AMENDMENT TO SENATE BILL 1839

AMENDMENT NO. ______. Amend Senate Bill 1839, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 3. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)

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

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

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act."
(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

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

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


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

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.
(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

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

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

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

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

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

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

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

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

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

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

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms
"identified" and "deidentified" shall be given the same meaning as in the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

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

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

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

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

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

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

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

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

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

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

(Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756, eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14; 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff. 8-19-16; revised 9-1-16.)
Section 5. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by changing Sections 2605-52 and 2605-475 as follows:

(20 ILCS 2605/2605-52)

Sec. 2605-52. Office of the Statewide 9-1-1 Administrator.

(a) There shall be established an Office of the Statewide 9-1-1 Administrator within the Department. Beginning January 1, 2016, the Office of the Statewide 9-1-1 Administrator shall be responsible for developing, implementing, and overseeing a uniform statewide 9-1-1 system for all areas of the State outside of municipalities having a population over 500,000.

(b) The Governor shall appoint, with the advice and consent of the Senate, a Statewide 9-1-1 Administrator. The Administrator shall serve for a term of 2 years, and until a successor is appointed and qualified; except that the term of the first 9-1-1 Administrator appointed under this Act shall expire on the third Monday in January, 2017. The Administrator shall not hold any other remunerative public office. The Administrator shall receive an annual salary as set by the Governor.

(c) The Department, from appropriations made to it for that purpose, shall make grants to 9-1-1 Authorities for the purpose of defraying costs associated with 9-1-1 system consolidations awarded by the Administrator under Section 15.4b of the
Emergency Telephone System Act.
(Source: P.A. 99-6, eff. 6-29-15.)

(20 ILCS 2605/2605-475) (was 20 ILCS 2605/55a in part)
Sec. 2605-475. Wireless Emergency Telephone System Safety Act. The Department and Statewide 9-1-1 Administrator shall exercise the powers and perform the duties specifically assigned to each the Department under the Wireless Emergency Telephone System Safety Act with respect to the development and improvement of emergency communications procedures and facilities in such a manner as to facilitate a quick response to any person calling the number "9-1-1" seeking police, fire, medical, or other emergency services through a wireless carrier as defined in Section 10 of the Wireless Emergency Telephone Safety Act. Nothing in the Wireless Emergency Telephone System Safety Act shall require the Department of Illinois State Police to provide wireless enhanced 9-1-1 services.
(Source: P.A. 91-660, eff. 12-22-99; 92-16, eff. 6-28-01.)

Section 10. The State Finance Act is amended by changing Section 8.37 as follows:

(30 ILCS 105/8.37)
(a) The State Police Wireless Service Emergency Fund is created as a special fund in the State Treasury.
(b) Grants or surcharge funds allocated to the Department of State Police from the Statewide 9-1-1 Wireless Service Emergency Fund shall be deposited into the State Police Wireless Service Emergency Fund and shall be used in accordance with Section 30 of the Wireless Emergency Telephone System Safety Act.

(c) On July 1, 1999, the State Comptroller and State Treasurer shall transfer $1,300,000 from the General Revenue Fund to the State Police Wireless Service Emergency Fund. On June 30, 2003 the State Comptroller and State Treasurer shall transfer $1,300,000 from the State Police Wireless Service Emergency Fund to the General Revenue Fund.

(Source: P.A. 91-660, eff. 12-22-99; 92-16, eff. 6-28-01.)

Section 15. The Emergency Telephone System Act is amended by changing Sections 2, 8, 10, 10.3, 12, 14, 15.2a, 15.3, 15.3a, 15.4, 15.4a, 15.4b, 15.6a, 19, 20, 30, 35, 40, 55, and 99 and by adding Section 17.5 as follows:

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

(Section scheduled to be repealed on July 1, 2017)

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

"9-1-1 network" means the network used for the delivery of 9-1-1 calls and messages over dedicated and redundant facilities to a primary or back up 9-1-1 PSAP that meets P.01
grade of service standards for basic 9-1-1 and enhanced 9-1-1 
services or meets national I3 industry call delivery standards
for Next Generation 9-1-1 services.

"9-1-1 system" means the geographic area that has been
granted an order of authority by the Commission or the
Statewide 9-1-1 Administrator to use "9-1-1" as the primary
emergency telephone number.

"9-1-1 Authority" includes an Emergency Telephone System
Board, Joint Emergency Telephone System Board, and a qualified
governmental entity. "9-1-1 Authority" includes the Department
of State Police only to the extent it provides 9-1-1 services
under this Act.

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

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

"ALI" or "automatic location identification" means, in an
E9-1-1 system, the automatic display at the public safety
answering point of the caller's telephone number, the address
or location of the telephone, and supplementary emergency
services information.
"ANI" or "automatic number identification" means the automatic display of the 9-1-1 calling party's number on the PSAP monitor.

"Automatic alarm" and "automatic alerting device" mean any device that will access the 9-1-1 system for emergency services upon activation.

"Backup PSAP" means a public safety answering point that serves as an alternate to the PSAP for enhanced systems and is at a different location and operates independently from the PSAP. A backup PSAP may accept overflow calls from the PSAP or be activated if the primary PSAP is disabled.

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

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

"Commission" means the Illinois Commerce Commission.

"Computer aided dispatch" or "CAD" means a computer-based system that aids PSAP telecommunicators by automating selected dispatching and record keeping activities database maintained by the public safety agency or public safety answering point used in conjunction with 9-1-1 caller data.

"Direct dispatch method" means a 9-1-1 service that provides for the direct dispatch by a PSAP telecommunicator of the appropriate unit upon receipt of an emergency call and the decision as to the proper action to be taken.
"Department" means the Department of State Police.

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

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

"Enhanced 9-1-1" or "E9-1-1" means an emergency telephone system that includes dedicated network switching, database and PSAP premise elements capable of providing automatic location identification data, selective routing, database, ALI, ANI, selective transfer, fixed transfer, and a call back number, including any enhanced 9-1-1 service so designated by the Federal Communications Commission in its report and order in WC Dockets Nos. 04-36 and 05-196, or any successor proceeding.

"ETSB" means an emergency telephone system board appointed by the corporate authorities of any county or municipality that provides for the management and operation of a 9-1-1 system.

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

"Hosted supplemental 9-1-1 service" means a database service that:
(1) electronically provides information to 9-1-1 call takers when a call is placed to 9-1-1;
(2) allows telephone subscribers to provide information to 9-1-1 to be used in emergency scenarios;
(3) collects a variety of formatted data relevant to 9-1-1 and first responder needs, which may include, but is not limited to, photographs of the telephone subscribers, physical descriptions, medical information, household data, and emergency contacts;
(4) allows for information to be entered by telephone subscribers through a secure website where they can elect to provide as little or as much information as they choose;
(5) automatically displays data provided by telephone subscribers to 9-1-1 call takers for all types of telephones when a call is placed to 9-1-1 from a registered and confirmed phone number;
(6) supports the delivery of telephone subscriber information through a secure internet connection to all emergency telephone system boards;
(7) works across all 9-1-1 call taking equipment and allows for the easy transfer of information into a computer aided dispatch system; and
(8) may be used to collect information pursuant to an Illinois Premise Alert Program as defined in the Illinois Premise Alert Program (PAP) Act.
"Interconnected voice over Internet protocol provider" or
"Interconnected VoIP provider" has the meaning given to that term under Section 13-235 of the Public Utilities Act.

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

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

"Mechanical dialer" means any device that either manually or remotely triggers a dialing device to access the 9-1-1 system.

"Master Street Address Guide" or "MSAG" is a database of street names and house ranges within their associated communities defining emergency service zones (ESZs) and their associated emergency service numbers (ESNs) to enable proper routing of 9-1-1 calls means the computerized geographical database that consists of all street and address data within a 9-1-1 system.

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

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

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

"Next generation 9-1-1" or "NG9-1-1" means an Internet
Protocol-based (IP-based) system comprised of managed ESInets,
functional elements and applications, and databases that
replicate traditional E9-1-1 features and functions and
provide additional capabilities. "NG9-1-1" systems are
designed to provide access to emergency services from all
connected communications sources, and provide multimedia data
capabilities for PSAPs and other emergency services
organizations.

"NG9-1-1 costs" means those recurring costs that directly relate to the Next Generation 9-1-1 service as determined by the Statewide 9-1-1 Advisory Board, including, but not limited to, costs for Emergency System Routing Proxy (ESRP), Emergency Call Routing Function/Location Validation Function (ECRF/LVF), Spatial Information Function (SIF), the Border Control Function (BCF), and the Emergency Services Internet Protocol networks (ESInets), legacy network gateways, and all associated fees, taxes, and surcharges on each invoice.

"Private branch exchange" or "PBX" means a private telephone system and associated equipment located on the user's property that provides communications between internal stations and external networks.

"Private business switch service" means a telecommunications service including centrex type service and PBX service, even though key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 C.F.R. Part 68 are directly connected to centrex type and PBX systems providing 9-1-1 services equipped for switched local network connections or 9-1-1 system access to business end users through a private telephone switch.

"Private business switch service" means network and premises based systems including a VoIP, Centrex type service, or PBX service, even though does not include key telephone systems or equivalent telephone systems registered with the
Federal Communications Commission under 47 C.F.R. Part 68 are directly connected to Centrex when not used in conjunction with Centrex type and PBX systems. "Private business switch service" does not include key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 C.F.R. Part 68 when not used in conjunction with a VoIP, Centrex type, or PBX systems. "Private business switch service" typically includes, but is not limited to, private businesses, corporations, and industries where the telecommunications service is primarily for conducting business.

"Private residential switch service" means network and premise based systems a telecommunications service including a VoIP, Centrex Centrex type service, or and PBX service or, even though key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 C.F.R. Part 68 that are directly connected to a VoIP, Centrex Centrex type service, or and PBX systems providing 9-1-1 services equipped for switched local network connections or 9-1-1 system access to residential end users through a private telephone switch. "Private residential switch service" does not include key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 C.F.R. Part 68 when not used in conjunction with a VoIP, Centrex Centrex type, or and PBX systems. "Private residential switch service" typically includes, but is not
limited to, apartment complexes, condominiums, and campus or university environments where shared tenant service is provided and where the usage of the telecommunications service is primarily residential.

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

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

"Public safety answering point" or "PSAP" is a set of call-takers authorized by a governing body and operating under common management that receive 9-1-1 calls and asynchronous event notifications for a defined geographic area and processes those calls and events according to a specified operational policy means the initial answering location of an emergency call.

"Qualified governmental entity" means a unit of local government authorized to provide 9-1-1 services pursuant to this Act where no emergency telephone system board exists.
"Referral method" means a 9-1-1 service in which the PSAP telecommunicator provides the calling party with the telephone number of the appropriate public safety agency or other provider of emergency services.

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

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

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

"Secondary Answering Point" or "SAP" means a location, other than a PSAP, that is able to receive the voice, data, and call back number of E9-1-1 or NG9-1-1 emergency calls transferred from a PSAP and completes the call taking process by dispatching police, medical, fire, or other emergency responders.

"Statewide wireless emergency 9-1-1 system" means all areas of the State where an emergency telephone system board or, in the absence of an emergency telephone system board, a
qualified governmental entity, has not declared its intention for one or more of its public safety answering points to serve as a primary wireless 9-1-1 public safety answering point for its jurisdiction. The operator of the statewide wireless emergency 9-1-1 system shall be the Department of State Police.

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

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

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

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

"Transfer method" means a 9-1-1 service in which the PSAP telecommunicator receiving a call transfers that call to the appropriate public safety agency or other provider of emergency services.

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

"Trunk line" means a transmission path, or group of transmission paths, connecting a subscriber's PBX to a telecommunications carrier's public switched network. In the case of regular service, each voice grade communications channel or equivalent amount of bandwidth capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered a trunk line, even if it is bundled with other channels or additional bandwidth. In the case of advanced service, each DS-1, T-1, or other similar un-channelized or multi-channel transmission facility that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered a single trunk line, even if it contains multiple voice grade communications channels or otherwise supports 2 or more voice grade calls at a time; provided, however, that each additional increment of up to 24 voice grade channels 1.544 Mbps of transmission capacity that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered an additional trunk line.

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

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

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

"Wireless carrier" means a provider of two-way cellular, broadband PCS, geographic area 800 MHZ and 900 MHZ Commercial Mobile Radio Service (CMRS), Wireless Communications Service (WCS), or other Commercial Mobile Radio Service (CMRS), as defined by the Federal Communications Commission, offering radio communications that may provide fixed, mobile, radio location, or satellite communication services to individuals or businesses within its assigned spectrum block and geographical area or that offers real-time, two-way voice service that is interconnected with the public switched network, including a reseller of such service.
"Wireless enhanced 9-1-1" means the ability to relay the telephone number of the originator of a 9-1-1 call and location information from any mobile handset or text telephone device accessing the wireless system to the designated wireless public safety answering point as set forth in the order of the Federal Communications Commission, FCC Docket No. 94-102, adopted June 12, 1996, with an effective date of October 1, 1996, and any subsequent amendment thereto.

"Wireless public safety answering point" means the functional division of a 9-1-1 authority accepting wireless 9-1-1 calls.

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

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/8) (from Ch. 134, par. 38)

(Section scheduled to be repealed on July 1, 2017)

Sec. 8. The Administrator, with the advice and recommendation of the Statewide 9-1-1 Advisory Board, shall coordinate the implementation of systems established under this Act. To assist with this coordination, all systems authorized to operate under this Act shall register with the Administrator information regarding its composition and organization, including, but not limited to, identification of
all PSAPs, SAPs, VAPs, Back-up PSAPs, and Unmanned Back-up PSAPs. The Department may adopt rules for the administration of this Section.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/10) (from Ch. 134, par. 40)

(Section scheduled to be repealed on July 1, 2017)

Sec. 10.

(a) The Administrator, with the advice and recommendation of the Statewide 9-1-1 Advisory Board, shall establish uniform technical and operational standards for all 9-1-1 systems in Illinois. All findings, orders, decisions, rules, and regulations issued or promulgated by the Commission under this Act or any other Act establishing or conferring power on the Commission with respect to emergency telecommunications services, shall continue in force. Notwithstanding the provisions of this Section, where applicable, the Administrator shall, with the advice and recommendation of the Statewide 9-1-1 Advisory Board, amend the Commission's findings, orders, decisions, rules, and regulations to conform to the specific provisions of this Act as soon as practicable after the effective date of this amendatory Act of the 99th General Assembly.

(b) The Department may adopt emergency rules necessary to implement the provisions of this amendatory Act of the 99th General Assembly under subsection (t) of Section 5-45 of the
Illinois Administrative Procedure Act.

   (c) Nothing in this Act shall deprive the Commission of any authority to regulate the provision by telecommunication carriers or 9-1-1 system service providers of telecommunication or other services under the Public Utilities Act.

   (d) For rules that implicate both the regulation of 9-1-1 authorities under this Act and the regulation of telecommunication carriers and 9-1-1 system service providers under the Public Utilities Act, the Department and the Commission may adopt joint rules necessary for implementation.

   (e) Any findings, orders, or decisions of the Administrator under this Section shall be deemed a final administrative decision and shall be subject to judicial review under the Administrative Review Law.

   (Source: P.A. 99-6, eff. 1-1-16.)

   (50 ILCS 750/10.3)

   (Section scheduled to be repealed on July 1, 2017)

Sec. 10.3. Notice of address change. The Emergency Telephone System Board or qualified governmental entity in any county implementing a 9-1-1 system that changes any person's address (when the person whose address has changed has not moved to a new residence) shall notify the person (i) of the person's new address and (ii) that the person should contact the local election authority to determine if the person should
(Source: P.A. 90-664, eff. 7-30-98.)

Sec. 12. The Attorney General may, on behalf of the Department or on his own initiative, commence judicial proceedings to enforce compliance by any public agency or public utility providing telephone service with this Act.
(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/14) (from Ch. 134, par. 44)
(Section scheduled to be repealed on July 1, 2017)
Sec. 14. The General Assembly declares that a major purpose of enacting this Act is to ensure that 9-1-1 systems have redundant methods of dispatch for: (1) each public safety agency within its jurisdiction, herein known as participating agencies; and (2) 9-1-1 systems whose jurisdictional boundaries are contiguous, herein known as adjacent 9-1-1 systems, when an emergency request for service is received for a public safety agency that needs to be dispatched by the adjacent 9-1-1 system. Another primary purpose of this Section is to eliminate instances in which a public safety agency responding emergency service refuses, once dispatched, to render aid to the requester because the requester is outside of the jurisdictional boundaries of the public safety agency.
emergency service. Therefore, in implementing a 9-1-1 system
systems under this Act, all 9-1-1 authorities public agencies
in a single system shall enter into call handling and aid
outside jurisdictional boundaries agreements with each
participating agency and adjacent 9-1-1 system a joint powers
agreement or any other form of written cooperative agreement
which is applicable when need arises on a day-to-day basis.
Certified notification of the continuation of such agreements
shall be made among the involved parties on an annual basis. In
addition, such agreements shall be entered into between public
agencies and public safety agencies which are part of different
systems but whose jurisdictional boundaries are contiguous.
The agreements shall provide a primary and secondary means of
dispatch. It must also provide that, once an emergency unit is
dispatched in response to a request through the system, such
unit shall render its services to the requesting party without
regard to whether the unit is operating outside its normal
jurisdictional boundaries. Certified notification of the
continuation of call handling and aid outside jurisdictional
boundaries agreements shall be made among the involved parties
on an annual basis.
(Source: P.A. 86-101.)

(50 ILCS 750/15.2a) (from Ch. 134, par. 45.2a)
(Section scheduled to be repealed on July 1, 2017)
Sec. 15.2a. The installation of or connection to a
telephone company's network of any automatic alarm, automatic
alerting device, or mechanical dialer that causes the number
9-1-1 to be dialed in order to directly access emergency
services is prohibited in a 9-1-1 system.

This Section does not apply to a person who connects to a
9-1-1 network using automatic crash notification technology
subject to an established protocol.

This Section does not apply to devices used to enable
access to the 9-1-1 system for cognitively-impaired or special
needs persons or for persons with disabilities in an emergency
situation reported by a caregiver after initiating a missing
person's report. The device must have the capability to be
activated and controlled remotely by trained personnel at a
service center to prevent falsely activated or repeated calls
to the 9-1-1 system in a single incident. The device must have
the technical capability to generate location information to
the 9-1-1 system. Under no circumstances shall a device be sold
for use in a geographical jurisdiction where the 9-1-1 system
has not deployed wireless phase II location technology. The
alerting device shall also provide for either 2-way
communication or send a pre-recorded message to a 9-1-1
provider explaining the nature of the emergency so that the
9-1-1 provider will be able to dispatch the appropriate
emergency responder.

Violation of this Section is a Class A misdemeanor. A
second or subsequent violation of this Section is a Class 4
felony.

(Source: P.A. 99-143, eff. 7-27-15.)

(50 ILCS 750/15.3) (from Ch. 134, par. 45.3)

(Section scheduled to be repealed on July 1, 2017)

Sec. 15.3. Local non-wireless surcharge.

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

(i) in a municipality with a population of 500,000 or
less or in any county, 5 such surcharges per network connection, as defined under Section 2 determined in accordance with subsections (a) and (d) of Section 2.12 of this Act, for both regular service and advanced service provisioned trunk lines;

(ii) in a municipality with a population, prior to March 1, 2010, of 500,000 or more, 5 surcharges per network connection, as defined under Section 2 determined in accordance with subsections (a) and (d) of Section 2.12 of this Act, for both regular service and advanced service provisioned trunk lines;

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

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

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

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

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

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

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

---------- ---------- ---------- ---------- ---------- ----------

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

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

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

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

(d) A county may not impose a surcharge, unless requested by a municipality, in any incorporated area which has previously approved a surcharge as provided in subsection (c) or in any incorporated area where the corporate authorities of the municipality have previously entered into a binding contract or letter of intent with a telecommunications carrier to provide sophisticated 9-1-1 service through municipal funds.
(e) A municipality or county may at any time by ordinance
change the rate of the surcharge imposed under this Section if
the new rate does not exceed the rate specified in the
referendum held pursuant to subsection (c).

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

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

(h) Except as expressly provided in subsection (a) of this
Section, on or after the effective date of this amendatory Act
of the 98th General Assembly and until December 31, 2017, July
1, 2017, a municipality with a population of 500,000 or more
shall not impose a monthly surcharge per network connection in
excess of the highest monthly surcharge imposed as of January
1, 2014 by any county or municipality under subsection (c) of
this Section. Beginning January 1, 2018 and until December 31, 2020, a municipality with a population over 500,000 may not impose a monthly surcharge in excess of $5.00 per network connection. On or after January 1, 2021, July 1, 2017, a municipality with a population over 500,000 may not impose a monthly surcharge in excess of $2.50 per network connection.

(i) Any municipality or county or joint emergency telephone system board that has imposed a surcharge pursuant to this Section prior to the effective date of this amendatory Act of 1990 shall hereafter impose the surcharge in accordance with subsection (b) of this Section.

(j) The corporate authorities of any municipality or county may issue, in accordance with Illinois law, bonds, notes or other obligations secured in whole or in part by the proceeds of the surcharge described in this Section. The State of Illinois pledges and agrees that it will not limit or alter the rights and powers vested in municipalities and counties by this Section to impose the surcharge so as to impair the terms of or affect the security for bonds, notes or other obligations secured in whole or in part with the proceeds of the surcharge described in this Section. The pledge and agreement set forth in this Section survive the termination of the surcharge under subsection (l) by virtue of the replacement of the surcharge monies guaranteed under Section 20; the State of Illinois pledges and agrees that it will not limit or alter the rights vested in municipalities and counties to the surcharge
replacement funds guaranteed under Section 20 so as to impair
the terms of or affect the security for bonds, notes or other
obligations secured in whole or in part with the proceeds of
the surcharge described in this Section.

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

(l) On and after the effective date of this amendatory Act
of the 99th General Assembly, no county or municipality, other
than a municipality with a population over 500,000, may impose
a monthly surcharge under this Section in excess of the amount
imposed by it on the effective date of this Act. Any surcharge
imposed pursuant to this Section by a county or municipality,
other than a municipality with a population in excess of
500,000, shall cease to be imposed on January 1, 2016.
(Source: P.A. 98-634, eff. 6-6-14; 99-6, eff. 6-29-15.)

(50 ILCS 750/15.3a)
(Section scheduled to be repealed on July 1, 2017)
Sec. 15.3a. Local wireless surcharge.
(a) Notwithstanding any other provision of this Act, a unit
of local government or emergency telephone system board
providing wireless 9-1-1 service and imposing and collecting a wireless carrier surcharge prior to July 1, 1998 may continue its practices of imposing and collecting its wireless carrier surcharge, but, except as provided in subsection (b) of this Section, in no event shall that monthly surcharge exceed $2.50 per commercial mobile radio service (CMRS) connection or in-service telephone number billed on a monthly basis. For mobile telecommunications services provided on and after August 1, 2002, any surcharge imposed shall be imposed based upon the municipality or county that encompasses the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act.

(b) Until December 31, 2017, July 1, 2017, the corporate authorities of a municipality with a population in excess of 500,000 on the effective date of this amendatory Act of the 99th General Assembly may by ordinance continue to impose and collect a monthly surcharge per commercial mobile radio service (CMRS) connection or in-service telephone number billed on a monthly basis that does not exceed the highest monthly surcharge imposed as of January 1, 2014 by any county or municipality under subsection (c) of Section 15.3 of this Act. Beginning January 1, 2018, and until December 31, 2020, a municipality with a population in excess of 500,000 may by ordinance continue to impose and collect a monthly surcharge per commercial mobile radio service (CMRS) connection or in-service telephone number billed on a monthly basis that does
not exceed $5.00. On or after January 1, 2021, July 1, 2017,
the municipality may continue imposing and collecting its
wireless carrier surcharge as provided in and subject to the
limitations of subsection (a) of this Section.

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

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/15.4) (from Ch. 134, par. 45.4)
(Section scheduled to be repealed on July 1, 2017)
Sec. 15.4. Emergency Telephone System Board; powers.
(a) Except as provided in subsection (e) of this Section,
the corporate authorities of any county or municipality may
establish an Emergency Telephone System Board.

The corporate authorities shall provide for the manner of
appointment and the number of members of the Board, provided
that the board shall consist of not fewer than 5 members, one
of whom must be a public member who is a resident of the local
exchange service territory included in the 9-1-1 coverage area,
one of whom (in counties with a population less than 100,000) may be a member of the county board, and at least 3 of whom shall be representative of the 9-1-1 public safety agencies, including but not limited to police departments, fire departments, emergency medical services providers, and emergency services and disaster agencies, and appointed on the basis of their ability or experience. In counties with a population of more than 100,000 but less than 2,000,000, a member of the county board may serve on the Emergency Telephone System Board. Elected officials, including members of a county board, are also eligible to serve on the board. Members of the board shall serve without compensation but shall be reimbursed for their actual and necessary expenses. Any 2 or more municipalities, counties, or combination thereof, may, instead of establishing individual boards, establish by intergovernmental agreement a Joint Emergency Telephone System Board pursuant to this Section. The manner of appointment of such a joint board shall be prescribed in the agreement. On or after the effective date of this amendatory Act of the 100th General Assembly, any new intergovernmental agreement entered into to establish or join a Joint Emergency Telephone System Board shall provide for the appointment of a PSAP representative to the board.

Upon the effective date of this amendatory Act of the 98th General Assembly, appointed members of the Emergency Telephone System Board shall serve staggered 3-year terms if: (1) the
Board serves a county with a population of 100,000 or less; and
(2) appointments, on the effective date of this amendatory Act
of the 98th General Assembly, are not for a stated term. The
corporate authorities of the county or municipality shall
assign terms to the board members serving on the effective date
of this amendatory Act of the 98th General Assembly in the
following manner: (1) one-third of board members' terms shall
expire on January 1, 2015; (2) one-third of board members'
terms shall expire on January 1, 2016; and (3) remaining board
members' terms shall expire on January 1, 2017. Board members
may be re-appointed upon the expiration of their terms by the
corporate authorities of the county or municipality.

The corporate authorities of a county or municipality may,
by a vote of the majority of the members elected, remove an
Emergency Telephone System Board member for misconduct,
official misconduct, or neglect of office.

(b) The powers and duties of the board shall be defined by
ordinance of the municipality or county, or by
intergovernmental agreement in the case of a joint board. The
powers and duties shall include, but need not be limited to the
following:

(1) Planning a 9-1-1 system.

(2) Coordinating and supervising the implementation,
upgrading, or maintenance of the system, including the
establishment of equipment specifications and coding
systems.
(3) Receiving moneys from the surcharge imposed under Section 15.3, or disbursed to it under Section 30, and from any other source, for deposit into the Emergency Telephone System Fund.

(4) Authorizing all disbursements from the fund.

(5) Hiring any staff necessary for the implementation or upgrade of the system.

(6) (Blank).

(c) All moneys received by a board pursuant to a surcharge imposed under Section 15.3, or disbursed to it under Section 30, shall be deposited into a separate interest-bearing Emergency Telephone System Fund account. The treasurer of the municipality or county that has established the board or, in the case of a joint board, any municipal or county treasurer designated in the intergovernmental agreement, shall be custodian of the fund. All interest accruing on the fund shall remain in the fund. No expenditures may be made from such fund except upon the direction of the board by resolution passed by a majority of all members of the board.

(d) The board shall complete a Master Street Address Guide database before implementation of the 9-1-1 system. The error ratio of the database shall not at any time exceed 1% of the total database.

(e) On and after January 1, 2016, no municipality or county may create an Emergency Telephone System Board unless the board is a Joint Emergency Telephone System Board. The corporate
authorities of any county or municipality entering into an intergovernmental agreement to create or join a Joint Emergency Telephone System Board shall rescind an the ordinance or ordinances creating a single the original Emergency Telephone System Board and shall eliminate the single Emergency Telephone System Board, effective upon the creation of the Joint Emergency Telephone System Board, with regulatory approval by the Administrator, or joining of the Joint Emergency Telephone System Board. Nothing in this Section shall be construed to require the dissolution of an Emergency Telephone System Board that is not succeeded by a Joint Emergency Telephone System Board or is not required to consolidate under Section 15.4a of this Act.

(f) Within one year after the effective date of this amendatory Act of the 100th General Assembly, any corporate authorities of a county or municipality, other than a municipality with a population of more than 500,000, operating a 9-1-1 system without an Emergency Telephone System Board or Joint Emergency Telephone System Board shall create or join a Joint Emergency Telephone System Board.

(Source: P.A. 98-481, eff. 8-16-13; 99-6, eff. 1-1-16.)

(50 ILCS 750/15.4a)

(Section scheduled to be repealed on July 1, 2017)

Sec. 15.4a. Consolidation.

(a) By July 1, 2017, and except as otherwise provided in
this Section, Emergency Telephone System Boards, Joint
Emergency Telephone System Boards, qualified governmental
entities, and PSAPs shall be consolidated as follows, subject
to subsections (b) and (c) of this Section:

(1) In any county with a population of at least 250,000
that has a single Emergency Telephone System Board, or
qualified governmental entity and more than 2 PSAPs, shall
reduce the number of PSAPs by at least 50% or to 2 PSAPs,
whichever is greater. Nothing in this paragraph shall
preclude consolidation resulting in one PSAP in the county.

(2) In any county with a population of at least 250,000
that has more than one Emergency Telephone System Board,
Joint Emergency Telephone System Board, or qualified
governmental entity, any 9-1-1 Authority serving a
population of less than 25,000 shall be consolidated such
that no 9-1-1 Authority in the county serves a population
of less than 25,000.

(3) In any county with a population of at least 250,000
but less than 1,000,000 that has more than one Emergency
Telephone System Board, Joint Emergency Telephone System
Board, or qualified governmental entity, each 9-1-1
Authority shall reduce the number of PSAPs by at least 50%
or to 2 PSAPs, whichever is greater. Nothing in this
paragraph shall preclude consolidation of a 9-1-1
Authority into a Joint Emergency Telephone System Board,
and nothing in this paragraph shall preclude consolidation
resulting in one PSAP in the county.

(4) In any county with a population of less than 250,000 that has a single Emergency Telephone System Board or qualified governmental entity and more than 2 PSAPs, the 9-1-1 Authority shall reduce the number of PSAPs by at least 50% or to 2 PSAPs, whichever is greater. Nothing in this paragraph shall preclude consolidation resulting in one PSAP in the county.

(5) In any county with a population of less than 250,000 that has more than one Emergency Telephone System Board, Joint Emergency Telephone System Board, or qualified governmental entity and more than 2 PSAPs, the 9-1-1 Authorities shall be consolidated into a single joint board, and the number of PSAPs shall be reduced by at least 50% or to 2 PSAPs, whichever is greater. Nothing in this paragraph shall preclude consolidation resulting in one PSAP in the county.

(6) Any 9-1-1 Authority that does not have a PSAP within its jurisdiction shall be consolidated through an intergovernmental agreement with an existing 9-1-1 Authority that has a PSAP to create a Joint Emergency Telephone Board.

(7) The corporate authorities of each county that has no 9-1-1 service as of January 1, 2016 shall provide enhanced 9-1-1 wireline and wireless enhanced 9-1-1 service for that county by either (i) entering into an
intergovernmental agreement with an existing Emergency Telephone System Board to create a new Joint Emergency Telephone System Board, or (ii) entering into an intergovernmental agreement with the corporate authorities that have created an existing Joint Emergency Telephone System Board. 

(b) By July 1, 2016, each county required to consolidate pursuant to paragraph (7) of subsection (a) of this Section and each 9-1-1 Authority required to consolidate pursuant to paragraphs (1) through (6) of subsection (a) of this Section shall file a plan for consolidation or a request for a waiver pursuant to subsection (c) of this Section with the Office Division of the Statewide 9-1-1 Administrator. 

(1) No county or 9-1-1 Authority may avoid the requirements of this Section by converting primary PSAPs to secondary or virtual answering points. Any county or 9-1-1 Authority not in compliance with this Section shall be ineligible to receive consolidation grant funds issued under Section 15.4b of this Act or monthly disbursements otherwise due under Section 30 of this Act, until the county or 9-1-1 Authority is in compliance. 

(2) Within 60 calendar days of receiving a consolidation plan, the Statewide 9-1-1 Advisory Board shall hold at least one public hearing on the plan and provide a recommendation to the Administrator. Notice of the hearing shall be provided to the respective entity to
which the plan applies.

(3) Within 90 calendar days of receiving a consolidation plan, the Administrator shall approve the plan, approve the plan as modified, or grant a waiver pursuant to subsection (c) of this Section. In making his or her decision, the Administrator shall consider any recommendation from the Statewide 9-1-1 Advisory Board regarding the plan. If the Administrator does not follow the recommendation of the Board, the Administrator shall provide a written explanation for the deviation in his or her decision.

(4) The deadlines provided in this subsection may be extended upon agreement between the Administrator and entity which submitted the plan.

(c) A waiver from a consolidation required under subsection (a) of this Section may be granted if the Administrator finds that the consolidation will result in a substantial threat to public safety, is economically unreasonable, or is technically infeasible.

(d) Any decision of the Administrator under this Section shall be deemed a final administrative decision and shall be subject to judicial review under the Administrative Review Law.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/15.4b)

(Section scheduled to be repealed on July 1, 2017)
Sec. 15.4b. Consolidation grants.

(a) The Administrator, with the advice and recommendation of the Statewide 9-1-1 Advisory Board, shall administer a 9-1-1 System Consolidation Grant Program to defray costs associated with 9-1-1 system consolidation of systems outside of a municipality with a population in excess of 500,000. The awarded grants will be used to offset non-recurring costs associated with the consolidation of 9-1-1 systems and shall not be used for ongoing operating costs associated with the consolidated system. The Department, in consultation with the Administrator and the Statewide 9-1-1 Advisory Board, shall adopt rules defining the grant process and criteria for issuing the grants. The grants should be awarded based on criteria that include, but are not limited to:

(1) reducing the number of transfers of a 9-1-1 call;
(2) reducing the infrastructure required to adequately provide 9-1-1 network services;
(3) promoting cost savings from resource sharing among 9-1-1 systems;
(4) facilitating interoperability and resiliency for the receipt of 9-1-1 calls;
(5) reducing the number of 9-1-1 systems or reducing the number of PSAPs within a 9-1-1 system;
(6) cost saving resulting from 9-1-1 system consolidation; and
(7) expanding E9-1-1 service coverage as a result of
9-1-1 system consolidation including to areas without E9-1-1 service.

Priority shall be given first to counties not providing 9-1-1 service as of January 1, 2016, and next to other entities consolidating as required under Section 15.4a of this Act.

(b) The 9-1-1 System Consolidation Grant application, as defined by Department rules, shall be submitted electronically to the Administrator starting January 2, 2016, and every January 2 thereafter. The application shall include a modified 9-1-1 system plan as required by this Act in support of the consolidation plan. The Administrator shall have until June 30, 2016 and every June 30 thereafter to approve 9-1-1 System Consolidation grants and modified 9-1-1 system plans. Payment under the approved 9-1-1 System Consolidation grants shall be contingent upon the final approval of a modified 9-1-1 system plan.

(c) Existing and previously completed consolidation projects shall be eligible to apply for reimbursement of costs related to the consolidation incurred between 2010 and the State fiscal year of the application.

(d) The 9-1-1 systems that receive grants under this Section shall provide a report detailing grant fund usage to the Administrator pursuant to Section 40 of this Act.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/15.6a)
(Section scheduled to be repealed on July 1, 2017)

Sec. 15.6a. Wireless emergency 9-1-1 service.

(a) The digits "9-1-1" shall be the designated emergency telephone number within the wireless system.

(b) The Department may set non-discriminatory and uniform technical and operational standards consistent with the rules of the Federal Communications Commission for directing calls to authorized public safety answering points. These standards shall not in any way prescribe the technology or manner a wireless carrier shall use to deliver wireless 9-1-1 or wireless E9-1-1 calls, and these standards shall not exceed the requirements set by the Federal Communications Commission; however, standards for directing calls to the authorized public safety answering point shall be included. The authority given to the Department in this Section is limited to setting standards as set forth herein and does not constitute authority to regulate wireless carriers.

(c) For the purpose of providing wireless 9-1-1 emergency services, an emergency telephone system board or, in the absence of an emergency telephone system board, a qualified governmental entity, may declare its intention for one or more of its public safety answering points to serve as a primary wireless 9-1-1 public safety answering point for its jurisdiction by notifying the Administrator in writing within 6 months after receiving its authority to operate a 9-1-1 system under this Act. In addition, 2 or more emergency telephone
system boards or qualified governmental entities may, by virtue of an intergovernmental agreement, provide wireless 9-1-1 service. Until the jurisdiction comes into compliance with Section 15.4a of this Act, the Department of State Police shall be the primary wireless 9-1-1 public safety answering point for any jurisdiction that did not provide notice to the Illinois Commerce Commission and the Department prior to January 1, 2016.

(d) The Administrator, upon a request from a qualified governmental entity or an emergency telephone system board and with the advice and recommendation of the Statewide 9-1-1 Advisory Board, may grant authority to the emergency telephone system board or a qualified governmental entity to provide wireless 9-1-1 service in areas for which the Department has accepted wireless 9-1-1 responsibility. The Administrator shall maintain a current list of all 9-1-1 systems and qualified governmental entities providing wireless 9-1-1 service under this Act.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/17.5 new)

Sec. 17.5. 9-1-1 call transfer, forward, or relay.

(a) The General Assembly finds the following:

(1) Some 9-1-1 systems throughout this State do not have a procedure in place to manually transfer, forward, or relay 9-1-1 calls originating within one 9-1-1 system's
jurisdiction, but which should properly be answered and
discharged by another 9-1-1 system, to the appropriate
9-1-1 system for answering and dispatch of first
responders.

(2) On January 1, 2016, the General Assembly gave
oversight authority of 9-1-1 systems to the Department of
State Police.

(3) Since that date, the Department of State Police has
authorized individual 9-1-1 systems in counties and
municipalities to implement and upgrade enhanced 9-1-1
systems throughout the State.

(b) The Department shall prepare a directory of all
authorized 9-1-1 systems in the State. The directory shall
include an emergency 24/7 10-digit telephone number for all
primary public safety answering points located in each 9-1-1
system to which 9-1-1 calls from another jurisdiction can be
transferred. This directory shall be made available to each
9-1-1 authority for its use in establishing standard operating
procedures regarding calls outside its 9-1-1 jurisdiction.

(c) Each 9-1-1 system shall provide the Department with the
following information:

(1) The name of the PSAP, a list of every participating
agency, and the county the PSAP is in, including college
and university public safety entities.

(2) The 24/7 10-digit emergency telephone number and
e-mail address for the dispatch agency to which 9-1-1 calls
originating in another 9-1-1 jurisdiction can be transferred or by which the PSAP can be contacted via email to exchange information. Each 9-1-1 system shall provide the Department with any changes to the participating agencies and this number and email address immediately upon the change occurring. Each 9-1-1 system shall provide the PSAP information, the 24/7 10-digit emergency telephone number and email address to the Manager of the Department's 9-1-1 Program within 30 days of the effective date of this amendatory Act of the 100th General Assembly.

(3) The standard operating procedure describing the manner in which the 9-1-1 system will transfer, forward, or relay 9-1-1 calls originating within its jurisdiction, but which should properly be answered and dispatched by another 9-1-1 system, to the appropriate 9-1-1 system. Each 9-1-1 system shall provide the standard operating procedures to the Manager of the Department's 9-1-1 Program within 180 days after the effective date of this amendatory Act of the 100th General Assembly.

(50 ILCS 750/19)

(Section scheduled to be repealed on July 1, 2017)

Sec. 19. Statewide 9-1-1 Advisory Board.

(a) Beginning July 1, 2015, there is created the Statewide 9-1-1 Advisory Board within the Department of State Police. The Board shall consist of the following 11 voting members:
(1) The Director of the State Police, or his or her
designee, who shall serve as chairman.

(2) The Executive Director of the Commission, or his or
her designee.

(3) Nine members appointed by the Governor as follows:

(A) one member representing the Illinois chapter
of the National Emergency Number Association, or his or
her designee;

(B) one member representing the Illinois chapter
of the Association of Public-Safety Communications
Officials, or his or her designee;

(C) one member representing a county 9-1-1 system
from a county with a population of less than 50,000;

(D) one member representing a county 9-1-1 system
from a county with a population between 50,000 and
250,000;

(E) one member representing a county 9-1-1 system
from a county with a population of more than 250,000;

(F) one member representing a municipality with a
population of less than 500,000 in a county with a
population in excess of 2,000,000;

(G) one member representing the Illinois
Association of Chiefs of Police;

(H) one member representing the Illinois Sheriffs'
Association; and

(I) one member representing the Illinois Fire
The Governor shall appoint the following non-voting members: (i) one member representing an incumbent local exchange 9-1-1 system provider; (ii) one member representing a non-incumbent local exchange 9-1-1 system provider; (iii) one member representing a large wireless carrier; (iv) one member representing an incumbent local exchange a small wireless carrier; and (v) one member representing the Illinois Telecommunications Association; (vi) one member representing the Cable Television and Communication Association of Illinois; and (vii) one member representing the Illinois State Ambulance Association. 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 may each appoint a member of the General Assembly to temporarily serve as a non-voting member of the Board during the 12 months prior to the repeal date of this Act to discuss legislative initiatives of the Board.

(b) The Governor shall make initial appointments to the Statewide 9-1-1 Advisory Board by August 31, 2015. Six of the voting members appointed by the Governor shall serve an initial term of 2 years, and the remaining voting members appointed by the Governor shall serve an initial term of 3 years. Thereafter, each appointment by the Governor shall be for a term of 3 years. Non-voting members shall serve for a term of 3 years. Vacancies shall be filled in the same manner as the
original appointment. Persons appointed to fill a vacancy shall serve for the balance of the unexpired term.

Members of the Statewide 9-1-1 Advisory Board shall serve without compensation.

(c) The 9-1-1 Services Advisory Board, as constituted on June 1, 2015 without the legislative members, shall serve in the role of the Statewide 9-1-1 Advisory Board until all appointments of voting members have been made by the Governor under subsection (a) of this Section.

(d) The Statewide 9-1-1 Advisory Board shall:

(1) advise the Department of State Police and the Statewide 9-1-1 Administrator on the oversight of 9-1-1 systems and the development and implementation of a uniform statewide 9-1-1 system;

(2) make recommendations to the Governor and the General Assembly regarding improvements to 9-1-1 services throughout the State; and

(3) exercise all other powers and duties provided in this Act.

(e) The Statewide 9-1-1 Advisory Board shall submit to the General Assembly a report by March 1 of each year providing an update on the transition to a statewide 9-1-1 system and recommending any legislative action.

(f) The Department of State Police shall provide administrative support to the Statewide 9-1-1 Advisory Board.

(Source: P.A. 99-6, eff. 6-29-15.)
Sec. 20. Statewide surcharge.

(a) On and after January 1, 2016, and except with respect to those customers who are subject to surcharges as provided in Sections 15.3 and 15.3a of this Act, a monthly surcharge shall be imposed on all customers of telecommunications carriers and wireless carriers as follows:

(1) Each telecommunications carrier shall impose a monthly surcharge of $0.87 per network connection; provided, however, the monthly surcharge shall not apply to a network connection provided for use with pay telephone services. Where multiple voice grade communications channels are connected between the subscriber's premises and a public switched network through private branch exchange (PBX), centrex type service, or other multiple voice grade communication channels facility, there shall be imposed 5 such surcharges per network connection for both regular service and advanced service provisioned trunk lines. Until December 31, 2017, the surcharge shall be $0.87 per network connection and on and after January 1, 2018, the surcharge shall be $1.50 per network connection.

(2) Each wireless carrier shall impose and collect a monthly surcharge of $0.87 per CMRS connection that either has a telephone number within an area code assigned to...
Illinois by the North American Numbering Plan Administrator or has a billing address in this State. Until December 31, 2017, the surcharge shall be $0.87 per connection and on and after January 1, 2018, the surcharge shall be $1.50 per connection.

(b) State and local taxes shall not apply to the surcharges imposed under this Section.

(c) The surcharges imposed by this Section shall be stated as a separately stated item on subscriber bills.

(d) The telecommunications carrier collecting the surcharge may deduct and retain an amount not to exceed 3% of the gross amount of surcharge collected to reimburse the telecommunications carrier for the expense of accounting and collecting the surcharge. On and after July 1, 2022, the wireless carrier collecting a surcharge under this Section may deduct and retain an amount not to exceed 3% of the gross amount of the surcharge collected to reimburse the wireless carrier for the expense of accounting and collecting the surcharge.

(e) Surcharges imposed under this Section shall be collected by the carriers and, shall be remitted to the Department, within 30 days of collection, remitted, either by check or electronic funds transfer, by the end of the next calendar month after the calendar month in which it was collected to the Department for deposit into the Statewide 9-1-1 Fund. Carriers are not required to remit surcharge moneys
that are billed to subscribers but not yet collected.

The first remittance by wireless carriers shall include the number of subscribers by zip code, and the 9-digit zip code if currently being used or later implemented by the carrier, that shall be the means by which the Department shall determine distributions from the Statewide 9-1-1 Fund. This information shall be updated at least once each year. Any carrier that fails to provide the zip code information required under this subsection (e) shall be subject to the penalty set forth in subsection (g) of this Section.

(f) If, within 8 calendar 5 business days after it is due under subsection (e) of this Section, a carrier does not remit the surcharge or any portion thereof required under this Section, then the surcharge or portion thereof shall be deemed delinquent until paid in full, and the Department may impose a penalty against the carrier in an amount equal to the greater of:

(1) $25 for each month or portion of a month from the time an amount becomes delinquent until the amount is paid in full; or

(2) an amount equal to the product of 1% and the sum of all delinquent amounts for each month or portion of a month that the delinquent amounts remain unpaid.

A penalty imposed in accordance with this subsection (f) for a portion of a month during which the carrier pays the delinquent amount in full shall be prorated for each day of
that month that the delinquent amount was paid in full. Any penalty imposed under this subsection (f) is in addition to the amount of the delinquency and is in addition to any other penalty imposed under this Section.

(g) If, within 8 calendar 5 business days after it is due, a wireless carrier does not provide the number of subscribers by zip code as required under subsection (e) of this Section, then the report is deemed delinquent and the Department may impose a penalty against the carrier in an amount equal to the greater of:

(1) $25 for each month or portion of a month that the report is delinquent; or

(2) an amount equal to the product of $0.01 and the number of subscribers served by the carrier for each month or portion of a month that the delinquent report is not provided.

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

(h) A penalty imposed and collected in accordance with subsection (f) or (g) of this Section shall be deposited into
the Statewide 9-1-1 Fund for distribution according to Section 30 of this Act.

(i) The Department may enforce the collection of any delinquent amount and any penalty due and unpaid under this Section by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State. The Department may excuse the payment of any penalty imposed under this Section if the Administrator determines that the enforcement of this penalty is unjust.

(j) Notwithstanding any provision of law to the contrary, nothing shall impair the right of wireless carriers to recover compliance costs for all emergency communications services that are not reimbursed out of the Wireless Carrier Reimbursement Fund directly from their wireless subscribers by line-item charges on the wireless subscriber's bill. Those compliance costs include all costs incurred by wireless carriers in complying with local, State, and federal regulatory or legislative mandates that require the transmission and receipt of emergency communications to and from the general public, including, but not limited to, E9-1-1.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/30)

(Section scheduled to be repealed on July 1, 2017)

Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.
(a) A special fund in the State treasury known as the Wireless Service Emergency Fund shall be renamed the Statewide 9-1-1 Fund. Any appropriations made from the Wireless Service Emergency Fund shall be payable from the Statewide 9-1-1 Fund. The Fund shall consist of the following:

(1) 9-1-1 wireless surcharges assessed under the Wireless Emergency Telephone Safety Act.

(2) 9-1-1 surcharges assessed under Section 20 of this Act.

(3) Prepaid wireless 9-1-1 surcharges assessed under Section 15 of the Prepaid Wireless 9-1-1 Surcharge Act.

(4) Any appropriations, grants, or gifts made to the Fund.

(5) Any income from interest, premiums, gains, or other earnings on moneys in the Fund.

(6) Money from any other source that is deposited in or transferred to the Fund.

(b) Subject to appropriation and availability of funds, the Department shall distribute the 9-1-1 surcharges monthly as follows:

(1) From each surcharge collected and remitted under Section 20 of this Act:

   (A) $0.013 shall be distributed monthly in equal amounts to each County Emergency Telephone System Board or qualified governmental entity in counties with a population under 100,000 according to the most
recent census data which is authorized to serve as a primary wireless 9-1-1 public safety answering point for the county and to provide wireless 9-1-1 service as prescribed by subsection (b) of Section 15.6a of this Act, and which does provide such service.

(B) $0.033 shall be transferred by the Comptroller at the direction of the Department to the Wireless Carrier Reimbursement Fund until June 30, 2017; from July 1, 2017 through June 30, 2018, $0.026 shall be transferred; from July 1, 2018 through June 30, 2019, $0.020 shall be transferred; from July 1, 2019, through June 30, 2020, $0.013 shall be transferred; from July 1, 2020 through June 30, 2021, $0.007 will be transferred; and after June 30, 2021, no transfer shall be made to the Wireless Carrier Reimbursement Fund.

(C) Until December 31, 2017, $0.007 and on and after January 1, 2018, $0.017 shall be used to cover the Department's administrative costs.

(D) Beginning January 1, 2018, until June 30, 2020, $0.12, and on and after July 1, 2020, $0.04 shall be used to make monthly proportional grants to the appropriate 9-1-1 Authority currently taking wireless 9-1-1 based upon the United States Postal Zip Code of the billing addresses of subscribers wireless carriers.

(E) Until June 30, 2020, $0.05 shall be used by the
Department for grants for NG9-1-1 expenses, with priority given to 9-1-1 Authorities that provide 9-1-1 service within the territory of a Large Electing Provider as defined in Section 13-406.1 of the Public Utilities Act.

(F) On and after July 1, 2020, $0.13 shall be used for the implementation of and continuing expenses for the Statewide NG9-1-1 system.

(2) After disbursements under paragraph (1) of this subsection (b), all remaining funds in the Statewide 9-1-1 Fund shall be disbursed in the following priority order:

(A) The Fund shall will pay monthly to:

(i) the 9-1-1 Authorities that imposed surcharges under Section 15.3 of this Act and were required to report to the Illinois Commerce Commission under Section 27 of the Wireless Emergency Telephone Safety Act on October 1, 2014, except a 9-1-1 Authority in a municipality with a population in excess of 500,000, an amount equal to the average monthly wireline and VoIP surcharge revenue attributable to the most recent 12-month period reported to the Department under that Section for the October 1, 2014 filing, subject to the power of the Department to investigate the amount reported and adjust the number by order under Article X of the Public Utilities Act, so
that the monthly amount paid under this item accurately reflects one-twelfth of the aggregate wireline and VoIP surcharge revenue properly attributable to the most recent 12-month period reported to the Commission; or

(ii) county qualified governmental entities that did not impose a surcharge under Section 15.3 as of December 31, 2015, and counties that did not impose a surcharge as of June 30, 2015, an amount equivalent to their population multiplied by .37 multiplied by the rate of $0.69; counties that are not county qualified governmental entities and that did not impose a surcharge as of December 31, 2015, shall not begin to receive the payment provided for in this subsection until E9-1-1 and wireless E9-1-1 services are provided within their counties; or

(iii) counties without 9-1-1 service that had a surcharge in place by December 31, 2015, an amount equivalent to their population multiplied by .37 multiplied by their surcharge rate as established by the referendum.

(B) All 9-1-1 network costs for systems outside of municipalities with a population of at least 500,000 shall be paid by the Department directly to the vendors.
(C) All expenses incurred by the Administrator and the Statewide 9-1-1 Advisory Board and costs associated with procurement under Section 15.6b including requests for information and requests for proposals.

(D) Funds may be held in reserve by the Statewide 9-1-1 Advisory Board and disbursed by the Department for grants under Section 15.4b of this Act Section 15.4a, 15.4b, and for NG9-1-1 expenses up to $12.5 million per year in State fiscal years 2016 and 2017; up to $20 million in State fiscal year 2018; up to $20.9 million in State fiscal year 2019; up to $15.3 million in State fiscal year 2020; up to $16.2 million in State fiscal year 2021; up to $23.1 million in State fiscal year 2022; and up to $17.0 million per year for State fiscal year 2023 and each year thereafter. The amount held in reserve in State fiscal years 2018 and 2019 shall not be less than $6.5 million. Disbursements under this subparagraph (D) shall be prioritized as follows: (i) consolidation grants prioritized under subsection (a) of Section 15.4b of this Act; (ii) NG 9-1-1 expenses; and (iii) consolidation grants under Section 15.4b of this Act for consolidation expenses incurred between January 1, 2010, and January 1, 2016.

(E) All remaining funds per remit month shall be
used to make monthly proportional grants to the appropriate 9-1-1 Authority currently taking wireless 9-1-1 based upon the United States Postal Zip Code of the billing addresses of subscribers of wireless carriers.

(c) The moneys deposited into the Statewide 9-1-1 Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

(d) Whenever two or more 9-1-1 Authorities consolidate, the resulting Joint Emergency Telephone System Board shall be entitled to the monthly payments that had theretofore been made to each consolidating 9-1-1 Authority. Any reserves held by any consolidating 9-1-1 Authority shall be transferred to the resulting Joint Emergency Telephone System Board. Whenever a county that has no 9-1-1 service as of January 1, 2016 enters into an agreement to consolidate to create or join a Joint Emergency Telephone System Board, the Joint Emergency Telephone System Board shall be entitled to the monthly payments that would have otherwise been paid to the county if it had provided 9-1-1 service.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/35)

(Section scheduled to be repealed on July 1, 2017)

Sec. 35. 9-1-1 surcharge; allowable expenditures. Except as otherwise provided in this Act, expenditures from surcharge
revenues received under this Act may be made by municipalities, counties, and 9-1-1 Authorities only to pay for the costs associated with the following:

(1) The design of the Emergency Telephone System.

(2) The coding of an initial Master Street Address Guide database, and update and maintenance thereof.

(3) The repayment of any moneys advanced for the implementation of the system.

(4) The charges for Automatic Number Identification and Automatic Location Identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile data transmitters equipped with automatic vehicle locators, and maintenance, replacement, and update thereof to increase operational efficiency and improve the provision of emergency services.

(5) The non-recurring charges related to installation of the Emergency Telephone System.

(6) The initial acquisition and installation, or the reimbursement of costs therefor to other governmental bodies that have incurred those costs, of road or street signs that are essential to the implementation of the Emergency Telephone System and that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs. Funds may not be used for ongoing expenses associated with road or
street sign maintenance and replacement.

(7) Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or costs of personnel attributable directly to the operation of the system. Costs attributable directly to the operation of an emergency telephone system do not include the costs of public safety agency personnel who are and equipment that is dispatched in response to an emergency call.

(8) The defraying of expenses incurred to implement Next Generation 9-1-1, subject to the conditions set forth in this Act.

(9) The implementation of a computer aided dispatch system or hosted supplemental 9-1-1 services.

(10) The design, implementation, operation, maintenance, or upgrade of wireless 9-1-1, E9-1-1, or NG9-1-1 emergency services and public safety answering points.

Moneys in the Statewide 9-1-1 Fund may also be transferred to a participating fire protection district to reimburse volunteer firefighters who man remote telephone switching facilities when dedicated 9-1-1 lines are down.

In the case of a municipality with a population over 500,000, moneys may also be used for any anti-terrorism or
emergency preparedness measures, including, but not limited
to, preparedness planning, providing local matching funds for
federal or State grants, personnel training, and specialized
equipment, including surveillance cameras, as needed to deal
with natural and terrorist-inspired emergency situations or
events.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/40)

(Section scheduled to be repealed on July 1, 2017)

Sec. 40. Financial reports.

(a) The Department shall create uniform accounting
procedures, with such modification as may be required to give
effect to statutory provisions applicable only to
municipalities with a population in excess of 500,000, that any
emergency telephone system board, qualified governmental
entity, or unit of local government receiving surcharge money
pursuant to Section 15.3, 15.3a, or 30 of this Act must follow.

(b) By January 31, 2018, and every January 31 thereafter
October 1, 2016, and every October 1 thereafter, each emergency
telephone system board, qualified governmental entity, or unit
of local government receiving surcharge money pursuant to
Section 15.3, 15.3a, or 30 shall report to the Department
audited financial statements showing total revenue and
expenditures for the period beginning with the end of the
period covered by the last submitted report through the end of
the previous calendar year previous fiscal year in a form and manner as prescribed by the Department. Such financial information shall include:

(1) a detailed summary of revenue from all sources including, but not limited to, local, State, federal, and private revenues, and any other funds received;

(2) all expenditures made during the reporting period from distributions under this Act; operating expenses, capital expenditures, and cash balances; and

(3) call data and statistics, when available, from the reporting period, as specified by the Department and collected in accordance with any reporting method established or required such other financial information that is relevant to the provision of 9-1-1 services as determined by the Department;

(4) all costs associated with dispatching appropriate public safety agencies to respond to 9-1-1 calls received by the PSAP; and

(5) all funding sources and amounts of funding used for costs described in paragraph (4) of this subsection (b).

The emergency telephone system board, qualified governmental entity, or unit of local government is responsible for any costs associated with auditing such financial statements. The Department shall post the audited financial statements on the Department's website.

(c) Along with its audited financial statement, each
emergency telephone system board, qualified governmental entity, or unit of local government receiving a grant under Section 15.4b of this Act shall include a report of the amount of grant moneys received and how the grant moneys were used. In case of a conflict between this requirement and the Grant Accountability and Transparency Act, or with the rules of the Governor's Office of Management and Budget adopted thereunder, that Act and those rules shall control.

(d) If an emergency telephone system board or qualified governmental entity that receives funds from the Statewide 9-1-1 Fund fails to file the 9-1-1 system financial reports as required under this Section, the Department shall suspend and withhold monthly disbursements otherwise due to the emergency telephone system board or qualified governmental entity under Section 30 of this Act until the report is filed.

Any monthly disbursements that have been withheld for 12 months or more shall be forfeited by the emergency telephone system board or qualified governmental entity and shall be distributed proportionally by the Department to compliant emergency telephone system boards and qualified governmental entities that receive funds from the Statewide 9-1-1 Fund.

Any emergency telephone system board or qualified governmental entity not in compliance with this Section shall be ineligible to receive any consolidation grant or infrastructure grant issued under this Act.

(e) The Department may adopt emergency rules necessary to
implement the provisions of this Section.

(f) Any findings or decisions of the Department under this Section shall be deemed a final administrative decision and shall be subject to judicial review under the Administrative Review Law.

(g) Beginning October 1, 2017, the Department shall provide a quarterly report to the Board of its expenditures from the Statewide 9-1-1 Fund for the prior fiscal quarter.

(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/55)

(Section scheduled to be repealed on July 1, 2017)

Sec. 55. Public disclosure. Because of the highly competitive nature of the wireless telephone industry, public disclosure of information about surcharge moneys paid by wireless carriers could have the effect of stifling competition to the detriment of the public and the delivery of wireless 9-1-1 services. Therefore, the Illinois Commerce Commission, the Department of State Police, governmental agencies, and individuals with access to that information shall take appropriate steps to prevent public disclosure of this information. Information and data supporting the amount and distribution of surcharge moneys collected and remitted by an individual wireless carrier shall be deemed exempt information for purposes of the Freedom of Information Act and shall not be publicly disclosed. The gross amount paid by all carriers shall
not be deemed exempt and may be publicly disclosed.
(Source: P.A. 99-6, eff. 1-1-16.)

(50 ILCS 750/99)
(Section scheduled to be repealed on July 1, 2017)

Sec. 99. Repealer. This Act is repealed on December 31, 2020.
(Source: P.A. 99-6, eff. 6-29-15.)

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

(50 ILCS 753/15)

Sec. 15. Prepaid wireless 9-1-1 surcharge.
(a) Until September 30, 2015, there is hereby imposed on consumers a prepaid wireless 9-1-1 surcharge of 1.5% per retail transaction. Beginning October 1, 2015, the prepaid wireless 9-1-1 surcharge shall be 3% per retail transaction. The surcharge authorized by this subsection (a) does not apply in a home rule municipality having a population in excess of 500,000.

(a-5) On or after the effective date of this amendatory Act of the 98th General Assembly and until December 31, 2020, July 1, 2017, a home rule municipality having a population in excess of 500,000 on the effective date of this amendatory Act may impose a prepaid wireless 9-1-1 surcharge not to exceed 9% per
retail transaction sourced to that jurisdiction and collected and remitted in accordance with the provisions of subsection (b-5) of this Section. On or after **January 1, 2021, July 1, 2017**, a home rule municipality having a population in excess of 500,000 on the effective date of this Act may only impose a prepaid wireless 9-1-1 surcharge not to exceed 7% per retail transaction sourced to that jurisdiction and collected and remitted in accordance with the provisions of subsection (b-5).

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

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

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

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

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

For purposes of this subsection (c), the surcharge shall not be imposed or collected from entities that have an active tax exemption identification number issued by the Department under Section 1g of the Retailers' Occupation Tax Act.

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

(e) (Blank).

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

(f) When prepaid wireless telecommunications service is sold with one or more other products or services for a single,
non-itemized price, then the percentage specified in subsection (a) or (a-5) of this Section 15 shall be applied to the entire non-itemized price unless the seller elects to apply the percentage to (i) the dollar amount of the prepaid wireless telecommunications service if that dollar amount is disclosed to the consumer or (ii) the portion of the price that is attributable to the prepaid wireless telecommunications service if the retailer can identify that portion by reasonable and verifiable standards from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, books and records that are kept for non-tax purposes. However, if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single, non-itemized price, then the seller may elect not to apply the percentage specified in subsection (a) or (a-5) of this Section 15 to such transaction. For purposes of this subsection, an amount of service denominated as 10 minutes or less or $5 or less is considered minimal.

(g) The prepaid wireless 9-1-1 surcharge imposed under subsections (a) and (a-5) of this Section is not imposed on the provider or the consumer for wireless Lifeline service where the consumer does not pay the provider for the service. Where the consumer purchases from the provider optional minutes, texts, or other services in addition to the federally funded Lifeline benefit, a consumer must pay the prepaid wireless
9-1-1 surcharge, and it must be collected by the seller according to subsection (b-5).
(Source: P.A. 98-634, eff. 6-6-14; 99-6, eff. 6-29-15.)

Section 25. The Public Utilities Act is amended by changing Sections 13-102, 13-103, 13-230, 13-301.1, 13-406, 13-703, 13-1200, 21-401, and 21-1601 and by adding Section 13-406.1 as follows:

(220 ILCS 5/13-102) (from Ch. 111 2/3, par. 13-102)
(Section scheduled to be repealed on July 1, 2017)
Sec. 13-102. Findings. With respect to telecommunications services, as herein defined, the General Assembly finds that:
(a) universally available and widely affordable telecommunications services are essential to the health, welfare and prosperity of all Illinois citizens;
(b) federal regulatory and judicial rulings in the 1980s caused a restructuring of the telecommunications industry and opened some aspects of the industry to competitive entry, thereby necessitating revision of State telecommunications regulatory policies and practices;
(c) revisions in telecommunications regulatory policies and practices in Illinois beginning in the mid-1980s brought the benefits of competition to consumers in many telecommunications markets, but not in local exchange telecommunications service markets;
(d) the federal Telecommunications Act of 1996 established the goal of opening all telecommunications service markets to competition and accords to the states the responsibility to establish and enforce policies necessary to attain that goal;

(e) it is in the immediate interest of the People of the State of Illinois for the State to exercise its rights within the new framework of federal telecommunications policy to ensure that the economic benefits of competition in all telecommunications service markets are realized as effectively as possible;

(f) the competitive offering of all telecommunications services will increase innovation and efficiency in the provision of telecommunications services and may lead to reduced prices for consumers, increased investment in communications infrastructure, the creation of new jobs, and the attraction of new businesses to Illinois; and

(g) protection of the public interest requires changes in the regulation of telecommunications carriers and services to ensure, to the maximum feasible extent, the reasonable and timely development of effective competition in all telecommunications service markets;

(h) Illinois residents rely on today's modern wired and wireless Internet Protocol (IP) networks and services to improve their lives by connecting them to school and college degrees, work and job opportunities, family and friends, information, and entertainment, as well as emergency
responders and public safety officials; Illinois businesses rely on these modern IP networks and services to compete in a global marketplace by expanding their customer base, managing inventory and operations more efficiently, and offering customers specialized and personalized products and services; without question, Illinois residents and our State's economy rely profoundly on the modern wired and wireless IP networks and services in our State;

(i) the transition from 20th century traditional circuit switched and other legacy telephone services to modern 21st century next generation Internet Protocol (IP) services is taking place at an extraordinary pace as Illinois consumers are upgrading to home communications service using IP technology, including high speed Internet, Voice over Internet Protocol, and wireless service;

(j) this rapid transition to IP-based communications has dramatically transformed the way people communicate and has provided significant benefits to consumers in the form of innovative functionalities resulting from the seamless convergence of voice, video, and text, benefits realized by the General Assembly when it chose to transition its own telecommunications system to an all IP communications network in 2016;

(k) the benefits of the transition to IP-based networks and services were also recognized by the General Assembly in 2015 through the enactment of legislation requiring that every 9-1-1
emergency system in Illinois provide Next Generation 9-1-1 service by July 1, 2020, and requiring that the Next Generation 9-1-1 network must be an IP-based platform; and

(l) completing the transition to all IP-based networks and technologies is in the public interest because it will promote continued innovation, consumer benefits, increased efficiencies, and increased investment in IP-based networks and services.

(Source: P.A. 90-185, eff. 7-23-97.)

(220 ILCS 5/13-103) (from Ch. 111 2/3, par. 13-103)

(Section scheduled to be repealed on July 1, 2017)

Sec. 13-103. Policy. Consistent with its findings, the General Assembly declares that it is the policy of the State of Illinois that:

(a) telecommunications services should be available to all Illinois citizens at just, reasonable, and affordable rates and that such services should be provided as widely and economically as possible in sufficient variety, quality, quantity and reliability to satisfy the public interest;

(b) consistent with the protection of consumers of telecommunications services and the furtherance of other public interest goals, competition in all telecommunications service markets should be pursued as a substitute for regulation in determining the variety, quality and price of telecommunications services and that the economic burdens of
regulation should be reduced to the extent possible consistent
with the furtherance of market competition and protection of
the public interest;

(c) all necessary and appropriate modifications to State
regulation of telecommunications carriers and services should
be implemented without unnecessary disruption to the
telecommunications infrastructure system or to consumers of
telecommunications services and that it is necessary and
appropriate to establish rules to encourage and ensure orderly
transitions in the development of markets for all
telecommunications services;

(d) the consumers of telecommunications services and
facilities provided by persons or companies subject to
regulation pursuant to this Act and Article should be required
to pay only reasonable and non-discriminatory rates or charges
and that in no case should rates or charges for non-competitive
telecommunications services include any portion of the cost of
providing competitive telecommunications services, as defined
in Section 13-209, or the cost of any nonregulated activities;

(e) the regulatory policies and procedures provided in this
Article are established in recognition of the changing nature
of the telecommunications industry and therefore should be
subject to systematic legislative review to ensure that the
public benefits intended to result from such policies and
procedures are fully realized; and

(f) development of and prudent investment in advanced
telecommunications services and networks that foster economic
development of the State should be encouraged through the
implementation and enforcement of policies that promote
effective and sustained competition in all telecommunications
service markets; and-

(g) completion of the transition to modern IP-based
networks should be encouraged through relief from the outdated
regulations that require continued investment in legacy
circuit switched networks from which Illinois consumers have
largely transitioned, while at the same time ensuring that
consumers have access to available alternative services that
provide quality voice service and access to emergency
communications.
(Source: P.A. 90-185, eff. 7-23-97.)

(220 ILCS 5/13-230)
(Section scheduled to be repealed on July 1, 2017)

Sec. 13-230. Prepaid calling service. "Prepaid calling
service" means telecommunications service that must be paid for
in advance by an end user, enables the end user to originate
calls using an access number or authorization code, whether
manually or electronically dialed, and is sold in predetermined
units or dollars of which the number declines with use in a
known amount. A prepaid calling service call is a call made by
an end user using prepaid calling service. "Prepaid calling
service" does not include a wireless telecommunications
service that allows a caller to dial 9-1-1 to access the 9-1-1 system, which service must be paid for in advance, and is sold in predetermined units or dollars and the amount declines with use in a known amount prepaid wireless telecommunications service as defined in Section 10 of the Wireless Emergency Telephone Safety Act.

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

(220 ILCS 5/13-301.1) (from Ch. 111 2/3, par. 13-301.1)
(Section scheduled to be repealed on July 1, 2017)

Sec. 13-301.1. Universal Telephone Service Assistance Program.

(a) The Commission shall by rule or regulation establish a Universal Telephone Service Assistance Program for low income residential customers. The program shall provide for a reduction of access line charges, a reduction of connection charges, or any other alternative assistance or program to increase accessibility to telephone service and broadband Internet access service that the Commission deems advisable subject to the availability of funds for the program as provided in subsections (d) and (e). The Commission shall establish eligibility requirements for benefits under the program.

(b) The Commission shall adopt rules providing for enhanced enrollment for eligible consumers to receive lifeline service. Enhanced enrollment may include, but is not limited to, joint
marketing, joint application, or joint processing with the Low-Income Home Energy Assistance Program, the Medicaid Program, and the Food Stamp Program. The Department of Human Services, the Department of Healthcare and Family Services, and the Department of Commerce and Economic Opportunity, upon request of the Commission, shall assist in the adoption and implementation of those rules. The Commission and the Department of Human Services, the Department of Healthcare and Family Services, and the Department of Commerce and Economic Opportunity may enter into memoranda of understanding establishing the respective duties of the Commission and the Departments in relation to enhanced enrollment.

(c) In this Section:

"Lifeline service" means a retail local service offering described by 47 CFR Section 54.401(a), as amended.

(d) The Commission shall require by rule or regulation that each telecommunications carrier providing local exchange telecommunications services notify its customers that if the customer wishes to participate in the funding of the Universal Telephone Service Assistance Program he may do so by electing to contribute, on a monthly basis, a fixed amount that will be included in the customer's monthly bill. The customer may cease contributing at any time upon providing notice to the telecommunications carrier providing local exchange telecommunications services. The notice shall state that any

...
contribution made will not reduce the customer's bill for telecommunications services. Failure to remit the amount of increased payment will reduce the contribution accordingly.

The Commission shall specify the monthly fixed amount or amounts that customers wishing to contribute to the funding of the Universal Telephone Service Assistance Program may choose from in making their contributions. Every telecommunications carrier providing local exchange telecommunications services shall remit the amounts contributed in accordance with the terms of the Universal Telephone Service Assistance Program.

(e) Amounts collected and remitted under subsection (d) may, to the extent the Commission deems advisable, be used for funding a program to be administered by the entity designated by the Commission as administrator of the Universal Telephone Service Assistance Program for educating and assisting low-income residential customers with a transition to Internet protocol-based networks and services. This program may include, but need not be limited to, measures designed to notify and educate residential customers regarding the availability of alternative voice services with access to 9-1-1, access to and use of broadband Internet access service, and pricing options.

(Source: P.A. 94-793, eff. 5-19-06; 95-331, eff. 8-21-07.)"; and

(220 ILCS 5/13-406) (from Ch. 111 2/3, par. 13-406)
Sec. 13-406. Abandonment of service. No telecommunications carrier offering or providing noncompetitive telecommunications service pursuant to a valid Certificate of Service Authority or certificate of public convenience and necessity shall discontinue or abandon such service once initiated until and unless it shall demonstrate, and the Commission finds, after notice and hearing, that such discontinuance or abandonment will not deprive customers of any necessary or essential telecommunications service or access thereto and is not otherwise contrary to the public interest.

No telecommunications carrier offering or providing competitive telecommunications service shall completely discontinue or abandon such service to an identifiable class or group of customers once initiated except upon 60 days notice to the Commission and affected customers. The Commission may, upon its own motion or upon complaint, investigate the proposed discontinuance or abandonment of a competitive telecommunications service and may, after notice and hearing, prohibit such proposed discontinuance or abandonment if the Commission finds that it would be contrary to the public interest. If the Commission does not provide notice of a hearing within 60 calendar days after the notification or holds a hearing and fails to find that the proposed discontinuation or abandonment would be contrary to the public interest, the provider may discontinue or abandon such service after
providing at least 30 days notice to affected customers. This Section does not apply to a Large Electing Provider proceeding under Section 13-406.1.

(Source: P.A. 96-927, eff. 6-15-10.)

(220 ILCS 5/13-406.1 new)
Sec. 13-406.1. Large Electing Provider transition to IP-based networks and service.
(a) As used in this Section:
"Alternative voice service" means service that includes all of the applicable functionalities for voice telephony services described in 47 CFR 54.101(a).
"Existing customer" means a residential customer of the Large Electing Provider who is subscribing to a telecommunications service on the date the Large Electing Provider sends its notice under paragraph (1) of subsection (c) of this Section of its intent to cease offering and providing service. For purposes of this Section, a residential customer of the Large Electing Provider whose service has been temporarily suspended, but not finally terminated as of the date that the Large Electing Provider sends that notice, shall be deemed to be an "existing customer".
"Large Electing Provider" means an Electing Provider, as defined in Section 13-506.2 of this Act, that (i) reported in its annual competition report for the year 2016 filed with the Commission under Section 13-407 of this Act and 83 Ill. Adm.
Code 793 that it provided at least 700,000 access lines to end users; and (ii) is affiliated with a provider of commercial mobile radio service, as defined in 47 CFR 20.3, as of January 1, 2017.

"New customer" means a residential customer who is not subscribing to a telecommunications service provided by the Large Electing Provider on the date the Large Electing Provider sends its notice under paragraph (1) of subsection (c) of this Section of its intent to cease offering and providing that service.

"Provider" includes every corporation, company, association, firm, partnership, and individual and their lessees, trustees, or receivers appointed by a court that sell or offer to sell an alternative voice service.

"Reliable access to 9-1-1" means access to 9-1-1 that complies with the applicable rules, regulations, and guidelines established by the Federal Communications Commission and the applicable provisions of the Emergency Telephone System Act and implementing rules.

"Willing provider" means a provider that voluntarily participates in the request for service process.

(b) Beginning June 30, 2017, a Large Electing Provider may, to the extent permitted by and consistent with federal law, including, as applicable, approval by the Federal Communications Commission of the discontinuance of the interstate-access component of a telecommunications service,
cease to offer and provide a telecommunications service to an identifiable class or group of customers, other than voice telecommunications service to residential customers or a telecommunications service to a class of customers under subsection (b-5) of this Section, upon 60 days notice to the Commission and affected customers.

(b-5) Notwithstanding any provision to the contrary in this Section 13-406.1, beginning December 31, 2021, a Large Electing Provider may, to the extent permitted by and consistent with federal law, including, if applicable, approval by the Federal Communications Commission of the discontinuance of the interstate-access component of a telecommunication service, cease to offer and provide a telecommunications service to one or more of the following classes or groups of customers upon 60 days notice to the Commission and affected customers: (1) electric utilities, as defined in Section 16-102 of this Act; (2) public utilities, as defined in Section 3-105 of this Act, that offers natural gas or water services; (3) electric, gas, and water utilities that are excluded from the definition of public utility under paragraph (1) of subsection (b) of Section 3-105 of this Act; (4) water companies as described in paragraph (2) of subsection (b) of Section 3-105 of this Act; (5) natural gas cooperatives as described in paragraph (4) of subsection (b) of Section 3-105 of this Act; (6) electric cooperatives as defined in Section 3-119 of this Act; (7) entities engaged in the commercial generation of electric power.
and energy; (8) the functional divisions of public agencies, as defined in Section 2 of the Emergency Telephone System Act, that provide police or firefighting services; and (9) 9-1-1 Authorities, as defined in Section 2 of the Emergency Telephone System Act; provided that the date shall be extended to December 21, 2022, for (i) an electric utility, as defined in Section 16-102 of this Act, that serves more than 3 million customers in the State; and (ii) an entity engaged in the commercial generation of electric power and energy that operates one or more nuclear power plants in the State.

(c) Beginning June 30, 2017, a Large Electing Provider may, to the extent permitted by and consistent with federal law, cease to offer and provide voice telecommunications service to an identifiable class or group of residential customers, which, for the purposes of this subsection (c), shall be referred to as "requested service", subject to compliance with the following requirements:

(1) No less than 255 days prior to providing notice to the Federal Communications Commission of its intent to discontinue the interstate-access component of the requested service, the Large Electing Provider shall:

(A) file a notice of the proposed cessation of the requested service with the Commission, which shall include a statement that the Large Electing Provider will comply with any service discontinuance rules and regulations of the Federal Communications Commission...
pertaining to compatibility of alternative voice services with medical monitoring devices; and

(B) provide notice of the proposed cessation of the requested service to each of the Large Electing Provider's existing customers within the affected geographic area by first-class mail separate from customer bills. If the customer has elected to receive electronic billing, the notice shall be sent electronically and by first-class mail separate from customer bills. The notice provided under this subparagraph (B) shall describe the requested service, identify the earliest date on which the Large Electing Provider intends to cease offering or providing the telecommunications service, provide a telephone number by which the existing customer may contact a service representative of the Large Electing Provider, and provide a telephone number by which the existing customer may contact the Commission's Consumer Services Division. The notice shall also include the following statement:

"If you do not believe that an alternative voice service including reliable access to 9-1-1 is available to you, from either [name of Large Electing Provider] or another provider of wired or wireless voice service where you live, you have the right to request the Illinois Commerce Commission
to investigate the availability of alternative
voice service including reliable access to 9-1-1.
To do so, you must submit such a request either in
writing or by signing and returning a copy of this
notice, no later than (insert date), 60 days after
the date of the notice to the following address:
Chief Clerk of the Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62706
You must include in your request a reference to
the notice you received from [Large Electing
Provider's name] and the date of notice.".
Thirty days following the date of notice, the Large
Electing Provider shall provide each customer to which
the notice was sent a follow-up notice containing the
same information and reminding customers of the
deadline for requesting the Commission to investigate
alternative voice service with access to 9-1-1.
(2) After June 30, 2017, and only in a geographic area
for which a Large Electing Provider has provided notice of
proposed cessation of the requested service to existing
customers under paragraph (1) of this subsection (c), an
existing customer of that provider may, within 60 days
after issuance of such notice, request the Commission to
investigate the availability of alternative voice service
including reliable access to 9-1-1 to that customer. For
the purposes of this paragraph (2), existing customers who
make such a request are referred to as "requesting existing
customers". The Large Electing Provider may cease to offer
or provide the requested service to existing customers who
do not make a request for investigation beginning 30 days
after issuance of the notice required by paragraph (5) of
this subsection (c).

(A) In response to all requests and investigations
under this paragraph (2), the Commission shall conduct
a single investigation to be commenced 75 days after
the receipt of notice under paragraph (1) of this
subsection (c), and completed within 135 days after
commencement. The Commission shall, within 135 days
after commencement of the investigation, make one of
the findings described in subdivisions (i) and (ii) of
this subparagraph (A) for each requesting existing
customer.

(i) If, as a result of the investigation, the
Commission finds that service from at least one
provider offering alternative voice service
including reliable access to 9-1-1 through any
technology or medium is available to one or more
requesting existing customers, the Commission
shall declare by order that, with respect to each
requesting existing customer for which such a
finding is made, the Large Electing Provider may
cease to offer or provide the requested service
beginning 30 days after the issuance of the notice
required by paragraph (5) of this subsection (c).

(ii) If, as a result of the investigation, the
Commission finds that service from at least one
provider offering alternative voice service,
including reliable access to 9-1-1, through any
technology or medium is not available to one or
more requesting existing customers, the Commission
shall declare by order that an emergency exists
with respect to each requesting existing customer
for which such a finding is made.

(B) If the Commission declares an emergency under
subdivision (ii) of subparagraph (A) of this paragraph
(2) with respect to one or more requesting existing
customers, the Commission shall conduct a request for
service process to identify a willing provider of
alternative voice service including reliable access to
9-1-1. A provider shall not be required to participate
in the request for service process. The willing
provider may utilize any form of technology that is
capable of providing alternative voice service
including reliable access to 9-1-1, including, without
limitation, Voice over Internet Protocol services and
wireless services. The Commission shall, within 45
days after the issuance of an order finding that an
emergency exists, make one of the determinations described in subdivisions (i) and (ii) of this subparagraph (B) for each requesting existing customer for which an emergency has been declared.

(i) If the Commission determines that another provider is willing and capable of providing alternative voice service including reliable access to 9-1-1 to one or more requesting existing customers for which an emergency has been declared, the Commission shall declare by order that, with respect to each requesting existing customer for which such a determination is made, the Large Electing Provider may cease to offer or provide the requested service beginning 30 days after the issuance of the notice required by paragraph (5) of this Section.

(ii) If the Commission determines that for one or more of the requesting existing customers for which an emergency has been declared there is no other provider willing and capable of providing alternative voice service including reliable access to 9-1-1, the Commission shall issue an order requiring the Large Electing Provider to provide alternative voice service including reliable access to 9-1-1 to each requesting existing customer utilizing any form of technology
capable of providing alternative voice service including reliable access to 9-1-1, including, without limitation, continuation of the requested service, Voice over Internet Protocol services, and wireless services, until another willing provider is available. A Large Electing Provider may fulfill the requirement through an affiliate or another provider. The Large Electing Provider may request that such an order be rescinded upon a showing that an alternative voice service including reliable access to 9-1-1 has become available to the requesting existing customer from another provider.

(3) If the Commission receives no requests for investigation from any existing customer under paragraph (2) of this subsection (c) within 60 days after issuance of the notice under paragraph (1) of this subsection (c), the Commission shall provide written notice to the Large Electing Provider of that fact no later than 75 days after receipt of notice under paragraph (1) of this subsection (c). Notwithstanding any provision of this subsection (c) to the contrary, if no existing customer requests an investigation under paragraph (2) of this subsection (c), the Large Electing Provider may immediately provide the notice to the Federal Communications Commission as described in paragraph (4) of this subsection (c).
At the same time that it provides notice to the Federal Communications Commission of its intent to discontinue the interstate-access component of the requested service, the Large Electing Provider shall:

(A) file a notice of proposal to cease to offer and provide the requested service with the Commission; and

(B) provide a notice of proposal to cease to offer and provide the requested service to existing customers and new customers receiving the service at the time of the notice within each affected geographic area, with the notice made by first-class mail or within customer bills delivered by mail or equivalent means of notice, including electronic means if the customer has elected to receive electronic billing. The notice provided under this subparagraph (B) shall include a brief description of the requested service, the date on which the Large Electing Provider intends to cease offering or providing the telecommunications service, and a statement as required by 47 CFR 63.71 that describes the process by which the customer may submit comments to the Federal Communications Commission.

Upon approval by the Federal Communications Commission of its request to discontinue the interstate-access component of the requested service and subject to the requirements of any order issued by the
Commission under subdivision (ii) of subparagraph (B) of paragraph (2) of this subsection (c), the Large Electing Provider may immediately cease to offer the requested service to all customers not receiving the service on the date of the Federal Communications Commission's approval and may cease to offer and provide the requested service to all customers receiving the service at the time of the Federal Communications Commission's approval upon 30 days notice to the Commission and affected customers. Notice to affected customers under this paragraph (5) shall be provided by first-class mail separate from customer bills. The notice provided under this paragraph (5) shall describe the requested service, identify the date on which the Large Electing Provider intends to cease offering or providing the telecommunications service, and provide a telephone number by which the existing customer may contact a service representative of the Large Electing Provider.

(6) The notices provided for in paragraph (1) of this subsection (c) are not required as a prerequisite for the Large Electing Provider to cease to offer or provide a telecommunications service in a geographic area where there are no residential customers taking service from the Large Electing Provider on the date that the Large Electing Provider files notice to the Federal Communications Commission of its intent to discontinue the interstate-access component of the requested service in
that geographic area.

(7) For a period of 45 days following the date of a notice issued under paragraph (5) of this Section, an existing customer (i) who is located in the affected geographic area subject to that notice; (ii) who was receiving the requested service as of the date of the Federal Communications Commission's approval of the Large Electing Provider's request to discontinue the interstate-access component of the requested service; (iii) who did not make a timely request for investigation under paragraph (2) of this subsection (c); and (iv) whose service will be or has been discontinued under paragraph (5), may request assistance from the Large Electing Provider in identifying providers of alternative voice service including reliable access to 9-1-1. Within 15 days of the request, the Large Electing Provider shall provide the customer with a list of alternative voice service providers.

(8) Notwithstanding any other provision of this Act, except as expressly authorized by this subsection (c), the Commission may not, upon its own motion or upon complaint, investigate, suspend, disapprove, condition, or otherwise regulate the cessation of a telecommunications service to an identifiable class or group of customers once initiated by a Large Electing Provider under subsection (b) or (b-5) of this Section or this subsection (c).
Sec. 13-703. (a) The Commission shall design and implement a program whereby each telecommunications carrier providing local exchange service shall provide a telecommunications device capable of servicing the needs of those persons with a hearing or speech disability together with a single party line, at no charge additional to the basic exchange rate, to any subscriber who is certified as having a hearing or speech disability by a hearing care professional, as defined in the Hearing Instrument Consumer Protection Act, a speech-language pathologist, or a qualified State agency and to any subscriber which is an organization serving the needs of those persons with a hearing or speech disability as determined and specified by the Commission pursuant to subsection (d).

(b) The Commission shall design and implement a program, whereby each telecommunications carrier providing local exchange service shall provide a telecommunications relay system, using third party intervention to connect those persons having a hearing or speech disability with persons of normal hearing by way of intercommunications devices and the telephone system, making available reasonable access to all phases of public telephone service to persons who have a hearing or speech disability. In order to design a telecommunications relay system which will meet the requirements of those persons
with a hearing or speech disability available at a reasonable
cost, the Commission shall initiate an investigation and
conduct public hearings to determine the most cost-effective
method of providing telecommunications relay service to those
persons who have a hearing or speech disability when using
telecommunications devices and therein solicit the advice,
counsel, and physical assistance of Statewide nonprofit
consumer organizations that serve persons with hearing or
speech disabilities in such hearings and during the development
and implementation of the system. The Commission shall phase in
this program, on a geographical basis, as soon as is
practicable, but no later than June 30, 1990.

(c) The Commission shall establish a competitively neutral
rate recovery mechanism that establishes charges in an amount
to be determined by the Commission for each line of a
subscriber to allow telecommunications carriers providing
local exchange service to recover costs as they are incurred
under this Section. Beginning no later than April 1, 2016, and
on a yearly basis thereafter, the Commission shall initiate a
proceeding to establish the competitively neutral amount to be
charged or assessed to subscribers of telecommunications
carriers and wireless carriers, Interconnected VoIP service
providers, and consumers of prepaid wireless
telecommunications service in a manner consistent with this
subsection (c) and subsection (f) of this Section. The
Commission shall issue its order establishing the
competitively neutral amount to be charged or assessed to
subscribers of telecommunications carriers and wireless
carriers, Interconnected VoIP service providers, and
purchasers of prepaid wireless telecommunications service on
or prior to June 1 of each year, and such amount shall take
effect June 1 of each year.

Telecommunications carriers, wireless carriers,
Interconnected VoIP service providers, and sellers of prepaid
wireless telecommunications service shall have 60 days from the
date the Commission files its order to implement the new rate
established by the order.

(d) The Commission shall determine and specify those
organizations serving the needs of those persons having a
hearing or speech disability that shall receive a
telecommunications device and in which offices the equipment
shall be installed in the case of an organization having more
than one office. For the purposes of this Section,
"organizations serving the needs of those persons with hearing
or speech disabilities" means centers for independent living as
described in Section 12a of the Rehabilitation of Persons with
Disabilities Act and not-for-profit organizations whose
primary purpose is serving the needs of those persons with
hearing or speech disabilities. The Commission shall direct the
telecommunications carriers subject to its jurisdiction and
this Section to comply with its determinations and
specifications in this regard.
(e) As used in this Section:

"Prepaid wireless telecommunications service" has the meaning given to that term under Section 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

"Retail transaction" has the meaning given to that term under Section 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

"Seller" has the meaning given to that term under Section 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

"Telecommunications carrier providing local exchange service" includes, without otherwise limiting the meaning of the term, telecommunications carriers which are purely mutual concerns, having no rates or charges for services, but paying the operating expenses by assessment upon the members of such a company and no other person.

"Wireless carrier" has the meaning given to that term under Section 2 10 of the Wireless Emergency Telephone System Safety Act.

(f) Interconnected VoIP service providers, sellers of prepaid wireless telecommunications service, and wireless carriers in Illinois shall collect and remit assessments determined in accordance with this Section in a competitively neutral manner in the same manner as a telecommunications carrier providing local exchange service. However, the assessment imposed on consumers of prepaid wireless telecommunications service shall be collected by the seller from the consumer and imposed per retail transaction as a
percentage of that retail transaction on all retail transactions occurring in this State. The assessment on subscribers of wireless carriers and consumers of prepaid wireless telecommunications service shall not be imposed or collected prior to June 1, 2016.

Sellers of prepaid wireless telecommunications service shall remit the assessments to the Department of Revenue on the same form and in the same manner which they remit the fee collected under the Prepaid Wireless 9-1-1 Surcharge Act. For the purposes of display on the consumers' receipts, the rates of the fee collected under the Prepaid Wireless 9-1-1 Surcharge Act and the assessment under this Section may be combined. In administration and enforcement of this Section, the provisions of Sections 15 and 20 of the Prepaid Wireless 9-1-1 Surcharge Act (except subsections (a), (a-5), (b-5), (e), and (e-5) of Section 15 and subsections (c) and (e) of Section 20 of the Prepaid Wireless 9-1-1 Surcharge Act and, from June 29, 2015 (the effective date of Public Act 99-6), the seller shall be permitted to deduct and retain 3% of the assessments that are collected by the seller from consumers and that are remitted and timely filed with the Department) that are not inconsistent with this Section, shall apply, as far as practicable, to the subject matter of this Section to the same extent as if those provisions were included in this Section. The Department shall deposit all assessments and penalties collected under this Section into the Illinois Telecommunications Access
Corporation Fund, a special fund created in the State treasury. On or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the amount available to the Commission for distribution out of the Illinois Telecommunications Access Corporation Fund. The amount certified shall be the amount (not including credit memoranda) collected during the second preceding calendar month by the Department, plus an amount the Department determines is necessary to offset any amounts which were erroneously paid to a different taxing body or fund. The amount paid to the Illinois Telecommunications Access Corporation Fund shall not include any amount equal to the amount of refunds made during the second preceding calendar month by the Department to retailers under this Section or any amount that the Department determines is necessary to offset any amounts which were payable to a different taxing body or fund but were erroneously paid to the Illinois Telecommunications Access Corporation Fund. The Commission shall distribute all the funds to the Illinois Telecommunications Access Corporation and the funds may only be used in accordance with the provisions of this Section. The Department shall deduct 2% of all amounts deposited in the Illinois Telecommunications Access Corporation Fund during every year of remitted assessments. Of the 2% deducted by the Department, one-half shall be transferred into the Tax Compliance and Administration Fund to reimburse the Department for its direct costs of administering
the collection and remittance of the assessment. The remaining
one-half shall be transferred into the Public Utility Fund to
reimburse the Commission for its costs of distributing to the
Illinois Telecommunications Access Corporation the amount
certified by the Department for distribution. The amount to be
charged or assessed under subsections (c) and (f) is not
imposed on a provider or the consumer for wireless Lifeline
service where the consumer does not pay the provider for the
service. Where the consumer purchases from the provider
optional minutes, texts, or other services in addition to the
federally funded Lifeline benefit, a consumer must pay the
charge or assessment, and it must be collected by the seller
according to this subsection (f).

Interconnected VoIP services shall not be considered an
intrastate telecommunications service for the purposes of this
Section in a manner inconsistent with federal law or Federal
Communications Commission regulation.

(g) The provisions of this Section are severable under
Section 1.31 of the Statute on Statutes.

(h) The Commission may adopt rules necessary to implement
this Section.

(Source: P.A. 99-6, eff. 6-29-15; 99-143, eff. 7-27-15; 99-642,
eff. 7-28-16; 99-847, eff. 8-19-16; 99-933, eff. 1-27-17;
revised 2-15-17.)

(220 ILCS 5/13-1200)
Sec. 13-1200. Repealer. This Article is repealed December 31, 2020.

(Source: P.A. 98-45, eff. 6-28-13; 99-6, eff. 6-29-15.)

(220 ILCS 5/21-401)

Sec. 21-401. Applications.

(a)(1) A person or entity seeking to provide cable service or video service pursuant to this Article shall not use the public rights-of-way for the installation or construction of facilities for the provision of cable service or video service or offer cable service or video service until it has obtained a State-issued authorization to offer or provide cable or video service under this Section, except as provided for in item (2) of this subsection (a). All cable or video providers offering or providing service in this State shall have authorization pursuant to either (i) the Cable and Video Competition Law of 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section 5-1095 of the Counties Code (55 ILCS 5/5-1095).

(2) Nothing in this Section shall prohibit a local unit of government from granting a permit to a person or entity for the use of the public rights-of-way to install or construct facilities to provide cable service or video service, at its sole discretion. No unit of local government shall be liable
for denial or delay of a permit prior to the issuance of a State-issued authorization.

(b) The application to the Commission for State-issued authorization shall contain a completed affidavit submitted by the applicant and signed by an officer or general partner of the applicant affirming all of the following:

(1) That the applicant has filed or will timely file with the Federal Communications Commission all forms required by that agency in advance of offering cable service or video service in this State.

(2) That the applicant agrees to comply with all applicable federal and State statutes and regulations.

(3) That the applicant agrees to comply with all applicable local unit of government regulations.

(4) An exact description of the cable service or video service area where the cable service or video service will be offered during the term of the State-issued authorization. The service area shall be identified in terms of either (i) exchanges, as that term is defined in Section 13-206 of this Act; (ii) a collection of United States Census Bureau Block numbers (13 digit); (iii) if the area is smaller than the areas identified in either (i) or (ii), by geographic information system digital boundaries meeting or exceeding national map accuracy standards; or (iv) local unit of government. The description shall include the number of low-income households within the
service area or footprint. If an applicant is an incumbent cable operator, the incumbent cable operator and any successor-in-interest shall be obligated to provide access to cable services or video services within any local units of government at the same levels required by the local franchising authorities for the local unit of government on June 30, 2007 (the effective date of Public Act 95-9), and its application shall provide a description of an area no smaller than the service areas contained in its franchise or franchises within the jurisdiction of the local unit of government in which it seeks to offer cable or video service.

(5) The location and telephone number of the applicant's principal place of business within this State and the names of the applicant's principal executive officers who are responsible for communications concerning the application and the services to be offered pursuant to the application, the applicant's legal name, and any name or names under which the applicant does or will provide cable services or video services in this State.

(6) A certification that the applicant has concurrently delivered a copy of the application to all local units of government that include all or any part of the service area identified in item (4) of this subsection (b) within such local unit of government's jurisdictional boundaries.
(7) The expected date that cable service or video service will be initially offered in the area identified in item (4) of this subsection (b). In the event that a holder does not offer cable services or video services within 3 months after the expected date, it shall amend its application and update the expected date service will be offered and explain the delay in offering cable services or video services.

(8) For any entity that received State-issued authorization prior to this amendatory Act of the 98th General Assembly as a cable operator and that intends to proceed as a cable operator under this Article, the entity shall file a written affidavit with the Commission and shall serve a copy of the affidavit with any local units of government affected by the authorization within 30 days after the effective date of this amendatory Act of the 98th General Assembly stating that the holder will be providing cable service under the State-issued authorization.

The application shall include adequate assurance that the applicant possesses the financial, managerial, legal, and technical qualifications necessary to construct and operate the proposed system, to promptly repair any damage to the public right-of-way caused by the applicant, and to pay the cost of removal of its facilities. To accomplish these requirements, the applicant may, at the time the applicant seeks to use the public rights-of-way in that jurisdiction, be
required by the State of Illinois or later be required by the
local unit of government, or both, to post a bond, produce a
certificate of insurance, or otherwise demonstrate its
financial responsibility.

The application shall include the applicant's general
standards related to customer service required by Section
22-501 of this Act, which shall include, but not be limited to,
installation, disconnection, service and repair obligations;
appointment hours; employee ID requirements; customer service
telephone numbers and hours; procedures for billing, charges,
deposits, refunds, and credits; procedures for termination of
service; notice of deletion of programming service and changes
related to transmission of programming or changes or increases
in rates; use and availability of parental control or lock-out
devices; complaint procedures and procedures for bill dispute
resolution and a description of the rights and remedies
available to consumers if the holder does not materially meet
their customer service standards; and special services for
customers with visual, hearing, or mobility disabilities.

(c)(1) The applicant may designate information that it
submits in its application or subsequent reports as
confidential or proprietary, provided that the applicant
states the reasons the confidential designation is necessary.
The Commission shall provide adequate protection for such
information pursuant to Section 4-404 of this Act. If the
Commission, a local unit of government, or any other party
seeks public disclosure of information designated as confidential, the Commission shall consider the confidential designation in a proceeding under the Illinois Administrative Procedure Act, and the burden of proof to demonstrate that the designated information is confidential shall be upon the applicant. Designated information shall remain confidential pending the Commission's determination of whether the information is entitled to confidential treatment. Information designated as confidential shall be provided to local units of government for purposes of assessing compliance with this Article as permitted under a Protective Order issued by the Commission pursuant to the Commission's rules and to the Attorney General pursuant to Section 6.5 of the Attorney General Act (15 ILCS 205/6.5). Information designated as confidential under this Section or determined to be confidential upon Commission review shall only be disclosed pursuant to a valid and enforceable subpoena or court order or as required by the Freedom of Information Act. Nothing herein shall delay the application approval timeframes set forth in this Article.

(2) Information regarding the location of video services that have been or are being offered to the public and aggregate information included in the reports required by this Article shall not be designated or treated as confidential.

(d)(1) The Commission shall post all applications it receives under this Article on its web site within 5 business
(2) The Commission shall notify an applicant for a cable service or video service authorization whether the applicant's application and affidavit are complete on or before the 15th business day after the applicant submits the application. If the application and affidavit are not complete, the Commission shall state in its notice all of the reasons the application or affidavit are incomplete, and the applicant shall resubmit a complete application. The Commission shall have 30 days after submission by the applicant of a complete application and affidavit to issue the service authorization. If the Commission does not notify the applicant regarding the completeness of the application and affidavit or issue the service authorization within the time periods required under this subsection, the application and affidavit shall be considered complete and the service authorization issued upon the expiration of the 30th day.

(e) Any authorization issued by the Commission will expire on December 31, 2023 and shall contain or include all of the following:

(1) A grant of authority, including an authorization issued prior to this amendatory Act of the 98th General Assembly, to provide cable service or video service in the service area footprint as requested in the application, subject to the provisions of this Article in existence on the date the grant of authority was issued, and any
modifications to this Article enacted at any time prior to
the date in Section 21-1601 of this Act, and to the laws of
the State and the ordinances, rules, and regulations of the
local units of government.

(2) A grant of authority to use, occupy, and construct
facilities in the public rights-of-way for the delivery of
cable service or video service in the service area
footprint, subject to the laws, ordinances, rules, or
regulations of this State and local units of governments.

(3) A statement that the grant of authority is subject
to lawful operation of the cable service or video service
by the applicant, its affiliated entities, or its
successors-in-interest.

(e-5) The Commission shall notify a local unit of
government within 3 business days of the grant of any
authorization within a service area footprint if that
authorization includes any part of the local unit of
government's jurisdictional boundaries and state whether the
holder will be providing video service or cable service under
the authorization.

(f) The authorization issued pursuant to this Section by
the Commission may be transferred to any successor-in-interest
to the applicant to which it is initially granted without
further Commission action if the successor-in-interest (i)
submits an application and the information required by
subsection (b) of this Section for the successor-in-interest
and (ii) is not in violation of this Article or of any federal, State, or local law, ordinance, rule, or regulation. A successor-in-interest shall file its application and notice of transfer with the Commission and the relevant local units of government no less than 15 business days prior to the completion of the transfer. The Commission is not required or authorized to act upon the notice of transfer; however, the transfer is not effective until the Commission approves the successor-in-interest's application. A local unit of government or the Attorney General may seek to bar a transfer of ownership by filing suit in a court of competent jurisdiction predicated on the existence of a material and continuing breach of this Article by the holder, a pattern of noncompliance with customer service standards by the potential successor-in-interest, or the insolvency of the potential successor-in-interest. If a transfer is made when there are violations of this Article or of any federal, State, or local law, ordinance, rule, or regulation, the successor-in-interest shall be subject to 3 times the penalties provided for in this Article.

(g) The authorization issued pursuant to this Section by the Commission may be terminated, or its cable service or video service area footprint may be modified, by the cable service provider or video service provider by submitting notice to the Commission and to the relevant local unit of government containing a description of the change on the same terms as the
initial description pursuant to item (4) of subsection (b) of this Section. The Commission is not required or authorized to act upon that notice. It shall be a violation of this Article for a holder to discriminate against potential residential subscribers because of the race or income of the residents in the local area in which the group resides by terminating or modifying its cable service or video service area footprint. It shall be a violation of this Article for a holder to terminate or modify its cable service or video service area footprint if it leaves an area with no cable service or video service from any provider.

(h) The Commission's authority to administer this Article is limited to the powers and duties explicitly provided under this Article. Its authority under this Article does not include or limit the powers and duties that the Commission has under the other Articles of this Act, the Illinois Administrative Procedure Act, or any other law or regulation to conduct proceedings, other than as provided in subsection (c), or has to promulgate rules or regulations. The Commission shall not have the authority to limit or expand the obligations and requirements provided in this Section or to regulate or control a person or entity to the extent that person or entity is providing cable service or video service, except as provided in this Article.

(Source: P.A. 98-45, eff. 6-28-13; 98-756, eff. 7-16-14; 99-6, eff. 6-29-15.)
Sec. 21-1601. Repealer. Sections 21-101 through 21-1501 of this Article are repealed December 31, 2020 July 1, 2017.
(Source: P.A. 98-45, eff. 6-28-13; 99-6, eff. 6-29-15.)

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