



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0101

Introduced 1/14/2021, by Rep. Jonathan Carroll

SYNOPSIS AS INTRODUCED:

5 ILCS 70/1.43 new	
5 ILCS 70/1.44 new	
50 ILCS 750/2	from Ch. 134, par. 32
50 ILCS 750/6.1	from Ch. 134, par. 36.1
105 ILCS 5/2-3.83	from Ch. 122, par. 2-3.83
105 ILCS 5/14-11.02	from Ch. 122, par. 14-11.02
220 ILCS 5/13-213	from Ch. 111 2/3, par. 13-213
425 ILCS 60/3	from Ch. 127 1/2, par. 803
510 ILCS 5/15	from Ch. 8, par. 365
510 ILCS 5/15.1	
510 ILCS 70/7.15	
775 ILCS 5/8-102	from Ch. 68, par. 8-102
775 ILCS 30/3	from Ch. 23, par. 3363

Amends the Emergency Telephone System Act, the School Code, the Public Utilities Act, the Smoke Detector Act, and other Acts by replacing all references to "hearing impaired" with "deaf, hard of hearing, and DeafBlind". Amends the Statutes in Statutes. Defines "DeafBlind". Provides that, except where the context indicates otherwise, in any rule, contract, or other document a reference to the term "hearing impaired" shall be considered a reference to the term "deaf" or "hard of hearing". Effective immediately.

LRB102 04261 KTG 14279 b

1 AN ACT concerning persons who are deaf, hard of hearing,
2 or DeafBlind.

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

5 Section 5. The Statute on Statutes is amended by adding
6 Sections 1.43 and 1.44 as follows:

7 (5 ILCS 70/1.43 new)

8 Sec. 1.43. Hearing impaired. Except where the context
9 indicates otherwise, in any rule, contract, or other document
10 a reference to the term "hearing impaired" shall be considered
11 a reference to the term "deaf" or "hard of hearing". The use of
12 either "hearing impaired", "deaf", or "hard of hearing" shall
13 not invalidate any rule, contract, or other document.

14 (5 ILCS 70/1.44 new)

15 Sec. 1.44. DeafBlind. "DeafBlind" means a person who may
16 be born without significant use of visual and auditory senses
17 or may experience progressive loss of both senses over a
18 period of a lifetime. A DeafBlind person may use touch as his
19 or her primary sense in order to engage with his or her
20 physical and social environment. A DeafBlind person's touch
21 senses may be enhanced through the use of low-tech and
22 high-tech solutions such as white canes, braille, and

1 electronics, also known as adaptive technologies.
2 Communication may involve spoken, written, signed, and touch
3 languages. Services may include intervenors for educational
4 development, support service providers for access to
5 non-touch-accessible interactions, and tactile interpreting,
6 as well as transitional services for those experiencing
7 progressive loss.

8 Section 10. The Emergency Telephone System Act is amended
9 by changing Sections 2 and 6.1 as follows:

10 (50 ILCS 750/2) (from Ch. 134, par. 32)

11 (Section scheduled to be repealed on December 31, 2021)

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

14 "9-1-1 network" means the network used for the delivery of
15 9-1-1 calls and messages over dedicated and redundant
16 facilities to a primary or backup 9-1-1 PSAP that meets P.01
17 grade of service standards for basic 9-1-1 and enhanced 9-1-1
18 services or meets national I3 industry call delivery standards
19 for Next Generation 9-1-1 services.

20 "9-1-1 system" means the geographic area that has been
21 granted an order of authority by the Commission or the
22 Statewide 9-1-1 Administrator to use "9-1-1" as the primary
23 emergency telephone number.

24 "9-1-1 Authority" includes an Emergency Telephone System

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

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

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

14 "ALI" or "automatic location identification" means, in an
15 E9-1-1 system, the automatic display at the public safety
16 answering point of the caller's telephone number, the address
17 or location of the telephone, and supplementary emergency
18 services information.

19 "ANI" or "automatic number identification" means the
20 automatic display of the 9-1-1 calling party's number on the
21 PSAP monitor.

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

25 "Backup PSAP" means a public safety answering point that
26 serves as an alternate to the PSAP for enhanced systems and is

1 at a different location and operates independently from the
2 PSAP. A backup PSAP may accept overflow calls from the PSAP or
3 be activated if the primary PSAP is disabled.

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

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

9 "Commission" means the Illinois Commerce Commission.

10 "Computer aided dispatch" or "CAD" means a computer-based
11 system that aids PSAP telecommunicators by automating selected
12 dispatching and recordkeeping activities.

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

17 "Department" means the Department of State Police.

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

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

26 "Enhanced 9-1-1" or "E9-1-1" means a telephone system that

1 includes network switching, database and PSAP premise elements
2 capable of providing automatic location identification data,
3 selective routing, selective transfer, fixed transfer, and a
4 call back number, including any enhanced 9-1-1 service so
5 designated by the Federal Communications Commission in its
6 report and order in WC Dockets Nos. 04-36 and 05-196, or any
7 successor proceeding.

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

12 "Deaf, hard of hearing, or DeafBlind ~~Hearing-impaired~~
13 individual" means a person with a permanent hearing loss who
14 can regularly and routinely communicate by telephone only
15 through the aid of devices which can send and receive written
16 messages over the telephone network.

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

19 (1) electronically provides information to 9-1-1 call
20 takers when a call is placed to 9-1-1;

21 (2) allows telephone subscribers to provide
22 information to 9-1-1 to be used in emergency scenarios;

23 (3) collects a variety of formatted data relevant to
24 9-1-1 and first responder needs, which may include, but is
25 not limited to, photographs of the telephone subscribers,
26 physical descriptions, medical information, household

1 data, and emergency contacts;

2 (4) allows for information to be entered by telephone
3 subscribers through a secure website where they can elect
4 to provide as little or as much information as they
5 choose;

6 (5) automatically displays data provided by telephone
7 subscribers to 9-1-1 call takers for all types of
8 telephones when a call is placed to 9-1-1 from a
9 registered and confirmed phone number;

10 (6) supports the delivery of telephone subscriber
11 information through a secure internet connection to all
12 emergency telephone system boards;

13 (7) works across all 9-1-1 call taking equipment and
14 allows for the easy transfer of information into a
15 computer aided dispatch system; and

16 (8) may be used to collect information pursuant to an
17 Illinois Premise Alert Program as defined in the Illinois
18 Premise Alert Program (PAP) Act.

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

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

26 "Local public agency" means any unit of local government

1 or special purpose district located in whole or in part within
2 this State that provides or has authority to provide
3 firefighting, police, ambulance, medical, or other emergency
4 services.

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

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

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

16 "Network connections" means the number of voice grade
17 communications channels directly between a subscriber and a
18 telecommunications carrier's public switched network, without
19 the intervention of any other telecommunications carrier's
20 switched network, which would be required to carry the
21 subscriber's inter-premises traffic and which connection
22 either (1) is capable of providing access through the public
23 switched network to a 9-1-1 Emergency Telephone System, if one
24 exists, or (2) if no system exists at the time a surcharge is
25 imposed under Section 15.3, that would be capable of providing
26 access through the public switched network to the local 9-1-1

1 Emergency Telephone System if one existed. Where multiple
2 voice grade communications channels are connected to a
3 telecommunications carrier's public switched network through a
4 private branch exchange (PBX) service, there shall be
5 determined to be one network connection for each trunk line
6 capable of transporting either the subscriber's inter-premises
7 traffic to the public switched network or the subscriber's
8 9-1-1 calls to the public agency. Where multiple voice grade
9 communications channels are connected to a telecommunications
10 carrier's public switched network through centrex type
11 service, the number of network connections shall be equal to
12 the number of PBX trunk equivalents for the subscriber's
13 service or other multiple voice grade communication channels
14 facility, as determined by reference to any generally
15 applicable exchange access service tariff filed by the
16 subscriber's telecommunications carrier with the Commission.

17 "Network costs" means those recurring costs that directly
18 relate to the operation of the 9-1-1 network as determined by
19 the Statewide 9-1-1 Administrator with the advice of the
20 Statewide 9-1-1 Advisory Board, which may include, but need
21 not be limited to, some or all of the following: costs for
22 interoffice trunks, selective routing charges, transfer lines
23 and toll charges for 9-1-1 services, Automatic Location
24 Information (ALI) database charges, independent local exchange
25 carrier charges and non-system provider charges, carrier
26 charges for third party database for on-site customer premises

1 equipment, back-up PSAP trunks for non-system providers,
2 periodic database updates as provided by carrier (also known
3 as "ALI data dump"), regional ALI storage charges, circuits
4 for call delivery (fiber or circuit connection), NG9-1-1
5 costs, and all associated fees, taxes, and surcharges on each
6 invoice. "Network costs" shall not include radio circuits or
7 toll charges that are other than for 9-1-1 services.

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

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

26 "Private branch exchange" or "PBX" means a private

1 telephone system and associated equipment located on the
2 user's property that provides communications between internal
3 stations and external networks.

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

18 "Private residential switch service" means network and
19 premise based systems including a VoIP, Centrex type service,
20 or PBX service or key telephone systems or equivalent
21 telephone systems registered with the Federal Communications
22 Commission under 47 C.F.R. Part 68 that are directly connected
23 to a VoIP, Centrex type service, or PBX systems equipped for
24 switched local network connections or 9-1-1 system access to
25 residential end users through a private telephone switch.
26 "Private residential switch service" does not include key

1 telephone systems or equivalent telephone systems registered
2 with the Federal Communications Commission under 47 C.F.R.
3 Part 68 when not used in conjunction with a VoIP, Centrex type,
4 or PBX systems. "Private residential switch service" typically
5 includes, but is not limited to, apartment complexes,
6 condominiums, and campus or university environments where
7 shared tenant service is provided and where the usage of the
8 telecommunications service is primarily residential.

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

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

21 "Public safety answering point" or "PSAP" is a set of
22 call-takers authorized by a governing body and operating under
23 common management that receive 9-1-1 calls and asynchronous
24 event notifications for a defined geographic area and
25 processes those calls and events according to a specified
26 operational policy.

1 "Qualified governmental entity" means a unit of local
2 government authorized to provide 9-1-1 services pursuant to
3 this Act where no emergency telephone system board exists.

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

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

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

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

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

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

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

15 "System provider" means the contracted entity providing
16 9-1-1 network and database services.

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

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

26 "Transfer method" means a 9-1-1 service in which the PSAP

1 telecommunicator receiving a call transfers that call to the
2 appropriate public safety agency or other provider of
3 emergency services.

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

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

1 services to the public switched network or the subscriber's
2 9-1-1 calls to the public agency shall be considered an
3 additional trunk line.

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

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

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

20 "Wireless carrier" means a provider of two-way cellular,
21 broadband PCS, geographic area 800 MHZ and 900 MHZ Commercial
22 Mobile Radio Service (CMRS), Wireless Communications Service
23 (WCS), or other Commercial Mobile Radio Service (CMRS), as
24 defined by the Federal Communications Commission, offering
25 radio communications that may provide fixed, mobile, radio
26 location, or satellite communication services to individuals

1 or businesses within its assigned spectrum block and
2 geographical area or that offers real-time, two-way voice
3 service that is interconnected with the public switched
4 network, including a reseller of such service.

5 "Wireless enhanced 9-1-1" means the ability to relay the
6 telephone number of the originator of a 9-1-1 call and
7 location information from any mobile handset or text telephone
8 device accessing the wireless system to the designated
9 wireless public safety answering point as set forth in the
10 order of the Federal Communications Commission, FCC Docket No.
11 94-102, adopted June 12, 1996, with an effective date of
12 October 1, 1996, and any subsequent amendment thereto.

13 "Wireless public safety answering point" means the
14 functional division of a 9-1-1 authority accepting wireless
15 9-1-1 calls.

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

20 (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

21 (50 ILCS 750/6.1) (from Ch. 134, par. 36.1)

22 (Section scheduled to be repealed on December 31, 2021)

23 Sec. 6.1. Every 9-1-1 system shall be readily accessible
24 to deaf, hard of hearing, DeafBlind, ~~hearing-impaired~~ and
25 voice-impaired individuals through the use of

1 telecommunications technology for deaf, hard of hearing,
2 DeafBlind, ~~hearing-impaired~~ and speech-impaired individuals.
3 (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

4 Section 15. The School Code is amended by changing
5 Sections 2-3.83 and 14-11.02 as follows:

6 (105 ILCS 5/2-3.83) (from Ch. 122, par. 2-3.83)

7 Sec. 2-3.83. Individual transition plan model pilot
8 program.

9 (a) The General Assembly finds that transition services
10 for special education students in secondary schools are needed
11 for the increasing numbers of students exiting school
12 programs. Therefore, to ensure coordinated and timely delivery
13 of services, the State shall establish a model pilot program
14 to provide such services. Local school districts, using joint
15 agreements and regional service delivery systems for special
16 and vocational education selected by the Governor's Planning
17 Council on Developmental Disabilities, shall have the primary
18 responsibility to convene transition planning meetings for
19 these students who will require post-school adult services.

20 (b) For purposes of this Section:

21 (1) "Post-secondary Service Provider" means a provider
22 of services for adults who have any developmental
23 disability as defined in Section 1-106 of the Mental
24 Health and Developmental Disabilities Code or who are

1 persons with one or more disabilities as defined in the
2 Rehabilitation of Persons with Disabilities Act.

3 (2) "Individual Education Plan" means a written
4 statement for an exceptional child that provides at least
5 a statement of: the child's present levels of educational
6 performance, annual goals and short-term instructional
7 objectives; specific special education and related
8 services; the extent of participation in the regular
9 education program; the projected dates for initiation of
10 services; anticipated duration of services; appropriate
11 objective criteria and evaluation procedures; and a
12 schedule for annual determination of short-term
13 objectives.

14 (3) "Individual Transition Plan" (ITP) means a
15 multi-agency informal assessment of a student's needs for
16 post-secondary adult services including but not limited to
17 employment, post-secondary education or training and
18 residential independent living.

19 (4) "Developmental Disability" means a disability
20 which is attributable to: (a) an intellectual disability,
21 cerebral palsy, epilepsy or autism; or to (b) any other
22 condition which results in impairment similar to that
23 caused by an intellectual disability and which requires
24 services similar to those required by persons with an
25 intellectual disability. Such disability must originate
26 before the age of 18 years, be expected to continue

1 indefinitely, and constitute a substantial disability.

2 (5) "Exceptional Characteristic" means any disabling
3 or exceptional characteristic which interferes with a
4 student's education including, but not limited to, a
5 determination that the student has a severe or profound
6 mental disability, has mental disability but is trainable,
7 is DeafBlind ~~deaf-blind~~, or has some other health
8 impairment.

9 (c) The model pilot program required by this Section shall
10 be established and administered by the Governor's Planning
11 Council on Developmental Disabilities in conjunction with the
12 case coordination pilot projects established by the Department
13 of Human Services pursuant to Section 4.1 of the Community
14 Services Act, as amended.

15 (d) The model pilot program shall include the following
16 features:

17 (1) Written notice shall be sent to the student and,
18 when appropriate, his or her parent or guardian giving the
19 opportunity to consent to having the student's name and
20 relevant information shared with the local case
21 coordination unit and other appropriate State or local
22 agencies for purposes of inviting participants to the
23 individual transition plan meeting.

24 (2) Meetings to develop and modify, as needed, an
25 Individual Transition Plan shall be conducted annually for
26 all students with a developmental disability in the pilot

1 program area who are age 16 or older and who are receiving
2 special education services for 50% or more of their public
3 school program. These meetings shall be convened by the
4 local school district and conducted in conjunction with
5 any other regularly scheduled meetings such as the
6 student's annual individual educational plan meeting. The
7 Governor's Planning Council on Developmental Disabilities
8 shall cooperate with and may enter into any necessary
9 written agreements with the Department of Human Services
10 and the State Board of Education to identify the target
11 group of students for transition planning and the
12 appropriate case coordination unit to serve these
13 individuals.

14 (3) The ITP meetings shall be co-chaired by the
15 individual education plan coordinator and the case
16 coordinator. The ITP meeting shall include but not be
17 limited to discussion of the following: the student's
18 projected date of exit from the public schools; his
19 projected post-school goals in the areas of employment,
20 residential living arrangement and post-secondary
21 education or training; specific school or post-school
22 services needed during the following year to achieve the
23 student's goals, including but not limited to vocational
24 evaluation, vocational education, work experience or
25 vocational training, placement assistance, independent
26 living skills training, recreational or leisure training,

1 income support, medical needs and transportation; and
2 referrals and linkage to needed services, including a
3 proposed time frame for services and the responsible
4 agency or provider. The individual transition plan shall
5 be signed by participants in the ITP discussion, including
6 but not limited to the student's parents or guardian, the
7 student (where appropriate), multi-disciplinary team
8 representatives from the public schools, the case
9 coordinator and any other individuals who have
10 participated in the ITP meeting at the discretion of the
11 individual education plan coordinator, the developmental
12 disability case coordinator or the parents or guardian.

13 (4) At least 10 days prior to the ITP meeting, the
14 parents or guardian of the student shall be notified in
15 writing of the time and place of the meeting by the local
16 school district. The ITP discussion shall be documented by
17 the assigned case coordinator, and an individual student
18 file shall be maintained by each case coordination unit.
19 One year following a student's exit from public school the
20 case coordinator shall conduct a follow up interview with
21 the student.

22 (5) Determinations with respect to individual
23 transition plans made under this Section shall not be
24 subject to any due process requirements prescribed in
25 Section 14-8.02 of this Code.

26 (e) (Blank).

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

2 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

3 Sec. 14-11.02. Notwithstanding any other Sections of this
4 Article, the State Board of Education shall develop and
5 operate or contract for the operation of a service center for
6 persons who are DeafBlind ~~deaf-blind~~. For the purpose of this
7 Section, persons with DeafBlindness ~~deaf-blindness~~ are persons
8 who have both auditory and visual impairments, the combination
9 of which causes such severe communication and other
10 developmental, educational, vocational and rehabilitation
11 problems that such persons cannot be properly accommodated in
12 special education or vocational rehabilitation programs solely
13 for persons with both hearing and visual disabilities.

14 To be eligible for DeafBlind ~~deaf-blind~~ services, a person
15 must have (i) a visual impairment and an auditory impairment,
16 or (ii) a condition in which there is a progressive loss of
17 hearing or vision or both that results in concomitant vision
18 and hearing impairments and that adversely affects educational
19 performance as determined by the multidisciplinary conference.
20 For purposes of this paragraph and Section:

21 (A) A visual impairment is defined to mean one or more
22 of the following: (i) corrected visual acuity poorer than
23 20/70 in the better eye; (ii) restricted visual field of
24 20 degrees or less in the better eye; (iii) cortical
25 blindness; (iv) does not appear to respond to visual

1 stimulation, which adversely affects educational
2 performance as determined by the multidisciplinary
3 conference.

4 (B) An auditory impairment is defined to mean one or
5 more of the following: (i) a sensorineural or ongoing or
6 chronic conductive hearing loss with aided sensitivity of
7 30dB HL or poorer; (ii) functional auditory behavior that
8 is significantly discrepant from the person's present
9 cognitive and/or developmental levels, which adversely
10 affects educational performance as determined by the
11 multidisciplinary conference.

12 The State Board of Education is empowered to establish,
13 maintain and operate or contract for the operation of a
14 permanent state-wide service center known as the Philip J.
15 Rock Center and School. The School serves eligible children
16 between the ages of 3 and 21; the Center serves eligible
17 persons of all ages. Services provided by the Center include,
18 but are not limited to:

19 (1) Identifying and case management of persons who are
20 auditorily and visually impaired;

21 (2) Providing families with appropriate counseling;

22 (3) Referring persons who are DeafBlind ~~deaf-blind~~ to
23 appropriate agencies for medical and diagnostic services;

24 (4) Referring persons who are DeafBlind ~~deaf-blind~~ to
25 appropriate agencies for educational, training and care
26 services;

1 (5) Developing and expanding services throughout the
2 State to persons who are DeafBlind ~~deaf-blind~~. This will
3 include ancillary services, such as transportation so that
4 the individuals can take advantage of the expanded
5 services;

6 (6) Maintaining a residential-educational training
7 facility in the Chicago metropolitan area located in an
8 area accessible to public transportation;

9 (7) Receiving, dispensing, and monitoring State and
10 Federal funds to the School and Center designated for
11 services to persons who are DeafBlind ~~deaf-blind~~;

12 (8) Coordinating services to persons who are DeafBlind
13 ~~deaf-blind~~ through all appropriate agencies, including the
14 Department of Children and Family Services and the
15 Department of Human Services;

16 (9) Entering into contracts with other agencies to
17 provide services to persons who are DeafBlind ~~deaf-blind~~;

18 (10) Operating on a no-reject basis. Any individual
19 referred to the Center for service and diagnosed as
20 DeafBlind ~~deaf-blind~~, as defined in this Act, shall
21 qualify for available services;

22 (11) Serving as the referral clearinghouse for all
23 persons who are DeafBlind ~~deaf-blind~~, age 21 and older;
24 and

25 (12) Providing transition services for students of
26 Philip J. Rock School who are DeafBlind ~~deaf-blind~~ and

1 between the ages of 14 1/2 and 21.

2 The Advisory Board for Services for Persons who are
3 DeafBlind ~~Deaf-Blind~~ shall provide advice to the State
4 Superintendent of Education, the Governor, and the General
5 Assembly on all matters pertaining to policy concerning
6 persons who are DeafBlind ~~deaf-blind~~, including the
7 implementation of legislation enacted on their behalf.

8 Regarding the maintenance, operation and education
9 functions of the Philip J. Rock Center and School, the
10 Advisory Board shall also make recommendations pertaining to
11 but not limited to the following matters:

12 (1) Existing and proposed programs of all State
13 agencies that provide services for persons who are
14 DeafBlind ~~deaf-blind~~;

15 (2) The State program and financial plan for DeafBlind
16 ~~deaf-blind~~ services and the system of priorities to be
17 developed by the State Board of Education;

18 (3) Standards for services in facilities serving
19 persons who are DeafBlind ~~deaf-blind~~;

20 (4) Standards and rates for State payments for any
21 services purchased for persons who are DeafBlind
22 ~~deaf-blind~~;

23 (5) Services and research activities in the field of
24 DeafBlindness ~~deaf-blindness~~, including evaluation of
25 services; and

26 (6) Planning for personnel/preparation, both

1 preservice and inservice.

2 The Advisory Board shall consist of 3 persons appointed by
3 the Governor; 2 persons appointed by the State Superintendent
4 of Education; 4 persons appointed by the Secretary of Human
5 Services; and 2 persons appointed by the Director of Children
6 and Family Services. The 3 appointments of the Governor shall
7 consist of a senior citizen 60 years of age or older, a
8 consumer who is DeafBlind ~~deaf-blind~~, and a parent of a person
9 who is DeafBlind ~~deaf-blind~~; provided that if any
10 gubernatorial appointee serving on the Advisory Board on the
11 effective date of this amendatory Act of 1991 is not either a
12 senior citizen 60 years of age or older or a consumer who is
13 DeafBlind ~~deaf-blind~~ or a parent of a person who is DeafBlind
14 ~~deaf-blind~~, then whenever that appointee's term of office
15 expires or a vacancy in that appointee's office sooner occurs,
16 the Governor shall make the appointment to fill that office or
17 vacancy in a manner that will result, at the earliest possible
18 time, in the Governor's appointments to the Advisory Board
19 being comprised of one senior citizen 60 years of age or older,
20 one consumer who is DeafBlind ~~deaf-blind~~, and one parent of a
21 person who is DeafBlind ~~deaf-blind~~. One person designated by
22 each agency other than the Department of Human Services may be
23 an employee of that agency. Two persons appointed by the
24 Secretary of Human Services may be employees of the Department
25 of Human Services. The appointments of each appointing
26 authority other than the Governor shall include at least one

1 parent of an individual who is DeafBlind ~~deaf-blind~~ or a
2 person who is DeafBlind ~~deaf-blind~~.

3 Vacancies in terms shall be filled by the original
4 appointing authority. After the original terms, all terms
5 shall be for 3 years.

6 Except for those members of the Advisory Board who are
7 compensated for State service on a full-time basis, members
8 shall be reimbursed for all actual expenses incurred in the
9 performance of their duties. Each member who is not
10 compensated for State service on a full-time basis shall be
11 compensated at a rate of \$50 per day which he spends on
12 Advisory Board duties. The Advisory Board shall meet at least
13 4 times per year and not more than 12 times per year.

14 The Advisory Board shall provide for its own organization.

15 Six members of the Advisory Board shall constitute a
16 quorum. The affirmative vote of a majority of all members of
17 the Advisory Board shall be necessary for any action taken by
18 the Advisory Board.

19 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;
20 89-507, eff. 7-1-97.)

21 Section 20. The Public Utilities Act is amended by
22 changing Section 13-213 as follows:

23 (220 ILCS 5/13-213) (from Ch. 111 2/3, par. 13-213)

24 (Section scheduled to be repealed on December 31, 2021)

1 Sec. 13-213. "Hearing-aid compatible telephone" means a
2 telephone so equipped that it can activate an inductive
3 coupling hearing-aid or which will provide an alternative
4 technology that provides equally effective telephone service
5 and which will provide equipment necessary for the deaf, hard
6 of hearing, and DeafBlind ~~hearing-impaired~~ to use generally
7 available telecommunications services effectively or without
8 assistance.

9 (Source: P.A. 100-20, eff. 7-1-17.)

10 Section 25. The Smoke Detector Act is amended by changing
11 Section 3 as follows:

12 (425 ILCS 60/3) (from Ch. 127 1/2, par. 803)

13 (Text of Section before amendment by P.A. 100-200)

14 Sec. 3. (a) Every dwelling unit or hotel shall be equipped
15 with at least one approved smoke detector in an operating
16 condition within 15 feet of every room used for sleeping
17 purposes. The detector shall be installed on the ceiling and
18 at least 6 inches from any wall, or on a wall located between 4
19 and 6 inches from the ceiling.

20 (b) Every single family residence shall have at least one
21 approved smoke detector installed on every story of the
22 dwelling unit, including basements but not including
23 unoccupied attics. In dwelling units with split levels, a
24 smoke detector installed on the upper level shall suffice for

1 the adjacent lower level if the lower level is less than one
2 full story below the upper level; however, if there is an
3 intervening door between the adjacent levels, a smoke detector
4 shall be installed on each level.

5 (c) Every structure which (1) contains more than one
6 dwelling unit, or (2) contains at least one dwelling unit and
7 is a mixed-use structure, shall contain at least one approved
8 smoke detector at the uppermost ceiling of each interior
9 stairwell. The detector shall be installed on the ceiling, at
10 least 6 inches from the wall, or on a wall located between 4
11 and 6 inches from the ceiling.

12 (d) It shall be the responsibility of the owner of a
13 structure to supply and install all required detectors. The
14 owner shall be responsible for making reasonable efforts to
15 test and maintain detectors in common stairwells and hallways.
16 It shall be the responsibility of a tenant to test and to
17 provide general maintenance for the detectors within the
18 tenant's dwelling unit or rooming unit, and to notify the
19 owner or the authorized agent of the owner in writing of any
20 deficiencies which the tenant cannot correct. The owner shall
21 be responsible for providing one tenant per dwelling unit with
22 written information regarding detector testing and
23 maintenance.

24 The tenant shall be responsible for replacement of any
25 required batteries in the smoke detectors in the tenant's
26 dwelling unit, except that the owner shall ensure that such

1 batteries are in operating condition at the time the tenant
2 takes possession of the dwelling unit. The tenant shall
3 provide the owner or the authorized agent of the owner with
4 access to the dwelling unit to correct any deficiencies in the
5 smoke detector which have been reported in writing to the
6 owner or the authorized agent of the owner.

7 (e) The requirements of this Section shall apply to any
8 dwelling unit in existence on July 1, 1988, beginning on that
9 date. Except as provided in subsections (f) and (g), the smoke
10 detectors required in such dwelling units may be either
11 battery powered or wired into the structure's AC power line,
12 and need not be interconnected.

13 (f) In the case of any dwelling unit that is newly
14 constructed, reconstructed, or substantially remodelled after
15 December 31, 1987, the requirements of this Section shall
16 apply beginning on the first day of occupancy of the dwelling
17 unit after such construction, reconstruction or substantial
18 remodelling. The smoke detectors required in such dwelling
19 unit shall be permanently wired into the structure's AC power
20 line, and if more than one detector is required to be installed
21 within the dwelling unit, the detectors shall be wired so that
22 the actuation of one detector will actuate all the detectors
23 in the dwelling unit.

24 In the case of any dwelling unit that is newly
25 constructed, reconstructed, or substantially remodeled on or
26 after January 1, 2011, smoke detectors permanently wired into

1 the structure's AC power line must also maintain an
2 alternative back-up power source, which may be either a
3 battery or batteries or an emergency generator.

4 (g) Every hotel shall be equipped with operational
5 portable smoke-detecting alarm devices for the deaf, hard of
6 hearing, and DeafBlind ~~and hearing impaired~~ of audible and
7 visual design, available for units of occupancy.

8 Specialized smoke detectors ~~smoke detectors~~ for the deaf,
9 hard of hearing, and DeafBlind ~~and hearing impaired~~ shall be
10 available upon request by guests in such hotels at a rate of at
11 least one such smoke detector per 75 occupancy units or
12 portions thereof, not to exceed 5 such smoke detectors per
13 hotel. Incorporation or connection into an existing interior
14 alarm system, so as to be capable of being activated by the
15 system, may be utilized in lieu of the portable alarms.

16 Operators of any hotel shall post conspicuously at the
17 main desk a permanent notice, in letters at least 3 inches in
18 height, stating that smoke detector alarm devices for the deaf
19 , hard of hearing, and DeafBlind ~~and hearing impaired~~ are
20 available. The proprietor may require a refundable deposit for
21 a portable smoke detector not to exceed the cost of the
22 detector.

23 (g-5) A hotel, as defined in this Act, shall be
24 responsible for installing and maintaining smoke detecting
25 equipment.

26 (h) Compliance with an applicable federal, State, or local

1 law or building code which requires the installation and
2 maintenance of smoke detectors in a manner different from this
3 Section, but providing a level of safety for occupants which
4 is equal to or greater than that provided by this Section,
5 shall be deemed to be in compliance with this Section, and the
6 requirements of such more stringent law shall govern over the
7 requirements of this Section.

8 (Source: P.A. 96-1292, eff. 1-1-11; 97-447, eff. 1-1-12;
9 revised 8-19-20.)

10 (Text of Section after amendment by P.A. 100-200)

11 Sec. 3. (a) Every dwelling unit or hotel shall be equipped
12 with at least one approved smoke detector in an operating
13 condition within 15 feet of every room used for sleeping
14 purposes. The detector shall be installed on the ceiling and
15 at least 6 inches from any wall, or on a wall located between 4
16 and 6 inches from the ceiling.

17 (b) Every single family residence shall have at least one
18 approved smoke detector installed on every story of the
19 dwelling unit, including basements but not including
20 unoccupied attics. In dwelling units with split levels, a
21 smoke detector installed on the upper level shall suffice for
22 the adjacent lower level if the lower level is less than one
23 full story below the upper level; however, if there is an
24 intervening door between the adjacent levels, a smoke detector
25 shall be installed on each level.

1 (c) Every structure which (1) contains more than one
2 dwelling unit, or (2) contains at least one dwelling unit and
3 is a mixed-use structure, shall contain at least one approved
4 smoke detector at the uppermost ceiling of each interior
5 stairwell. The detector shall be installed on the ceiling, at
6 least 6 inches from the wall, or on a wall located between 4
7 and 6 inches from the ceiling.

8 (d) It shall be the responsibility of the owner of a
9 structure to supply and install all required detectors. The
10 owner shall be responsible for making reasonable efforts to
11 test and maintain detectors in common stairwells and hallways.
12 It shall be the responsibility of a tenant to test and to
13 provide general maintenance for the detectors within the
14 tenant's dwelling unit or rooming unit, and to notify the
15 owner or the authorized agent of the owner in writing of any
16 deficiencies which the tenant cannot correct. The owner shall
17 be responsible for providing one tenant per dwelling unit with
18 written information regarding detector testing and
19 maintenance.

20 The tenant shall be responsible for replacement of any
21 required batteries in the smoke detectors in the tenant's
22 dwelling unit, except that the owner shall ensure that such
23 batteries are in operating condition at the time the tenant
24 takes possession of the dwelling unit. The tenant shall
25 provide the owner or the authorized agent of the owner with
26 access to the dwelling unit to correct any deficiencies in the

1 smoke detector which have been reported in writing to the
2 owner or the authorized agent of the owner.

3 (e) The requirements of this Section shall apply to any
4 dwelling unit in existence on July 1, 1988, beginning on that
5 date. Except as provided in subsections (f) and (g), the smoke
6 detectors required in such dwelling units may be either:
7 battery powered provided the battery is a self-contained,
8 non-removable, long-term ~~long-term~~ battery, or wired into the
9 structure's AC power line, and need not be interconnected.

10 (1) The battery requirements of this Section shall
11 apply to battery-powered ~~battery-powered~~ smoke detectors
12 that: (A) are in existence and exceed 10 years from the
13 date of their being manufactured; (B) fail ~~fails~~ to
14 respond to operability tests or otherwise malfunction
15 ~~malfunctions~~; or (C) are newly installed.

16 (2) The battery requirements of this Section do not
17 apply to: (A) a fire alarm, smoke detector, smoke alarm,
18 or ancillary component that is electronically connected as
19 a part of a centrally monitored or supervised alarm
20 system; (B) a fire alarm, smoke detector, smoke alarm, or
21 ancillary component that uses: (i) a low-power radio
22 frequency wireless communication signal, or (ii) Wi-Fi or
23 other wireless Local Area Networking capability to send
24 and receive notifications to and from the Internet, such
25 as early low battery warnings before the device reaches a
26 critical low power level; or (C) such other devices as the

1 State Fire Marshal shall designate through its regulatory
2 process.

3 (f) In the case of any dwelling unit that is newly
4 constructed, reconstructed, or substantially remodelled after
5 December 31, 1987, the requirements of this Section shall
6 apply beginning on the first day of occupancy of the dwelling
7 unit after such construction, reconstruction or substantial
8 remodelling. The smoke detectors required in such dwelling
9 unit shall be permanently wired into the structure's AC power
10 line, and if more than one detector is required to be installed
11 within the dwelling unit, the detectors shall be wired so that
12 the actuation of one detector will actuate all the detectors
13 in the dwelling unit.

14 In the case of any dwelling unit that is newly
15 constructed, reconstructed, or substantially remodeled on or
16 after January 1, 2011, smoke detectors permanently wired into
17 the structure's AC power line must also maintain an
18 alternative back-up power source, which may be either a
19 battery or batteries or an emergency generator.

20 (g) Every hotel shall be equipped with operational
21 portable smoke-detecting alarm devices for the deaf, hard of
22 hearing, and DeafBlind ~~and hearing impaired~~ of audible and
23 visual design, available for units of occupancy.

24 Specialized smoke detectors ~~smoke detectors~~ for the deaf,
25 hard of hearing, and DeafBlind ~~and hearing impaired~~ shall be
26 available upon request by guests in such hotels at a rate of at

1 least one such smoke detector per 75 occupancy units or
2 portions thereof, not to exceed 5 such smoke detectors per
3 hotel. Incorporation or connection into an existing interior
4 alarm system, so as to be capable of being activated by the
5 system, may be utilized in lieu of the portable alarms.

6 Operators of any hotel shall post conspicuously at the
7 main desk a permanent notice, in letters at least 3 inches in
8 height, stating that smoke detector alarm devices for the
9 deaf, hard of hearing, and DeafBlind ~~and hearing impaired~~ are
10 available. The proprietor may require a refundable deposit for
11 a portable smoke detector not to exceed the cost of the
12 detector.

13 (g-5) A hotel, as defined in this Act, shall be
14 responsible for installing and maintaining smoke detecting
15 equipment.

16 (h) Compliance with an applicable federal, State, or local
17 law or building code which requires the installation and
18 maintenance of smoke detectors in a manner different from this
19 Section, but providing a level of safety for occupants which
20 is equal to or greater than that provided by this Section,
21 shall be deemed to be in compliance with this Section, and the
22 requirements of such more stringent law shall govern over the
23 requirements of this Section.

24 (i) The requirements of this Section shall not apply to
25 dwelling units and hotels within municipalities with a
26 population over 1,000,000 inhabitants.

1 (Source: P.A. 100-200, eff. 1-1-23; revised 8-19-20.)

2 Section 30. The Animal Control Act is amended by changing
3 Sections 15 and 15.1 as follows:

4 (510 ILCS 5/15) (from Ch. 8, par. 365)

5 Sec. 15. (a) In order to have a dog deemed "vicious", the
6 Administrator, Deputy Administrator, or law enforcement
7 officer must give notice of the infraction that is the basis of
8 the investigation to the owner, conduct a thorough
9 investigation, interview any witnesses, including the owner,
10 gather any existing medical records, veterinary medical
11 records or behavioral evidence, and make a detailed report
12 recommending a finding that the dog is a vicious dog and give
13 the report to the State's Attorney's Office and the owner. The
14 Administrator, State's Attorney, Director or any citizen of
15 the county in which the dog exists may file a complaint in the
16 circuit court in the name of the People of the State of
17 Illinois to deem a dog to be a vicious dog. Testimony of a
18 certified applied behaviorist, a board certified veterinary
19 behaviorist, or another recognized expert may be relevant to
20 the court's determination of whether the dog's behavior was
21 justified. The petitioner must prove the dog is a vicious dog
22 by clear and convincing evidence. The Administrator shall
23 determine where the animal shall be confined during the
24 pendency of the case.

1 A dog may not be declared vicious if the court determines
2 the conduct of the dog was justified because:

3 (1) the threat, injury, or death was sustained by a
4 person who at the time was committing a crime or offense
5 upon the owner or custodian of the dog, or was committing a
6 willful trespass or other tort upon the premises or
7 property owned or occupied by the owner of the animal;

8 (2) the injured, threatened, or killed person was
9 abusing, assaulting, or physically threatening the dog or
10 its offspring, or has in the past abused, assaulted, or
11 physically threatened the dog or its offspring; or

12 (3) the dog was responding to pain or injury, or was
13 protecting itself, its owner, custodian, or member of its
14 household, kennel, or offspring.

15 No dog shall be deemed "vicious" if it is a professionally
16 trained dog for law enforcement or guard duties. Vicious dogs
17 shall not be classified in a manner that is specific as to
18 breed.

19 If the burden of proof has been met, the court shall deem
20 the dog to be a vicious dog.

21 If a dog is found to be a vicious dog, the owner shall pay
22 a \$100 public safety fine to be deposited into the county
23 animal control fund, the dog shall be spayed or neutered
24 within 10 days of the finding at the expense of its owner and
25 microchipped, if not already, and the dog is subject to
26 enclosure. If an owner fails to comply with these

1 requirements, the animal control agency shall impound the dog
2 and the owner shall pay a \$500 fine plus impoundment fees to
3 the animal control agency impounding the dog. The judge has
4 the discretion to order a vicious dog be euthanized. A dog
5 found to be a vicious dog shall not be released to the owner
6 until the Administrator, an Animal Control Warden, or the
7 Director approves the enclosure. No owner or keeper of a
8 vicious dog shall sell or give away the dog without approval
9 from the Administrator or court. Whenever an owner of a
10 vicious dog relocates, he or she shall notify both the
11 Administrator of County Animal Control where he or she has
12 relocated and the Administrator of County Animal Control where
13 he or she formerly resided.

14 (b) It shall be unlawful for any person to keep or maintain
15 any dog which has been found to be a vicious dog unless the dog
16 is kept in an enclosure. The only times that a vicious dog may
17 be allowed out of the enclosure are (1) if it is necessary for
18 the owner or keeper to obtain veterinary care for the dog, (2)
19 in the case of an emergency or natural disaster where the dog's
20 life is threatened, or (3) to comply with the order of a court
21 of competent jurisdiction, provided that the dog is securely
22 muzzled and restrained with a leash not exceeding 6 feet in
23 length, and shall be under the direct control and supervision
24 of the owner or keeper of the dog or muzzled in its residence.

25 Any dog which has been found to be a vicious dog and which
26 is not confined to an enclosure shall be impounded by the

1 Administrator, an Animal Control Warden, or the law
2 enforcement authority having jurisdiction in such area.

3 If the owner of the dog has not appealed the impoundment
4 order to the circuit court in the county in which the animal
5 was impounded within 15 working days, the dog may be
6 euthanized.

7 Upon filing a notice of appeal, the order of euthanasia
8 shall be automatically stayed pending the outcome of the
9 appeal. The owner shall bear the burden of timely notification
10 to animal control in writing.

11 Guide dogs for the blind, deaf, hard of hearing, or
12 DeafBlind ~~or hearing impaired~~, support dogs for persons with
13 physical disabilities, accelerant detection dogs, and sentry,
14 guard, or police-owned dogs are exempt from this Section;
15 provided, an attack or injury to a person occurs while the dog
16 is performing duties as expected. To qualify for exemption
17 under this Section, each such dog shall be currently
18 inoculated against rabies in accordance with Section 8 of this
19 Act. It shall be the duty of the owner of such exempted dog to
20 notify the Administrator of changes of address. In the case of
21 a sentry or guard dog, the owner shall keep the Administrator
22 advised of the location where such dog will be stationed. The
23 Administrator shall provide police and fire departments with a
24 categorized list of such exempted dogs, and shall promptly
25 notify such departments of any address changes reported to
26 him.

1 (c) If the animal control agency has custody of the dog,
2 the agency may file a petition with the court requesting that
3 the owner be ordered to post security. The security must be in
4 an amount sufficient to secure payment of all reasonable
5 expenses expected to be incurred by the animal control agency
6 or animal shelter in caring for and providing for the dog
7 pending the determination. Reasonable expenses include, but
8 are not limited to, estimated medical care and boarding of the
9 animal for 30 days. If security has been posted in accordance
10 with this Section, the animal control agency may draw from the
11 security the actual costs incurred by the agency in caring for
12 the dog.

13 (d) Upon receipt of a petition, the court must set a
14 hearing on the petition, to be conducted within 5 business
15 days after the petition is filed. The petitioner must serve a
16 true copy of the petition upon the defendant.

17 (e) If the court orders the posting of security, the
18 security must be posted with the clerk of the court within 5
19 business days after the hearing. If the person ordered to post
20 security does not do so, the dog is forfeited by operation of
21 law and the animal control agency must dispose of the animal
22 through adoption or humane euthanization.

23 (Source: P.A. 99-143, eff. 7-27-15; 99-642, eff. 7-28-16;
24 100-787, eff. 8-10-18.)

1 Sec. 15.1. Dangerous dog determination.

2 (a) After a thorough investigation including: sending,
3 within 10 business days of the Administrator or Director
4 becoming aware of the alleged infraction, notifications to the
5 owner of the alleged infractions, the fact of the initiation
6 of an investigation, and affording the owner an opportunity to
7 meet with the Administrator or Director prior to the making of
8 a determination; gathering of any medical or veterinary
9 evidence; interviewing witnesses; and making a detailed
10 written report, an animal control warden, deputy
11 administrator, or law enforcement agent may ask the
12 Administrator, or his or her designee, or the Director, to
13 deem a dog to be "dangerous". No dog shall be deemed a
14 "dangerous dog" unless shown to be a dangerous dog by a
15 preponderance of evidence. The owner shall be sent immediate
16 notification of the determination by registered or certified
17 mail that includes a complete description of the appeal
18 process.

19 (b) A dog shall not be declared dangerous if the
20 Administrator, or his or her designee, or the Director
21 determines the conduct of the dog was justified because:

22 (1) the threat was sustained by a person who at the
23 time was committing a crime or offense upon the owner or
24 custodian of the dog or was committing a willful trespass
25 or other tort upon the premises or property occupied by
26 the owner of the animal;

1 (2) the threatened person was abusing, assaulting, or
2 physically threatening the dog or its offspring;

3 (3) the injured, threatened, or killed companion
4 animal was attacking or threatening to attack the dog or
5 its offspring; or

6 (4) the dog was responding to pain or injury or was
7 protecting itself, its owner, custodian, or a member of
8 its household, kennel, or offspring.

9 (c) Testimony of a certified applied behaviorist, a board
10 certified veterinary behaviorist, or another recognized expert
11 may be relevant to the determination of whether the dog's
12 behavior was justified pursuant to the provisions of this
13 Section.

14 (d) If deemed dangerous, the Administrator, or his or her
15 designee, or the Director shall order (i) the dog's owner to
16 pay a \$50 public safety fine to be deposited into the county
17 animal control fund, (ii) the dog to be spayed or neutered
18 within 14 days at the owner's expense and microchipped, if not
19 already, and (iii) one or more of the following as deemed
20 appropriate under the circumstances and necessary for the
21 protection of the public:

22 (1) evaluation of the dog by a certified applied
23 behaviorist, a board certified veterinary behaviorist, or
24 another recognized expert in the field and completion of
25 training or other treatment as deemed appropriate by the
26 expert. The owner of the dog shall be responsible for all

1 costs associated with evaluations and training ordered
2 under this subsection; or

3 (2) direct supervision by an adult 18 years of age or
4 older whenever the animal is on public premises.

5 (e) The Administrator may order a dangerous dog to be
6 muzzled whenever it is on public premises in a manner that will
7 prevent it from biting any person or animal, but that shall not
8 injure the dog or interfere with its vision or respiration.

9 (f) Guide dogs for the blind, deaf, hard of hearing, or
10 DeafBlind ~~or hearing impaired~~, support dogs for persons with a
11 physical disability, and sentry, guard, or police-owned dogs
12 are exempt from this Section; provided, an attack or injury to
13 a person occurs while the dog is performing duties as
14 expected. To qualify for exemption under this Section, each
15 such dog shall be currently inoculated against rabies in
16 accordance with Section 8 of this Act and performing duties as
17 expected. It shall be the duty of the owner of the exempted dog
18 to notify the Administrator of changes of address. In the case
19 of a sentry or guard dog, the owner shall keep the
20 Administrator advised of the location where such dog will be
21 stationed. The Administrator shall provide police and fire
22 departments with a categorized list of the exempted dogs, and
23 shall promptly notify the departments of any address changes
24 reported to him or her.

25 (g) An animal control agency has the right to impound a
26 dangerous dog if the owner fails to comply with the

1 requirements of this Act.

2 (Source: P.A. 99-143, eff. 7-27-15; 100-787, eff. 8-10-18.)

3 Section 35. The Humane Care for Animals Act is amended by
4 changing Section 7.15 as follows:

5 (510 ILCS 70/7.15)

6 Sec. 7.15. Guide, hearing, and support dogs.

7 (a) A person may not willfully and maliciously annoy,
8 taunt, tease, harass, torment, beat, or strike a guide,
9 hearing, or support dog or otherwise engage in any conduct
10 directed toward a guide, hearing, or support dog that is
11 likely to impede or interfere with the dog's performance of
12 its duties or that places the blind, deaf, hard of hearing,
13 DeafBlind, ~~hearing-impaired,~~ or person with a physical
14 disability being served or assisted by the dog in danger of
15 injury.

16 (b) A person may not willfully and maliciously torture,
17 injure, or kill a guide, hearing, or support dog.

18 (c) A person may not willfully and maliciously permit a
19 dog that is owned, harbored, or controlled by the person to
20 cause injury to or the death of a guide, hearing, or support
21 dog while the guide, hearing, or support dog is in discharge of
22 its duties.

23 (d) A person convicted of violating this Section is guilty
24 of a Class A misdemeanor. A second or subsequent violation is a

1 Class 4 felony. A person convicted of violating subsection (b)
2 or (c) of this Section is guilty of a Class 4 felony if the dog
3 is killed or totally disabled, and may be ordered by the court
4 to make restitution to the person with a disability having
5 custody or ownership of the dog for veterinary bills and
6 replacement costs of the dog.

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

8 Section 40. The Illinois Human Rights Act is amended by
9 changing Section 8-102 as follows:

10 (775 ILCS 5/8-102) (from Ch. 68, par. 8-102)

11 Sec. 8-102. Powers and duties. In addition to the other
12 powers and duties prescribed in this Act, the Commission shall
13 have the following powers and duties:

14 (A) Meetings. To meet and function at any place within
15 the State.

16 (B) Offices. To establish and maintain offices in
17 Springfield and Chicago.

18 (C) Employees. To select and fix the compensation of
19 such technical advisors and employees as it may deem
20 necessary pursuant to the provisions of the Personnel
21 Code.

22 (D) Hearing Officers. To select and fix the
23 compensation of hearing officers who shall be attorneys
24 duly licensed to practice law in this State and full-time

1 employees of the Commission.

2 A formal and unbiased training program for hearing
3 officers shall be implemented. The training program shall
4 include the following:

5 (1) substantive and procedural aspects of the
6 hearing officer position;

7 (2) current issues in human rights law and
8 practice;

9 (3) lectures by specialists in substantive areas
10 related to human rights matters;

11 (4) orientation to each operational unit of the
12 Department and Commission;

13 (5) observation of experienced hearing officers
14 conducting hearings of cases, combined with the
15 opportunity to discuss evidence presented and rulings
16 made;

17 (6) the use of hypothetical cases requiring the
18 hearing officer to issue judgments as a means to
19 evaluating knowledge and writing ability;

20 (7) writing skills;

21 (8) computer skills, including, but not limited
22 to, word processing and document management.

23 A formal, unbiased and ongoing professional
24 development program including, but not limited to, the
25 above-noted areas shall be implemented to keep hearing
26 officers informed of recent developments and issues and to

1 assist them in maintaining and enhancing their
2 professional competence.

3 (E) Rules and Regulations. To adopt, promulgate,
4 amend, and rescind rules and regulations not inconsistent
5 with the provisions of this Act pursuant to the Illinois
6 Administrative Procedure Act.

7 (F) Compulsory Process. To issue and authorize
8 requests for enforcement of subpoenas and other compulsory
9 process established by this Act.

10 (G) Decisions. Through a panel of 3 members designated
11 by the Chairperson on a random basis, to hear and decide by
12 majority vote complaints filed in conformity with this Act
13 and to approve proposed settlements. Decisions by
14 commissioners must be based strictly on neutral
15 interpretations of the law and the facts.

16 (H) Rehearings. To order, by a vote of 3 members,
17 rehearing of its decisions by the entire Commission in
18 conformity with this Act.

19 (I) Judicial Enforcement. To authorize requests for
20 judicial enforcement of its orders in conformity with this
21 Act.

22 (J) Opinions. To publish each decision within 180 days
23 of the decision to assure a consistent source of
24 precedent. Published decisions shall be subject to the
25 Personal Information Protection Act.

26 (K) Public Grants; Private Gifts. To accept public

1 grants and private gifts as may be authorized.

2 (L) Interpreters. To appoint at the expense of the
3 Commission a qualified sign language interpreter whenever
4 a deaf, hard of hearing, or DeafBlind ~~hearing-impaired~~
5 person is a party or witness at a public hearing.

6 (M) Automated Processing Plan. To prepare an
7 electronic data processing and telecommunications plan
8 jointly with the Department in accordance with Section
9 7-112.

10 The provisions of Public Act 89-370 amending subsection
11 (G) of this Section apply to causes of action filed on or after
12 January 1, 1996.

13 (Source: P.A. 100-1066, eff. 8-24-18; 101-81, eff. 7-12-19.)

14 Section 45. The White Cane Law is amended by changing
15 Section 3 as follows:

16 (775 ILCS 30/3) (from Ch. 23, par. 3363)

17 Sec. 3. The blind, persons who have a visual disability,
18 the deaf, hard of hearing, and DeafBlind ~~hearing-impaired~~,
19 persons who are subject to epilepsy or other seizure
20 disorders, and persons who have other physical disabilities
21 have the same right as the able-bodied to the full and free use
22 of the streets, highways, sidewalks, walkways, public
23 buildings, public facilities and other public places.

24 The blind, persons who have a visual disability, the deaf,

1 hard of hearing, and DeafBlind ~~hearing-impaired~~, persons who
2 are subject to epilepsy or other seizure disorders, and
3 persons who have other physical disabilities are entitled to
4 full and equal accommodations, advantages, facilities and
5 privileges of all common carriers, airplanes, motor vehicles,
6 railroad trains, motor buses, street cars, boats or any other
7 public conveyances or modes of transportation, hotels, lodging
8 places, places of public accommodation, amusement or resort
9 and other places to which the general public is invited,
10 subject only to the conditions and limitations established by
11 law and applicable alike to all persons.

12 Every totally or partially blind, deaf, hard of hearing,
13 or DeafBlind ~~or hearing-impaired~~ person, person who is subject
14 to epilepsy or other seizure disorders, or person who has any
15 other physical disability or a trainer of support dogs, guide
16 dogs, seizure-alert dogs, seizure-response dogs, or hearing
17 dogs shall have the right to be accompanied by a support dog or
18 guide dog especially trained for the purpose, or a dog that is
19 being trained to be a support dog, guide dog, seizure-alert
20 dog, seizure-response dog, or hearing dog, in any of the
21 places listed in this Section without being required to pay an
22 extra charge for the guide, support, seizure-alert,
23 seizure-response, or hearing dog; provided that he shall be
24 liable for any damage done to the premises or facilities by
25 such dog.

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

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

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