and to perform his or her duties during his or her absence or disability, may authorize a criminal prosecution under this Article. Prior to any State's Attorney authorizing a criminal prosecution under this Article, the State's Attorney shall adopt rules and procedures governing the investigation and prosecution of any offense enumerated in this Article. These rules and procedures shall set forth guidelines which require that any potential prosecution under this Article be subject to an internal approval process in which it is determined, in a written prosecution memorandum prepared by the State's Attorney's Office, that (1) a prosecution under this Article is necessary to ensure that the indictment adequately reflects the nature and extent of the criminal conduct involved in a way that prosecution only on

the underlying predicate activity would not, and (2) a prosecution under this Article would provide the basis for an appropriate sentence under all the circumstances of the case in a way that a prosecution only on the underlying predicate activity would not. No State's Attorney, or person designated by law to act for him or her and to perform his or her duties during his or her absence or disability, may authorize a criminal prosecution under this Article prior to reviewing the prepared written prosecution memorandum. However, any internal memorandum shall remain protected from disclosure under the attorney-client privilege, and this provision does not create any enforceable right on behalf of any defendant or party, nor does it subject the exercise of prosecutorial discretion to judicial review.

(g) A labor organization and any officer or agent of that organization acting in his or her capacity as an officer or agent of the labor organization are exempt from prosecution under this Article.

(Source: P.A. 97-686, eff. 6-11-12; 98-463, eff. 8-16-13.)

(720 ILCS 5/33G-5)

Sec. 33G-5. Penalties. Under this Article, notwithstanding any other provision of law:

(a) Any violation of subsection (a) of Section 33G-4 of this Article shall be sentenced as a Class X felony with a term of imprisonment of not less than 7 years and not more than 30

years, or the sentence applicable to the underlying predicate activity, whichever is higher, and the sentence imposed shall also include restitution, and/or a criminal fine, jointly and severally, up to $250,000 or twice the gross amount of any intended proceeds of the violation, if any, whichever is higher.

(b) Any violation of subsection (b) of Section 33G-4 of this Article shall be sentenced as a Class X felony, and the sentence imposed shall also include restitution, and/or a criminal fine, jointly and severally, up to $250,000 or twice the gross amount of any intended proceeds of the violation, if any, whichever is higher.

(c) Wherever the unlawful death of any person or persons results as a necessary or natural consequence of any violation of this Article, the sentence imposed on the defendant shall include an enhanced term of imprisonment of at least 25 years up to natural life, in addition to any other penalty imposed by the court, provided:

(1) the death or deaths were reasonably foreseeable to the defendant to be sentenced; and

(2) the death or deaths occurred when the defendant was otherwise engaged in the violation of this Article as a whole.

(d) A sentence of probation, periodic imprisonment, conditional discharge, impact incarceration or county impact incarceration, court supervision, withheld adjudication, or

any pretrial diversionary sentence or suspended sentence, is not authorized for a violation of this Article.

(Source: P.A. 97-686, eff. 6-11-12; 98-463, eff. 8-16-13.)

(720 ILCS 5/33G-6)

Sec. 33G-6. Remedial proceedings, procedures, and forfeiture.

(a) Under this Article, the circuit court shall have jurisdiction to prevent and restrain violations of this Article by issuing appropriate orders, including:

(1) ordering any person to disgorge illicit proceeds obtained by a violation of this Article or divest himself or herself of any interest, direct or indirect, in any enterprise or real or personal property of any character, including money, obtained, directly or indirectly, by a violation of this Article;

(2) imposing reasonable restrictions on the future activities or investments of any person or enterprise, including prohibiting any person or enterprise from engaging in the same type of endeavor as the person or enterprise engaged in, that violated this Article; or

(3) ordering dissolution or reorganization of any enterprise, making due provision for the rights of innocent persons.

(b) Any violation of this Article is subject to the remedies, procedures, and forfeiture as set forth in Article

29B of this Code.

(c) Property seized or forfeited under this Article is subject to reporting under the Seizure and Forfeiture Reporting Act.

(Source: P.A. 100-512, eff. 7-1-18; 100-699, eff. 8-3-18; 101-81, eff. 7-12-19.)

(720 ILCS 5/33G-7)

Sec. 33G-7. Construction. In interpreting the provisions of this Article, the court shall construe them in light of the applicable model jury instructions set forth in the Federal Criminal Jury Instructions for the Seventh Circuit (1999) for Title IX of Public Law 91-452, 84 Stat. 922 (as amended in Title 18, United States Code, Sections 1961 through 1968), except to the extent that they are inconsistent with the plain language of this Article.

(Source: P.A. 97-686, eff. 6-11-12; 98-463, eff. 8-16-13.)

(720 ILCS 5/33G-8)

Sec. 33G-8. Limitations. Under this Article, notwithstanding any other provision of law, but otherwise subject to the periods of exclusion from limitation as provided in Section 3-7 of this Code, the following limitations apply:

(a) Any action, proceeding, or prosecution brought under this Article must commence within 5 years of one of the

following dates, whichever is latest:

(1) the date of the commission of the last occurrence of predicate activity in a pattern of that activity, in the form of an act underlying the alleged violation of this Article; or

(2) in the case of an action, proceeding, or prosecution, based upon a conspiracy to violate this Article, the date that the last objective of the alleged conspiracy was accomplished, defeated or abandoned (whichever is later); or

(3) the date any minor victim of the violation attains the age of 18 years or the date any victim of the violation subject to a legal disability thereafter gains legal capacity.

(b) Any action, proceeding, or prosecution brought under this Article may be commenced at any time against all defendants if the conduct of any defendant, or any part of the overall violation, resulted in the unlawful death of any person or persons.

(Source: P.A. 97-686, eff. 6-11-12.)

(720 ILCS 5/33G-9)

Sec. 33G-9. Repeal. This Article is repealed on July ~~June~~ 1, 2027.

(Source: P.A. 102-918, eff. 5-27-22; 103-4, eff. 5-31-23; 104-10, eff. 6-16-25.)

(720 ILCS 5/33G-10 new)

Sec. 33G-10. Continuation and validation of Illinois Street Gang and Racketeer Influenced and Corrupt Organizations Law.

(a) The General Assembly finds and declares the following:

(1) When Article 33G was added to this Code by Public Act 97-686, it contained a Section 33G-9, which specified that Article 33G was repealed 5 years after June 11, 2012, the effective date of Public Act 97-686.

(2) As a result of several subsequent enactments, including Public Act 103-4, the repeal date of Article 33G was extended to June 1, 2025.

(3) Senate Bill 2456 of the 104th General Assembly included a provision that further extended the repeal date of Article 33G from June 1, 2025 to June 1, 2027, but Senate Bill 2456 did not become law until June 16, 2025.

(4) The Statute on Statutes sets forth general rules on the repeal of statutes, but Section 1 of that Act also states that these rules will not be observed when the result would be "inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute".

(5) The actions of the General Assembly in passing Senate Bill 2456 clearly manifested the intention of the General Assembly to extend the date for the repeal of

Article 33G of this Code.

(6) Any construction of Section 33G-9 that results in the repeal of Article 33G of this Code on June 1, 2025 would be inconsistent with the manifest intent of the General Assembly.

(b) It is hereby declared to be the intent of the General Assembly that Article 33G of this Code should not be subject to repeal on June 1, 2025 and that the repeal date of Article 33G of this Code should be further extended to July 1, 2027.

(c) Article 33G, therefore, shall not be subject to repeal on June 1, 2025 and, instead, shall be deemed to have been in continuous effect since its original effective date and shall remain in effect until it is otherwise lawfully repealed.

(d) All actions taken in reliance on or pursuant to Article 33G by any officer or agency of State government or any other person or entity are validated.

(e) To ensure the continuing effectiveness of Article 33G of this Code, Article 33G is set forth in full and re-enacted by this amendatory Act of the 104th General Assembly. This re-enactment is intended as a continuation of Article 33G. It is not intended to supersede any amendment to Article 33G that is enacted by the General Assembly.

(f) In this amendatory Act of the 104th General Assembly, the base text of the reenacted Section is set forth as amended by Public Act 104-10. Striking and underscoring is used only to show additional changes being made to the base text.

(g) This amendatory Act of the 104th General Assembly applies to all claims, civil actions, and proceedings pending on or filed on, before, or after the effective date of this amendatory Act.

Article 20.

Section 20-5. The Eminent Domain Act is amended by adding Section 25-5-104.5 and by reenacting and changing Section 25-5-105 as follows:

(735 ILCS 30/25-5-104.5 new)

Sec. 25-5-104.5. Continuation and validation of quick-take powers; Menard County; Athens Blacktop.

(a) The General Assembly finds and declares the following:

(1) When Section 25-5-105 was added to this Act by Public Act 103-3, it contained a provision that called for Section 25-5-105 to be repealed May 31, 2023, which was 2 years after the effective date of Public Act 103-3.

(2) As a result of the enactment of Public Act 103-605, the repeal date of Section 25-5-105 was extended to May 31, 2025.

(3) Senate Bill 2456 of the 104th General Assembly included a provision that further extended the repeal date of Section 25-5-105 from May 31, 2025 to May 31, 2026, but Senate Bill 2456 did not become law until June 16, 2025.

(4) The Statute on Statutes sets forth general rules on the repeal of statutes, but Section 1 of that Act also states that these rules will not be observed when the result would be "inconsistent with the manifest intent of the General Assembly or repugnant to the context of the statute".

(5) The actions of the General Assembly in passing Senate Bill 2456 clearly manifested the intention of the General Assembly to extend the date for the repeal of Section 25-5-105.

(6) Any construction of Section 25-5-105 that results in the repeal of Section 25-5-105 on May 31, 2025 would be inconsistent with the manifest intent of the General Assembly.

(b) It is hereby declared to be the intent of the General Assembly that Section 25-5-105 should not be subject to repeal on May 31, 2025 and that the repeal date of Section 25-5-105 should be further extended to July 1, 2027.

(c) Section 25-5-105 of this Act, therefore, shall not be subject to repeal on May 31, 2025 and, instead, shall be deemed to have been in continuous effect since its original effective date and shall remain in effect until it is otherwise lawfully repealed.

(d) All actions taken in reliance on or pursuant to Section 25-5-105 by any officer or agency of State government or any other person or entity are validated.

(e) To ensure the continuing effectiveness of Section 25-5-105, Section 25-5-105 is set forth in full and re-enacted by this amendatory Act of the 104th General Assembly. This re-enactment is intended as a continuation of Section 25-5-105. It is not intended to supersede any amendment to Section 25-5-105 that is enacted by the General Assembly.

(f) In this amendatory Act of the 104th General Assembly, the base text of the reenacted Section is set forth as amended by Public Act 104-10. Striking and underscoring is used only to show additional changes being made to the base text.

(g) This amendatory Act of the 104th General Assembly applies to all claims, civil actions, and proceedings pending on or filed on, before, or after the effective date of this amendatory Act.

(735 ILCS 30/25-5-105)

Sec. 25-5-105. Quick-take; Menard County; Athens Blacktop.

(a) Quick-take proceedings under Article 20 may be used for a period of one year after May 31, 2025 (2 years after the effective date of Public Act 103-3) by Menard County for the acquisition of the following described property for the purpose of reconstructing the Athens Blacktop corridor.

Route: FAS 574/Athens Blacktop Road

County: Menard

Parcel No.: D-18

P.I.N. No.: 12-28-400-006

Section: 09-00056-05-EG

Station: RT 181+94.77

Station: RT 188+48.97

A part of the Southeast Quarter of Section 28, Township 18 North, Range 6 West of the Third Principal Meridian, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 28; thence South 89 degrees 42 minutes 06 seconds West along the north line of the Southeast Quarter of said Section 28, a distance of 669.81 feet to the northeast parcel corner and the point of beginning; thence South 02 degrees 24 minutes 13 seconds East along the east parcel line, 80.48 feet; thence South 72 degrees 55 minutes 03 seconds West, 103.39 feet; thence South 89 degrees 43 minutes 40 seconds West, 150.00 feet; thence North 86 degrees 08 minutes 49 seconds West, 405.10 feet to the west parcel line; thence North 01 degree 06 minutes 28 seconds West along said line, 80.89 feet to the north line of the Southeast Quarter of said Section 28; thence North 89 degrees 42 minutes 06 seconds East along said line, 651.20 feet to the point of beginning, containing 0.860 acres, more or less of new right of way and 0.621 acres, more or less of existing right of way.

Route: FAS 574/Athens Blacktop Road

County: Menard

Parcel No.: D-19

P.I.N. No.: 12-28-400-007

Section: 09-00056-05-EG

Station: RT 188+46.59

Station: RT 191+17.37

A part of the Southeast Quarter of Section 28, Township 18 North, Range 6 West of the Third Principal Meridian, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 28; thence South 89 degrees 42 minutes 06 seconds West along the north line of the Southeast Quarter of said Section 28, a distance of 399.89 feet to the northeast parcel corner and the point of beginning; thence South 01 degree 10 minutes 54 seconds East along the east parcel line, 92.67 feet; thence South 80 degrees 35 minutes 32 seconds West, 17.59 feet; thence South 89 degrees 43 minutes 40 seconds West, 75.00 feet; thence North 00 degrees 16 minutes 20 seconds West, 45.45 feet to the existing southerly right of way line of Athens Blacktop Road (FAS 574); thence South 89 degrees 42 minutes 25 seconds West along said line, 75.00 feet; thence South 72 degrees 55 minutes 03 seconds West, 105.54 feet to the west parcel line; thence North 02 degrees 24 minutes 13 seconds West along said line, 80.48 feet to the north line of the Southeast Quarter of said Section 28;

thence North 89 degrees 42 minutes 06 seconds East along said line, 269.92 feet to the point of beginning, containing 0.137 acres, more or less of new right of way and 0.303 acres, more or less of existing right of way.

(b) This Section is repealed July 1, 2027 ~~May 31, 2026 (3 years after the effective date of Public Act 103-3)~~.

(Source: P.A. 103-3, eff. 5-31-23; 103-605, eff. 7-1-24; 104-10, eff. 6-16-25)

Article 25.

Section 25-5. The Election Code is amended by changing Section 10-6 as follows:

(10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

Sec. 10-6. Time and manner of filing. Except as otherwise provided in this Code, certificates of nomination and nomination papers for the nomination of candidates for offices to be filled by electors of the entire State, or any district not entirely within a county, or for congressional, state legislative or judicial offices, shall be presented to the principal office of the State Board of Elections not more than 169 nor less than 162 days previous to the day of election for which the candidates are nominated. The State Board of Elections shall endorse the certificates of nomination or nomination papers, as the case may be, and the date and hour of

presentment to it. Except as otherwise provided in this Code, all other certificates for the nomination of candidates shall be filed with the county clerk of the respective counties not more than 169 but at least 162 days previous to the day of such election. Certificates of nomination and nomination papers for the nomination of candidates for school district offices to be filled at consolidated elections shall be filed with the county clerk or county board of election commissioners of the county in which the principal office of the school district is located not more than 141 nor less than 134 days before the consolidated election. Except as otherwise provided in this Code, certificates of nomination and nomination papers for the nomination of candidates for the other offices of political subdivisions to be filled at regular elections other than the general election shall be filed with the local election official of such subdivision:

(1) (blank);

(2) not more than 141 nor less than 134 days prior to the consolidated election; or

(3) not more than 141 nor less than 134 days prior to the general primary in the case of municipal offices to be filled at the general primary election; or

(4) not more than 127 nor less than 120 days before the consolidated primary in the case of municipal offices to be elected on a nonpartisan basis pursuant to law (including, without limitation, those municipal offices

subject to Articles 4 and 5 of the Municipal Code); or

(5) not more than 141 nor less than 134 days before the municipal primary in even numbered years for such nonpartisan municipal offices where annual elections are provided; or

(6) in the case of petitions for the office of multi-township assessor, such petitions shall be filed with the election authority not more than 141 ~~113~~ nor less than 134 days before the consolidated election.

However, where a political subdivision's boundaries are co-extensive with or are entirely within the jurisdiction of a municipal board of election commissioners, the certificates of nomination and nomination papers for candidates for such political subdivision offices shall be filed in the office of such Board.

(Source: P.A. 102-15, eff. 6-17-21; 103-600, eff. 7-1-24.)

Section 25-10. The Illinois Municipal Code is amended by changing Section 3.1-10-50 as follows:

(65 ILCS 5/3.1-10-50)

Sec. 3.1-10-50. Events upon which an elective office becomes vacant in municipality with population under 500,000.

(a) Vacancy by resignation. A resignation is not effective unless it is in writing, signed by the person holding the elective office, and notarized.

(1) Unconditional resignation. An unconditional resignation by a person holding the elective office may specify a future date, not later than 60 days after the date the resignation is received by the officer authorized to fill the vacancy, at which time it becomes operative, but the resignation may not be withdrawn after it is received by the officer authorized to fill the vacancy. The effective date of a resignation that does not specify a future date at which it becomes operative is the date the resignation is received by the officer authorized to fill the vacancy. The effective date of a resignation that has a specified future effective date is that specified future date or the date the resignation is received by the officer authorized to fill the vacancy, whichever date occurs later.

(2) Conditional resignation. A resignation that does not become effective unless a specified event occurs can be withdrawn at any time prior to the occurrence of the specified event, but if not withdrawn, the effective date of the resignation is the date of the occurrence of the specified event or the date the resignation is received by the officer authorized to fill the vacancy, whichever date occurs later.

(3) Vacancy upon the effective date. For the purpose of determining the time period that would require an election to fill the vacancy by resignation or the

commencement of the 60-day time period referred to in subsection (e), the resignation of an elected officer is deemed to have created a vacancy as of the effective date of the resignation.

(4) Duty of the clerk. If a resignation is delivered to the clerk of the municipality, the clerk shall forward a certified copy of the written resignation to the official who is authorized to fill the vacancy within 7 business days after receipt of the resignation.

(b) Vacancy by death or disability. A vacancy occurs in an office by reason of the death of the incumbent. The date of the death may be established by the date shown on the death certificate. A vacancy occurs in an office by permanent physical or mental disability rendering the person incapable of performing the duties of the office. The corporate authorities have the authority to make the determination whether an officer is incapable of performing the duties of the office because of a permanent physical or mental disability. A finding of mental disability shall not be made prior to the appointment by a court of a guardian ad litem for the officer or until a duly licensed doctor certifies, in writing, that the officer is mentally impaired to the extent that the officer is unable to effectively perform the duties of the office. If the corporate authorities find that an officer is incapable of performing the duties of the office due to permanent physical or mental disability, that person is

removed from the office and the vacancy of the office occurs on the date of the determination.

(c) Vacancy by other causes.

(1) Abandonment and other causes. A vacancy occurs in an office by reason of abandonment of office; removal from office; or failure to qualify; or more than temporary removal of residence from the municipality; or in the case of an alderperson of a ward or councilman or trustee of a district, more than temporary removal of residence from the ward or district, as the case may be. The corporate authorities have the authority to determine whether a vacancy under this subsection has occurred. If the corporate authorities determine that a vacancy exists, the office is deemed vacant as of the date of that determination for all purposes including the calculation under subsections (e), (f), and (g).

(2) Guilty of a criminal offense. An admission of guilt of a criminal offense that upon conviction would disqualify the municipal officer from holding the office, in the form of a written agreement with State or federal prosecutors to plead guilty to a felony, bribery, perjury, or other infamous crime under State or federal law, constitutes a resignation from that office, effective on the date the plea agreement is made. For purposes of this Section, a conviction for an offense that disqualifies a municipal officer from holding that office occurs on the

date of the return of a guilty verdict or, in the case of a trial by the court, on the entry of a finding of guilt.

(3) Election declared void. A vacancy occurs on the date of the decision of a competent tribunal declaring the election of the officer void.

(4) Owing a debt to the municipality. A vacancy occurs if a municipal official fails to pay a debt to a municipality in which the official has been elected or appointed to an elected position subject to the following:

(A) Before a vacancy may occur under this paragraph (4), the municipal clerk shall deliver, by personal service, a written notice to the municipal official that (i) the municipal official is in arrears of a debt to the municipality, (ii) that municipal official must either pay or contest the debt within 30 days after receipt of the notice or the municipal official will be disqualified and his or her office vacated, and (iii) if the municipal official chooses to contest the debt, the municipal official must provide written notice to the municipal clerk of the contesting of the debt. A copy of the notice, and the notice to contest, shall also be mailed by the municipal clerk to the appointed municipal attorney by certified mail. If the municipal clerk is the municipal official indebted to the municipality, the mayor or president of the municipality shall assume

the duties of the municipal clerk required under this paragraph (4).

(B) In the event that the municipal official chooses to contest the debt, a hearing shall be held within 30 days of the municipal clerk's receipt of the written notice of contest from the municipal official. An appointed municipal hearing officer shall preside over the hearing, and shall hear testimony and accept evidence relevant to the existence of the debt owed by the municipal officer to the municipality.

(C) Upon the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented as to whether or not the municipal official is in arrears of a debt to the municipality. The determination shall be in writing and shall be designated as findings, decision, and order. The findings, decision, and order shall include: (i) the hearing officer's findings of fact; (ii) a decision of whether or not the municipal official is in arrears of a debt to the municipality based upon the findings of fact; and (iii) an order that either directs the municipal official to pay the debt within 30 days or be disqualified and his or her office vacated or dismisses the matter if a debt owed to the municipality is not proved. A copy of the hearing officer's written determination shall be

served upon the municipal official in open proceedings before the hearing officer. If the municipal official does not appear for receipt of the written determination, the written determination shall be deemed to have been served on the municipal official on the date when a copy of the written determination is personally served on the municipal official or on the date when a copy of the written determination is deposited in the United States mail, postage prepaid, addressed to the municipal official at the address on record with the municipality.

(D) A municipal official aggrieved by the determination of a hearing officer may secure judicial review of such determination in the circuit court of the county in which the hearing was held. The municipal official seeking judicial review must file a petition with the clerk of the court and must serve a copy of the petition upon the municipality by registered or certified mail within 5 days after service of the determination of the hearing officer. The petition shall contain a brief statement of the reasons why the determination of the hearing officer should be reversed. The municipal official shall file proof of service with the clerk of the court. No answer to the petition need be filed, but the municipality shall cause the record of proceedings before the

hearing officer to be filed with the clerk of the court on or before the date of the hearing on the petition or as ordered by the court. The court shall set the matter for hearing to be held within 30 days after the filing of the petition and shall make its decision promptly after such hearing.

(E) If a municipal official chooses to pay the debt, or is ordered to pay the debt after the hearing, the municipal official must present proof of payment to the municipal clerk that the debt was paid in full, and, if applicable, within the required time period as ordered by a hearing officer or circuit court judge.

(F) A municipal official will be disqualified and his or her office vacated pursuant to this paragraph (4) on the later of the following times if the municipal official: (i) fails to pay or contest the debt within 30 days of the municipal official's receipt of the notice of the debt; (ii) fails to pay the debt within 30 days after being served with a written determination under subparagraph (C) ordering the municipal official to pay the debt; or (iii) fails to pay the debt within 30 days after being served with a decision pursuant to subparagraph (D) upholding a hearing officer's determination that the municipal officer has failed to pay a debt owed to a municipality.

(G) For purposes of this paragraph, a "debt" shall mean an arrearage in a definitely ascertainable and quantifiable amount after service of written notice thereof, in the payment of any indebtedness due to the municipality, which has been adjudicated before a tribunal with jurisdiction over the matter. A municipal official is considered in arrears of a debt to a municipality if a debt is more than 30 days overdue from the date the debt was due.

(d) Election of an acting mayor or acting president. The election of an acting mayor or acting president pursuant to subsection (f) or (g) does not create a vacancy in the original office of the person on the city council or as a trustee, as the case may be, unless the person resigns from the original office following election as acting mayor or acting president. If the person resigns from the original office following election as acting mayor or acting president, then the original office must be filled pursuant to the terms of this Section and the acting mayor or acting president shall exercise the powers of the mayor or president and shall vote and have veto power in the manner provided by law for a mayor or president. If the person does not resign from the original office following election as acting mayor or acting president, then the acting mayor or acting president shall exercise the powers of the mayor or president but shall be entitled to vote only in the manner provided for as the holder of the original

office and shall not have the power to veto. If the person does not resign from the original office following election as acting mayor or acting president, and if that person's original term of office has not expired when a mayor or president is elected and has qualified for office, the acting mayor or acting-president shall return to the original office for the remainder of the term thereof.

(e) Appointment to fill alderperson or trustee vacancy. An appointment by the mayor or president or acting mayor or acting president, as the case may be, of a qualified person as described in Section 3.1-10-5 of this Code to fill a vacancy in the office of alderperson or trustee must be made within 60 days after the vacancy occurs. Once the appointment of the qualified person has been forwarded to the corporate authorities, the corporate authorities shall act upon the appointment within 30 days. If the appointment fails to receive the advice and consent of the corporate authorities within 30 days, the mayor or president or acting mayor or acting president shall appoint and forward to the corporate authorities a second qualified person as described in Section 3.1-10-5. Once the appointment of the second qualified person has been forwarded to the corporate authorities, the corporate authorities shall act upon the appointment within 30 days. If the appointment of the second qualified person also fails to receive the advice and consent of the corporate authorities, then the mayor or president or acting mayor or acting

president, without the advice and consent of the corporate authorities, may make a temporary appointment from those persons who were appointed but whose appointments failed to receive the advice and consent of the corporate authorities. The person receiving the temporary appointment shall serve until an appointment has received the advice and consent and the appointee has qualified or until a person has been elected and has qualified, whichever first occurs.

(f) Election to fill vacancies in municipal offices with 4-year terms. If a vacancy occurs in an elective municipal office with a 4-year term and there remains an unexpired portion of the term of at least 28 months, and the vacancy occurs before the period to file petitions for ~~at least 130 days before~~ the general municipal election next scheduled under the general election law, then the vacancy shall be filled for the remainder of the term at that general municipal election. Whenever an election is held for this purpose, the municipal clerk shall certify the office to be filled and the candidates for the office to the proper election authorities as provided in the general election law. If a vacancy occurs with less than 28 months remaining in the unexpired portion of the term or after the period to file petitions for ~~less than 130 days before~~ the general municipal election, then:

(1) Mayor or president. If the vacancy is in the office of mayor or president, the vacancy must be filled by the corporate authorities electing one of their members

as acting mayor or acting president. Except as set forth in subsection (d), the acting mayor or acting president shall perform the duties and possess all the rights and powers of the mayor or president until a mayor or president is elected at the next general municipal election and has qualified. However, in villages with a population of less than 5,000, if each of the trustees either declines the election as acting president or is not elected by a majority vote of the trustees presently holding office, then the trustees may elect, as acting president, any other village resident who is qualified to hold municipal office, and the acting president shall exercise the powers of the president and shall vote and have veto power in the manner provided by law for a president.

(2) Alderperson or trustee. If the vacancy is in the office of alderperson or trustee, the vacancy must be filled by the mayor or president or acting mayor or acting president, as the case may be, in accordance with subsection (e).

(3) Other elective office. If the vacancy is in any elective municipal office other than mayor or president or alderperson or trustee, the mayor or president or acting mayor or acting president, as the case may be, must appoint a qualified person to hold the office until the office is filled by election, subject to the advice and

consent of the city council or the board of trustees, as the case may be.

(g) Vacancies in municipal offices with 2-year terms. In the case of an elective municipal office with a 2-year term, if the vacancy occurs before the period to file petitions for ~~at least 130 days before~~ the general municipal election next scheduled under the general election law, the vacancy shall be filled for the remainder of the term at that general municipal election. If the vacancy occurs after the period to file petitions for ~~less than 130 days before~~ the general municipal election, then:

(1) Mayor or president. If the vacancy is in the office of mayor or president, the vacancy must be filled by the corporate authorities electing one of their members as acting mayor or acting president. Except as set forth in subsection (d), the acting mayor or acting president shall perform the duties and possess all the rights and powers of the mayor or president until a mayor or president is elected at the next general municipal election and has qualified. However, in villages with a population of less than 5,000, if each of the trustees either declines the election as acting president or is not elected by a majority vote of the trustees presently holding office, then the trustees may elect, as acting president, any other village resident who is qualified to hold municipal office, and the acting president shall

exercise the powers of the president and shall vote and have veto power in the manner provided by law for a president.

(2) Alderperson or trustee. If the vacancy is in the office of alderperson or trustee, the vacancy must be filled by the mayor or president or acting mayor or acting president, as the case may be, in accordance with subsection (e).

(3) Other elective office. If the vacancy is in any elective municipal office other than mayor or president or alderperson or trustee, the mayor or president or acting mayor or acting president, as the case may be, must appoint a qualified person to hold the office until the office is filled by election, subject to the advice and consent of the city council or the board of trustees, as the case may be.

(h) In cases of vacancies arising by reason of an election being declared void pursuant to paragraph (3) of subsection (c), persons holding elective office prior thereto shall hold office until their successors are elected and qualified or appointed and confirmed by advice and consent, as the case may be.

(i) This Section applies only to municipalities with populations under 500,000.

(Source: P.A. 102-15, eff. 6-17-21.)

Section 25-15. The Downstate Forest Preserve District Act is amended by changing Section 3c-2 as follows:

(70 ILCS 805/3c-2)

Sec. 3c-2. Continuous effect of provisions; validation. The General Assembly declares that the changes made to Sections 3c and 3c-1 by this amendatory Act of the 103rd General Assembly shall be deemed to have been in continuous effect since November 15, 2021 (the effective date of Public Act 102-668 ~~102-688~~) and shall continue to be in effect until they are lawfully repealed. All actions that were taken on or after 2021 and before the effective date of this amendatory Act of the 103rd General Assembly by a downstate forest preserve district or any other person and that are consistent with or in reliance on the changes made to Sections 3c and 3c-1 by this amendatory Act of the 103rd General Assembly are hereby validated.

(Source: P.A. 103-600, eff. 7-1-24.)

Section 25-20. The Park District Code is amended by changing Sections 2-10a, 2-12a, and 2-25 as follows:

(70 ILCS 1205/2-10a) (from Ch. 105, par. 2-10a)

Sec. 2-10a. Any district may provide by referendum, or by resolution of the board, that the board shall be comprised of 7 commissioners. Any such referendum shall be initiated and held

in the same manner as is provided by the general election law.

If a majority of the votes cast on the proposition is in favor of the 7-member board, or if the board adopts a resolution stating that it is acting pursuant to this Section in order to create a 7-member board, then whichever of the following transition schedules are appropriate shall be applied: At the election of commissioners next following by at least 225 ~~197~~ days after the date on which the proposition to create a 7-member board was approved at referendum or by resolution, the number of commissioners to be elected shall be 2 more than the number that would otherwise have been elected. If this results in the election, pursuant to Section 2-12 of this Act, of 4 commissioners at that election, one of the 4, to be determined by lot within 30 days after the election, shall serve for a term of 4 years or 2 years as the case may be, instead of 6 years, so that his term will expire in the same year in which the term of only one of the incumbent commissioners expires. Thereafter, all commissioners shall be elected for 6-year terms as provided in Section 2-12. If the creation of a 7-member board results in the election of either 3 or 4 commissioners, pursuant to Section 2-12a of this Act, at that election, 2 of them, to be determined by lot within 30 days after the election, shall serve for terms of 2 years instead of 4 years. Thereafter, all commissioners shall be elected for 4-year terms as provided in Section 2-12a of this Act.

In any district where a 7-member board has been created pursuant to this Section whether by referendum or by resolution, the number of commissioners may later be reduced to 5, but only by a referendum initiated and held in the same manner as prescribed in this Section for creating a 7-member board. No proposition to reduce the number of commissioners shall affect the terms of any commissioners holding office at the time of the referendum or to be elected within 225 ~~197~~ days after the referendum. If a majority of the votes cast on the proposition is in favor of reducing a 7-member board to a 5-member board, then, at the election of commissioners next following by at least 225 ~~197~~ days after the date on which the proposition was approved at referendum, the number of commissioners to be elected shall be 2 less than the number that would otherwise have been elected and whichever of the following transition schedules are appropriate shall be applied: (i) if this results in the election of no commissioners for a 6-year term pursuant to Section 2-12 of this Act, then at the next election in which 3 commissioners are scheduled to be elected to 6-year terms as provided in Section 2-12, one of the 3, to be determined by lot within 30 days after the election, shall serve for a term of 4 years or 2 years, as the case may be, instead of 6 years, so that his or her term will expire in the same year in which the term of no incumbent commissioner is scheduled to expire; thereafter, all commissioners shall be elected for 6-year terms as provided in

Section 2-12; or (ii) if the reduction to a 5-member board results in the election of one commissioner to a 4-year term, pursuant to Section 2-12a of this Act, then at the next election in which 4 commissioners are scheduled to be elected to 4-year terms as provided in Section 2-12a, one of the 4, to be determined by lot within 30 days after the election, shall serve for a term of 2 years, instead of 4 years, so that his or her term will expire in the same year in which the term of only one incumbent commissioner is scheduled to expire; thereafter, all commissioners shall be elected for 4-year terms as provided in Section 2-12a.

(Source: P.A. 103-467, eff. 8-4-23.)

(70 ILCS 1205/2-12a) (from Ch. 105, par. 2-12a)

Sec. 2-12a. Any district may provide, either by resolution of the board or by referendum, that the term of commissioners shall be 4 years rather than 6 years. Any such referendum shall be initiated and held in the same manner as is provided by the general election law for public questions authorized by Article VII of the Illinois Constitution.

If a majority of the votes cast on the proposition is in favor of a 4-year term for commissioners, or if the Board adopts a resolution stating that it is acting pursuant to this Section to change the term of office from 6 years to 4 years, commissioners thereafter elected, commencing with the first regular park district election at least 225 ~~197~~ days after the

date on which the proposition for 4-year terms was approved at referendum or by resolution, shall be elected for a term of 4 years. In order to provide for the transition from 6-year terms to 4-year terms:

(1) If 2 commissioners on a 5-member board are to be elected at the first such election and if the term of only one commissioner is scheduled to expire in the year of the next election at which commissioners are elected, of the 2 commissioners elected, one shall serve a 2-year term and one a 4-year term, to be determined by lot between the 2 persons elected within 30 days after the election.

(2) On a 7-member board under Section 2-10a, if the terms of only 2 commissioners are scheduled to expire in the year of the second election at which commissioners are elected after the first regular park district election at least 225 ~~197~~ days after the date on which the proposition for 4-year terms was approved at referendum or by resolution, then:

(A) if 3 commissioners are elected at the first regular election, 2 of the commissioners elected shall serve a 2-year term and one shall serve a 4-year term to be determined by lot between persons elected within 30 days after the first election; or

(B) if 2 commissioners are elected at the first regular election, those 2 commissioners elected shall serve a 2-year term.

In any district where the board has created 4-year terms pursuant to this Section, whether by referendum or by resolution, the length of terms may later be increased to 6 years, but only by a referendum initiated and held in the same manner as prescribed in this Section for creating 4-year terms. No proposition to increase the terms of commissioners shall affect any commissioner holding office at the time of the referendum or to be elected within 225 ~~197~~ days after the referendum.

(Source: P.A. 103-467, eff. 8-4-23.)

(70 ILCS 1205/2-25) (from Ch. 105, par. 2-25)

Sec. 2-25. Vacancies. Whenever any member of the governing board of any park district (i) dies, (ii) resigns, (iii) becomes under legal disability, (iv) ceases to be a legal voter in the district, (v) is convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony, (vi) refuses or neglects to take his or her oath of office, (vii) neglects to perform the duties of his or her office or attend meetings of the board for the length of time as the board fixes by ordinance, or (viii) for any other reason specified by law, that office may be declared vacant. Vacancies shall be filled by appointment by a majority of the remaining members of the board. Any person so appointed shall hold his or her office until the next regular election for this office, at which a member shall be elected to fill the vacancy

for the unexpired term, subject to the following conditions:

(1) If the vacancy occurs with less than 28 months remaining in the term, the person appointed to fill the vacancy shall hold his or her office until the expiration of the term for which he or she has been appointed, and no election to fill the vacancy shall be held.

(2) If the vacancy occurs with more than 28 months left in the term, but less than 151 ~~123~~ days before the next regularly scheduled election for this office, the person appointed to fill the vacancy shall hold his or her office until the second regularly scheduled election for the office following the appointment, at which a member shall be elected to fill the vacancy for the unexpired term.

(Source: P.A. 101-257, eff. 8-9-19; 102-558, eff. 8-20-21.)

Section 25-25. The School Code is amended by changing Sections 3A-6 and 34-4.1 as follows:

(105 ILCS 5/3A-6) (from Ch. 122, par. 3A-6)

Sec. 3A-6. Election of Superintendent for consolidated region - Bond - Vacancies in any educational service region.

(a) The regional superintendent to be elected under Section 3A-5 shall be elected at the time provided in the general election law and must possess the qualifications described in Section 3-1 of this Act.

(b) The bond required under Section 3-2 shall be filed in the office of the county clerk in the county where the regional office is situated, and a certified copy of that bond shall be filed in the office of the county clerk in each of the other counties in the region.

(c) When a vacancy occurs in the office of regional superintendent of schools of any educational service region which is not located in a county which is a home rule unit, such vacancy shall be filled within 60 days (i) by appointment of the chairman of the county board, with the advice and consent of the county board, when such vacancy occurs in a single county educational service region; or (ii) by appointment of a committee composed of the chairmen of the county boards of those counties comprising the affected educational service region when such vacancy occurs in a multicounty educational service region, each committeeman to be entitled to one vote for each vote that was received in the county represented by such committeeman on the committee by the regional superintendent of schools whose office is vacant at the last election at which a regional superintendent was elected to such office, and the person receiving the highest number of affirmative votes from the committeemen for such vacant office to be deemed the person appointed by such committee to fill the vacancy. The appointee shall be a member of the same political party as the regional superintendent of schools the appointee succeeds was at the time such regional

superintendent of schools last was elected. The appointee shall serve for the remainder of the term. However, if more than 28 months remain in that term and the vacancy occurs at least 130 days before the next general election, the appointment shall be until the next general election, at which time the vacated office shall be filled by election for the remainder of the term. Nominations shall be made and any vacancy in nomination shall be filled as follows:

(1) If the vacancy in office occurs before the first date provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, nominations for the election for filling the vacancy shall be made pursuant to Article 7 of the Election Code.

(2) If the vacancy in office occurs during the time provided in Section 7-12 of the Election Code for filing nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, the time for filing nomination papers for the primary shall not be more than 120 ~~91~~ days nor less than 113 ~~85~~ days prior to the date of the primary.

(3) If the vacancy in office occurs after the last day provided in Section 7-12 of the Election Code for filing

nomination papers for county offices for the primary in the next even-numbered year following commencement of the term of office in which the vacancy occurs, a vacancy in nomination shall be deemed to have occurred and the county central committee of each established political party (if the vacancy occurs in a single county educational service region) or the multi-county educational service region committee of each established political party (if the vacancy occurs in a multi-county educational service region) shall nominate, by resolution, a candidate to fill the vacancy in nomination for election to the office at the general election. In the nomination proceedings to fill the vacancy in nomination, each member of the county central committee or the multi-county educational service region committee, whichever applies, shall have the voting strength as set forth in Section 7-8 or 7-8.02 of the Election Code, respectively. The name of the candidate so nominated shall not appear on the ballot at the general primary election. The vacancy in nomination shall be filled prior to the date of certification of candidates for the general election.

(4) The resolution to fill the vacancy shall be duly acknowledged before an officer qualified to take acknowledgments of deeds and shall include, upon its face, the following information: (A) the name of the original nominee and the office vacated; (B) the date on which the

vacancy occurred; and (C) the name and address of the nominee selected to fill the vacancy and the date of selection. The resolution to fill the vacancy shall be accompanied by a statement of candidacy, as prescribed in Section 7-10 of the Election Code, completed by the selected nominee, a certificate from the State Board of Education, as prescribed in Section 3-1 of this Code, and a receipt indicating that the nominee has filed a statement of economic interests as required by the Illinois Governmental Ethics Act.

The provisions of Sections 10-8 through 10-10.1 of the Election Code relating to objections to nomination papers, hearings on objections, and judicial review shall also apply to and govern objections to nomination papers and resolutions for filling vacancies in nomination filed pursuant to this Section. Unless otherwise specified in this Section, the nomination and election provided for in this Section is governed by the general election law.

Except as otherwise provided by applicable county ordinance or by law, if a vacancy occurs in the office of regional superintendent of schools of an educational service region that is located in a county that is a home rule unit and that has a population of less than 2,000,000 inhabitants, that vacancy shall be filled by the county board of such home rule county.

Any person appointed to fill a vacancy in the office of

regional superintendent of schools of any educational service region must possess the qualifications required to be elected to the position of regional superintendent of schools, and shall obtain a certificate of eligibility from the State Superintendent of Education and file same with the county clerk of the county in which the regional superintendent's office is located.

If the regional superintendent of schools is called into the active military service of the United States, his office shall not be deemed to be vacant, but a temporary appointment shall be made as in the case of a vacancy. The appointee shall perform all the duties of the regional superintendent of schools during the time the regional superintendent of schools is in the active military service of the United States, and shall be paid the same compensation apportioned as to the time of service, and such appointment and all authority thereunder shall cease upon the discharge of the regional superintendent of schools from such active military service. The appointee shall give the same bond as is required of a regularly elected regional superintendent of schools.

(Source: P.A. 96-893, eff. 7-1-10.)

(105 ILCS 5/34-4.1)

Sec. 34-4.1. Nomination petitions. In addition to the requirements of the general election law, the form of petitions under Section 34-4 of this Code shall be

substantially as follows:

NOMINATING PETITIONS

(LEAVE OUT THE INAPPLICABLE PART.)

To the Board of Election Commissioners for the City of Chicago:

We the undersigned, being (.... or more) of the voters residing within said district, hereby petition that .... who resides at .... in the City of Chicago shall be a candidate for the office of .... of the Chicago Board of Education (full term) (vacancy) to be voted for at the election to be held on (insert date).

Name: ..... Address: .....

In the designation of the name of a candidate on a petition for nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition, then (i) the candidate's name on the petition must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in clause (i) and the date or dates each of those

names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot, but these requirements do not apply to name changes to conform a candidate's name to the candidate's identity or name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage or civil union to assume a spouse's surname, or dissolution of marriage or civil union or declaration of invalidity of marriage to assume a former surname. No other designation, such as a political slogan, as defined by Section 7-17 of the Election Code, title or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname.

All petitions for the nomination of members of the Chicago Board of Education shall be filed with the board of election commissioners of the jurisdiction in which the principal office of the school district is located and ~~within the time provided for by Article 7 of the Election Code, except that petitions for the nomination of members of the Chicago Board of Education for the 2024 general election~~ shall be prepared, filed, and certified as outlined in Article 10 of the Election Code. The board of election commissioners shall receive and file only those petitions that include a statement of candidacy, the required number of voter signatures, the notarized signature of the petition circulator, and a receipt from the county clerk showing that the candidate has filed a

statement of economic interests ~~interest~~ on or before the last day to file as required by the Illinois Governmental Ethics Act. The board of election commissioners may have petition forms available for issuance to potential candidates and may give notice of the petition filing period by publication in a newspaper of general circulation within the school district not less than 10 days prior to the first day of filing. The board of election commissioners shall make certification to the proper election authorities in accordance with the general election law.

The board of election commissioners of the jurisdiction in which the principal office of the school district is located shall notify the candidates for whom a petition for nomination is filed or the appropriate committee of the obligations under the Campaign Financing Act as provided in the general election law. Such notice shall be given on a form prescribed by the State Board of Elections and in accordance with the requirements of the general election law. The board of election commissioners shall within 7 days of filing or on the last day for filing, whichever is earlier, acknowledge to the petitioner in writing the office's acceptance of the petition.

A candidate for membership on the Chicago Board of Education who has petitioned for nomination to fill a full term and to fill a vacant term to be voted upon at the same election must withdraw his or her petition for nomination from either the full term or the vacant term by written

declaration.

Nomination petitions are not valid unless the candidate named therein files with the board of election commissioners a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his or her nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

(Source: P.A. 102-177, eff. 6-1-22; 102-691, eff. 12-17-21; 103-467, eff. 8-4-23; 103-584, eff. 3-18-24; revised 6-27-25.)

Article 35.

Section 35-5. "AN ACT concerning employment", approved June 30, 2025, (Public Act 104-17) is amended by changing Section 99 as follows:

(P.A. 104-17, Sec. 99)

Sec. 99. Effective date. This Act takes effect upon becoming law<u>, except that Section 10 takes effect July 1, 2026</u>.

(Source: P.A. 104-17, eff. 6-30-2025.)

Article 40.

Section 40-5. The Regional Transportation Authority Act is amended by changing Sections 4.01 and 4.09 as follows:

(70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

Sec. 4.01. Budget and Program.

(a) The Board shall control the finances of the Authority. It shall by ordinance adopted by the affirmative vote of at least 12 of its then Directors (i) appropriate money to perform the Authority's purposes and provide for payment of debts and expenses of the Authority, (ii) take action with respect to the budget and two-year financial plan of each Service Board, as provided in Section 4.11, and (iii) adopt an Annual Budget and Two-Year Financial Plan for the Authority that includes the annual budget and two-year financial plan of each Service Board that has been approved by the Authority. The Annual Budget and Two-Year Financial Plan shall contain a statement of the funds estimated to be on hand for the Authority and each Service Board at the beginning of the fiscal year, the funds estimated to be received from all sources for such year, the estimated expenses and obligations of the Authority and each Service Board for all purposes, including expenses for contributions to be made with respect to pension and other employee benefits, and the funds estimated to be on hand at the end of such year. The fiscal year of the Authority and each Service Board shall begin on

January 1st and end on the succeeding December 31st. By July 1st of each year the Director of the Illinois Governor's Office of Management and Budget (formerly Bureau of the Budget) shall submit to the Authority an estimate of revenues for the next fiscal year of the Authority to be collected from the taxes imposed by the Authority and the amounts to be available in the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund and the amounts otherwise to be appropriated by the State to the Authority for its purposes. The Authority shall file a copy of its Annual Budget and Two-Year Financial Plan with the General Assembly and the Governor after its adoption. Before the proposed Annual Budget and Two-Year Financial Plan is adopted, the Authority shall hold at least one public hearing thereon in the metropolitan region, and shall meet with the county board or its designee of each of the several counties in the metropolitan region. After conducting such hearings and holding such meetings and after making such changes in the proposed Annual Budget and Two-Year Financial Plan as the Board deems appropriate, the Board shall adopt its annual appropriation and Annual Budget and Two-Year Financial Plan ordinance. The ordinance may be adopted only upon the affirmative votes of 12 of its then Directors. The ordinance shall appropriate such sums of money as are deemed necessary to defray all necessary expenses and obligations of the Authority, specifying purposes and the objects or programs for

which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items and other changes in such ordinance may be made from time to time by the Board upon the affirmative votes of 12 of its then Directors.

(b) The Annual Budget and Two-Year Financial Plan shall show a balance between anticipated revenues from all sources and anticipated expenses including funding of operating deficits or the discharge of encumbrances incurred in prior periods and payment of principal and interest when due, and shall show cash balances sufficient to pay with reasonable promptness all obligations and expenses as incurred.

The Annual Budget and Two-Year Financial Plan must show:

(i) that the level of fares and charges for mass transportation provided by, or under grant or purchase of service contracts of, the Service Boards is sufficient to cause the aggregate of all projected fare revenues from such fares and charges received in each fiscal year to equal at least 50% of the aggregate costs of providing such public transportation in such fiscal year. However, due to the fiscal impacts of the COVID-19 pandemic, the aggregate of all projected fare revenues from such fares and charges received in fiscal years 2021, 2022, 2023, 2024, ~~and~~ 2025<u>, and 2026</u> may be less than 50% of the aggregate costs of providing such public transportation in those fiscal years. "Fare revenues" include the proceeds

of all fares and charges for services provided, contributions received in connection with public transportation from units of local government other than the Authority, except for contributions received by the Chicago Transit Authority from a real estate transfer tax imposed under subsection (i) of Section 8-3-19 of the Illinois Municipal Code, and from the State pursuant to subsection (i) of Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305), and all other operating revenues properly included consistent with generally accepted accounting principles but do not include: the proceeds of any borrowings, and, beginning with the 2007 fiscal year, all revenues and receipts, including but not limited to fares and grants received from the federal, State or any unit of local government or other entity, derived from providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act. "Costs" include all items properly included as operating costs consistent with generally accepted accounting principles, including administrative costs, but do not include: depreciation; payment of principal and interest on bonds, notes or other evidences of obligation for borrowed money issued by the Authority; payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20 of this Act; any payments with respect to rate protection

contracts, credit enhancements or liquidity agreements made under Section 4.14; any other cost to which it is reasonably expected that a cash expenditure will not be made; costs for passenger security including grants, contracts, personnel, equipment and administrative expenses, except in the case of the Chicago Transit Authority, in which case the term does not include costs spent annually by that entity for protection against crime as required by Section 27a of the Metropolitan Transit Authority Act; the payment by the Chicago Transit Authority of Debt Service, as defined in Section 12c of the Metropolitan Transit Authority Act, on bonds or notes issued pursuant to that Section; the payment by the Commuter Rail Division of debt service on bonds issued pursuant to Section 3B.09; expenses incurred by the Suburban Bus Division for the cost of new public transportation services funded from grants pursuant to Section 2.01e of this amendatory Act of the 95th General Assembly for a period of 2 years from the date of initiation of each such service; costs as exempted by the Board for projects pursuant to Section 2.09 of this Act; or, beginning with the 2007 fiscal year, expenses related to providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act; and in fiscal years 2008 through 2012 inclusive, costs in the amount of $200,000,000 in fiscal year 2008, reducing by

$40,000,000 in each fiscal year thereafter until this exemption is eliminated; and

(ii) that the level of fares charged for ADA paratransit services is sufficient to cause the aggregate of all projected revenues from such fares charged and received in each fiscal year to equal at least 10% of the aggregate costs of providing such ADA paratransit services. However, due to the fiscal impacts of the COVID-19 pandemic, the aggregate of all projected fare revenues from such fares and charges received in fiscal years 2021, 2022, 2023, 2024, ~~and~~ 2025, and 2026 may be less than 10% of the aggregate costs of providing such ADA paratransit services in those fiscal years. For purposes of this Act, the percentages in this subsection (b)(ii) shall be referred to as the "system generated ADA paratransit services revenue recovery ratio". For purposes of the system generated ADA paratransit services revenue recovery ratio, "costs" shall include all items properly included as operating costs consistent with generally accepted accounting principles. However, the Board may exclude from costs an amount that does not exceed the allowable "capital costs of contracting" for ADA paratransit services pursuant to the Federal Transit Administration guidelines for the Urbanized Area Formula Program.

The Authority shall file a statement certifying that the

Service Boards published the data described in subsection (b-5) with the General Assembly and the Governor after adoption of the Annual Budget and Two-Year Financial Plan required by subsection (a). If the Authority fails to file a statement certifying publication of the data, then the appropriations to the Department of Transportation for grants to the Authority intended to reimburse the Service Boards for providing free and reduced fares shall be withheld.

(b-5) For fiscal years 2024 and 2025, the Service Boards must publish a monthly comprehensive set of data regarding transit service and safety. The data included shall include information to track operations including:

(1) staffing levels, including numbers of budgeted positions, current positions employed, hired staff, attrition, staff in training, and absenteeism rates;

(2) scheduled service and delivered service, including percentage of scheduled service delivered by day, service by mode of transportation, service by route and rail line, total number of revenue miles driven, excess wait times by day, by mode of transportation, by bus route, and by stop; and

(3) safety on the system, including the number of incidents of crime and code of conduct violations on system, any performance measures used to evaluate the effectiveness of investments in private security, safety equipment, and other security investments in the system.

If no performance measures exist to evaluate the effectiveness of these safety investments, the Service Boards and Authority shall develop and publish these performance measures.

The Authority and Service Boards shall solicit input and ideas on publishing data on the service reliability, operations, and safety of the system from the public and groups representing transit riders, workers, and businesses.

(c) The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1985 may not exceed $5,000,000. The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1986, and for each fiscal year thereafter shall not exceed the maximum administrative expenses for the previous fiscal year plus 5%. "Administrative expenses" are defined for purposes of this Section as all expenses except: (1) capital expenses and purchases of the Authority on behalf of the Service Boards; (2) payments to Service Boards; and (3) payment of principal and interest on bonds, notes or other evidence of obligation for borrowed money issued by the Authority; (4) costs for passenger security including grants, contracts, personnel, equipment and administrative expenses; (5) payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20 of this Act; and (6) any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made pursuant to Section

4.14.

(d) This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th General Assembly. After withholding 15% of the proceeds of any tax imposed by the Authority and 15% of money received by the Authority from the Regional Transportation Authority Occupation and Use Tax Replacement Fund, the Board shall allocate the proceeds and money remaining to the Service Boards as follows: (1) an amount equal to 85% of the proceeds of those taxes collected within the City of Chicago and 85% of the money received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund attributable to retail sales within the City of Chicago shall be allocated to the Chicago Transit Authority; (2) an amount equal to 85% of the proceeds of those taxes collected within Cook County outside the City of Chicago and 85% of the money received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund attributable to retail sales within Cook County outside of the city of Chicago shall be allocated 30% to the Chicago Transit Authority, 55% to the Commuter Rail Board and 15% to the Suburban Bus Board; and (3) an amount equal to 85% of the proceeds of the taxes collected within the Counties of DuPage,

Kane, Lake, McHenry and Will shall be allocated 70% to the Commuter Rail Board and 30% to the Suburban Bus Board.

(e) This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th General Assembly. Moneys received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund shall be allocated among the Authority and the Service Boards as follows: 15% of such moneys shall be retained by the Authority and the remaining 85% shall be transferred to the Service Boards as soon as may be practicable after the Authority receives payment. Moneys which are distributable to the Service Boards pursuant to the preceding sentence shall be allocated among the Service Boards on the basis of each Service Board's distribution ratio. The term "distribution ratio" means, for purposes of this subsection (e) of this Section 4.01, the ratio of the total amount distributed to a Service Board pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year to the total amount distributed to all of the Service Boards pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year.

(f) To carry out its duties and responsibilities under this Act, the Board shall employ staff which shall: (1) propose for adoption by the Board of the Authority rules for

the Service Boards that establish (i) forms and schedules to be used and information required to be provided with respect to a five-year capital program, annual budgets, and two-year financial plans and regular reporting of actual results against adopted budgets and financial plans, (ii) financial practices to be followed in the budgeting and expenditure of public funds, (iii) assumptions and projections that must be followed in preparing and submitting its annual budget and two-year financial plan or a five-year capital program; (2) evaluate for the Board public transportation programs operated or proposed by the Service Boards and transportation agencies in terms of the goals and objectives set out in the Strategic Plan; (3) keep the Board and the public informed of the extent to which the Service Boards and transportation agencies are meeting the goals and objectives adopted by the Authority in the Strategic Plan; and (4) assess the efficiency or adequacy of public transportation services provided by a Service Board and make recommendations for change in that service to the end that the moneys available to the Authority may be expended in the most economical manner possible with the least possible duplication.

(g) All Service Boards, transportation agencies, comprehensive planning agencies, including the Chicago Metropolitan Agency for Planning, or transportation planning agencies in the metropolitan region shall furnish to the Authority such information pertaining to public transportation

or relevant for plans therefor as it may from time to time require. The Executive Director, or his or her designee, shall, for the purpose of securing any such information necessary or appropriate to carry out any of the powers and responsibilities of the Authority under this Act, have access to, and the right to examine, all books, documents, papers or records of a Service Board or any transportation agency receiving funds from the Authority or Service Board, and such Service Board or transportation agency shall comply with any request by the Executive Director, or his or her designee, within 30 days or an extended time provided by the Executive Director.

(h) No Service Board shall undertake any capital improvement which is not identified in the Five-Year Capital Program.

(i) Each Service Board shall furnish to the Board access to its financial information including, but not limited to, audits and reports. The Board shall have real-time access to the financial information of the Service Boards; however, the Board shall be granted read-only access to the Service Board's financial information.

(Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24.)

(70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

Sec. 4.09. Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement

Fund.

(a)(1) Except as otherwise provided in paragraph (4), as soon as possible after the first day of each month, beginning July 1, 1984, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to a special fund in the State Treasury to be known as the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act, from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act and 25% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act. On the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by Public Act 95-708, in lieu of the transfers authorized in the preceding sentence, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the

Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 80% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 75% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the Authority at the rate of 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and 25% of the net revenue realized from any tax imposed by the Authority pursuant to Section 4.03.1, and 25% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 25% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act. As used in this Section, net revenue realized for a month shall be the revenue collected by the State pursuant to Sections 4.03 and 4.03.1 during the previous month from within the metropolitan region, less the amount paid out during that same month as refunds to taxpayers for overpayment of liability in the metropolitan region under Sections 4.03 and 4.03.1.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (1) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(2) Except as otherwise provided in paragraph (4), on February 1, 2009 (the first day of the month following the effective date of Public Act 95-708) and each month thereafter, upon certification by the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 5% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and certified by the Department of Revenue under Section 4.03(n) of this Act to be paid to the Authority and 5% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 5% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform

Fund as provided in Section 6z-17 of the State Finance Act, and 5% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (2) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(3) Except as otherwise provided in paragraph (4), as soon as possible after the first day of January, 2009 and each month thereafter, upon certification of the Department of Revenue with respect to the taxes collected under Section 4.03, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 20% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the

Authority at the rate of 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund (iv) an amount equal to 25% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (3) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(4) Notwithstanding any provision of law to the contrary, for the State fiscal year beginning July 1, 2024 and each State fiscal year thereafter, the first $150,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Road Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. For the State fiscal year beginning July 1, 2024, only, the next $75,000,000 that would have otherwise

been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Road Fund and deposited into the Public Transportation Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. The funds authorized and transferred pursuant to this amendatory Act of the 103rd General Assembly are not intended or planned for road construction projects. For the State fiscal year beginning July 1, 2024, only, the next $50,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Underground Storage Tank Fund and deposited into the Public Transportation Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. The remaining balance shall be deposited each State fiscal year as otherwise provided in paragraphs (1), (2), and (3) of this subsection (a).

(5) (Blank).

(6) (Blank).

(7) For State fiscal year 2020 only, notwithstanding any provision of law to the contrary, the total amount of revenue and deposits under this Section attributable to revenues realized during State fiscal year 2020 shall be reduced by 5%.

(8) For State fiscal year 2021 only, notwithstanding any

provision of law to the contrary, the total amount of revenue and deposits under this Section attributable to revenues realized during State fiscal year 2021 shall be reduced by 5%.

(b)(1) All moneys deposited in the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund, whether deposited pursuant to this Section or otherwise, are allocated to the Authority, except for amounts appropriated to the Office of the Executive Inspector General as authorized by subsection (h) of Section 4.03.3 and amounts transferred to the Audit Expense Fund pursuant to Section 6z-27 of the State Finance Act. The Comptroller, as soon as possible after each monthly transfer provided in this Section and after each deposit into the Public Transportation Fund, shall order the Treasurer to pay to the Authority out of the Public Transportation Fund the amount so transferred or deposited. Any Additional State Assistance and Additional Financial Assistance paid to the Authority under this Section shall be expended by the Authority for its purposes as provided in this Act. The balance of the amounts paid to the Authority from the Public Transportation Fund shall be expended by the Authority as provided in Section 4.03.3. The Comptroller, as soon as possible after each deposit into the Regional Transportation Authority Occupation and Use Tax Replacement Fund provided in this Section and Section 6z-17 of the State Finance Act, shall order the Treasurer to pay to the Authority out of the Regional

Transportation Authority Occupation and Use Tax Replacement Fund the amount so deposited. Such amounts paid to the Authority may be expended by it for its purposes as provided in this Act. The provisions directing the distributions from the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund provided for in this Section shall constitute an irrevocable and continuing appropriation of all amounts as provided herein. The State Treasurer and State Comptroller are hereby authorized and directed to make distributions as provided in this Section. (2) Provided, however, no moneys deposited under subsection (a) of this Section shall be paid from the Public Transportation Fund to the Authority or its assignee for any fiscal year until the Authority has certified to the Governor, the Comptroller, and the Mayor of the City of Chicago that it has adopted for that fiscal year an Annual Budget and Two-Year Financial Plan meeting the requirements in Section 4.01(b).

(c) In recognition of the efforts of the Authority to enhance the mass transportation facilities under its control, the State shall provide financial assistance ("Additional State Assistance") in excess of the amounts transferred to the Authority from the General Revenue Fund under subsection (a) of this Section. Additional State Assistance shall be calculated as provided in subsection (d), but shall in no event exceed the following specified amounts with respect to the following State fiscal years:

1990	$5,000,000;
1991	$5,000,000;
1992	$10,000,000;
1993	$10,000,000;
1994	$20,000,000;
1995	$30,000,000;
1996	$40,000,000;
1997	$50,000,000;
1998	$55,000,000; and
each year thereafter	$55,000,000.

(c-5) The State shall provide financial assistance ("Additional Financial Assistance") in addition to the Additional State Assistance provided by subsection (c) and the amounts transferred to the Authority from the General Revenue Fund under subsection (a) of this Section. Additional Financial Assistance provided by this subsection shall be calculated as provided in subsection (d), but shall in no event exceed the following specified amounts with respect to the following State fiscal years:

2000	$0;
2001	$16,000,000;
2002	$35,000,000;
2003	$54,000,000;
2004	$73,000,000;
2005	$93,000,000; and
each year thereafter	$100,000,000.

(d) Beginning with State fiscal year 1990 and continuing for each State fiscal year thereafter, the Authority shall annually certify to the State Comptroller and State Treasurer, separately with respect to each of subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act, the following amounts:

(1) The amount necessary and required, during the State fiscal year with respect to which the certification is made, to pay its obligations for debt service on all outstanding bonds or notes issued by the Authority under subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act.

(2) An estimate of the amount necessary and required to pay its obligations for debt service for any bonds or notes which the Authority anticipates it will issue under subdivisions (g)(2) and (g)(3) of Section 4.04 during that State fiscal year.

(3) Its debt service savings during the preceding State fiscal year from refunding or advance refunding of bonds or notes issued under subdivisions (g)(2) and (g)(3) of Section 4.04.

(4) The amount of interest, if any, earned by the Authority during the previous State fiscal year on the proceeds of bonds or notes issued pursuant to subdivisions (g)(2) and (g)(3) of Section 4.04, other than refunding or advance refunding bonds or notes.

The certification shall include a specific schedule of

debt service payments, including the date and amount of each payment for all outstanding bonds or notes and an estimated schedule of anticipated debt service for all bonds and notes it intends to issue, if any, during that State fiscal year, including the estimated date and estimated amount of each payment.

Immediately upon the issuance of bonds for which an estimated schedule of debt service payments was prepared, the Authority shall file an amended certification with respect to item (2) above, to specify the actual schedule of debt service payments, including the date and amount of each payment, for the remainder of the State fiscal year.

On the first day of each month of the State fiscal year in which there are bonds outstanding with respect to which the certification is made, the State Comptroller shall order transferred and the State Treasurer shall transfer from the Road Fund to the Public Transportation Fund the Additional State Assistance and Additional Financial Assistance in an amount equal to the aggregate of (i) one-twelfth of the sum of the amounts certified under items (1) and (3) above less the amount certified under item (4) above, plus (ii) the amount required to pay debt service on bonds and notes issued during the fiscal year, if any, divided by the number of months remaining in the fiscal year after the date of issuance, or some smaller portion as may be necessary under subsection (c) or (c-5) of this Section for the relevant State fiscal year,

plus (iii) any cumulative deficiencies in transfers for prior months, until an amount equal to the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, has been transferred; except that these transfers are subject to the following limits:

(A) In no event shall the total transfers in any State fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g)(2) of Section 4.04 exceed the lesser of the annual maximum amount specified in subsection (c) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

(B) In no event shall the total transfers in any State fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g)(3) of Section 4.04 exceed the lesser of the annual maximum amount specified in subsection (c-5) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

The term "outstanding" does not include bonds or notes for which refunding or advance refunding bonds or notes have been

issued.

(e) Neither Additional State Assistance nor Additional Financial Assistance may be pledged, either directly or indirectly as general revenues of the Authority, as security for any bonds issued by the Authority. The Authority may not assign its right to receive Additional State Assistance or Additional Financial Assistance, or direct payment of Additional State Assistance or Additional Financial Assistance, to a trustee or any other entity for the payment of debt service on its bonds.

(f) The certification required under subsection (d) with respect to outstanding bonds and notes of the Authority shall be filed as early as practicable before the beginning of the State fiscal year to which it relates. The certification shall be revised as may be necessary to accurately state the debt service requirements of the Authority.

(g) Within 6 months of the end of each fiscal year, the Authority shall determine:

(i) whether the aggregate of all system generated revenues for public transportation in the metropolitan region which is provided by, or under grant or purchase of service contracts with, the Service Boards equals 50% of the aggregate of all costs of providing such public transportation. "System generated revenues" include all the proceeds of fares and charges for services provided, contributions received in connection with public

transportation from units of local government other than the Authority, except for contributions received by the Chicago Transit Authority from a real estate transfer tax imposed under subsection (i) of Section 8-3-19 of the Illinois Municipal Code, and from the State pursuant to subsection (i) of Section 2705-305 of the Department of Transportation Law, and all other revenues properly included consistent with generally accepted accounting principles but may not include: the proceeds from any borrowing, and, beginning with the 2007 fiscal year, all revenues and receipts, including but not limited to fares and grants received from the federal, State or any unit of local government or other entity, derived from providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act. "Costs" include all items properly included as operating costs consistent with generally accepted accounting principles, including administrative costs, but do not include: depreciation; payment of principal and interest on bonds, notes or other evidences of obligations for borrowed money of the Authority; payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20; any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made under Section 4.14; any other cost as to which it is reasonably expected that a cash expenditure will not be

made; costs for passenger security including grants, contracts, personnel, equipment and administrative expenses, except in the case of the Chicago Transit Authority, in which case the term does not include costs spent annually by that entity for protection against crime as required by Section 27a of the Metropolitan Transit Authority Act; the costs of Debt Service paid by the Chicago Transit Authority, as defined in Section 12c of the Metropolitan Transit Authority Act, or bonds or notes issued pursuant to that Section; the payment by the Commuter Rail Division of debt service on bonds issued pursuant to Section 3B.09; expenses incurred by the Suburban Bus Division for the cost of new public transportation services funded from grants pursuant to Section 2.01e of this Act for a period of 2 years from the date of initiation of each such service; costs as exempted by the Board for projects pursuant to Section 2.09 of this Act; or, beginning with the 2007 fiscal year, expenses related to providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act; or in fiscal years 2008 through 2012 inclusive, costs in the amount of $200,000,000 in fiscal year 2008, reducing by $40,000,000 in each fiscal year thereafter until this exemption is eliminated. If said system generated revenues are less than 50% of said costs, the Board shall remit an amount equal to the amount of the deficit to the State;

however, due to the fiscal impacts from the COVID-19 pandemic, for fiscal years 2021, 2022, 2023, 2024, ~~and~~ 2025, and 2026, no such payment shall be required. The Treasurer shall deposit any such payment in the Road Fund; and

(ii) whether, beginning with the 2007 fiscal year, the aggregate of all fares charged and received for ADA paratransit services equals the system generated ADA paratransit services revenue recovery ratio percentage of the aggregate of all costs of providing such ADA paratransit services.

(h) If the Authority makes any payment to the State under paragraph (g), the Authority shall reduce the amount provided to a Service Board from funds transferred under paragraph (a) in proportion to the amount by which that Service Board failed to meet its required system generated revenues recovery ratio. A Service Board which is affected by a reduction in funds under this paragraph shall submit to the Authority concurrently with its next due quarterly report a revised budget incorporating the reduction in funds. The revised budget must meet the criteria specified in clauses (i) through (vi) of Section 4.11(b)(2). The Board shall review and act on the revised budget as provided in Section 4.11(b)(3).

(Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24; 103-588, eff. 6-5-24.)

Article 99.

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