

1 AN ACT concerning regulation.

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

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-53 as follows:

7 (20 ILCS 2605/2605-53)

8 Sec. 2605-53. 9-1-1 system; sexual assault and sexual
9 abuse.

10 (a) The Office of the Statewide 9-1-1 Administrator, in
11 consultation with the Office of the Attorney General and the
12 Illinois Law Enforcement Training Standards Board, shall:

13 (1) develop comprehensive guidelines for
14 evidence-based, trauma-informed, victim-centered handling
15 of sexual assault or sexual abuse calls by Public Safety
16 Answering Point telecommunicators ~~tele-communicators~~; and

17 (2) adopt rules and minimum standards for an
18 evidence-based, trauma-informed, victim-centered training
19 curriculum for handling of sexual assault or sexual abuse
20 calls for Public Safety Answering Point telecommunicators
21 ~~tele-communicators~~ ("PSAP").

22 (a-5) Within one year after the effective date of this
23 amendatory Act of the 102nd General Assembly, the Office of

1 the Statewide 9-1-1 Administrator, in consultation with the
2 Statewide 9-1-1 Advisory Board, shall:

3 (1) develop comprehensive guidelines for training on
4 emergency dispatch procedures, including but not limited
5 to emergency medical dispatch, and the delivery of 9-1-1
6 services and professionalism for public safety
7 telecommunicators and public safety telecommunicator
8 supervisors; and

9 (2) adopt rules and minimum standards for continuing
10 education on emergency dispatch procedures, including but
11 not limited to emergency medical dispatch, and the
12 delivery of 9-1-1 services and professionalism for public
13 safety telecommunicators and public safety
14 telecommunicator Supervisors; and

15 (a-10) The Office of the Statewide 9-1-1 Administrator may
16 as necessary establish by rule appropriate testing and
17 certification processes consistent with the training required
18 by this Section.

19 (b) Training requirements:

20 (1) Newly hired PSAP telecommunicators
21 ~~tele-communicators~~ must complete the sexual assault and
22 sexual abuse training curriculum established in subsection
23 (a) of this Section prior to handling emergency calls.

24 (2) All existing PSAP telecommunicators
25 ~~tele-communicators~~ shall complete the sexual assault and
26 sexual abuse training curriculum established in subsection

1 (a) of this Section within 2 years of the effective date of
2 this amendatory Act of the 99th General Assembly.

3 (3) Newly hired public safety telecommunicators shall
4 complete the emergency dispatch procedures training
5 curriculum established in subsection (a-5) of this Section
6 prior to independently handling emergency calls within one
7 year of the Statewide 9-1-1 Administrator establishing the
8 required guidelines, rules, and standards.

9 (4) All public safety telecommunicators and public
10 safety telecommunicator supervisors who were not required
11 to complete new hire training prior to handling emergency
12 calls, must either demonstrate proficiency or complete the
13 training established in subsection (a-5) of this Section
14 within one year of the Statewide 9-1-1 Administrator
15 establishing the required guidelines, rules, and
16 standards.

17 (5) Upon completion of the training required in either
18 paragraph (3) or (4) of subsection (b) whichever is
19 applicable, all public safety telecommunicators and public
20 safety telecommunicator supervisors shall complete the
21 continuing education training regarding the delivery of
22 9-1-1 services and professionalism biennially.

23 (c) The Illinois State Police may adopt rules for the
24 administration of this Section.

25 (Source: P.A. 99-801, eff. 1-1-17.)

1 Section 10. The Emergency Telephone System Act is amended
2 by changing Sections 2, 3, 5, 6, 7, 8, 10, 10.3, 14, 15.2,
3 15.2a, 15.3, 15.3a, 15.4, 15.4a, 15.6, 15.6a, 15.6b, 17.5, 19,
4 20, 30, 40, and 99 and by adding Sections 6.2, 7.1, 11.5, and
5 45 as follows:

6 (50 ILCS 750/2) (from Ch. 134, par. 32)

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

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

10 "9-1-1 network" means the network used for the delivery of
11 9-1-1 calls and messages over dedicated and redundant
12 facilities to a primary or backup 9-1-1 PSAP that meets the
13 appropriate grade of service ~~P.01 grade of service standards~~
14 ~~for basic 9-1-1 and enhanced 9-1-1 services or meets national~~
15 ~~I3 industry call delivery standards for Next Generation 9-1-1~~
16 ~~services.~~

17 "9-1-1 system" means the geographic area that has been
18 granted an order of authority by the Commission or the
19 Statewide 9-1-1 Administrator to use "9-1-1" as the primary
20 emergency telephone number, including but not limited to the
21 network, software applications, databases, CPE components and
22 operational and management procedures required to provide
23 9-1-1 service.

24 "9-1-1 Authority" means ~~includes~~ an Emergency Telephone
25 System Board, Joint Emergency Telephone System Board that

1 provides for the management and operation of a 9-1-1 system,
2 ~~and a qualified governmental entity.~~ "9-1-1 Authority"
3 includes the Department of State Police only to the extent it
4 provides 9-1-1 services under this Act.

5 "9-1-1 System Manager" means the manager, director,
6 administrator, or coordinator who at the direction of his or
7 her Emergency Telephone System Board is responsible for the
8 implementation and execution of the order of authority issued
9 by the Commission or the Statewide 9-1-1 Administrator through
10 the programs, policies, procedures, and daily operations of
11 the 9-1-1 system consistent with the provisions of this Act.

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

13 "Advanced service" means any telecommunications service
14 with or without dynamic bandwidth allocation, including, but
15 not limited to, ISDN Primary Rate Interface (PRI), that,
16 through the use of a DS-1, T-1, or other un-channelized or
17 multi-channel transmission facility, 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.

21 "Aggregator" means an entity that ingresses 9-1-1 calls of
22 multiple traffic types or 9-1-1 calls from multiple
23 originating service providers and combines them on a trunk
24 group or groups (or equivalent egress connection arrangement
25 to a 9-1-1 system provider's E9-1-1/NG9-1-1 network or
26 system), and that uses the routing information provided in the

1 received call setup signaling to select the appropriate trunk
2 group and proceeds to signal call setup toward the 9-1-1
3 system provider. "Aggregator" includes an originating service
4 provider that provides aggregation functions for its own 9-1-1
5 calls. "Aggregator" also includes an aggregation network or an
6 aggregation entity that provides aggregator services for other
7 types of system providers, such as cloud-based services or
8 enterprise networks as its client.

9 "ALI" or "automatic location identification" means, ~~in an~~
10 ~~E9-1-1 system,~~ the automatic display at the public safety
11 answering point of the ~~caller's telephone number,~~ the address
12 or location of the caller's telephone, and supplementary
13 emergency services information of the location from which a
14 call originates.

15 "ANI" or "automatic number identification" means the
16 automatic display of the 10 digit telephone number associated
17 with the caller's telephone number ~~9-1-1 calling party's~~
18 ~~number on the PSAP monitor.~~

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

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

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

1 "Backup PSAP" means an a ~~public safety~~ answering point
2 that meets the appropriate standards of service and serves as
3 an alternate to the PSAP operating independently from the PSAP
4 ~~for enhanced systems and is~~ at a different location, that has
5 the capability to direct dispatch for the PSAP or otherwise
6 transfer emergency calls directly to an authorized entity. ~~and~~
7 ~~operates independently from the PSAP.~~ A backup PSAP may accept
8 overflow calls from the PSAP or be activated if the primary
9 PSAP is disabled.

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

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

15 "Commission" means the Illinois Commerce Commission.

16 "Computer aided dispatch" or "CAD" means a computer-based
17 system that aids public safety telecommunicators ~~PSAP~~
18 ~~telecommunicators~~ by automating selected dispatching and
19 recordkeeping activities.

20 "Direct dispatch ~~dispatch method~~" means a 9-1-1 service
21 wherein upon receipt of an emergency call, that provides for
22 the direct dispatch by a public safety telecommunicator
23 transmits - without delay, transfer, relay, or referral - all
24 relevant available information to PSAP telecommunicator of the
25 appropriate public safety personnel or emergency responders
26 ~~unit upon receipt of an emergency call and the decision as to~~

1 ~~the proper action to be taken.~~

2 "Decommissioned" means the revocation of a PSAPs authority
3 to handle 9-1-1 calls as an answering point within the 9-1-1
4 network.

5 "Department" means the Department of State Police.

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

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

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

24 "Enhanced 9-1-1" or "E9-1-1" means a telephone system that
25 includes network switching, database and PSAP premise elements
26 capable of providing automatic location identification data,

1 selective routing, selective transfer, fixed transfer, and a
2 call back number, including any enhanced 9-1-1 service so
3 designated by the Federal Communications Commission in its
4 report and order in WC Dockets Nos. 04-36 and 05-196, or any
5 successor proceeding.

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

10 "Grade of service" means P.01 for enhanced 9-1-1 services
11 or the NENA i3 Solution adopted standard for NG9-1-1.

12 "Hearing-impaired individual" means a person with a
13 permanent hearing loss who can regularly and routinely
14 communicate by telephone only through the aid of devices which
15 can send and receive written messages over the telephone
16 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 accesses ~~either~~
6 ~~manually or remotely triggers a dialing device to access~~ the
7 9-1-1 system without human intervention and does not provide
8 for two-way communication.

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

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

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

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

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

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

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

20 (A) provides standardized interfaces from
21 emergency call and message services to support
22 emergency communications;

23 (B) processes all types of emergency calls,
24 including voice, text, data, and multimedia
25 information;

26 (C) acquires and integrates additional emergency

1 call data useful to call routing and handling;

2 (D) delivers the emergency calls, messages, and
3 data to the appropriate public safety answering point
4 and other appropriate emergency entities based on the
5 location of the caller;

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

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

11 "NG9-1-1 costs" means those recurring costs that directly
12 relate to the Next Generation 9-1-1 service as determined by
13 the Statewide 9-1-1 Administrator with the advice of the
14 Statewide 9-1-1 Advisory Board, which may include including,
15 but need not be limited to, costs for NENA i3 Core Components
16 (Border Control Function (BCF), Emergency Call Routing
17 Function (ECRF), Location Validation Function (LVF), Emergency
18 Services Routing Proxy (ESRP), Policy Store/Policy Routing
19 Functions (PSPRF) and Location Information Servers (LIS)),
20 Statewide ESInet, software external to the PSAP (data
21 collection, identity management, aggregation and GIS
22 functionality), and gateways (legacy 9-1-1 tandems or gateways
23 or both). ~~Emergency System Routing Proxy (ESRP), Emergency~~
24 ~~Call Routing Function/Location Validation Function (ECRF/LVF),~~
25 ~~Spatial Information Function (SIF), the Border Control~~
26 ~~Function (BCF), and the Emergency Services Internet Protocol~~

1 ~~networks (ESInets), legacy network gateways, and all~~
2 ~~associated fees, taxes, and surcharges on each invoice.~~

3 "Originating service provider" or "OSP" means the entity
4 that provides services to end users that may be used to
5 originate voice or nonvoice 9-1-1 requests for assistance and
6 who would interconnect, in any of various fashions, to the
7 9-1-1 system provider for purposes of delivering 9-1-1 traffic
8 to the public safety answering points.

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

13 "Private business switch service" means network and
14 premises based systems including a VoIP, Centrex type service,
15 or PBX service, even though key telephone systems or
16 equivalent telephone systems registered with the Federal
17 Communications Commission under 47 CFR ~~C.F.R.~~ Part 68 are
18 directly connected to Centrex type and PBX systems. "Private
19 business switch service" does not include key telephone
20 systems or equivalent telephone systems registered with the
21 Federal Communications Commission under 47 CFR ~~C.F.R.~~ Part 68
22 when not used in conjunction with a VoIP, Centrex type, or PBX
23 systems. "Private business switch service" typically includes,
24 but is not limited to, private businesses, corporations, and
25 industries where the telecommunications service is primarily
26 for conducting business.

1 "Private residential switch service" means network and
2 premise based systems including a VoIP, Centrex type service,
3 or PBX service or key telephone systems or equivalent
4 telephone systems registered with the Federal Communications
5 Commission under 47 C.F.R. Part 68 that are directly connected
6 to a VoIP, Centrex type service, or PBX systems equipped for
7 switched local network connections or 9-1-1 system access to
8 residential end users through a private telephone switch.

9 "Private residential switch service" does not include key
10 telephone systems or equivalent telephone systems registered
11 with the Federal Communications Commission under 47 C.F.R.
12 Part 68 when not used in conjunction with a VoIP, Centrex type,
13 or PBX systems. "Private residential switch service" typically
14 includes, but is not limited to, apartment complexes,
15 condominiums, and campus or university environments where
16 shared tenant service is provided and where the usage of the
17 telecommunications service is primarily residential.

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

23 "Public safety agency" means a functional division of a
24 public agency that provides firefighting, police, medical, or
25 other emergency services to respond to and manage emergency
26 incidents. For the purpose of providing wireless service to

1 users of 9-1-1 emergency services, as expressly provided for
2 in this Act, the Department of State Police may be considered a
3 public safety agency.

4 "Public safety answering point" or "PSAP" means the
5 primary answering location of an emergency call that meets the
6 appropriate standards of service and is responsible for
7 receiving and processing ~~is a set of call takers authorized by~~
8 ~~a governing body and operating under common management that~~
9 ~~receive 9-1-1 calls and asynchronous event notifications for a~~
10 ~~defined geographic area and processes~~ those calls and events
11 according to a specified operational policy.

12 "PSAP representative" means the manager or supervisor of a
13 Public Safety Answering Point (PSAP) who oversees the daily
14 operational functions and is responsible for the overall
15 management and administration of the PSAP.

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

21 "Public safety telecommunicator supervisor" means any
22 person employed in a full-time or part-time capacity at an
23 answering point or by a 9-1-1 Authority, whose primary duties
24 or responsibilities are to direct, administer, or manage any
25 public safety telecommunicator and whose responsibilities
26 include answering, receiving, or transferring an emergency

1 call for dispatch to the appropriate responders.

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

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

9 "Regular service" means any telecommunications service,
10 other than advanced service, that is capable of transporting
11 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 "Relay ~~method~~" means a 9-1-1 service in which the public
15 safety telecommunicator ~~PSAP telecommunicator~~ takes the
16 pertinent information from a caller and relays that
17 information to the appropriate public safety agency or other
18 provider of emergency services.

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

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

1 by dispatching police, medical, fire, or other emergency
2 responders.

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

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

17 "System provider" means the contracted entity providing
18 9-1-1 network and database services.

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

26 "Telecommunications technology" means equipment that can

1 send and receive written messages over the telephone network.

2 "Transfer ~~method~~" means a 9-1-1 service in which the
3 public safety telecommunicator, who receives an emergency PSAP
4 telecommunicator receiving a call, transmits, redirects, or
5 conferences transfers that call to the appropriate public
6 safety agency or other provider of emergency services.
7 Transfer shall not include a relay or referral of the
8 information without transferring the caller.

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

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

1 voice grade communications channels or otherwise supports 2 or
2 more voice grade calls at a time; provided, however, that each
3 additional increment of up to 24 voice grade channels of
4 transmission capacity that is capable of transporting either
5 the subscriber's inter-premises voice telecommunications
6 services to the public switched network or the subscriber's
7 9-1-1 calls to the public agency shall be considered an
8 additional trunk line.

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

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

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

25 "Wireless carrier" means a provider of two-way cellular,
26 broadband PCS, geographic area 800 MHZ and 900 MHZ Commercial

1 Mobile Radio Service (CMRS), Wireless Communications Service
2 (WCS), or other Commercial Mobile Radio Service (CMRS), as
3 defined by the Federal Communications Commission, offering
4 radio communications that may provide fixed, mobile, radio
5 location, or satellite communication services to individuals
6 or businesses within its assigned spectrum block and
7 geographical area or that offers real-time, two-way voice
8 service that is interconnected with the public switched
9 network, including a reseller of such service.

10 "Wireless enhanced 9-1-1" means the ability to relay the
11 telephone number of the originator of a 9-1-1 call and
12 location information from any mobile handset or text telephone
13 device accessing the wireless system to the designated
14 wireless public safety answering point as set forth in the
15 order of the Federal Communications Commission, FCC Docket No.
16 94-102, adopted June 12, 1996, with an effective date of
17 October 1, 1996, and any subsequent amendment thereto.

18 "Wireless public safety answering point" means the
19 functional division of a 9-1-1 authority accepting wireless
20 9-1-1 calls.

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

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

1 (50 ILCS 750/3) (from Ch. 134, par. 33)

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

3 Sec. 3. (a) By July 1, 2017, every local public agency
4 shall be within the jurisdiction of a 9-1-1 system.

5 (b) Within 18 months of the awarding of a contract to a
6 vendor certified under Section 13-900 of the Public Utilities
7 Act to provide Next Generation 9-1-1 service ~~By December 31,~~
8 ~~2021~~, every 9-1-1 system in Illinois, except in a municipality
9 with a population over 500,000, shall provide Next Generation
10 9-1-1 service. A municipality with a population over 500,000
11 shall provide Next Generation 9-1-1 service by December 31,
12 2023.

13 (c) Nothing in this Act shall be construed to prohibit or
14 discourage in any way the formation of multijurisdictional or
15 regional systems, and any system established pursuant to this
16 Act may include the territory of more than one public agency or
17 may include a segment of the territory of a public agency.

18 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

19 (50 ILCS 750/5) (from Ch. 134, par. 35)

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

21 Sec. 5. The digits "9-1-1" shall be the primary emergency
22 telephone number within the system, but a public agency or
23 public safety agency shall maintain a separate secondary
24 10-digit ~~seven-digit~~ emergency backup number for at least 6
25 ~~six~~ months after the "9-1-1" system is established and in

1 operation, and shall maintain a separate number for
2 nonemergency telephone calls.

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

4 (50 ILCS 750/6) (from Ch. 134, par. 36)

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

6 Sec. 6. Capabilities of system; pay telephones. All
7 systems shall be designed to meet the specific requirements of
8 each community and public agency served by the system. Every
9 system shall be designed to have the capability to ~~of~~
10 ~~utilizing the~~ direct dispatch or to ~~method, relay method,~~
11 ~~transfer method, or referral method~~ in response to emergency
12 calls. The General Assembly finds and declares that the most
13 critical aspect of the design of any system is the procedure
14 established for handling a telephone request for emergency
15 services.

16 In addition, to maximize efficiency and utilization of the
17 system, all pay telephones within each system shall enable a
18 caller to dial "9-1-1" for emergency services without the
19 necessity of inserting a coin. This paragraph does not apply
20 to pay telephones located in penal institutions, as defined in
21 Section 2-14 of the Criminal Code of 2012, that have been
22 designated for the exclusive use of committed persons.

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

24 (50 ILCS 750/6.2 new)

1 Sec. 6.2. Every 9-1-1 system shall be able to accept text
2 to 9-1-1 no later than January 1, 2023. The Illinois State
3 Police shall adopt rules for the implementation of this
4 Section.

5 (50 ILCS 750/7) (from Ch. 134, par. 37)

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

7 Sec. 7. The General Assembly finds that, because of
8 overlapping jurisdiction of public agencies, public safety
9 agencies and telephone service areas, the Administrator, with
10 the advice and recommendation of the Statewide 9-1-1 Advisory
11 Board, shall establish a general overview or plan to
12 effectuate the purposes of this Act within the time frame
13 provided in this Act. The General Assembly further finds and
14 declares that direct dispatch should be used if possible to
15 shorten the time required for the public to request and
16 receive emergency aid. The Administrator shall minimize the
17 use of transfer, relay, and referral of an emergency call if
18 possible and encourage Backup PSAPs to be able to direct
19 dispatch. Transfer, relay, and referral of an emergency call
20 to an entity other than an answering point or the Illinois
21 State Police shall not be used in response to emergency calls
22 unless exigent circumstances exist. In order to insure that
23 proper preparation and implementation of emergency telephone
24 systems are accomplished by all public agencies as required
25 under this Act, the Department, with the advice and assistance

1 of the Attorney General, shall secure compliance by public
2 agencies as provided in this Act.

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

4 (50 ILCS 750/7.1 new)

5 Sec. 7.1. Training.

6 (a) Each 9-1-1 Authority, as well as its answering points,
7 shall ensure its public safety telecommunicators and public
8 safety telecommunicator Supervisors comply with the training,
9 testing, and certification requirements established pursuant
10 to Section 2605-53 of the Department of State Police Law.

11 (b) Each 9-1-1 Authority, as well as its answering points,
12 shall maintain a record regarding its public safety
13 telecommunicators and public safety telecommunicator
14 Supervisors compliance with this Section for at least 7 years
15 and shall make the training records available for inspection
16 by the Administrator upon request.

17 (c) Costs incurred for the development of standards,
18 training, testing and certification shall be expenses paid by
19 the Department from the funds available to the Administrator
20 and the Statewide 9-1-1 Advisory Board under Section 30 of
21 this Act. Nothing in this subsection shall prohibit the use of
22 grants or other nonsurcharge funding sources available for
23 this purpose.

24 (50 ILCS 750/8) (from Ch. 134, par. 38)

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

2 Sec. 8. The Administrator, with the advice and
3 recommendation of the Statewide 9-1-1 Advisory Board, shall
4 coordinate the implementation of systems established under
5 this Act. To assist with this coordination, all systems
6 authorized to operate under this Act shall register with the
7 Administrator information regarding its composition and
8 organization, including, but not limited to, identification of
9 the 9-1-1 System Manager and all answering points.
10 Decommissioned PSAPs shall not be registered and are not part
11 of the 9-1-1 system in Illinois ~~PSAPs, SAPs, VAPs, Backup~~
12 ~~PSAPs, and Unmanned Backup PSAPs~~. The Department may adopt
13 rules for the administration of this Section.

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

15 (50 ILCS 750/10) (from Ch. 134, par. 40)

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

17 Sec. 10. (a) The Administrator, with the advice and
18 recommendation of the Statewide 9-1-1 Advisory Board, shall
19 establish uniform technical and operational standards for all
20 9-1-1 systems in Illinois. All findings, orders, decisions,
21 rules, and regulations issued or promulgated by the Commission
22 under this Act or any other Act establishing or conferring
23 power on the Commission with respect to emergency
24 telecommunications services, shall continue in force.
25 Notwithstanding the provisions of this Section, where

1 applicable, the Administrator shall, with the advice and
2 recommendation of the Statewide 9-1-1 Advisory Board, amend
3 the Commission's findings, orders, decisions, rules, and
4 regulations to conform to the specific provisions of this Act
5 as soon as practicable after the effective date of this
6 amendatory Act of the 99th General Assembly.

7 (a-5) All 9-1-1 systems are responsible for complying with
8 the uniform technical and operational standards adopted by the
9 Administrator and the Illinois State Police with the advice
10 and recommendation of the Statewide 9-1-1 Advisory Board.

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

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

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

25 (e) Any findings, orders, or decisions of the
26 Administrator under this Section shall be deemed a final

1 administrative decision and shall be subject to judicial
2 review under the Administrative Review Law.

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

4 (50 ILCS 750/10.3)

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

6 Sec. 10.3. Notice of address change. The Emergency
7 Telephone System Board ~~or qualified governmental entity~~ in any
8 county implementing a 9-1-1 system that changes any person's
9 address (when the person whose address has changed has not
10 moved to a new residence) shall notify the person (i) of the
11 person's new address and (ii) that the person should contact
12 the local election authority to determine if the person should
13 re-register to vote.

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

15 (50 ILCS 750/11.5 new)

16 Sec. 11.5. Aggregator and originating service provider
17 responsibilities.

18 (a) Each aggregator, and the originating service providers
19 whose 9-1-1 calls are being aggregated by the aggregator,
20 shall comply with their respective requirements in 83 Ill.
21 Adm. Code Part 725.410.

22 (b) Beginning July 1, 2021, each aggregator that is
23 operating within the State must email the Office of the
24 Statewide 9-1-1 Administrator to provide the following

1 information that supports the implementation of and the
2 migration to the Statewide NG9-1-1 system:

3 (1) A company 9-1-1 contact, address, email, and phone
4 number.

5 (2) A list of originating service providers that the
6 aggregator transports 9-1-1 calls for and then to the
7 appropriate 9-1-1 system provider. New or current
8 aggregators must update the required information within 30
9 days of implementing any changes in information required
10 by this subsection.

11 (c) Each aggregator shall establish procedures for
12 receiving No Record Found errors from the 9-1-1 System
13 Provider, identifying the originating service provider who
14 delivered the call to the aggregator, and referring the No
15 Record Found errors to that originating service provider.

16 (d) Each originating service provider shall establish
17 procedures with the 9-1-1 system provider for preventing and
18 resolving No Record Found errors in the 9-1-1 database and
19 make every effort to ensure 9-1-1 calls are sent to the
20 appropriate public safety answering point.

21 (e) If a 9-1-1 system is being transitioned to NG9-1-1
22 service or to a new provider, each aggregator shall be
23 responsible for coordinating any modifications that are needed
24 to ensure that the originating service provider provides the
25 required level of service to its customers. Each aggregator
26 shall coordinate those network changes or additions for those

1 migrations in a timely manner with the appropriate 9-1-1
2 system provider who shall be managing its respective
3 implementation schedule and cut over. Each aggregator shall
4 send notice to its originating service provider customers of
5 the aggregator's successful turn up of the network changes or
6 additions supporting the migration and include the necessary
7 information for the originating service provider's migration
8 (such as public safety answering point name, Federal
9 Communications Commission Identification, and Emergency
10 Services Routing Number). The notice shall be provided to the
11 originating service providers within 2 weeks of acceptance
12 testing and conversion activities between the aggregator and
13 the 9-1-1 system provider.

14 (f) The 9-1-1 system provider shall coordinate directly
15 with the originating service providers (unless the aggregator
16 separately agrees to coordinate with the originating service
17 providers) for migration, but in no case shall that migration
18 exceed 30 days after receipt of notice from the aggregator,
19 unless agreed to by the originating service provider and 9-1-1
20 system provider.

21 (g) Each aggregator shall coordinate test calls with the
22 9-1-1 system provider and the 9-1-1 Authority when turning up
23 new circuits or making network changes. Each originating
24 service provider shall perform testing of its network and
25 provisioning upon notification from the aggregator that the
26 network has been tested and accepted with the 9-1-1 system

1 provider.

2 (h) Each aggregator and originating service provider
3 customer shall deliver all 9-1-1 calls, audio, data, and
4 location to the 9-1-1 system at a location determined by the
5 State.

6 (50 ILCS 750/14) (from Ch. 134, par. 44)

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

8 Sec. 14. The General Assembly declares that a major
9 purpose of this Act is to ensure that 9-1-1 systems have
10 redundant methods of dispatch for: (1) each public safety
11 agency within its jurisdiction, herein known as participating
12 agencies; and (2) 9-1-1 systems whose jurisdictional
13 boundaries are contiguous, herein known as adjacent 9-1-1
14 systems, when an emergency request for service is received for
15 a public safety agency that needs to be dispatched by the
16 adjacent 9-1-1 system. Another primary purpose of this Section
17 is to eliminate instances in which a public safety agency
18 refuses, once dispatched, to render aid outside of the
19 jurisdictional boundaries of the public safety agency.
20 Therefore, in implementing a 9-1-1 system under this Act, all
21 9-1-1 authorities shall enter into call handling and aid
22 outside jurisdictional boundaries agreements with each
23 participating agency and adjacent 9-1-1 system. The agreements
24 shall provide a primary and secondary means of dispatch. It
25 must also provide that, once an emergency unit is dispatched

1 in response to a request through the system, such unit shall
2 render its services to the requesting party without regard to
3 whether the unit is operating outside its normal
4 jurisdictional boundaries. Certified notification of the
5 continuation of call handling and aid outside jurisdictional
6 boundaries agreements shall be made among the involved parties
7 on an annual basis. The Illinois State Police may adopt rules
8 for the administration of this Section.

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

10 (50 ILCS 750/15.2) (from Ch. 134, par. 45.2)

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

12 Sec. 15.2. Any person placing an "emergency call" to
13 ~~calling~~ the number "911" for the purpose of making an a false
14 alarm or complaint and reporting false information when, at
15 the time the call or transmission is made, the person knows
16 there is no reasonable ground for making the call or
17 transmission and further knows that the call or transmission
18 could result in the emergency response of any public safety
19 agency, is subject to the provisions of Section 26-1 of the
20 Criminal Code of 2012.

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

22 (50 ILCS 750/15.2a) (from Ch. 134, par. 45.2a)

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

24 Sec. 15.2a. The installation of or connection to a

1 telephone company's network of any automatic alarm, automatic
2 alerting device, or mechanical dialer that causes the number
3 9-1-1 to be dialed in order to directly access emergency
4 services and does not provide for 2-way communication is
5 prohibited in a 9-1-1 system.

6 This Section does not apply to a person who connects to a
7 9-1-1 network using automatic crash notification technology
8 subject to an established protocol.

9 This Section does not apply to devices used to enable
10 access to the 9-1-1 system for cognitively-impaired or special
11 needs persons or for persons with disabilities in an emergency
12 situation reported by a caregiver after initiating a missing
13 person's report. The device must have the capability to be
14 activated and controlled remotely by trained personnel at a
15 service center to prevent falsely activated or repeated calls
16 to the 9-1-1 system in a single incident. The device must have
17 the technical capability to generate location information to
18 the 9-1-1 system. Under no circumstances shall a device be
19 sold for use in a geographical jurisdiction where the 9-1-1
20 system has not deployed wireless phase II location technology.
21 The alerting device shall also provide for either 2-way
22 communication or send a pre-recorded message to a 9-1-1
23 provider explaining the nature of the emergency so that the
24 9-1-1 provider will be able to dispatch the appropriate
25 emergency responder.

26 Violation of this Section is a Class A misdemeanor. A

1 second or subsequent violation of this Section is a Class 4
2 felony.

3 (Source: P.A. 99-143, eff. 7-27-15; 100-20, eff. 7-1-17.)

4 (50 ILCS 750/15.3) (from Ch. 134, par. 45.3)

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

6 Sec. 15.3. Local non-wireless surcharge.

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

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

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

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

22 (iv) for an advanced service provisioned trunk line
23 connected between the subscriber's premises and the public
24 switched network through a P.B.X., where the advanced
25 service provisioned trunk line is capable of transporting
26 at least 2 but fewer than 23 simultaneous VGC's per trunk

1 line, the telecommunications carrier collecting the
2 surcharge may elect to impose surcharges in accordance
3 with the table provided in this Section, without limiting
4 any telecommunications carrier's obligations to otherwise
5 keep and maintain records. Any telecommunications carrier
6 electing to impose fewer than 12 surcharges per an
7 advanced service provisioned trunk line shall keep and
8 maintain records adequately to demonstrate the VGC
9 capability of each advanced service provisioned trunk line
10 with fewer than 12 surcharges imposed, provided that 12
11 surcharges shall be imposed on an advanced service
12 provisioned trunk line regardless of the VGC capability
13 where a telecommunications carrier cannot demonstrate the
14 VGC capability of the advanced service provisioned trunk
15 line.

16	Facility	VGC's	911 Surcharges
17	Advanced service provisioned trunk line	18-23	12
18	Advanced service provisioned trunk line	12-17	10
19	Advanced service provisioned trunk line	2-11	8

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

1 Assembly.

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

17 (b) For purposes of computing the surcharge imposed by
18 subsection (a), the network connections to which the surcharge
19 shall apply shall be those in-service network connections,
20 other than those network connections assigned to the
21 municipality or county, where the service address for each
22 such network connection or connections is located within the
23 corporate limits of the municipality or county levying the
24 surcharge. Except for mobile telecommunication services, the
25 "service address" shall mean the location of the primary use
26 of the network connection or connections. For mobile

1 telecommunication services, "service address" means the
2 customer's place of primary use as defined in the Mobile
3 Telecommunications Sourcing Conformity Act.

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

13 -----

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

23 -----
24 If a majority of the votes cast upon the public question
25 are in favor thereof, the surcharge shall be imposed.

26 However, if a Joint Emergency Telephone System Board is to

1 be created pursuant to an intergovernmental agreement under
2 Section 15.4, the ordinance to impose the surcharge shall be
3 subject to the approval of a majority of the total number of
4 votes cast upon the public question by the electors of all of
5 the municipalities or counties, or combination thereof, that
6 are parties to the intergovernmental agreement.

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

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

24 (e) A municipality or county may at any time by ordinance
25 change the rate of the surcharge imposed under this Section if
26 the new rate does not exceed the rate specified in the

1 referendum held pursuant to subsection (c).

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

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

17 (h) Except as expressly provided in subsection (a) of this
18 Section, on or after the effective date of this amendatory Act
19 of the 98th General Assembly and until December 31, 2017, a
20 municipality with a population of 500,000 or more shall not
21 impose a monthly surcharge per network connection in excess of
22 the highest monthly surcharge imposed as of January 1, 2014 by
23 any county or municipality under subsection (c) of this
24 Section. Beginning January 1, 2018 and until December 31, 2023
25 ~~2021~~, a municipality with a population over 500,000 may not
26 impose a monthly surcharge in excess of \$5.00 per network

1 connection. On or after January 1, 2024 ~~2022~~, a municipality
2 with a population over 500,000 may not impose a monthly
3 surcharge in excess of \$2.50 per network connection.

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

9 (j) The corporate authorities of any municipality or
10 county may issue, in accordance with Illinois law, bonds,
11 notes or other obligations secured in whole or in part by the
12 proceeds of the surcharge described in this Section. The State
13 of Illinois pledges and agrees that it will not limit or alter
14 the rights and powers vested in municipalities and counties by
15 this Section to impose the surcharge so as to impair the terms
16 of or affect the security for bonds, notes or other
17 obligations secured in whole or in part with the proceeds of
18 the surcharge described in this Section. The pledge and
19 agreement set forth in this Section survive the termination of
20 the surcharge under subsection (l) by virtue of the
21 replacement of the surcharge monies guaranteed under Section
22 20; the State of Illinois pledges and agrees that it will not
23 limit or alter the rights vested in municipalities and
24 counties to the surcharge replacement funds guaranteed under
25 Section 20 so as to impair the terms of or affect the security
26 for bonds, notes or other obligations secured in whole or in

1 part with the proceeds of the surcharge described in this
2 Section.

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

10 (l) Any surcharge imposed pursuant to this Section by a
11 county or municipality, other than a municipality with a
12 population in excess of 500,000, shall cease to be imposed on
13 January 1, 2016.

14 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

15 (50 ILCS 750/15.3a)

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

17 Sec. 15.3a. Local wireless surcharge.

18 (a) Notwithstanding any other provision of this Act, a
19 unit of local government or emergency telephone system board
20 providing wireless 9-1-1 service and imposing and collecting a
21 wireless carrier surcharge prior to July 1, 1998 may continue
22 its practices of imposing and collecting its wireless carrier
23 surcharge, but, except as provided in subsection (b) of this
24 Section, in no event shall that monthly surcharge exceed \$2.50
25 per commercial mobile radio service (CMRS) connection or

1 in-service telephone number billed on a monthly basis. For
2 mobile telecommunications services provided on and after
3 August 1, 2002, any surcharge imposed shall be imposed based
4 upon the municipality or county that encompasses the
5 customer's place of primary use as defined in the Mobile
6 Telecommunications Sourcing Conformity Act.

7 (b) Until December 31, 2017, the corporate authorities of
8 a municipality with a population in excess of 500,000 on the
9 effective date of this amendatory Act of the 99th General
10 Assembly may by ordinance continue to impose and collect a
11 monthly surcharge per commercial mobile radio service (CMRS)
12 connection or in-service telephone number billed on a monthly
13 basis that does not exceed the highest monthly surcharge
14 imposed as of January 1, 2014 by any county or municipality
15 under subsection (c) of Section 15.3 of this Act. Beginning
16 January 1, 2018, and until December 31, 2023 ~~2021~~, a
17 municipality with a population in excess of 500,000 may by
18 ordinance continue to impose and collect a monthly surcharge
19 per commercial mobile radio service (CMRS) connection or
20 in-service telephone number billed on a monthly basis that
21 does not exceed \$5.00. On or after January 1, 2024 ~~2022~~, the
22 municipality may continue imposing and collecting its wireless
23 carrier surcharge as provided in and subject to the
24 limitations of subsection (a) of this Section.

25 (c) In addition to any other lawful purpose, a
26 municipality with a population over 500,000 may use the moneys

1 collected under this Section for any anti-terrorism or
2 emergency preparedness measures, including, but not limited
3 to, preparedness planning, providing local matching funds for
4 federal or State grants, personnel training, and specialized
5 equipment, including surveillance cameras, as needed to deal
6 with natural and terrorist-inspired emergency situations or
7 events.

8 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

9 (50 ILCS 750/15.4) (from Ch. 134, par. 45.4)

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

11 Sec. 15.4. Emergency Telephone System Board; powers.

12 (a) Except as provided in subsection (e) of this Section,
13 the corporate authorities of any county or municipality may
14 establish an Emergency Telephone System Board.

15 The corporate authorities shall provide for the manner of
16 appointment and the number of members of the Board, provided
17 that the board shall consist of not fewer than 5 members, one
18 of whom must be a public member who is a resident of the local
19 exchange service territory included in the 9-1-1 coverage
20 area, one of whom (in counties with a population less than
21 100,000) may be a member of the county board, and at least 3 of
22 whom shall be representative of the 9-1-1 public safety
23 agencies, including but not limited to police departments,
24 fire departments, emergency medical services providers, and
25 emergency services and disaster agencies, and appointed on the

1 basis of their ability or experience. In counties with a
2 population of more than 100,000 but less than 2,000,000, a
3 member of the county board may serve on the Emergency
4 Telephone System Board. Elected officials, including members
5 of a county board, are also eligible to serve on the board.
6 Members of the board shall serve without compensation but
7 shall be reimbursed for their actual and necessary expenses.
8 Any 2 or more municipalities, counties, or combination
9 thereof, may, instead of establishing individual boards,
10 establish by intergovernmental agreement a Joint Emergency
11 Telephone System Board pursuant to this Section. The manner of
12 appointment of such a joint board shall be prescribed in the
13 agreement. On or after the effective date of this amendatory
14 Act of the 100th General Assembly, any new intergovernmental
15 agreement entered into to establish or join a Joint Emergency
16 Telephone System Board shall provide for the appointment of a
17 PSAP representative to the board.

18 Upon the effective date of this amendatory Act of the 98th
19 General Assembly, appointed members of the Emergency Telephone
20 System Board shall serve staggered 3-year terms if: (1) the
21 Board serves a county with a population of 100,000 or less; and
22 (2) appointments, on the effective date of this amendatory Act
23 of the 98th General Assembly, are not for a stated term. The
24 corporate authorities of the county or municipality shall
25 assign terms to the board members serving on the effective
26 date of this amendatory Act of the 98th General Assembly in the

1 following manner: (1) one-third of board members' terms shall
2 expire on January 1, 2015; (2) one-third of board members'
3 terms shall expire on January 1, 2016; and (3) remaining board
4 members' terms shall expire on January 1, 2017. Board members
5 may be re-appointed upon the expiration of their terms by the
6 corporate authorities of the county or municipality.

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

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

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

17 (2) Coordinating and supervising the implementation,
18 upgrading, or maintenance of the system, including the
19 establishment of equipment specifications and coding
20 systems.

21 (3) Receiving moneys from the surcharge imposed under
22 Section 15.3, or disbursed to it under Section 30, and
23 from any other source, for deposit into the Emergency
24 Telephone System Fund.

25 (4) Authorizing all disbursements from the fund.

26 (5) Hiring any staff necessary for the implementation

1 or upgrade of the system.

2 (6) (Blank).

3 (7) Designating a 9-1-1 System Manager, whose duties
4 and responsibilities shall be set forth by the Emergency
5 Telephone System Board in writing.

6 (c) All moneys received by a board pursuant to a surcharge
7 imposed under Section 15.3, or disbursed to it under Section
8 30, shall be deposited into a separate interest-bearing
9 Emergency Telephone System Fund account. The treasurer of the
10 municipality or county that has established the board or, in
11 the case of a joint board, any municipal or county treasurer
12 designated in the intergovernmental agreement, shall be
13 custodian of the fund. All interest accruing on the fund shall
14 remain in the fund. No expenditures may be made from such fund
15 except upon the direction of the board by resolution passed by
16 a majority of all members of the board.

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

21 (e) On and after January 1, 2016, no municipality or
22 county may create an Emergency Telephone System Board unless
23 the board is a Joint Emergency Telephone System Board. The
24 corporate authorities of any county or municipality entering
25 into an intergovernmental agreement to create or join a Joint
26 Emergency Telephone System Board shall rescind an ordinance or

1 ordinances creating a single Emergency Telephone System Board
2 and shall eliminate the single Emergency Telephone System
3 Board, effective upon the creation of the Joint Emergency
4 Telephone System Board, with regulatory approval by the
5 Administrator, or joining of the Joint Emergency Telephone
6 System Board. Nothing in this Section shall be construed to
7 require the dissolution of an Emergency Telephone System Board
8 that is not succeeded by a Joint Emergency Telephone System
9 Board or is not required to consolidate under Section 15.4a of
10 this Act.

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

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

19 (50 ILCS 750/15.4a)

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

21 Sec. 15.4a. Consolidation.

22 (a) By July 1, 2017, and except as otherwise provided in
23 this Section, Emergency Telephone System Boards, Joint
24 Emergency Telephone System Boards, ~~qualified governmental~~
25 ~~entities,~~ and PSAPs shall be consolidated as follows, subject

1 to subsections (b) and (c) of this Section:

2 (1) In any county with a population of at least
3 250,000 that has a single Emergency Telephone System
4 Board, ~~or qualified governmental entity~~ and more than 2
5 PSAPs, shall reduce the number of PSAPs by at least 50% or
6 to 2 PSAPs, whichever is greater. Nothing in this
7 paragraph shall preclude consolidation resulting in one
8 PSAP in the county.

9 (2) In any county with a population of at least
10 250,000 that has more than one Emergency Telephone System
11 Board, Joint Emergency Telephone System Board, ~~or~~
12 ~~qualified governmental entity~~, any 9-1-1 Authority serving
13 a population of less than 25,000 shall be consolidated
14 such that no 9-1-1 Authority in the county serves a
15 population of less than 25,000.

16 (3) In any county with a population of at least
17 250,000 but less than 1,000,000 that has more than one
18 Emergency Telephone System Board, Joint Emergency
19 Telephone System Board, ~~or qualified governmental entity~~,
20 each 9-1-1 Authority shall reduce the number of PSAPs by
21 at least 50% or to 2 PSAPs, whichever is greater. Nothing
22 in this paragraph shall preclude consolidation of a 9-1-1
23 Authority into a Joint Emergency Telephone System Board,
24 and nothing in this paragraph shall preclude consolidation
25 resulting in one PSAP in the county.

26 (4) In any county with a population of less than

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

7 (5) In any county with a population of less than
8 250,000 that has more than one Emergency Telephone System
9 Board or ~~Joint Emergency Telephone System Board, or~~
10 ~~qualified governmental entity~~ and more than 2 PSAPs, the
11 9-1-1 Authorities shall be consolidated into a single
12 joint board, and the number of PSAPs shall be reduced by at
13 least 50% or to 2 PSAPs, whichever is greater. Nothing in
14 this paragraph shall preclude consolidation resulting in
15 one PSAP in the county.

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

21 (7) The corporate authorities of each county that has
22 no 9-1-1 service as of January 1, 2016 shall provide
23 ~~enhanced~~ 9-1-1 wireline and wireless ~~enhanced~~ 9-1-1
24 service for that county by either (i) entering into an
25 intergovernmental agreement with an existing Emergency
26 Telephone System Board to create a new Joint Emergency

1 Telephone System Board, or (ii) entering into an
2 intergovernmental agreement with the corporate authorities
3 that have created an existing Joint Emergency Telephone
4 System Board.

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

12 (1) No county or 9-1-1 Authority may avoid the
13 requirements of this Section by converting primary PSAPs
14 to secondary or virtual answering points; however a PSAP
15 may be decommissioned. Staff from decommissioned PSAPs may
16 remain to perform nonemergency police, fire, or EMS
17 responsibilities. Any county or 9-1-1 Authority not in
18 compliance with this Section shall be ineligible to
19 receive consolidation grant funds issued under Section
20 15.4b of this Act or monthly disbursements otherwise due
21 under Section 30 of this Act, until the county or 9-1-1
22 Authority is in compliance.

23 (2) Within 60 calendar days of receiving a
24 consolidation plan or waiver, the Statewide 9-1-1 Advisory
25 Board shall hold at least one public hearing on the plan
26 and provide a recommendation to the Administrator. Notice

1 of the hearing shall be provided to the respective entity
2 to which the plan applies.

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

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

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

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

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

1 (50 ILCS 750/15.6)

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

3 Sec. 15.6. ~~Enhanced~~ 9-1-1 service; business service.

4 (a) After June 30, 2000, or within 18 months after
5 ~~enhanced~~ 9-1-1 service becomes available, any entity that
6 installs or operates a private business switch service and
7 provides telecommunications facilities or services to
8 businesses shall assure that the system is connected to the
9 public switched network in a manner that calls to 9-1-1 result
10 in automatic number and location identification. For buildings
11 having their own street address and containing workspace of
12 40,000 square feet or less, location identification shall
13 include the building's street address. For buildings having
14 their own street address and containing workspace of more than
15 40,000 square feet, location identification shall include the
16 building's street address and one distinct location
17 identification per 40,000 square feet of workspace. Separate
18 buildings containing workspace of 40,000 square feet or less
19 having a common public street address shall have a distinct
20 location identification for each building in addition to the
21 street address.

22 (b) Exemptions. Buildings containing workspace of more
23 than 40,000 square feet are exempt from the multiple location
24 identification requirements of subsection (a) if the building
25 maintains, at all times, alternative and adequate means of
26 signaling and responding to emergencies. Those means shall

1 include, but not be limited to, a telephone system that
2 provides the physical location of 9-1-1 calls coming from
3 within the building. Health care facilities are presumed to
4 meet the requirements of this paragraph if the facilities are
5 staffed with medical or nursing personnel 24 hours per day and
6 if an alternative means of providing information about the
7 source of an emergency call exists. Buildings under this
8 exemption must provide 9-1-1 service that provides the
9 building's street address.

10 Buildings containing workspace of more than 40,000 square
11 feet are exempt from subsection (a) if the building maintains,
12 at all times, alternative and adequate means of signaling and
13 responding to emergencies, including a telephone system that
14 provides the location of a 9-1-1 call coming from within the
15 building, and the building is serviced by its own medical,
16 fire and security personnel. Buildings under this exemption
17 are subject to emergency phone system certification by the
18 Administrator.

19 Buildings in communities not serviced by ~~enhanced~~ 9-1-1
20 service are exempt from subsection (a).

21 Correctional institutions and facilities, as defined in
22 subsection (d) of Section 3-1-2 of the Unified Code of
23 Corrections, are exempt from subsection (a).

24 (c) This Act does not apply to any PBX telephone extension
25 that uses radio transmissions to convey electrical signals
26 directly between the telephone extension and the serving PBX.

1 (d) An entity that violates this Section is guilty of a
2 business offense and shall be fined not less than \$1,000 and
3 not more than \$5,000.

4 (e) Nothing in this Section shall be construed to preclude
5 the Attorney General on behalf of the Department or on his or
6 her own initiative, or any other interested person, from
7 seeking judicial relief, by mandamus, injunction, or
8 otherwise, to compel compliance with this Section.

9 (f) The Department may promulgate rules for the
10 administration of this Section.

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

12 (50 ILCS 750/15.6a)

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

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

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

17 (b) The Department may set non-discriminatory and uniform
18 technical and operational standards consistent with the rules
19 of the Federal Communications Commission for directing calls
20 to authorized public safety answering points. These standards
21 shall not in any way prescribe the technology or manner a
22 wireless carrier shall use to deliver wireless 9-1-1 or
23 wireless E9-1-1 calls, and these standards shall not exceed
24 the requirements set by the Federal Communications Commission;
25 however, standards for directing calls to the authorized

1 public safety answering point shall be included. The authority
2 given to the Department in this Section is limited to setting
3 standards as set forth herein and does not constitute
4 authority to regulate wireless carriers.

5 (c) For the purpose of providing wireless 9-1-1 emergency
6 services, an emergency telephone system board ~~or, in the~~
7 ~~absence of an emergency telephone system board, a qualified~~
8 ~~governmental entity,~~ may declare its intention for one or more
9 of its public safety answering points to serve as a primary
10 wireless 9-1-1 public safety answering point for its
11 jurisdiction by notifying the Administrator in writing within
12 6 months after receiving its authority to operate a 9-1-1
13 system under this Act. In addition, 2 or more emergency
14 telephone system boards ~~or qualified governmental entities~~
15 may, by virtue of an intergovernmental agreement, provide
16 wireless 9-1-1 service. Until the jurisdiction comes into
17 compliance with Section 15.4a of this Act, the Department of
18 State Police shall be the primary wireless 9-1-1 public safety
19 answering point for any jurisdiction that did not provide
20 notice to the Illinois Commerce Commission and the Department
21 prior to January 1, 2016.

22 (d) The Administrator, upon a request from ~~a qualified~~
23 ~~governmental entity or~~ an emergency telephone system board and
24 with the advice and recommendation of the Statewide 9-1-1
25 Advisory Board, may grant authority to the emergency telephone
26 system board ~~or a qualified governmental entity~~ to provide

1 wireless 9-1-1 service in areas for which the Department has
2 accepted wireless 9-1-1 responsibility. The Administrator
3 shall maintain a current list of all 9-1-1 systems ~~and~~
4 ~~qualified governmental entities~~ providing wireless 9-1-1
5 service under this Act.

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

7 (50 ILCS 750/15.6b)

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

9 Sec. 15.6b. Next Generation 9-1-1 service.

10 (a) The Administrator, with the advice and recommendation
11 of the Statewide 9-1-1 Advisory Board, shall develop and
12 implement a plan for a statewide Next Generation 9-1-1
13 network. The Next Generation 9-1-1 network must be an Internet
14 protocol-based platform that at a minimum provides:

15 (1) improved 9-1-1 call delivery;

16 (2) enhanced interoperability;

17 (3) increased ease of communication between 9-1-1
18 service providers, allowing immediate transfer of 9-1-1
19 calls, caller information, photos, and other data
20 statewide;

21 (4) a hosted solution with redundancy built in; and

22 (5) compliance with the most current NENA Standards ~~is~~
23 ~~Solution 08-003~~.

24 (b) By July 1, 2016, the Administrator, with the advice
25 and recommendation of the Statewide 9-1-1 Advisory Board,

1 shall design and issue a competitive request for a proposal to
2 secure the services of a consultant to complete a feasibility
3 study on the implementation of a statewide Next Generation
4 9-1-1 network in Illinois. By July 1, 2017, the consultant
5 shall complete the feasibility study and make recommendations
6 as to the appropriate procurement approach for developing a
7 statewide Next Generation 9-1-1 network.

8 (c) Within 12 months of the final report from the
9 consultant under subsection (b) of this Section, the
10 Department shall procure and finalize a contract with a vendor
11 certified under Section 13-900 of the Public Utilities Act to
12 establish a statewide Next Generation 9-1-1 network. The
13 Illinois State Police, in consultation with and subject to the
14 approval of the Chief Procurement Officer, may procure a
15 single contract or multiple contracts to implement the
16 provisions of this Section. A contract or contracts under this
17 subsection are not subject to the provisions of the Illinois
18 Procurement Code, except for Sections 20-60, 20-65, 20-70, and
19 20-160 and Article 50 of that Code, provided that the Chief
20 Procurement Officer may, in writing with justification, waive
21 any certification required under Article 50 of the Illinois
22 Procurement Code. This exemption is inoperative 2 years from
23 the effective date of this Amendatory Act of the 102nd General
24 Assembly. Within 18 months of securing the contract ~~By July 1,~~
25 ~~2021,~~ the vendor shall implement a Next Generation 9-1-1
26 network that allows 9-1-1 systems providing 9-1-1 service to

1 Illinois residents to access the system utilizing their
2 current infrastructure if it meets the standards adopted by
3 the Department.

4 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

5 (50 ILCS 750/17.5)

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

7 Sec. 17.5. Statewide 9-1-1 Call Directory ~~call transfer,~~
8 ~~forward, or relay.~~

9 (a) The General Assembly finds the following:

10 (1) Some 9-1-1 systems throughout this State do not
11 have a procedure in place to manually transfer, ~~forward,~~
12 ~~or relay~~ 9-1-1 calls originating within one 9-1-1 system's
13 jurisdiction, but which should properly be answered and
14 dispatched by another 9-1-1 system, to the appropriate
15 9-1-1 system for answering and dispatch of first
16 responders.

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

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

24 (b) The Department shall prepare a directory of all
25 authorized 9-1-1 systems in the State. The directory shall

1 include an emergency 24/7 10-digit telephone number for all
2 primary public safety answering points located in each 9-1-1
3 system to which 9-1-1 calls from another jurisdiction can be
4 transferred. This directory shall be made available to each
5 9-1-1 authority for its use in establishing standard operating
6 procedures regarding calls outside its 9-1-1 jurisdiction.

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

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

12 (2) The 24/7 10-digit emergency telephone number ~~and~~
13 ~~email address~~ for the dispatch agency to which 9-1-1 calls
14 originating in another 9-1-1 jurisdiction can be
15 transferred ~~or by which the PSAP can be contacted via~~
16 ~~email~~ to exchange information. The emergency telephone
17 number must be a direct line that is not answered by an
18 automated system but rather is answered by a person. Each
19 9-1-1 system shall provide the Department with any changes
20 to the participating agencies and this number ~~and email~~
21 ~~address~~ immediately upon the change occurring. Each 9-1-1
22 system shall provide the PSAP information and ~~the~~ 24/7
23 10-digit emergency telephone number ~~and email address to~~
24 ~~the Manager of the Department's 9-1-1 Program~~ within 30
25 days of the effective date of this amendatory Act of the
26 102nd 100th General Assembly.

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

10 (d) Unless exigent circumstances dictate otherwise, each
11 9-1-1 system's public safety telecommunicators shall be
12 responsible for remaining on the line with the caller when a
13 9-1-1 call originates within its jurisdiction to ensure the
14 9-1-1 call is transferred to the appropriate authorized entity
15 for answer and dispatch until a public safety telecommunicator
16 is on the line and confirms jurisdiction for the call.

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

18 (50 ILCS 750/19)

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

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

21 (a) Beginning July 1, 2015, there is created the Statewide
22 9-1-1 Advisory Board within the Department of State Police.
23 The Board shall consist of the following 11 voting members:

24 (1) The Director of the State Police, or his or her
25 designee, who shall serve as chairman.

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

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

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

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

10 (C) one member representing a county 9-1-1 system
11 from a county with a population of less than 37,000
12 ~~50,000~~;

13 (C-5) one member representing a county 9-1-1
14 system from a county with a population between 37,000
15 and 100,000;

16 (D) one member representing a county 9-1-1 system
17 from a county with a population between 100,001 ~~50,000~~
18 and 250,000;

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

21 (F) one member representing a municipal or
22 intergovernmental cooperative 9-1-1 system, excluding
23 any single municipality over 500,000 ~~municipality with~~
24 ~~a population of less than 500,000 in a county with a~~
25 ~~population in excess of 2,000,000;~~

26 (G) one member representing the Illinois

1 Association of Chiefs of Police;

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

4 (I) one member representing the Illinois Fire
5 Chiefs Association.

6 The Governor shall appoint the following non-voting
7 members: (i) one member representing an incumbent local
8 exchange 9-1-1 system provider; (ii) one member representing a
9 non-incumbent local exchange 9-1-1 system provider; (iii) one
10 member representing a large wireless carrier; (iv) one member
11 representing an incumbent local exchange carrier; (v) one
12 member representing the Illinois Broadband and
13 Telecommunications Association; (vi) one member representing
14 the Illinois Broadband and Cable ~~Television and Communication~~
15 Association ~~of Illinois~~; and (vii) one member representing the
16 Illinois State Ambulance Association. The Speaker of the House
17 of Representatives, the Minority Leader of the House of
18 Representatives, the President of the Senate, and the Minority
19 Leader of the Senate may each appoint a member of the General
20 Assembly to temporarily serve as a non-voting member of the
21 Board during the 12 months prior to the repeal date of this Act
22 to discuss legislative initiatives of the Board.

23 (b) The Governor shall make initial appointments to the
24 Statewide 9-1-1 Advisory Board by August 31, 2015. Six of the
25 voting members appointed by the Governor shall serve an
26 initial term of 2 years, and the remaining voting members

1 appointed by the Governor shall serve an initial term of 3
2 years. Thereafter, each appointment by the Governor shall be
3 for a term of 3 years. Non-voting members shall serve for a
4 term of 3 years. Vacancies shall be filled in the same manner
5 as the original appointment. Persons appointed to fill a
6 vacancy shall serve for the balance of the unexpired term.

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

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

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

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

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

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

24 (e) The Statewide 9-1-1 Advisory Board shall submit to the
25 General Assembly a report by March 1 of each year providing an
26 update on the transition to a statewide 9-1-1 system and

1 recommending any legislative action.

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

4 (Source: P.A. 99-6, eff. 6-29-15; 100-20, eff. 7-1-17.)

5 (50 ILCS 750/20)

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

7 Sec. 20. Statewide surcharge.

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

13 (1) Each telecommunications carrier shall impose a
14 monthly surcharge per network connection; provided,
15 however, the monthly surcharge shall not apply to a
16 network connection provided for use with pay telephone
17 services. Where multiple voice grade communications
18 channels are connected between the subscriber's premises
19 and a public switched network through private branch
20 exchange (PBX), Centrex ~~centrex~~ type service, or other
21 multiple voice grade communication channels facility,
22 there shall be imposed 5 such surcharges per network
23 connection for both regular service and advanced service
24 provisioned trunk lines. Until December 31, 2017, the
25 surcharge shall be \$0.87 per network connection and on and

1 after January 1, 2018, the surcharge shall be \$1.50 per
2 network connection.

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

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

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

15 (d) The telecommunications carrier collecting the
16 surcharge may deduct and retain 1.74% ~~an amount not to exceed~~
17 ~~3%~~ of the gross amount of surcharge collected to reimburse the
18 telecommunications carrier for the expense of accounting and
19 collecting the surcharge. On and after July 1, 2022, the
20 wireless carrier collecting a surcharge under this Section may
21 deduct and retain 1.74% ~~an amount not to exceed 3%~~ of the gross
22 amount of the surcharge collected to reimburse the wireless
23 carrier for the expense of accounting and collecting the
24 surcharge.

25 (d-5) Notwithstanding the provisions of subsection (d) of
26 this Section, an amount not greater than 2.5% may be deducted

1 and retained if the telecommunications or wireless carrier can
2 support through documentation, expenses that exceed the 1.74%
3 allowed. The documentation shall be submitted to the Illinois
4 State Police and input obtained from the Statewide 9-1-1
5 Advisory Board prior to approval of the deduction.

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

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

22 (f) If, within 8 calendar days after it is due under
23 subsection (e) of this Section, a carrier does not remit the
24 surcharge or any portion thereof required under this Section,
25 then the surcharge or portion thereof shall be deemed
26 delinquent until paid in full, and the Department may impose a

1 penalty against the carrier in an amount equal to the greater
2 of:

3 (1) \$25 for each month or portion of a month from the
4 time an amount becomes delinquent until the amount is paid
5 in full; or

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

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

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

22 (1) \$25 for each month or portion of a month that the
23 report is delinquent; or

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

1 provided.

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

10 (h) A penalty imposed and collected in accordance with
11 subsection (f) or (g) of this Section shall be deposited into
12 the Statewide 9-1-1 Fund for distribution according to Section
13 30 of this Act.

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

22 (j) Notwithstanding any provision of law to the contrary,
23 nothing shall impair the right of wireless carriers to recover
24 compliance costs for all emergency communications services
25 that are not reimbursed out of the Wireless Carrier
26 Reimbursement Fund directly from their wireless subscribers by

1 line-item charges on the wireless subscriber's bill. Those
2 compliance costs include all costs incurred by wireless
3 carriers in complying with local, State, and federal
4 regulatory or legislative mandates that require the
5 transmission and receipt of emergency communications to and
6 from the general public, including, but not limited to,
7 E9-1-1.

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

9 (50 ILCS 750/30)

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

11 Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.

12 (a) A special fund in the State treasury known as the
13 Wireless Service Emergency Fund shall be renamed the Statewide
14 9-1-1 Fund. Any appropriations made from the Wireless Service
15 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
16 The Fund shall consist of the following:

17 (1) 9-1-1 wireless surcharges assessed under the
18 Wireless Emergency Telephone Safety Act.

19 (2) 9-1-1 surcharges assessed under Section 20 of this
20 Act.

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

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

25 (5) Any income from interest, premiums, gains, or

1 other earnings on moneys in the Fund.

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

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

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

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

18 (B) \$0.033 shall be transferred by the Comptroller
19 at the direction of the Department to the Wireless
20 Carrier Reimbursement Fund until June 30, 2017; from
21 July 1, 2017 through June 30, 2018, \$0.026 shall be
22 transferred; from July 1, 2018 through June 30, 2019,
23 \$0.020 shall be transferred; from July 1, 2019,
24 through June 30, 2020, \$0.013 shall be transferred;
25 from July 1, 2020 through June 30, 2021, \$0.007 will be
26 transferred; and after June 30, 2021, no transfer

1 shall be made to the Wireless Carrier Reimbursement
2 Fund.

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

6 (D) Beginning January 1, 2018, until June 30,
7 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
8 be used to make monthly proportional grants to the
9 appropriate 9-1-1 Authority currently taking wireless
10 9-1-1 based upon the United States Postal Zip Code of
11 the billing addresses of subscribers wireless
12 carriers.

13 (E) Until June 30, 2023 ~~2021~~, \$0.05 shall be used
14 by the Department for grants for NG9-1-1 expenses,
15 with priority given to 9-1-1 Authorities that provide
16 9-1-1 service within the territory of a Large Electing
17 Provider as defined in Section 13-406.1 of the Public
18 Utilities Act.

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

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

25 (A) The Fund shall pay monthly to:

26 (i) the 9-1-1 Authorities that imposed

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

19 (ii) county qualified governmental entities
20 that did not impose a surcharge under Section 15.3
21 as of December 31, 2015, and counties that did not
22 impose a surcharge as of June 30, 2015, an amount
23 equivalent to their population multiplied by .37
24 multiplied by the rate of \$0.69; counties that are
25 not county qualified governmental entities and
26 that did not impose a surcharge as of December 31,

1 2015, shall not begin to receive the payment
2 provided for in this subsection until E9-1-1 and
3 wireless E9-1-1 services are provided within their
4 counties; or

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

10 (B) All 9-1-1 network costs for systems outside of
11 municipalities with a population of at least 500,000
12 shall be paid by the Department directly to the
13 vendors.

14 (C) All expenses incurred by the Administrator and
15 the Statewide 9-1-1 Advisory Board and costs
16 associated with procurement under Section 15.6b
17 including requests for information and requests for
18 proposals.

19 (D) Funds may be held in reserve by the Statewide
20 9-1-1 Advisory Board and disbursed by the Department
21 for grants under Section 15.4b of this Act and for
22 NG9-1-1 expenses up to \$12.5 million per year in State
23 fiscal years 2016 and 2017; up to \$20 million in State
24 fiscal year 2018; up to \$20.9 million in State fiscal
25 year 2019; up to \$15.3 million in State fiscal year
26 2020; up to \$16.2 million in State fiscal year 2021; up

1 to \$23.1 million in State fiscal year 2022; and up to
2 \$17.0 million per year for State fiscal year 2023 and
3 each year thereafter. The amount held in reserve in
4 State fiscal years 2021, 2022, and 2023 ~~2018 and 2019~~
5 shall not be less than \$6.5 million. Disbursements
6 under this subparagraph (D) shall be prioritized as
7 follows: (i) consolidation grants prioritized under
8 subsection (a) of Section 15.4b of this Act; (ii)
9 NG9-1-1 expenses; and (iii) consolidation grants under
10 Section 15.4b of this Act for consolidation expenses
11 incurred between January 1, 2010, and January 1, 2016.

12 (E) All remaining funds per remit month shall be
13 used to make monthly proportional grants to the
14 appropriate 9-1-1 Authority currently taking wireless
15 9-1-1 based upon the United States Postal Zip Code of
16 the billing addresses of subscribers of wireless
17 carriers.

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

22 (d) Whenever two or more 9-1-1 Authorities consolidate,
23 the resulting Joint Emergency Telephone System Board shall be
24 entitled to the monthly payments that had theretofore been
25 made to each consolidating 9-1-1 Authority. Any reserves held
26 by any consolidating 9-1-1 Authority shall be transferred to

1 the resulting Joint Emergency Telephone System Board. Whenever
2 a county that has no 9-1-1 service as of January 1, 2016 enters
3 into an agreement to consolidate to create or join a Joint
4 Emergency Telephone System Board, the Joint Emergency
5 Telephone System Board shall be entitled to the monthly
6 payments that would have otherwise been paid to the county if
7 it had provided 9-1-1 service.

8 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

9 (50 ILCS 750/40)

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

11 Sec. 40. Financial reports.

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

19 (b) By January 31, 2018, and every January 31 thereafter,
20 each emergency telephone system board, ~~qualified governmental~~
21 ~~entity,~~ or unit of local government receiving surcharge money
22 pursuant to Section 15.3, 15.3a, or 30 shall report to the
23 Department audited financial statements showing total revenue
24 and expenditures for the period beginning with the end of the
25 period covered by the last submitted report through the end of

1 the previous calendar year in a form and manner as prescribed
2 by the Department. Such financial information shall include:

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

6 (2) all expenditures made during the reporting period
7 from distributions under this Act;

8 (3) call data and statistics, when available, from the
9 reporting period, as specified by the Department and
10 collected in accordance with any reporting method
11 established or required by the Department;

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

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

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

23 (c) Along with its audited financial statement, each
24 emergency telephone system board, ~~qualified governmental~~
25 ~~entity,~~ or unit of local government receiving a grant under
26 Section 15.4b of this Act shall include a report of the amount

1 of grant moneys received and how the grant moneys were used. In
2 case of a conflict between this requirement and the Grant
3 Accountability and Transparency Act, or with the rules of the
4 Governor's Office of Management and Budget adopted thereunder,
5 that Act and those rules shall control.

6 (d) If an emergency telephone system board ~~or qualified~~
7 ~~governmental entity~~ that receives funds from the Statewide
8 9-1-1 Fund fails to file the 9-1-1 system financial reports as
9 required under this Section, the Department shall suspend and
10 withhold monthly disbursements otherwise due to the emergency
11 telephone system board ~~or qualified governmental entity~~ under
12 Section 30 of this Act until the report is filed.

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

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

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

25 (f) Any findings or decisions of the Department under this
26 Section shall be deemed a final administrative decision and

1 shall be subject to judicial review under the Administrative
2 Review Law.

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

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

8 (50 ILCS 750/99)

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

10 Sec. 99. Repealer. This Act is repealed on December 31,
11 2023 ~~2021~~.

12 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

13 (50 ILCS 750/9 rep.)

14 (50 ILCS 750/13 rep.)

15 (50 ILCS 750/17 rep.)

16 Section 15. The Emergency Telephone System Act is amended
17 by repealing Sections 9, 13, and 17.

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

20 (50 ILCS 753/15)

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

22 (a) Until September 30, 2015, there is hereby imposed on

1 consumers a prepaid wireless 9-1-1 surcharge of 1.5% per
2 retail transaction. Beginning October 1, 2015, the prepaid
3 wireless 9-1-1 surcharge shall be 3% per retail transaction.
4 The surcharge authorized by this subsection (a) does not apply
5 in a home rule municipality having a population in excess of
6 500,000.

7 (a-5) On or after the effective date of this amendatory
8 Act of the 98th General Assembly and until December 31, 2023
9 ~~2020~~, a home rule municipality having a population in excess
10 of 500,000 on the effective date of this amendatory Act may
11 impose a prepaid wireless 9-1-1 surcharge not to exceed 9% per
12 retail transaction sourced to that jurisdiction and collected
13 and remitted in accordance with the provisions of subsection
14 (b-5) of this Section. ~~On or after January 1, 2021, a home rule~~
15 ~~municipality having a population in excess of 500,000 on the~~
16 ~~effective date of this Act may only impose a prepaid wireless~~
17 ~~9-1-1 surcharge not to exceed 7% per retail transaction~~
18 ~~sourced to that jurisdiction and collected and remitted in~~
19 ~~accordance with the provisions of subsection (b-5).~~

20 (b) The prepaid wireless 9-1-1 surcharge shall be
21 collected by the seller from the consumer with respect to each
22 retail transaction occurring in this State and shall be
23 remitted to the Department by the seller as provided in this
24 Act. The amount of the prepaid wireless 9-1-1 surcharge shall
25 be separately stated as a distinct item apart from the charge
26 for the prepaid wireless telecommunications service on an

1 invoice, receipt, or other similar document that is provided
2 to the consumer by the seller or shall be otherwise disclosed
3 to the consumer. If the seller does not separately state the
4 surcharge as a distinct item to the consumer as provided in
5 this Section, then the seller shall maintain books and records
6 as required by this Act which clearly identify the amount of
7 the 9-1-1 surcharge for retail transactions.

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

26 (b-5) The prepaid wireless 9-1-1 surcharge imposed under

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

13 For purposes of this subsection (b-5), a retail
14 transaction occurs in the municipality if (i) the retail
15 transaction is made in person by a consumer at the seller's
16 business location and the business is located within the
17 municipality; (ii) the seller is a provider and sells prepaid
18 wireless telecommunications service to a consumer located in
19 the municipality; (iii) the retail transaction is treated as
20 occurring in the municipality for purposes of the Retailers'
21 Occupation Tax Act; or (iv) a seller that is included within
22 the definition of a "retailer maintaining a place of business
23 in this State" under Section 2 of the Use Tax Act makes a sale
24 of prepaid wireless telecommunications service to a consumer
25 located in the municipality. In the case of a retail
26 transaction which does not occur in person at a seller's

1 business location, if a consumer uses a credit card to
2 purchase prepaid wireless telecommunications service on-line
3 or over the telephone, and no product is shipped to the
4 consumer, the transaction occurs in the municipality if the
5 billing address for the consumer's credit card is in the
6 municipality.

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

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

23 (d) The amount of the prepaid wireless 9-1-1 surcharge
24 that is collected by a seller from a consumer, if such amount
25 is separately stated on an invoice, receipt, or other similar
26 document provided to the consumer by the seller, shall not be

1 included in the base for measuring any tax, fee, surcharge, or
2 other charge that is imposed by this State, any political
3 subdivision of this State, or any intergovernmental agency.

4 (e) (Blank).

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

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

1 with a prepaid wireless device for a single, non-itemized
2 price, then the seller may elect not to apply the percentage
3 specified in subsection (a) or (a-5) of this Section 15 to such
4 transaction. For purposes of this subsection, an amount of
5 service denominated as 10 minutes or less or \$5 or less is
6 considered minimal.

7 (g) The prepaid wireless 9-1-1 surcharge imposed under
8 subsections (a) and (a-5) of this Section is not imposed on the
9 provider or the consumer for wireless Lifeline service where
10 the consumer does not pay the provider for the service. Where
11 the consumer purchases from the provider optional minutes,
12 texts, or other services in addition to the federally funded
13 Lifeline benefit, a consumer must pay the prepaid wireless
14 9-1-1 surcharge, and it must be collected by the seller
15 according to subsection (b-5).

16 (Source: P.A. 99-6, eff. 6-29-15; 100-20, eff. 7-1-17.)

17 Section 25. The Small Wireless Facilities Deployment Act
18 is amended by changing Sections 15 and 90 and by adding Section
19 45 as follows:

20 (50 ILCS 840/15) (was 50 ILCS 835/15)

21 (Section scheduled to be repealed on June 1, 2021)

22 Sec. 15. Regulation of small wireless facilities.

23 (a) This Section applies to activities of a wireless
24 provider within or outside rights-of-way.

1 (b) Except as provided in this Section, an authority may
2 not prohibit, regulate, or charge for the collocation of small
3 wireless facilities.

4 (c) Small wireless facilities shall be classified as
5 permitted uses and subject to administrative review in
6 conformance with this Act, except as provided in paragraph (5)
7 of subsection (d) of this Section regarding height exceptions
8 or variances, but not subject to zoning review or approval if
9 they are collocated (i) in rights-of-way in any zone, or (ii)
10 outside rights-of-way in property zoned exclusively for
11 commercial or industrial use.

12 (d) An authority may require an applicant to obtain one or
13 more permits to collocate a small wireless facility. An
14 authority shall receive applications for, process, and issue
15 permits subject to the following requirements:

16 (1) An authority may not directly or indirectly
17 require an applicant to perform services unrelated to the
18 collocation for which approval is sought, such as in-kind
19 contributions to the authority, including reserving fiber,
20 conduit, or utility pole space for the authority on the
21 wireless provider's utility pole. An authority may reserve
22 space on authority utility poles for future public safety
23 uses or for the authority's electric utility uses, but a
24 reservation of space may not preclude the collocation of a
25 small wireless facility unless the authority reasonably
26 determines that the authority utility pole cannot

1 accommodate both uses.

2 (2) An applicant shall not be required to provide more
3 information to obtain a permit than the authority requires
4 of a communications service provider that is not a
5 wireless provider that requests to attach facilities to a
6 structure; however, a wireless provider may be required to
7 provide the following information when seeking a permit to
8 collocate small wireless facilities on a utility pole or
9 wireless support structure:

10 (A) site specific structural integrity and, for an
11 authority utility pole, make-ready analysis prepared
12 by a structural engineer, as that term is defined in
13 Section 4 of the Structural Engineering Practice Act
14 of 1989;

15 (B) the location where each proposed small
16 wireless facility or utility pole would be installed
17 and photographs of the location and its immediate
18 surroundings depicting the utility poles or structures
19 on which each proposed small wireless facility would
20 be mounted or location where utility poles or
21 structures would be installed;

22 (C) specifications and drawings prepared by a
23 structural engineer, as that term is defined in
24 Section 4 of the Structural Engineering Practice Act
25 of 1989, for each proposed small wireless facility
26 covered by the application as it is proposed to be

1 installed;

2 (D) the equipment type and model numbers for the
3 antennas and all other wireless equipment associated
4 with the small wireless facility;

5 (E) a proposed schedule for the installation and
6 completion of each small wireless facility covered by
7 the application, if approved; ~~and~~

8 (F) certification that the collocation complies
9 with paragraph (6) to the best of the applicant's
10 knowledge; and -

11 (G) the wireless provider's certification from a
12 radio engineer that it operates the small wireless
13 facility within all applicable FCC standards.

14 (3) Subject to paragraph (6), an authority may not
15 require the placement of small wireless facilities on any
16 specific utility pole, or category of utility poles, or
17 require multiple antenna systems on a single utility pole;
18 however, with respect to an application for the
19 collocation of a small wireless facility associated with a
20 new utility pole, an authority may propose that the small
21 wireless facility be collocated on an existing utility
22 pole or existing wireless support structure within 200 ~~100~~
23 feet of the proposed collocation, which the applicant
24 shall accept if it has the right to use the alternate
25 structure on reasonable terms and conditions and the
26 alternate location and structure does not impose technical

1 limits or additional material costs as determined by the
2 applicant. The authority may require the applicant to
3 provide a written certification describing the property
4 rights, technical limits or material cost reasons the
5 alternate location does not satisfy the criteria in this
6 paragraph (3).

7 (4) Subject to paragraph (6), an authority may not
8 limit the placement of small wireless facilities mounted
9 on a utility pole or a wireless support structure by
10 minimum horizontal separation distances.

11 (5) An authority may limit the maximum height of a
12 small wireless facility to 10 feet above the utility pole
13 or wireless support structure on which the small wireless
14 facility is collocated. Subject to any applicable waiver,
15 zoning, or other process that addresses wireless provider
16 requests for an exception or variance and does not
17 prohibit granting of such exceptions or variances, the
18 authority may limit the height of new or replacement
19 utility poles or wireless support structures on which
20 small wireless facilities are collocated to the higher of:
21 (i) 10 feet in height above the tallest existing utility
22 pole, other than a utility pole supporting only wireless
23 facilities, that is in place on the date the application
24 is submitted to the authority, that is located within 300
25 feet of the new or replacement utility pole or wireless
26 support structure and that is in the same right-of-way

1 within the jurisdictional boundary of the authority,
2 provided the authority may designate which intersecting
3 right-of-way within 300 feet of the proposed utility pole
4 or wireless support structures shall control the height
5 limitation for such facility; or (ii) 45 feet above ground
6 level.

7 (6) An authority may require that:

8 (A) the wireless provider's operation of the small
9 wireless facilities does not interfere with the
10 frequencies used by a public safety agency for public
11 safety communications; a wireless provider shall
12 install small wireless facilities of the type and
13 frequency that will not cause unacceptable
14 interference with a public safety agency's
15 communications equipment; unacceptable interference
16 will be determined by and measured in accordance with
17 industry standards and the FCC's regulations
18 addressing unacceptable interference to public safety
19 spectrum or any other spectrum licensed by a public
20 safety agency; if a small wireless facility causes
21 such interference, and the wireless provider has been
22 given written notice of the interference by the public
23 safety agency, the wireless provider, at its own
24 expense, shall take all reasonable steps necessary to
25 correct and eliminate the interference, including, but
26 not limited to, powering down the small wireless

1 facility and later powering up the small wireless
2 facility for intermittent testing, if necessary; the
3 authority may terminate a permit for a small wireless
4 facility based on such interference if the wireless
5 provider is not making a good faith effort to remedy
6 the problem in a manner consistent with the abatement
7 and resolution procedures for interference with public
8 safety spectrum established by the FCC including 47
9 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672
10 through 47 CFR 90.675;

11 (B) the wireless provider comply with requirements
12 that are imposed by a contract between an authority
13 and a private property owner that concern design or
14 construction standards applicable to utility poles and
15 ground-mounted equipment located in the right-of-way;

16 (C) the wireless provider comply with applicable
17 spacing requirements in applicable codes and
18 ordinances concerning the location of ground-mounted
19 equipment located in the right-of-way if the
20 requirements include a waiver, zoning, or other
21 process that addresses wireless provider requests for
22 exception or variance and do not prohibit granting of
23 such exceptions or variances;

24 (D) the wireless provider comply with local code
25 provisions or regulations concerning undergrounding
26 requirements that prohibit the installation of new or

1 the modification of existing utility poles in a
2 right-of-way without prior approval if the
3 requirements include a waiver, zoning, or other
4 process that addresses requests to install such new
5 utility poles or modify such existing utility poles
6 and do not prohibit the replacement of utility poles;

7 (E) the wireless provider comply with generally
8 applicable standards that are consistent with this Act
9 and adopted by an authority for construction and
10 public safety in the rights-of-way, including, but not
11 limited to, reasonable and nondiscriminatory wiring
12 and cabling requirements, grounding requirements,
13 utility pole extension requirements, acoustic
14 regulations, and signage limitations; and shall comply
15 with reasonable and nondiscriminatory requirements
16 that are consistent with this Act and adopted by an
17 authority regulating the location, size, surface area
18 and height of small wireless facilities, or the
19 abandonment and removal of small wireless facilities;

20 (F) the wireless provider not collocate small
21 wireless facilities on authority utility poles that
22 are part of an electric distribution or transmission
23 system within the communication worker safety zone of
24 the pole or the electric supply zone of the pole;
25 however, the antenna and support equipment of the
26 small wireless facility may be located in the

1 communications space on the authority utility pole and
2 on the top of the pole, if not otherwise unavailable,
3 if the wireless provider complies with applicable
4 codes for work involving the top of the pole; for
5 purposes of this subparagraph (F), the terms
6 "communications space", "communication worker safety
7 zone", and "electric supply zone" have the meanings
8 given to those terms in the National Electric Safety
9 Code as published by the Institute of Electrical and
10 Electronics Engineers;

11 (G) the wireless provider comply with the
12 applicable codes and local code provisions or
13 regulations that concern public safety;

14 (H) the wireless provider comply with written
15 design standards that are generally applicable for
16 decorative utility poles, or reasonable stealth,
17 concealment, and aesthetic requirements that are
18 identified by the authority in an ordinance, written
19 policy adopted by the governing board of the
20 authority, a comprehensive plan, or other written
21 design plan that applies to other occupiers of the
22 rights-of-way, including on a historic landmark or in
23 a historic district; ~~and~~

24 (I) subject to subsection (c) of this Section, and
25 except for facilities excluded from evaluation for
26 effects on historic properties under 47 CFR

1 1.1307(a)(4), reasonable, technically feasible and
2 non-discriminatory design or concealment measures in a
3 historic district or historic landmark; any such
4 design or concealment measures, including restrictions
5 on a specific category of poles, may not have the
6 effect of prohibiting any provider's technology; such
7 design and concealment measures shall not be
8 considered a part of the small wireless facility for
9 purposes of the size restrictions of a small wireless
10 facility; this paragraph may not be construed to limit
11 an authority's enforcement of historic preservation in
12 conformance with the requirements adopted pursuant to
13 the Illinois State Agency Historic Resources
14 Preservation Act or the National Historic Preservation
15 Act of 1966, 54 U.S.C. Section 300101 et seq., and the
16 regulations adopted to implement those laws; and -

17 (J) When a wireless provider replaces or adds a
18 new radio transceiver or antennas to an existing small
19 wireless facility, certification by the wireless
20 provider from a radio engineer that the continuing
21 operation of the small wireless facility complies with
22 all applicable FCC standards.

23 (7) Within 30 days after receiving an application, an
24 authority must determine whether the application is
25 complete and notify the applicant. If an application is
26 incomplete, an authority must specifically identify the

1 missing information. An application shall be deemed
2 complete if the authority fails to provide notification to
3 the applicant within 30 days after when all documents,
4 information, and fees specifically enumerated in the
5 authority's permit application form are submitted by the
6 applicant to the authority. Processing deadlines are
7 tolled from the time the authority sends the notice of
8 incompleteness to the time the applicant provides the
9 missing information.

10 (8) An authority shall process applications as
11 follows:

12 (A) an application to collocate a small wireless
13 facility on an existing utility pole or wireless
14 support structure shall be processed on a
15 nondiscriminatory basis and deemed approved if the
16 authority fails to approve or deny the application
17 within 90 days; however, if an applicant intends to
18 proceed with the permitted activity on a deemed
19 approved basis, the applicant must notify the
20 authority in writing of its intention to invoke the
21 deemed approved remedy no sooner than 75 days after
22 the submission of a completed application; the permit
23 shall be deemed approved on the latter of the 90th day
24 after submission of the complete application or the
25 10th day after the receipt of the deemed approved
26 notice by the authority; the receipt of the deemed

1 approved notice shall not preclude the authority's
2 denial of the permit request within the time limits as
3 provided under this Act; and

4 (B) an application to collocate a small wireless
5 facility that includes the installation of a new
6 utility pole shall be processed on a nondiscriminatory
7 basis and deemed approved if the authority fails to
8 approve or deny the application within 120 days;
9 however, if an applicant intends to proceed with the
10 permitted activity on a deemed approved basis, the
11 applicant must notify the authority in writing of its
12 intention to invoke the deemed approved remedy no
13 sooner than 105 days after the submission of a
14 completed application; the permit shall be deemed
15 approved on the latter of the 120th day after
16 submission of the complete application or the 10th day
17 after the receipt of the deemed approved notice by the
18 authority; the receipt of the deemed approved notice
19 shall not preclude the authority's denial of the
20 permit request within the time limits as provided
21 under this Act.

22 (9) An authority shall approve an application unless
23 the application does not meet the requirements of this
24 Act. If an authority determines that applicable codes,
25 local code provisions or regulations that concern public
26 safety, or the requirements of paragraph (6) require that

1 the utility pole or wireless support structure be replaced
2 before the requested collocation, approval may be
3 conditioned on the replacement of the utility pole or
4 wireless support structure at the cost of the provider.
5 The authority must document the basis for a denial,
6 including the specific code provisions or application
7 conditions on which the denial was based, and send the
8 documentation to the applicant on or before the day the
9 authority denies an application. The applicant may cure
10 the deficiencies identified by the authority and resubmit
11 the revised application once within 30 days after notice
12 of denial is sent to the applicant without paying an
13 additional application fee. The authority shall approve or
14 deny the revised application within 30 days after the
15 applicant resubmits the application or it is deemed
16 approved; however, the applicant must notify the authority
17 in writing of its intention to proceed with the permitted
18 activity on a deemed approved basis, which may be
19 submitted with the resubmitted application. Any subsequent
20 review shall be limited to the deficiencies cited in the
21 denial. However, this revised application cure does not
22 apply if the cure requires the review of a new location,
23 new or different structure to be collocated upon, new
24 antennas, or other wireless equipment associated with the
25 small wireless facility.

26 (10) The time period for applications may be further

1 tolled by:

2 (A) the express agreement in writing by both the
3 applicant and the authority; or

4 (B) a local, State, or federal disaster
5 declaration or similar emergency that causes the
6 delay.

7 (11) An applicant seeking to collocate small wireless
8 facilities within the jurisdiction of a single authority
9 shall be allowed, at the applicant's discretion, to file a
10 consolidated application and receive a single permit for
11 the collocation of up to 25 small wireless facilities if
12 the collocations each involve substantially the same type
13 of small wireless facility and substantially the same type
14 of structure. If an application includes multiple small
15 wireless facilities, the authority may remove small
16 wireless facility collocations from the application and
17 treat separately small wireless facility collocations for
18 which incomplete information has been provided or that do
19 not qualify for consolidated treatment or that are denied.
20 The authority may issue separate permits for each
21 collocation that is approved in a consolidated
22 application.

23 (12) Collocation for which a permit is granted shall
24 be completed within 180 days after issuance of the permit,
25 unless the authority and the wireless provider agree to
26 extend this period or a delay is caused by make-ready work

1 for an authority utility pole or by the lack of commercial
2 power or backhaul availability at the site, provided the
3 wireless provider has made a timely request within 60 days
4 after the issuance of the permit for commercial power or
5 backhaul services, and the additional time to complete
6 installation does not exceed 360 days after issuance of
7 the permit. Otherwise, the permit shall be void unless the
8 authority grants an extension in writing to the applicant.

9 (13) The duration of a permit shall be for a period of
10 not less than 5 years, and the permit shall be renewed for
11 equivalent durations unless the authority makes a finding
12 that the small wireless facilities or the new or modified
13 utility pole do not comply with the applicable codes or
14 local code provisions or regulations in paragraphs (6) and
15 (9). If this Act is repealed as provided in Section 90,
16 renewals of permits shall be subject to the applicable
17 authority code provisions or regulations in effect at the
18 time of renewal.

19 (14) An authority may not prohibit, either expressly
20 or de facto, the (i) filing, receiving, or processing
21 applications, or (ii) issuing of permits or other
22 approvals, if any, for the collocation of small wireless
23 facilities unless there has been a local, State, or
24 federal disaster declaration or similar emergency that
25 causes the delay.

26 (15) Applicants shall submit applications, supporting

1 information, and notices by personal delivery or as
2 otherwise required by the authority. An authority may
3 require that permits, supporting information, and notices
4 be submitted by personal delivery at the authority's
5 designated place of business, by regular mail postmarked
6 on the date due, or by any other commonly used means,
7 including electronic mail, as required by the authority.

8 (e) Application fees are subject to the following
9 requirements:

10 (1) An authority may charge an application fee of up
11 to \$650 for an application to collocate a single small
12 wireless facility on an existing utility pole or wireless
13 support structure and up to \$350 for each small wireless
14 facility addressed in an application to collocate more
15 than one small wireless facility on existing utility poles
16 or wireless support structures.

17 (2) An authority may charge an application fee of
18 \$1,000 for each small wireless facility addressed in an
19 application that includes the installation of a new
20 utility for such collocation.

21 (3) Notwithstanding any contrary provision of State
22 law or local ordinance, applications pursuant to this
23 Section must be accompanied by the required application
24 fee.

25 (4) Within 2 months after the effective date of this
26 Act, an authority shall make available application fees

1 consistent with this subsection, through ordinance, or in
2 a written schedule of permit fees adopted by the
3 authority.

4 (f) An authority shall not require an application,
5 approval, or permit, or require any fees or other charges,
6 from a communications service provider authorized to occupy
7 the rights-of-way, for: (i) routine maintenance; (ii) the
8 replacement of wireless facilities with wireless facilities
9 that are substantially similar, the same size, or smaller if
10 the wireless provider notifies the authority at least 10 days
11 prior to the planned replacement and includes equipment
12 specifications for the replacement of equipment consistent
13 with the requirements of subparagraph (D) of paragraph (2) of
14 subsection (d) of this Section; or (iii) the installation,
15 placement, maintenance, operation, or replacement of micro
16 wireless facilities that are suspended on cables that are
17 strung between existing utility poles in compliance with
18 applicable safety codes. However, an authority may require a
19 permit to work within rights-of-way for activities that affect
20 traffic patterns or require lane closures.

21 (g) Nothing in this Act authorizes a person to collocate
22 small wireless facilities on: (1) property owned by a private
23 party or property owned or controlled by a unit of local
24 government that is not located within rights-of-way, subject
25 to subsection (j) of this Section, or a privately owned
26 utility pole or wireless support structure without the consent

1 of the property owner; (2) property owned, leased, or
2 controlled by a park district, forest preserve district, or
3 conservation district for public park, recreation, or
4 conservation purposes without the consent of the affected
5 district, excluding the placement of facilities on
6 rights-of-way located in an affected district that are under
7 the jurisdiction and control of a different unit of local
8 government as provided by the Illinois Highway Code; or (3)
9 property owned by a rail carrier registered under Section
10 18c-7201 of the Illinois Vehicle Code, Metra Commuter Rail or
11 any other public commuter rail service, or an electric utility
12 as defined in Section 16-102 of the Public Utilities Act,
13 without the consent of the rail carrier, public commuter rail
14 service, or electric utility. The provisions of this Act do
15 not apply to an electric or gas public utility or such
16 utility's wireless facilities if the facilities are being
17 used, developed, and maintained consistent with the provisions
18 of subsection (i) of Section 16-108.5 of the Public Utilities
19 Act.

20 For the purposes of this subsection, "public utility" has
21 the meaning given to that term in Section 3-105 of the Public
22 Utilities Act. Nothing in this Act shall be construed to
23 relieve any person from any requirement (1) to obtain a
24 franchise or a State-issued authorization to offer cable
25 service or video service or (2) to obtain any required
26 permission to install, place, maintain, or operate

1 communications facilities, other than small wireless
2 facilities subject to this Act.

3 (h) Agreements between authorities and wireless providers
4 that relate to the collocation of small wireless facilities in
5 the right-of-way, including the collocation of small wireless
6 facilities on authority utility poles, that are in effect on
7 the effective date of this Act remain in effect for all small
8 wireless facilities collocated on the authority's utility
9 poles pursuant to applications submitted to the authority
10 before the effective date of this Act, subject to applicable
11 termination provisions. Such agreements entered into after the
12 effective date of the Act shall comply with the Act.

13 (i) An authority shall allow the collocation of small
14 wireless facilities on authority utility poles subject to the
15 following:

16 (1) An authority may not enter into an exclusive
17 arrangement with any person for the right to attach small
18 wireless facilities to authority utility poles.

19 (2) The rates and fees for collocations on authority
20 utility poles shall be nondiscriminatory regardless of the
21 services provided by the collocating person.

22 (3) An authority may charge an annual recurring rate
23 to collocate a small wireless facility on an authority
24 utility pole located in a right-of-way that equals (i)
25 \$200 per year or (ii) the actual, direct, and reasonable
26 costs related to the wireless provider's use of space on

1 the authority utility pole. Rates for collocation on
2 authority utility poles located outside of a right-of-way
3 are not subject to these limitations. In any controversy
4 concerning the appropriateness of a cost-based rate for an
5 authority utility pole located within a right-of-way, the
6 authority shall have the burden of proving that the rate
7 does not exceed the actual, direct, and reasonable costs
8 for the applicant's proposed use of the authority utility
9 pole. Nothing in this paragraph (3) prohibits a wireless
10 provider and an authority from mutually agreeing to an
11 annual recurring rate of less than \$200 to collocate a
12 small wireless facility on an authority utility pole.

13 (4) Authorities or other persons owning or controlling
14 authority utility poles within the right-of-way shall
15 offer rates, fees, and other terms that comply with
16 subparagraphs (A) through (E) of this paragraph (4).
17 Within 2 months after the effective date of this Act, an
18 authority or a person owning or controlling authority
19 utility poles shall make available, through ordinance or
20 an authority utility pole attachment agreement, license or
21 other agreement that makes available to wireless
22 providers, the rates, fees, and terms for the collocation
23 of small wireless facilities on authority utility poles
24 that comply with this Act and with subparagraphs (A)
25 through (E) of this paragraph (4). In the absence of such
26 an ordinance or agreement that complies with this Act, and

1 until such a compliant ordinance or agreement is adopted,
2 wireless providers may collocate small wireless facilities
3 and install utility poles under the requirements of this
4 Act.

5 (A) The rates, fees, and terms must be
6 nondiscriminatory, competitively neutral, and
7 commercially reasonable, and may address, among other
8 requirements, the requirements in subparagraphs (A)
9 through (I) of paragraph (6) of subsection (d) of this
10 Section; subsections (e), (i), and (k) of this
11 Section; Section 30; and Section 35, and must comply
12 with this Act.

13 (B) For authority utility poles that support
14 aerial facilities used to provide communications
15 services or electric service, wireless providers shall
16 comply with the process for make-ready work under 47
17 U.S.C. 224 and its implementing regulations, and the
18 authority shall follow a substantially similar process
19 for make-ready work except to the extent that the
20 timing requirements are otherwise addressed in this
21 Act. The good-faith estimate of the person owning or
22 controlling the authority utility pole for any
23 make-ready work necessary to enable the pole to
24 support the requested collocation shall include
25 authority utility pole replacement, if necessary.

26 (C) For authority utility poles that do not

1 support aerial facilities used to provide
2 communications services or electric service, the
3 authority shall provide a good-faith estimate for any
4 make-ready work necessary to enable the authority
5 utility pole to support the requested collocation,
6 including pole replacement, if necessary, within 90
7 days after receipt of a complete application.
8 Make-ready work, including any authority utility pole
9 replacement, shall be completed within 60 days of
10 written acceptance of the good-faith estimate by the
11 applicant at the wireless provider's sole cost and
12 expense. Alternatively, if the authority determines
13 that applicable codes or public safety regulations
14 require the authority utility pole to be replaced to
15 support the requested collocation, the authority may
16 require the wireless provider to replace the authority
17 utility pole at the wireless provider's sole cost and
18 expense.

19 (D) The authority shall not require more
20 make-ready work than required to meet applicable codes
21 or industry standards. Make-ready work may include
22 work needed to accommodate additional public safety
23 communications needs that are identified in a
24 documented and approved plan for the deployment of
25 public safety equipment as specified in paragraph (1)
26 of subsection (d) of this Section and included in an

1 existing or preliminary authority or public service
2 agency budget for attachment within one year of the
3 application. Fees for make-ready work, including any
4 authority utility pole replacement, shall not exceed
5 actual costs or the amount charged to communications
6 service providers for similar work and shall not
7 include any consultants' fees or expenses for
8 authority utility poles that do not support aerial
9 facilities used to provide communications services or
10 electric service. Make-ready work, including any pole
11 replacement, shall be completed within 60 days of
12 written acceptance of the good-faith estimate by the
13 wireless provider, at its sole cost and expense.

14 (E) A wireless provider that has an existing
15 agreement with the authority on the effective date of
16 the Act may accept the rates, fees, and terms that an
17 authority makes available under this Act for the
18 collocation of small wireless facilities or the
19 installation of new utility poles for the collocation
20 of small wireless facilities that are the subject of
21 an application submitted 2 or more years after the
22 effective date of the Act as provided in this
23 paragraph (4) by notifying the authority that it opts
24 to accept such rates, fees, and terms. The existing
25 agreement remains in effect, subject to applicable
26 termination provisions, for the small wireless

1 facilities the wireless provider has collocated on the
2 authority's utility poles pursuant to applications
3 submitted to the authority before the wireless
4 provider provides such notice and exercises its option
5 under this subparagraph.

6 (j) An authority shall authorize the collocation of small
7 wireless facilities on utility poles owned or controlled by
8 the authority that are not located within rights-of-way to the
9 same extent the authority currently permits access to utility
10 poles for other commercial projects or uses. The collocations
11 shall be subject to reasonable and nondiscriminatory rates,
12 fees, and terms as provided in an agreement between the
13 authority and the wireless provider.

14 (k) Nothing in this Section precludes an authority from
15 adopting reasonable rules with respect to the removal of
16 abandoned small wireless facilities. A small wireless facility
17 that is not operated for a continuous period of 12 months shall
18 be considered abandoned and the owner of the facility must
19 remove the small wireless facility within 90 days after
20 receipt of written notice from the authority notifying the
21 owner of the abandonment. The notice shall be sent by
22 certified or registered mail, return receipt requested, by the
23 authority to the owner at the last known address of the owner.
24 If the small wireless facility is not removed within 90 days of
25 such notice, the authority may remove or cause the removal of
26 the ~~such~~ facility pursuant to the terms of its pole attachment

1 agreement for authority utility poles or through whatever
2 actions are provided for abatement of nuisances or by other
3 law for removal and cost recovery. An authority may require a
4 wireless provider to provide written notice to the authority
5 if it sells or transfers small wireless facilities subject to
6 this Act within the jurisdictional boundary of the authority.
7 Such notice shall include the name and contact information of
8 the new wireless provider.

9 (1) Nothing in this Section requires an authority to
10 install or maintain any specific utility pole or to continue
11 to install or maintain utility poles in any location if the
12 authority makes a non-discriminatory decision to eliminate
13 above-ground utility poles of a particular type generally,
14 such as electric utility poles, in all or a significant
15 portion of its geographic jurisdiction. For authority utility
16 poles with collocated small wireless facilities in place when
17 an authority makes a decision to eliminate above-ground
18 utility poles of a particular type generally, the authority
19 shall either (i) continue to maintain the authority utility
20 pole or install and maintain a reasonable alternative utility
21 pole or wireless support structure for the collocation of the
22 small wireless facility, or (ii) offer to sell the utility
23 pole to the wireless provider at a reasonable cost or allow the
24 wireless provider to install its own utility pole so it can
25 maintain service from that location.

26 (Source: P.A. 100-585, eff. 6-1-18.)

1 (50 ILCS 840/45 new)

2 Sec. 45. Continuation of Act; validation.

3 (a) The General Assembly finds and declares that this
4 amendatory Act of the 102nd General Assembly manifests the
5 intention of the General Assembly to extend the repeal of this
6 Act and have this Act continue in effect until December 31,
7 2024.

8 (b) This Section shall be deemed to have been in
9 continuous effect since June 1, 2021 and it shall continue to
10 be in effect henceforward until it is otherwise lawfully
11 repealed. All previously enacted amendments to this Act taking
12 effect on or after June 1, 2021, are hereby validated. All
13 actions taken in reliance on or under this Act by any person or
14 entity are hereby validated.

15 (c) In order to ensure the continuing effectiveness of
16 this Act, it is set forth in full and reenacted by this
17 amendatory Act of the 102nd General Assembly. Striking and
18 underscoring are used only to show changes being made to the
19 base text. This reenactment is intended as a continuation of
20 this Act. It is not intended to supersede any amendment to this
21 Act that is enacted by the 102nd General Assembly.

22 (50 ILCS 840/90) (was 50 ILCS 835/90)

23 (Section scheduled to be repealed on June 1, 2021)

24 Sec. 90. Repeal. This Act is repealed on December 31, 2024

1 ~~June 1, 2021.~~

2 (Source: P.A. 100-585, eff. 6-1-18.)

3 Section 30. The Illinois Municipal Code is amended by
4 adding Section 11-80-24 as follows:

5 (65 ILCS 5/11-80-24 new)

6 Sec. 11-80-24. Collocation of small wireless facilities.

7 (a) A municipality may propose that a small wireless
8 facility be collocated on an existing utility pole within 200
9 feet of the wireless providers proposed location within its
10 public rights-of-way under paragraph (3) of subsection (d) of
11 Section 15 of the Small Wireless Facilities Deployment Act and
12 the entity owning the utility pole shall provide access for
13 that purpose.

14 (b) Any fee charged for the use of a utility pole under
15 this Section shall be at the lowest rate charged by the entity
16 owning the utility pole for other wireless providers and shall
17 not exceed the entity's actual costs.

18 (c) Nothing in this Section alters anything in Section 15
19 of the Small Wireless Facilities Deployment Act.

20 Section 35. The Public Utilities Act is amended by
21 changing Sections 13-406, 13-1200, 21-401, and 21-1601 as
22 follows:

1 (220 ILCS 5/13-406) (from Ch. 111 2/3, par. 13-406)

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

3 Sec. 13-406. Abandonment of service.

4 (a) No telecommunications carrier offering or providing
5 noncompetitive telecommunications service pursuant to a valid
6 Certificate of Service Authority or certificate of public
7 convenience and necessity shall discontinue or abandon such
8 service once initiated until and unless it shall demonstrate,
9 and the Commission finds, after notice and hearing, that such
10 discontinuance or abandonment will not deprive customers of
11 any necessary or essential telecommunications service or
12 access thereto and is not otherwise contrary to the public
13 interest. No telecommunications carrier offering or providing
14 competitive telecommunications service shall completely
15 discontinue or abandon such service to an identifiable class
16 or group of customers once initiated except upon 60 days' ~~days~~
17 notice to the Commission and affected customers. The
18 Commission may, upon its own motion or upon complaint,
19 investigate the proposed discontinuance or abandonment of a
20 competitive telecommunications service and may, after notice
21 and hearing, prohibit such proposed discontinuance or
22 abandonment if the Commission finds that it would be contrary
23 to the public interest. If the Commission does not provide
24 notice of a hearing within 60 calendar days after the
25 notification or holds a hearing and fails to find that the
26 proposed discontinuation or abandonment would be contrary to

1 the public interest, the provider may discontinue or abandon
2 such service after providing at least 30 days' ~~days~~ notice to
3 affected customers. This Section does not apply to a Large
4 Electing Provider proceeding under Section 13-406.1.

5 (b) A Small Electing Provider may choose to cease offering
6 or providing a telecommunications service pursuant to either
7 this Section or Section 13-406.1 of this Act in the same manner
8 as a Large Electing Provider. A Small Electing Provider that
9 elects to cease offering or providing a telecommunications
10 service pursuant to Section 13-406.1 shall be subject to all
11 of the provisions that apply to a Large Electing Provider
12 under Section 13-406.1. In this subsection (b), "Small
13 Electing Provider" means an incumbent local exchange carrier,
14 as defined in Section 13-202.5 of this Act, that is an Electing
15 Provider, as defined in Section 13-506.2 of this Act, and
16 that, together with all of its incumbent local exchange
17 carrier affiliates offering telecommunications services within
18 the State of Illinois, has fewer than 40,000 subscriber access
19 lines as of January 1, 2020.

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

21 (220 ILCS 5/13-1200)

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

23 Sec. 13-1200. Repealer. This Article is repealed December
24 31, 2026 ~~2021~~.

25 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

1 (220 ILCS 5/21-401)

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

3 Sec. 21-401. Applications.

4 (a) (1) A person or entity seeking to provide cable service
5 or video service pursuant to this Article shall not use the
6 public rights-of-way for the installation or construction of
7 facilities for the provision of cable service or video service
8 or offer cable service or video service until it has obtained a
9 State-issued authorization to offer or provide cable or video
10 service under this Section, except as provided for in item (2)
11 of this subsection (a). All cable or video providers offering
12 or providing service in this State shall have authorization
13 pursuant to either (i) the Cable and Video Competition Law of
14 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the
15 Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section
16 5-1095 of the Counties Code (55 ILCS 5/5-1095).

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

24 (b) The application to the Commission for State-issued
25 authorization shall contain a completed affidavit submitted by

1 the applicant and signed by an officer or general partner of
2 the applicant affirming all of the following:

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

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

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

11 (4) An exact description of the cable service or video
12 service area where the cable service or video service will
13 be offered during the term of the State-issued
14 authorization. The service area shall be identified in
15 terms of either (i) exchanges, as that term is defined in
16 Section 13-206 of this Act; (ii) a collection of United
17 States Census Bureau Block numbers (13 digit); (iii) if
18 the area is smaller than the areas identified in either
19 (i) or (ii), by geographic information system digital
20 boundaries meeting or exceeding national map accuracy
21 standards; or (iv) local unit of government. The
22 description shall include the number of low-income
23 households within the service area or footprint. If an
24 applicant is an incumbent cable operator, the incumbent
25 cable operator and any successor-in-interest shall be
26 obligated to provide access to cable services or video

1 services within any local units of government at the same
2 levels required by the local franchising authorities for
3 the local unit of government on June 30, 2007 (the
4 effective date of Public Act 95-9), and its application
5 shall provide a description of an area no smaller than the
6 service areas contained in its franchise or franchises
7 within the jurisdiction of the local unit of government in
8 which it seeks to offer cable or video service.

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

17 (6) A certification that the applicant has
18 concurrently delivered a copy of the application to all
19 local units of government that include all or any part of
20 the service area identified in item (4) of this subsection
21 (b) within such local unit of government's jurisdictional
22 boundaries.

23 (7) The expected date that cable service or video
24 service will be initially offered in the area identified
25 in item (4) of this subsection (b). In the event that a
26 holder does not offer cable services or video services

1 within 3 months after the expected date, it shall amend
2 its application and update the expected date service will
3 be offered and explain the delay in offering cable
4 services or video services.

5 (8) For any entity that received State-issued
6 authorization prior to this amendatory Act of the 98th
7 General Assembly as a cable operator and that intends to
8 proceed as a cable operator under this Article, the entity
9 shall file a written affidavit with the Commission and
10 shall serve a copy of the affidavit with any local units of
11 government affected by the authorization within 30 days
12 after the effective date of this amendatory Act of the
13 98th General Assembly stating that the holder will be
14 providing cable service under the State-issued
15 authorization.

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

1 financial responsibility.

2 The application shall include the applicant's general
3 standards related to customer service required by Section
4 22-501 of this Act, which shall include, but not be limited to,
5 installation, disconnection, service and repair obligations;
6 appointment hours; employee ID requirements; customer service
7 telephone numbers and hours; procedures for billing, charges,
8 deposits, refunds, and credits; procedures for termination of
9 service; notice of deletion of programming service and changes
10 related to transmission of programming or changes or increases
11 in rates; use and availability of parental control or lock-out
12 devices; complaint procedures and procedures for bill dispute
13 resolution and a description of the rights and remedies
14 available to consumers if the holder does not materially meet
15 their customer service standards; and special services for
16 customers with visual, hearing, or mobility disabilities.

17 (c)(1) The applicant may designate information that it
18 submits in its application or subsequent reports as
19 confidential or proprietary, provided that the applicant
20 states the reasons the confidential designation is necessary.
21 The Commission shall provide adequate protection for such
22 information pursuant to Section 4-404 of this Act. If the
23 Commission, a local unit of government, or any other party
24 seeks public disclosure of information designated as
25 confidential, the Commission shall consider the confidential
26 designation in a proceeding under the Illinois Administrative

1 Procedure Act, and the burden of proof to demonstrate that the
2 designated information is confidential shall be upon the
3 applicant. Designated information shall remain confidential
4 pending the Commission's determination of whether the
5 information is entitled to confidential treatment. Information
6 designated as confidential shall be provided to local units of
7 government for purposes of assessing compliance with this
8 Article as permitted under a Protective Order issued by the
9 Commission pursuant to the Commission's rules and to the
10 Attorney General pursuant to Section 6.5 of the Attorney
11 General Act (15 ILCS 205/6.5). Information designated as
12 confidential under this Section or determined to be
13 confidential upon Commission review shall only be disclosed
14 pursuant to a valid and enforceable subpoena or court order or
15 as required by the Freedom of Information Act. Nothing herein
16 shall delay the application approval timeframes set forth in
17 this Article.

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

22 (d)(1) The Commission shall post all applications it
23 receives under this Article on its web site within 5 business
24 days.

25 (2) The Commission shall notify an applicant for a cable
26 service or video service authorization whether the applicant's

1 application and affidavit are complete on or before the 15th
2 business day after the applicant submits the application. If
3 the application and affidavit are not complete, the Commission
4 shall state in its notice all of the reasons the application or
5 affidavit are incomplete, and the applicant shall resubmit a
6 complete application. The Commission shall have 30 days after
7 submission by the applicant of a complete application and
8 affidavit to issue the service authorization. If the
9 Commission does not notify the applicant regarding the
10 completeness of the application and affidavit or issue the
11 service authorization within the time periods required under
12 this subsection, the application and affidavit shall be
13 considered complete and the service authorization issued upon
14 the expiration of the 30th day.

15 (e) Any authorization issued by the Commission will expire
16 on December 31, 2029 ~~2024~~ and shall contain or include all of
17 the following:

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

1 the local units of government.

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

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

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

18 (f) The authorization issued pursuant to this Section by
19 the Commission may be transferred to any successor-in-interest
20 to the applicant to which it is initially granted without
21 further Commission action if the successor-in-interest (i)
22 submits an application and the information required by
23 subsection (b) of this Section for the successor-in-interest
24 and (ii) is not in violation of this Article or of any federal,
25 State, or local law, ordinance, rule, or regulation. A
26 successor-in-interest shall file its application and notice of

1 transfer with the Commission and the relevant local units of
2 government no less than 15 business days prior to the
3 completion of the transfer. The Commission is not required or
4 authorized to act upon the notice of transfer; however, the
5 transfer is not effective until the Commission approves the
6 successor-in-interest's application. A local unit of
7 government or the Attorney General may seek to bar a transfer
8 of ownership by filing suit in a court of competent
9 jurisdiction predicated on the existence of a material and
10 continuing breach of this Article by the holder, a pattern of
11 noncompliance with customer service standards by the potential
12 successor-in-interest, or the insolvency of the potential
13 successor-in-interest. If a transfer is made when there are
14 violations of this Article or of any federal, State, or local
15 law, ordinance, rule, or regulation, the successor-in-interest
16 shall be subject to 3 times the penalties provided for in this
17 Article.

18 (g) The authorization issued pursuant to this Section by
19 the Commission may be terminated, or its cable service or
20 video service area footprint may be modified, by the cable
21 service provider or video service provider by submitting
22 notice to the Commission and to the relevant local unit of
23 government containing a description of the change on the same
24 terms as the initial description pursuant to item (4) of
25 subsection (b) of this Section. The Commission is not required
26 or authorized to act upon that notice. It shall be a violation

1 of this Article for a holder to discriminate against potential
2 residential subscribers because of the race or income of the
3 residents in the local area in which the group resides by
4 terminating or modifying its cable service or video service
5 area footprint. It shall be a violation of this Article for a
6 holder to terminate or modify its cable service or video
7 service area footprint if it leaves an area with no cable
8 service or video service from any provider.

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

22 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

23 (220 ILCS 5/21-1601)

24 Sec. 21-1601. Repealer. Sections 21-101 through 21-1501 of
25 this Article are repealed December 31, 2026 ~~2021~~.

1 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

2 Section 40. The Prevailing Wage Act is amended by changing
3 Section 2 and by adding Section 2.1 as follows:

4 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

5 Sec. 2. This Act applies to the wages of laborers,
6 mechanics and other workers employed in any public works, as
7 hereinafter defined, by any public body and to anyone under
8 contracts for public works. This includes any maintenance,
9 repair, assembly, or disassembly work performed on equipment
10 whether owned, leased, or rented.

11 As used in this Act, unless the context indicates
12 otherwise:

13 "Public works" means all fixed works constructed or
14 demolished by any public body, or paid for wholly or in part
15 out of public funds. "Public works" as defined herein includes
16 all projects financed in whole or in part with bonds, grants,
17 loans, or other funds made available by or through the State or
18 any of its political subdivisions, including but not limited
19 to: bonds issued under the Industrial Project Revenue Bond Act
20 (Article 11, Division 74 of the Illinois Municipal Code), the
21 Industrial Building Revenue Bond Act, the Illinois Finance
22 Authority Act, the Illinois Sports Facilities Authority Act,
23 or the Build Illinois Bond Act; loans or other funds made
24 available pursuant to the Build Illinois Act; loans or other

1 funds made available pursuant to the Riverfront Development
2 Fund under Section 10-15 of the River Edge Redevelopment Zone
3 Act; or funds from the Fund for Illinois' Future under Section
4 6z-47 of the State Finance Act, funds for school construction
5 under Section 5 of the General Obligation Bond Act, funds
6 authorized under Section 3 of the School Construction Bond
7 Act, funds for school infrastructure under Section 6z-45 of
8 the State Finance Act, and funds for transportation purposes
9 under Section 4 of the General Obligation Bond Act. "Public
10 works" also includes (i) all projects financed in whole or in
11 part with funds from the Department of Commerce and Economic
12 Opportunity under the Illinois Renewable Fuels Development
13 Program Act for which there is no project labor agreement;
14 (ii) all work performed pursuant to a public private agreement
15 under the Public Private Agreements for the Illiana Expressway
16 Act or the Public-Private Agreements for the South Suburban
17 Airport Act; and (iii) all projects undertaken under a
18 public-private agreement under the Public-Private Partnerships
19 for Transportation Act. "Public works" also includes all
20 projects at leased facility property used for airport purposes
21 under Section 35 of the Local Government Facility Lease Act.
22 "Public works" also includes the construction of a new wind
23 power facility by a business designated as a High Impact
24 Business under Section 5.5(a)(3)(E) of the Illinois Enterprise
25 Zone Act. "Public works" does not include work done directly
26 by any public utility company, whether or not done under

1 public supervision or direction, or paid for wholly or in part
2 out of public funds. "Public works" also includes construction
3 projects performed by a third party contracted by any public
4 utility, as described in subsection (a) of Section 2.1, in
5 public rights-of-way, as defined in Section 21-201 of the
6 Public Utilities Act, whether or not done under public
7 supervision or direction, or paid for wholly or in part out of
8 public funds. "Public works" also includes construction
9 projects that exceed 15 aggregate miles of new fiber optic
10 cable, performed by a third party contracted by any public
11 utility, as described in subsection (b) of Section 2.1, in
12 public rights-of-way, as defined in Section 21-201 of the
13 Public Utilities Act, whether or not done under public
14 supervision or direction, or paid for wholly or in part out of
15 public funds. "Public works" also includes any corrective
16 action performed pursuant to Title XVI of the Environmental
17 Protection Act for which payment from the Underground Storage
18 Tank Fund is requested. "Public works" does not include
19 projects undertaken by the owner at an owner-occupied
20 single-family residence or at an owner-occupied unit of a
21 multi-family residence. "Public works" does not include work
22 performed for soil and water conservation purposes on
23 agricultural lands, whether or not done under public
24 supervision or paid for wholly or in part out of public funds,
25 done directly by an owner or person who has legal control of
26 those lands.

1 "Construction" means all work on public works involving
2 laborers, workers or mechanics. This includes any maintenance,
3 repair, assembly, or disassembly work performed on equipment
4 whether owned, leased, or rented.

5 "Locality" means the county where the physical work upon
6 public works is performed, except (1) that if there is not
7 available in the county a sufficient number of competent
8 skilled laborers, workers and mechanics to construct the
9 public works efficiently and properly, "locality" includes any
10 other county nearest the one in which the work or construction
11 is to be performed and from which such persons may be obtained
12 in sufficient numbers to perform the work and (2) that, with
13 respect to contracts for highway work with the Department of
14 Transportation of this State, "locality" may at the discretion
15 of the Secretary of the Department of Transportation be
16 construed to include two or more adjacent counties from which
17 workers may be accessible for work on such construction.

18 "Public body" means the State or any officer, board or
19 commission of the State or any political subdivision or
20 department thereof, or any institution supported in whole or
21 in part by public funds, and includes every county, city,
22 town, village, township, school district, irrigation, utility,
23 reclamation improvement or other district and every other
24 political subdivision, district or municipality of the state
25 whether such political subdivision, municipality or district
26 operates under a special charter or not.

1 "Labor organization" means an organization that is the
2 exclusive representative of an employer's employees recognized
3 or certified pursuant to the National Labor Relations Act.

4 The terms "general prevailing rate of hourly wages",
5 "general prevailing rate of wages" or "prevailing rate of
6 wages" when used in this Act mean the hourly cash wages plus
7 annualized fringe benefits for training and apprenticeship
8 programs approved by the U.S. Department of Labor, Bureau of
9 Apprenticeship and Training, health and welfare, insurance,
10 vacations and pensions paid generally, in the locality in
11 which the work is being performed, to employees engaged in
12 work of a similar character on public works.

13 (Source: P.A. 100-1177, eff. 6-1-19.)

14 (820 ILCS 130/2.1 new)

15 Sec. 2.1. Public utilities.

16 (a) For purposes of this Act, to the extent permitted by
17 and consistent with federal law, "public utility" has the
18 meaning given that term in Section 3-105 of the Public
19 Utilities Act.

20 (b) For purposes of this Act, "public utility" also
21 includes:

22 (1) telecommunications carriers, as defined in Section
23 13-202 of the Public Utilities Act, but not including
24 incumbent local exchange carriers that serve fewer than
25 20,000 access lines;

1 (2) providers of cable service or video service, as
2 defined in Section 21-201 of the Public Utilities Act;

3 (3) providers of wireless services, including, but not
4 limited to, private radio service, public mobile service,
5 or commercial mobile service within the meaning of Section
6 332 of the federal Communications Act of 1934 (47 U.S.C.
7 332);

8 (4) interconnected voice over Internet protocol
9 providers as defined in Section 13-235 of the Public
10 Utilities Act;

11 (5) providers of broadband service, as defined in
12 Section 21-201 of the Public Utilities Act; and

13 (6) persons or entities engaged in the installation,
14 repair, or maintenance of fiber optic cable that is or
15 will be used by persons described in paragraphs (1)
16 through (5) of this subsection.

17 Section 97. Severability. The provisions of this Act are
18 severable under Section 1.31 of the Statute on Statutes.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law, except that Section 40 takes effect on January
21 1, 2022.