



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3539

Introduced 2/17/2023, by Rep. Amy L. Grant

#### SYNOPSIS AS INTRODUCED:

625 ILCS 5/1-105.2	
625 ILCS 5/3-400	from Ch. 95 1/2, par. 3-400
625 ILCS 5/11-208	from Ch. 95 1/2, par. 11-208
625 ILCS 5/11-208.3	from Ch. 95 1/2, par. 11-208.3
625 ILCS 5/11-208.8	
625 ILCS 5/11-208.6 rep.	
30 ILCS 805/8.47 new	

Amends the Illinois Vehicle Code. Repeals a Section providing authority to use automated traffic law enforcement systems at intersections in which cameras are used to photograph or video record a motor vehicle's failure to stop and yield as required by traffic control signals. Imposes limits on the power of local governments to use automated speed enforcement systems to provide recorded images of a motor vehicle for the purpose of recording its speed. Denies home rule powers. Amends the State Mandates Act to require implementation without reimbursement from the State. Makes conforming and other changes.

LRB103 29741 MXP 56147 b

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 1-105.2, 3-400, 6-306.5, 11-208, 11-208.3,  
6 and 11-208.8 as follows:

7 (625 ILCS 5/1-105.2)

8 Sec. 1-105.2. Automated traffic law violation. A violation  
9 described in Section ~~11-208.6~~, 11-208.9~~7~~, or 11-1201.1 of this  
10 Code.

11 (Source: P.A. 98-556, eff. 1-1-14.)

12 (625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

13 Sec. 3-400. Definitions. Notwithstanding the definitions  
14 set forth in Chapter 1 of this Act, for the purposes of this  
15 Article, the following words shall have the meaning ascribed  
16 to them as follows:

17 "Apportionable Fee" means any periodic recurring fee  
18 required for licensing or registering vehicles, such as, but  
19 not limited to, registration fees, license or weight fees.

20 "Apportionable Vehicle" means any vehicle, except  
21 recreational vehicles, vehicles displaying restricted plates,  
22 city pickup and delivery vehicles, buses used in

1 transportation of chartered parties, and government owned  
2 vehicles that are used or intended for use in 2 or more member  
3 jurisdictions that allocate or proportionally register  
4 vehicles, in a fleet which is used for the transportation of  
5 persons for hire or the transportation of property and which  
6 has a gross vehicle weight in excess of 26,000 pounds; or has  
7 three or more axles regardless of weight; or is used in  
8 combination when the weight of such combination exceeds 26,000  
9 pounds gross vehicle weight. Vehicles, or combinations having  
10 a gross vehicle weight of 26,000 pounds or less and two-axle  
11 vehicles may be proportionally registered at the option of  
12 such owner.

13 "Base Jurisdiction" means, for purposes of fleet  
14 registration, the jurisdiction where the registrant has an  
15 established place of business, where operational records of  
16 the fleet are maintained and where mileage is accrued by the  
17 fleet. In case a registrant operates more than one fleet, and  
18 maintains records for each fleet in different places, the  
19 "base jurisdiction" for a fleet shall be the jurisdiction  
20 where an established place of business is maintained, where  
21 records of the operation of that fleet are maintained and  
22 where mileage is accrued by that fleet.

23 "Operational Records" means documents supporting miles  
24 traveled in each jurisdiction and total miles traveled, such  
25 as fuel reports, trip leases, and logs.

26 "Owner" means a person who holds legal title of a motor

1 vehicle, or in the event a motor vehicle is the subject of an  
2 agreement for the conditional sale or lease thereof with the  
3 right of purchase upon performance of the conditions stated in  
4 the agreement and with an immediate right of possession vested  
5 in the conditional vendee or lessee with right of purchase, or  
6 in the event a mortgagor of such motor vehicle is entitled to  
7 possession, or in the event a lessee of such motor vehicle is  
8 entitled to possession or control, then such conditional  
9 vendee or lessee with right of purchase or mortgagor or lessee  
10 is considered to be the owner for the purpose of this Act.

11 "Registration plate or digital registration plate cover"  
12 means any tinted, colored, painted, marked, clear, or  
13 illuminated object that is designed to (i) cover any of the  
14 characters of a motor vehicle's registration plate or digital  
15 registration plate; or (ii) distort a recorded image of any of  
16 the characters of a motor vehicle's registration plate or  
17 digital registration plate recorded by an automated  
18 enforcement system as defined in Section ~~11-208.6,~~ 11-208.8,  
19 or 11-1201.1 of this Code or recorded by an automated traffic  
20 control system as defined in Section 15 of the Automated  
21 Traffic Control Systems in Highway Construction or Maintenance  
22 Zones Act.

23 "Rental Owner" means an owner principally engaged, with  
24 respect to one or more rental fleets, in renting to others or  
25 offering for rental the vehicles of such fleets, without  
26 drivers.

1 "Restricted Plates" shall include, but is not limited to,  
2 dealer, manufacturer, transporter, farm, reposessor, and  
3 permanently mounted type plates. Vehicles displaying any of  
4 these type plates from a foreign jurisdiction that is a member  
5 of the International Registration Plan shall be granted  
6 reciprocity but shall be subject to the same limitations as  
7 similar plated Illinois registered vehicles.

8 (Source: P.A. 101-395, eff. 8-16-19.)

9 (625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

10 Sec. 11-208. Powers of local authorities.

11 (a) The provisions of this Code shall not be deemed to  
12 prevent local authorities with respect to streets and highways  
13 under their jurisdiction and within the reasonable exercise of  
14 the police power from:

15 1. Regulating the standing or parking of vehicles,  
16 except as limited by Sections 11-1306 and 11-1307 of this  
17 Act;

18 2. Regulating traffic by means of police officers or  
19 traffic control signals;

20 3. Regulating or prohibiting processions or  
21 assemblages on the highways; and certifying persons to  
22 control traffic for processions or assemblages;

23 4. Designating particular highways as one-way highways  
24 and requiring that all vehicles thereon be moved in one  
25 specific direction;

1           5. Regulating the speed of vehicles in public parks  
2 subject to the limitations set forth in Section 11-604;

3           6. Designating any highway as a through highway, as  
4 authorized in Section 11-302, and requiring that all  
5 vehicles stop before entering or crossing the same or  
6 designating any intersection as a stop intersection or a  
7 yield right-of-way intersection and requiring all vehicles  
8 to stop or yield the right-of-way at one or more entrances  
9 to such intersections;

10          7. Restricting the use of highways as authorized in  
11 Chapter 15;

12          8. Regulating the operation of mobile carrying  
13 devices, bicycles, low-speed electric bicycles, and  
14 low-speed gas bicycles, and requiring the registration and  
15 licensing of same, including the requirement of a  
16 registration fee;

17          9. Regulating or prohibiting the turning of vehicles  
18 or specified types of vehicles at intersections;

19          10. Altering the speed limits as authorized in Section  
20 11-604;

21          11. Prohibiting U-turns;

22          12. Prohibiting pedestrian crossings at other than  
23 designated and marked crosswalks or at intersections;

24          13. Prohibiting parking during snow removal operation;

25          14. Imposing fines in accordance with Section  
26 11-1301.3 as penalties for use of any parking place

1 reserved for persons with disabilities, as defined by  
2 Section 1-159.1, or veterans with disabilities by any  
3 person using a motor vehicle not bearing registration  
4 plates specified in Section 11-1301.1 or a special decal  
5 or device as defined in Section 11-1301.2 as evidence that  
6 the vehicle is operated by or for a person with  
7 disabilities or a veteran with a disability;

8 15. Adopting such other traffic regulations as are  
9 specifically authorized by this Code; or

10 16. Enforcing the provisions of subsection (f) of  
11 Section 3-413 of this Code or a similar local ordinance.

12 (b) No ordinance or regulation enacted under paragraph 1,  
13 4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be  
14 effective until signs giving reasonable notice of such local  
15 traffic regulations are posted.

16 (c) The provisions of this Code shall not prevent any  
17 municipality having a population of 500,000 or more  
18 inhabitants from prohibiting any person from driving or  
19 operating any motor vehicle upon the roadways of such  
20 municipality with headlamps on high beam or bright.

21 (d) The provisions of this Code shall not be deemed to  
22 prevent local authorities within the reasonable exercise of  
23 their police power from prohibiting, on private property, the  
24 unauthorized use of parking spaces reserved for persons with  
25 disabilities.

26 (e) No unit of local government, including a home rule

1 unit, may enact or enforce an ordinance that applies only to  
2 motorcycles if the principal purpose for that ordinance is to  
3 restrict the access of motorcycles to any highway or portion  
4 of a highway for which federal or State funds have been used  
5 for the planning, design, construction, or maintenance of that  
6 highway. No unit of local government, including a home rule  
7 unit, may enact an ordinance requiring motorcycle users to  
8 wear protective headgear. Nothing in this subsection (e) shall  
9 affect the authority of a unit of local government to regulate  
10 motorcycles for traffic control purposes or in accordance with  
11 Section 12-602 of this Code. No unit of local government,  
12 including a home rule unit, may regulate motorcycles in a  
13 manner inconsistent with this Code. This subsection (e) is a  
14 limitation under subsection (i) of Section 6 of Article VII of  
15 the Illinois Constitution on the concurrent exercise by home  
16 rule units of powers and functions exercised by the State.

17 (e-5) The City of Chicago may enact an ordinance providing  
18 for a noise monitoring system upon any portion of the roadway  
19 known as Lake Shore Drive. Twelve months after the  
20 installation of the noise monitoring system, and any time  
21 after the first report as the City deems necessary, the City of  
22 Chicago shall prepare a noise monitoring report with the data  
23 collected from the system and shall, upon request, make the  
24 report available to the public. For purposes of this  
25 subsection (e-5), "noise monitoring system" means an automated  
26 noise monitor capable of recording noise levels 24 hours per



1 day and 365 days per year with computer equipment sufficient  
2 to process the data.

3 (e-10) A unit of local government, including a home rule  
4 unit, may not enact an ordinance prohibiting the use of  
5 Automated Driving System equipped vehicles on its roadways.  
6 Nothing in this subsection (e-10) shall affect the authority  
7 of a unit of local government to regulate Automated Driving  
8 System equipped vehicles for traffic control purposes. No unit  
9 of local government, including a home rule unit, may regulate  
10 Automated Driving System equipped vehicles in a manner  
11 inconsistent with this Code. For purposes of this subsection  
12 (e-10), "Automated Driving System equipped vehicle" means any  
13 vehicle equipped with an Automated Driving System of hardware  
14 and software that are collectively capable of performing the  
15 entire dynamic driving task on a sustained basis, regardless  
16 of whether it is limited to a specific operational domain.  
17 This subsection (e-10) is a limitation under subsection (i) of  
18 Section 6 of Article VII of the Illinois Constitution on the  
19 concurrent exercise by home rule units of powers and functions  
20 exercised by the State.

21 (f) No unit of local government, including a home rule  
22 unit, A municipality or county designated in Section 11-208.6  
23 may enact or enforce an ordinance providing for an automated  
24 traffic law enforcement system to enforce violations of  
25 Section 11-306 of this Code or a similar provision of a local  
26 ordinance and imposing liability on a registered owner or

1 lessee of a vehicle used in such a violation. For purposes of  
2 this subsection (f), "automated traffic law enforcement  
3 system" means a device with one or more motor vehicle sensors  
4 working in conjunction with a red light signal to produce  
5 recorded images of motor vehicles entering into an  
6 intersection against a red signal indication in violation of  
7 Section 11-306 of this Code or a similar provision of a local  
8 ordinance. This subsection (f) is a denial and limitation of  
9 home rule powers and functions under subsection (g) of Section  
10 6 of Article VII of the Illinois Constitution.

11 (g) A municipality or county, as provided in Section  
12 11-1201.1, may enact an ordinance providing for an automated  
13 traffic law enforcement system to enforce violations of  
14 Section 11-1201 of this Code or a similar provision of a local  
15 ordinance and imposing liability on a registered owner of a  
16 vehicle used in such a violation.

17 (h) A municipality designated in Section 11-208.8 may  
18 enact an ordinance providing for an automated speed  
19 enforcement system to enforce violations of Article VI of  
20 Chapter 11 of this Code or a similar provision of a local  
21 ordinance.

22 (i) A municipality or county designated in Section  
23 11-208.9 may enact an ordinance providing for an automated  
24 traffic law enforcement system to enforce violations of  
25 Section 11-1414 of this Code or a similar provision of a local  
26 ordinance and imposing liability on a registered owner or

1 lessee of a vehicle used in such a violation.

2 (Source: P.A. 100-209, eff. 1-1-18; 100-257, eff. 8-22-17;  
3 100-352, eff. 6-1-18; 100-863, eff. 8-14-18; 101-123, eff.  
4 7-26-19.)

5 (625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

6 Sec. 11-208.3. Administrative adjudication of violations  
7 of traffic regulations concerning the standing, parking, or  
8 condition of vehicles, automated traffic law violations, and  
9 automated speed enforcement system violations.

10 (a) Any municipality or county may provide by ordinance  
11 for a system of administrative adjudication of vehicular  
12 standing and parking violations and vehicle compliance  
13 violations as described in this subsection, automated traffic  
14 law violations as defined in Section ~~11-208.6~~, 11-208.9~~7~~ or  
15 11-1201.1, and automated speed enforcement system violations  
16 as defined in Section 11-208.8. The administrative system  
17 shall have as its purpose the fair and efficient enforcement  
18 of municipal or county regulations through the administrative  
19 adjudication of automated speed enforcement system or  
20 automated traffic law violations and violations of municipal  
21 or county ordinances regulating the standing and parking of  
22 vehicles, the condition and use of vehicle equipment, and the  
23 display of municipal or county wheel tax licenses within the  
24 municipality's or county's borders. The administrative system  
25 shall only have authority to adjudicate civil offenses

1 carrying fines not in excess of \$500 or requiring the  
2 completion of a traffic education program, or both, that occur  
3 after the effective date of the ordinance adopting such a  
4 system under this Section. For purposes of this Section,  
5 "compliance violation" means a violation of a municipal or  
6 county regulation governing the condition or use of equipment  
7 on a vehicle or governing the display of a municipal or county  
8 wheel tax license.

9 (b) Any ordinance establishing a system of administrative  
10 adjudication under this Section shall provide for:

11 (1) A traffic compliance administrator authorized to  
12 adopt, distribute, and process parking, compliance, and  
13 automated speed enforcement system or automated traffic  
14 law violation notices and other notices required by this  
15 Section, collect money paid as fines and penalties for  
16 violation of parking and compliance ordinances and  
17 automated speed enforcement system or automated traffic  
18 law violations, and operate an administrative adjudication  
19 system.

20 (2) A parking, standing, compliance, automated speed  
21 enforcement system, or automated traffic law violation  
22 notice that shall specify or include the date, time, and  
23 place of violation of a parking, standing, compliance,  
24 automated speed enforcement system, or automated traffic  
25 law regulation; the particular regulation violated; any  
26 requirement to complete a traffic education program; the

1 fine and any penalty that may be assessed for late payment  
2 or failure to complete a required traffic education  
3 program, or both, when so provided by ordinance; the  
4 vehicle make or a photograph of the vehicle; the state  
5 registration number of the vehicle; and the identification  
6 number of the person issuing the notice. With regard to  
7 automated speed enforcement system or automated traffic  
8 law violations, vehicle make shall be specified on the  
9 automated speed enforcement system or automated traffic  
10 law violation notice if the notice does not include a  
11 photograph of the vehicle and the make is available and  
12 readily discernible. With regard to municipalities or  
13 counties with a population of 1 million or more, it shall  
14 be grounds for dismissal of a parking violation if the  
15 state registration number or vehicle make specified is  
16 incorrect. The violation notice shall state that the  
17 completion of any required traffic education program, the  
18 payment of any indicated fine, and the payment of any  
19 applicable penalty for late payment or failure to complete  
20 a required traffic education program, or both, shall  
21 operate as a final disposition of the violation. The  
22 notice also shall contain information as to the  
23 availability of a hearing in which the violation may be  
24 contested on its merits. The violation notice shall  
25 specify the time and manner in which a hearing may be had.

26 (3) Service of a parking, standing, or compliance

1 violation notice by: (i) affixing the original or a  
2 facsimile of the notice to an unlawfully parked or  
3 standing vehicle; (ii) handing the notice to the operator  
4 of a vehicle if he or she is present; or (iii) mailing the  
5 notice to the address of the registered owner or lessee of  
6 the cited vehicle as recorded with the Secretary of State  
7 or the lessor of the motor vehicle within 30 days after the  
8 Secretary of State or the lessor of the motor vehicle  
9 notifies the municipality or county of the identity of the  
10 owner or lessee of the vehicle, but not later than 90 days  
11 after the date of the violation, except that in the case of  
12 a lessee of a motor vehicle, service of a parking,  
13 standing, or compliance violation notice may occur no  
14 later than 210 days after the violation; and service of an  
15 automated speed enforcement system or automated traffic  
16 law violation notice by mail to the address of the  
17 registered owner or lessee of the cited vehicle as  
18 recorded with the Secretary of State or the lessor of the  
19 motor vehicle within 30 days after the Secretary of State  
20 or the lessor of the motor vehicle notifies the  
21 municipality or county of the identity of the owner or  
22 lessee of the vehicle, but not later than 90 days after the  
23 violation, except that in the case of a lessee of a motor  
24 vehicle, service of an automated traffic law violation  
25 notice may occur no later than 210 days after the  
26 violation. A person authorized by ordinance to issue and

1 serve parking, standing, and compliance violation notices  
2 shall certify as to the correctness of the facts entered  
3 on the violation notice by signing his or her name to the  
4 notice at the time of service or, in the case of a notice  
5 produced by a computerized device, by signing a single  
6 certificate to be kept by the traffic compliance  
7 administrator attesting to the correctness of all notices  
8 produced by the device while it was under his or her  
9 control. In the case of an automated traffic law  
10 violation, the ordinance shall require a determination by  
11 a technician employed or contracted by the municipality or  
12 county that, based on inspection of recorded images, the  
13 motor vehicle was being operated in violation of Section  
14 ~~11-208.6,~~ 11-208.9~~7~~ or 11-1201.1 or a local ordinance. ~~If~~  
15 ~~the technician determines that the vehicle entered the~~  
16 ~~intersection as part of a funeral procession or in order~~  
17 ~~to yield the right of way to an emergency vehicle, a~~  
18 ~~citation shall not be issued.~~ In municipalities with a  
19 population of less than 1,000,000 inhabitants and counties  
20 with a population of less than 3,000,000 inhabitants, the  
21 automated traffic law ordinance shall require that all  
22 determinations by a technician that a motor vehicle was  
23 being operated in violation of Section ~~11-208.6,~~ 11-208.9~~7~~  
24 or 11-1201.1 or a local ordinance must be reviewed and  
25 approved by a law enforcement officer or retired law  
26 enforcement officer of the municipality or county issuing

1 the violation. In municipalities with a population of  
2 1,000,000 or more inhabitants and counties with a  
3 population of 3,000,000 or more inhabitants, the automated  
4 traffic law ordinance shall require that all  
5 determinations by a technician that a motor vehicle was  
6 being operated in violation of Section ~~11-208.6~~, 11-208.97  
7 or 11-1201.1 or a local ordinance must be reviewed and  
8 approved by a law enforcement officer or retired law  
9 enforcement officer of the municipality or county issuing  
10 the violation or by an additional fully trained reviewing  
11 technician who is not employed by the contractor who  
12 employs the technician who made the initial determination.  
13 In the case of an automated speed enforcement system  
14 violation, the ordinance shall require a determination by  
15 a technician employed by the municipality, based upon an  
16 inspection of recorded images, video or other  
17 documentation, including documentation of the speed limit  
18 and automated speed enforcement signage, and documentation  
19 of the inspection, calibration, and certification of the  
20 speed equipment, that the vehicle was being operated in  
21 violation of Article VI of Chapter 11 of this Code or a  
22 similar local ordinance. If the technician determines that  
23 the vehicle speed was not determined by a calibrated,  
24 certified speed equipment device based upon the speed  
25 equipment documentation, or if the vehicle was an  
26 emergency vehicle, a citation may not be issued. The



1 automated speed enforcement ordinance shall require that  
2 all determinations by a technician that a violation  
3 occurred be reviewed and approved by a law enforcement  
4 officer or retired law enforcement officer of the  
5 municipality issuing the violation or by an additional  
6 fully trained reviewing technician who is not employed by  
7 the contractor who employs the technician who made the  
8 initial determination. Routine and independent calibration  
9 of the speeds produced by automated speed enforcement  
10 systems and equipment shall be conducted annually by a  
11 qualified technician. Speeds produced by an automated  
12 speed enforcement system shall be compared with speeds  
13 produced by lidar or other independent equipment. Radar or  
14 lidar equipment shall undergo an internal validation test  
15 no less frequently than once each week. Qualified  
16 technicians shall test loop-based equipment no less  
17 frequently than once a year. Radar equipment shall be  
18 checked for accuracy by a qualified technician when the  
19 unit is serviced, when unusual or suspect readings  
20 persist, or when deemed necessary by a reviewing  
21 technician. Radar equipment shall be checked with the  
22 internal frequency generator and the internal circuit test  
23 whenever the radar is turned on. Technicians must be alert  
24 for any unusual or suspect readings, and if unusual or  
25 suspect readings of a radar unit persist, that unit shall  
26 immediately be removed from service and not returned to

1 service until it has been checked by a qualified  
2 technician and determined to be functioning properly.  
3 Documentation of the annual calibration results, including  
4 the equipment tested, test date, technician performing the  
5 test, and test results, shall be maintained and available  
6 for use in the determination of an automated speed  
7 enforcement system violation and issuance of a citation.  
8 The technician performing the calibration and testing of  
9 the automated speed enforcement equipment shall be trained  
10 and certified in the use of equipment for speed  
11 enforcement purposes. Training on the speed enforcement  
12 equipment may be conducted by law enforcement, civilian,  
13 or manufacturer's personnel and if applicable may be  
14 equivalent to the equipment use and operations training  
15 included in the Speed Measuring Device Operator Program  
16 developed by the National Highway Traffic Safety  
17 Administration (NHTSA). The vendor or technician who  
18 performs the work shall keep accurate records on each  
19 piece of equipment the technician calibrates and tests. As  
20 used in this paragraph, "fully trained reviewing  
21 technician" means a person who has received at least 40  
22 hours of supervised training in subjects which shall  
23 include image inspection and interpretation, the elements  
24 necessary to prove a violation, license plate  
25 identification, and traffic safety and management. In all  
26 municipalities and counties, the automated speed

1 enforcement system or automated traffic law ordinance  
2 shall require that no additional fee shall be charged to  
3 the alleged violator for exercising his or her right to an  
4 administrative hearing, and persons shall be given at  
5 least 25 days following an administrative hearing to pay  
6 any civil penalty imposed by a finding that Section  
7 ~~11-208.6,~~ 11-208.8, 11-208.9, or 11-1201.1 or a similar  
8 local ordinance has been violated. The original or a  
9 facsimile of the violation notice or, in the case of a  
10 notice produced by a computerized device, a printed record  
11 generated by the device showing the facts entered on the  
12 notice, shall be retained by the traffic compliance  
13 administrator, and shall be a record kept in the ordinary  
14 course of business. A parking, standing, compliance,  
15 automated speed enforcement system, or automated traffic  
16 law violation notice issued, signed, and served in  
17 accordance with this Section, a copy of the notice, or the  
18 computer-generated record shall be prima facie correct and  
19 shall be prima facie evidence of the correctness of the  
20 facts shown on the notice. The notice, copy, or  
21 computer-generated record shall be admissible in any  
22 subsequent administrative or legal proceedings.

23 (4) An opportunity for a hearing for the registered  
24 owner of the vehicle cited in the parking, standing,  
25 compliance, automated speed enforcement system, or  
26 automated traffic law violation notice in which the owner

1           may contest the merits of the alleged violation, and  
2           during which formal or technical rules of evidence shall  
3           not apply; provided, however, that under Section 11-1306  
4           of this Code the lessee of a vehicle cited in the violation  
5           notice likewise shall be provided an opportunity for a  
6           hearing of the same kind afforded the registered owner.  
7           The hearings shall be recorded, and the person conducting  
8           the hearing on behalf of the traffic compliance  
9           administrator shall be empowered to administer oaths and  
10          to secure by subpoena both the attendance and testimony of  
11          witnesses and the production of relevant books and papers.  
12          Persons appearing at a hearing under this Section may be  
13          represented by counsel at their expense. The ordinance may  
14          also provide for internal administrative review following  
15          the decision of the hearing officer.

16                 (5) Service of additional notices, sent by first class  
17          United States mail, postage prepaid, to the address of the  
18          registered owner of the cited vehicle as recorded with the  
19          Secretary of State or, if any notice to that address is  
20          returned as undeliverable, to the last known address  
21          recorded in a United States Post Office approved database,  
22          or, under Section 11-1306 or subsection (p) of Section  
23          ~~11-208.6~~ or 11-208.9, or subsection (p) of Section  
24          11-208.8 of this Code, to the lessee of the cited vehicle  
25          at the last address known to the lessor of the cited  
26          vehicle at the time of lease or, if any notice to that

1 address is returned as undeliverable, to the last known  
2 address recorded in a United States Post Office approved  
3 database. The service shall be deemed complete as of the  
4 date of deposit in the United States mail. The notices  
5 shall be in the following sequence and shall include, but  
6 not be limited to, the information specified herein:

7 (i) A second notice of parking, standing, or  
8 compliance violation if the first notice of the  
9 violation was issued by affixing the original or a  
10 facsimile of the notice to the unlawfully parked  
11 vehicle or by handing the notice to the operator. This  
12 notice shall specify or include the date and location  
13 of the violation cited in the parking, standing, or  
14 compliance violation notice, the particular regulation  
15 violated, the vehicle make or a photograph of the  
16 vehicle, the state registration number of the vehicle,  
17 any requirement to complete a traffic education  
18 program, the fine and any penalty that may be assessed  
19 for late payment or failure to complete a traffic  
20 education program, or both, when so provided by  
21 ordinance, the availability of a hearing in which the  
22 violation may be contested on its merits, and the time  
23 and manner in which the hearing may be had. The notice  
24 of violation shall also state that failure to complete  
25 a required traffic education program, to pay the  
26 indicated fine and any applicable penalty, or to

1 appear at a hearing on the merits in the time and  
2 manner specified, will result in a final determination  
3 of violation liability for the cited violation in the  
4 amount of the fine or penalty indicated, and that,  
5 upon the occurrence of a final determination of  
6 violation liability for the failure, and the  
7 exhaustion of, or failure to exhaust, available  
8 administrative or judicial procedures for review, any  
9 incomplete traffic education program or any unpaid  
10 fine or penalty, or both, will constitute a debt due  
11 and owing the municipality or county.

12 (ii) A notice of final determination of parking,  
13 standing, compliance, automated speed enforcement  
14 system, or automated traffic law violation liability.  
15 This notice shall be sent following a final  
16 determination of parking, standing, compliance,  
17 automated speed enforcement system, or automated  
18 traffic law violation liability and the conclusion of  
19 judicial review procedures taken under this Section.  
20 The notice shall state that the incomplete traffic  
21 education program or the unpaid fine or penalty, or  
22 both, is a debt due and owing the municipality or  
23 county. The notice shall contain warnings that failure  
24 to complete any required traffic education program or  
25 to pay any fine or penalty due and owing the  
26 municipality or county, or both, within the time

1 specified may result in the municipality's or county's  
2 filing of a petition in the Circuit Court to have the  
3 incomplete traffic education program or unpaid fine or  
4 penalty, or both, rendered a judgment as provided by  
5 this Section, or, where applicable, may result in  
6 suspension of the person's driver's license for  
7 failure to complete a traffic education program.

8 (6) A notice of impending driver's license suspension.

9 This notice shall be sent to the person liable for failure  
10 to complete a required traffic education program. The  
11 notice shall state that failure to complete a required  
12 traffic education program within 45 days of the notice's  
13 date will result in the municipality or county notifying  
14 the Secretary of State that the person is eligible for  
15 initiation of suspension proceedings under Section 6-306.5  
16 of this Code. The notice shall also state that the person  
17 may obtain a photostatic copy of an original ticket  
18 imposing a fine or penalty by sending a self-addressed,  
19 stamped envelope to the municipality or county along with  
20 a request for the photostatic copy. The notice of  
21 impending driver's license suspension shall be sent by  
22 first class United States mail, postage prepaid, to the  
23 address recorded with the Secretary of State or, if any  
24 notice to that address is returned as undeliverable, to  
25 the last known address recorded in a United States Post  
26 Office approved database.

1           (7) Final determinations of violation liability. A  
2 final determination of violation liability shall occur  
3 following failure to complete the required traffic  
4 education program or to pay the fine or penalty, or both,  
5 after a hearing officer's determination of violation  
6 liability and the exhaustion of or failure to exhaust any  
7 administrative review procedures provided by ordinance.  
8 Where a person fails to appear at a hearing to contest the  
9 alleged violation in the time and manner specified in a  
10 prior mailed notice, the hearing officer's determination  
11 of violation liability shall become final: (A) upon denial  
12 of a timely petition to set aside that determination, or  
13 (B) upon expiration of the period for filing the petition  
14 without a filing having been made.

15           (8) A petition to set aside a determination of  
16 parking, standing, compliance, automated speed enforcement  
17 system, or automated traffic law violation liability that  
18 may be filed by a person owing an unpaid fine or penalty. A  
19 petition to set aside a determination of liability may  
20 also be filed by a person required to complete a traffic  
21 education program. The petition shall be filed with and  
22 ruled upon by the traffic compliance administrator in the  
23 manner and within the time specified by ordinance. The  
24 grounds for the petition may be limited to: (A) the person  
25 not having been the owner or lessee of the cited vehicle on  
26 the date the violation notice was issued, (B) the person



1 having already completed the required traffic education  
2 program or paid the fine or penalty, or both, for the  
3 violation in question, and (C) excusable failure to appear  
4 at or request a new date for a hearing. With regard to  
5 municipalities or counties with a population of 1 million  
6 or more, it shall be grounds for dismissal of a parking  
7 violation if the state registration number or vehicle  
8 make, only if specified in the violation notice, is  
9 incorrect. After the determination of parking, standing,  
10 compliance, automated speed enforcement system, or  
11 automated traffic law violation liability has been set  
12 aside upon a showing of just cause, the registered owner  
13 shall be provided with a hearing on the merits for that  
14 violation.

15 (9) Procedures for non-residents. Procedures by which  
16 persons who are not residents of the municipality or  
17 county may contest the merits of the alleged violation  
18 without attending a hearing.

19 (10) A schedule of civil fines for violations of  
20 vehicular standing, parking, compliance, automated speed  
21 enforcement system, or automated traffic law regulations  
22 enacted by ordinance pursuant to this Section, and a  
23 schedule of penalties for late payment of the fines or  
24 failure to complete required traffic education programs,  
25 provided, however, that the total amount of the fine and  
26 penalty for any one violation shall not exceed \$250,

1           except as provided in subsection (c) of Section 11-1301.3  
2           of this Code.

3           (11) Other provisions as are necessary and proper to  
4           carry into effect the powers granted and purposes stated  
5           in this Section.

6           (c) Any municipality or county establishing vehicular  
7           standing, parking, compliance, automated speed enforcement  
8           system, or automated traffic law regulations under this  
9           Section may also provide by ordinance for a program of vehicle  
10          immobilization for the purpose of facilitating enforcement of  
11          those regulations. The program of vehicle immobilization shall  
12          provide for immobilizing any eligible vehicle upon the public  
13          way by presence of a restraint in a manner to prevent operation  
14          of the vehicle. Any ordinance establishing a program of  
15          vehicle immobilization under this Section shall provide:

16           (1) Criteria for the designation of vehicles eligible  
17           for immobilization. A vehicle shall be eligible for  
18           immobilization when the registered owner of the vehicle  
19           has accumulated the number of incomplete traffic education  
20           programs or unpaid final determinations of parking,  
21           standing, compliance, automated speed enforcement system,  
22           or automated traffic law violation liability, or both, as  
23           determined by ordinance.

24           (2) A notice of impending vehicle immobilization and a  
25           right to a hearing to challenge the validity of the notice  
26           by disproving liability for the incomplete traffic

1 education programs or unpaid final determinations of  
2 parking, standing, compliance, automated speed enforcement  
3 system, or automated traffic law violation liability, or  
4 both, listed on the notice.

5 (3) The right to a prompt hearing after a vehicle has  
6 been immobilized or subsequently towed without the  
7 completion of the required traffic education program or  
8 payment of the outstanding fines and penalties on parking,  
9 standing, compliance, automated speed enforcement system,  
10 or automated traffic law violations, or both, for which  
11 final determinations have been issued. An order issued  
12 after the hearing is a final administrative decision  
13 within the meaning of Section 3-101 of the Code of Civil  
14 Procedure.

15 (4) A post immobilization and post-towing notice  
16 advising the registered owner of the vehicle of the right  
17 to a hearing to challenge the validity of the impoundment.

18 (d) Judicial review of final determinations of parking,  
19 standing, compliance, automated speed enforcement system, or  
20 automated traffic law violations and final administrative  
21 decisions issued after hearings regarding vehicle  
22 immobilization and impoundment made under this Section shall  
23 be subject to the provisions of the Administrative Review Law.

24 (e) Any fine, penalty, incomplete traffic education  
25 program, or part of any fine or any penalty remaining unpaid  
26 after the exhaustion of, or the failure to exhaust,

1 administrative remedies created under this Section and the  
2 conclusion of any judicial review procedures shall be a debt  
3 due and owing the municipality or county and, as such, may be  
4 collected in accordance with applicable law. Completion of any  
5 required traffic education program and payment in full of any  
6 fine or penalty resulting from a standing, parking,  
7 compliance, automated speed enforcement system, or automated  
8 traffic law violation shall constitute a final disposition of  
9 that violation.

10 (f) After the expiration of the period within which  
11 judicial review may be sought for a final determination of  
12 parking, standing, compliance, automated speed enforcement  
13 system, or automated traffic law violation, the municipality  
14 or county may commence a proceeding in the Circuit Court for  
15 purposes of obtaining a judgment on the final determination of  
16 violation. Nothing in this Section shall prevent a  
17 municipality or county from consolidating multiple final  
18 determinations of parking, standing, compliance, automated  
19 speed enforcement system, or automated traffic law violations  
20 against a person in a proceeding. Upon commencement of the  
21 action, the municipality or county shall file a certified copy  
22 or record of the final determination of parking, standing,  
23 compliance, automated speed enforcement system, or automated  
24 traffic law violation, which shall be accompanied by a  
25 certification that recites facts sufficient to show that the  
26 final determination of violation was issued in accordance with

1 this Section and the applicable municipal or county ordinance.  
2 Service of the summons and a copy of the petition may be by any  
3 method provided by Section 2-203 of the Code of Civil  
4 Procedure or by certified mail, return receipt requested,  
5 provided that the total amount of fines and penalties for  
6 final determinations of parking, standing, compliance,  
7 automated speed enforcement system, or automated traffic law  
8 violations does not exceed \$2500. If the court is satisfied  
9 that the final determination of parking, standing, compliance,  
10 automated speed enforcement system, or automated traffic law  
11 violation was entered in accordance with the requirements of  
12 this Section and the applicable municipal or county ordinance,  
13 and that the registered owner or the lessee, as the case may  
14 be, had an opportunity for an administrative hearing and for  
15 judicial review as provided in this Section, the court shall  
16 render judgment in favor of the municipality or county and  
17 against the registered owner or the lessee for the amount  
18 indicated in the final determination of parking, standing,  
19 compliance, automated speed enforcement system, or automated  
20 traffic law violation, plus costs. The judgment shall have the  
21 same effect and may be enforced in the same manner as other  
22 judgments for the recovery of money.

23 (g) The fee for participating in a traffic education  
24 program under this Section shall not exceed \$25.

25 A low-income individual required to complete a traffic  
26 education program under this Section who provides proof of

1 eligibility for the federal earned income tax credit under  
2 Section 32 of the Internal Revenue Code or the Illinois earned  
3 income tax credit under Section 212 of the Illinois Income Tax  
4 Act shall not be required to pay any fee for participating in a  
5 required traffic education program.

6 (h) Notwithstanding any other provision of law to the  
7 contrary, a person shall not be liable for violations, fees,  
8 fines, or penalties under this Section during the period in  
9 which the motor vehicle was stolen or hijacked, as indicated  
10 in a report to the appropriate law enforcement agency filed in  
11 a timely manner.

12 (Source: P.A. 101-32, eff. 6-28-19; 101-623, eff. 7-1-20;  
13 101-652, eff. 7-1-21; 102-558, eff. 8-20-21; 102-905, eff.  
14 1-1-23.)

15 (625 ILCS 5/11-208.8)

16 Sec. 11-208.8. Automated speed enforcement systems in  
17 safety zones.

18 (a) As used in this Section:

19 "Automated speed enforcement system" means a photographic  
20 device, radar device, laser device, or other electrical or  
21 mechanical device or devices installed or utilized in a safety  
22 zone and designed to record the speed of a vehicle and obtain a  
23 clear photograph or other recorded image of the vehicle and  
24 the vehicle's registration plate or digital registration plate  
25 while the driver is violating Article VI of Chapter 11 of this

1 Code or a similar provision of a local ordinance.

2 An automated speed enforcement system is a system, located  
3 in a safety zone which is under the jurisdiction of a  
4 municipality, that produces a recorded image of a motor  
5 vehicle's violation of a provision of this Code or a local  
6 ordinance and is designed to obtain a clear recorded image of  
7 the vehicle and the vehicle's license plate. The recorded  
8 image must also display the time, date, and location of the  
9 violation.

10 "Owner" means the person or entity to whom the vehicle is  
11 registered.

12 "Recorded image" means images recorded by an automated  
13 speed enforcement system on:

14 (1) 2 or more photographs;

15 (2) 2 or more microphotographs;

16 (3) 2 or more electronic images; or

17 (4) a video recording showing the motor vehicle and,  
18 on at least one image or portion of the recording, clearly  
19 identifying the registration plate or digital registration  
20 plate number of the motor vehicle.

21 "Safety zone" means an area that is within one-eighth of a  
22 mile from the nearest property line of any public or private  
23 elementary or secondary school, or from the nearest property  
24 line of any facility, area, or land owned by a school district  
25 that is used for educational purposes approved by the Illinois  
26 State Board of Education, not including school district

1 headquarters or administrative buildings. A safety zone also  
2 includes an area that is within one-eighth of a mile from the  
3 nearest property line of any facility, area, or land owned by a  
4 park district used for recreational purposes. However, if any  
5 portion of a roadway is within either one-eighth mile radius,  
6 the safety zone also shall include the roadway extended to the  
7 furthest portion of the next furthest intersection. The term  
8 "safety zone" does not include any portion of the roadway  
9 known as Lake Shore Drive or any controlled access highway  
10 with 8 or more lanes of traffic.

11 (a-5) The automated speed enforcement system shall be  
12 operational and violations shall be recorded only at the  
13 following times:

14 (i) if the safety zone is based upon the property line  
15 of any facility, area, or land owned by a school district,  
16 only on school days and no earlier than 6 a.m. and no later  
17 than 8:30 p.m. if the school day is during the period of  
18 Monday through Thursday, or 9 p.m. if the school day is a  
19 Friday; and

20 (ii) if the safety zone is based upon the property  
21 line of any facility, area, or land owned by a park  
22 district, no earlier than one hour prior to the time that  
23 the facility, area, or land is open to the public or other  
24 patrons, and no later than one hour after the facility,  
25 area, or land is closed to the public or other patrons.

26 (b) A municipality that produces a recorded image of a



1 motor vehicle's violation of a provision of this Code or a  
2 local ordinance must make the recorded images of a violation  
3 accessible to the alleged violator by providing the alleged  
4 violator with a website address, accessible through the  
5 Internet.

6 (c) Notwithstanding any penalties for any other violations  
7 of this Code, the owner of a motor vehicle used in a traffic  
8 violation recorded by an automated speed enforcement system  
9 shall be subject to the following penalties:

10 (1) if the recorded speed is no less than 6 miles per  
11 hour and no more than 10 miles per hour over the legal  
12 speed limit, a civil penalty not exceeding \$50, plus an  
13 additional penalty of not more than \$50 for failure to pay  
14 the original penalty in a timely manner; or

15 (2) if the recorded speed is more than 10 miles per  
16 hour over the legal speed limit, a civil penalty not  
17 exceeding \$100, plus an additional penalty of not more  
18 than \$100 for failure to pay the original penalty in a  
19 timely manner.

20 A penalty may not be imposed under this Section if the  
21 driver of the motor vehicle received a Uniform Traffic  
22 Citation from a police officer for a speeding violation  
23 occurring within one-eighth of a mile and 15 minutes of the  
24 violation that was recorded by the system. A violation for  
25 which a civil penalty is imposed under this Section is not a  
26 violation of a traffic regulation governing the movement of

1 vehicles and may not be recorded on the driving record of the  
2 owner of the vehicle. A law enforcement officer is not  
3 required to be present or to witness the violation. No penalty  
4 may be imposed under this Section if the recorded speed of a  
5 vehicle is 5 miles per hour or less over the legal speed limit.  
6 The municipality may send, in the same manner that notices are  
7 sent under this Section, a speed violation warning notice  
8 where the violation involves a speed of 5 miles per hour or  
9 less above the legal speed limit.

10 (d) The net proceeds that a municipality receives from  
11 civil penalties imposed under an automated speed enforcement  
12 system, after deducting all non-personnel and personnel costs  
13 associated with the operation and maintenance of such system,  
14 shall be expended or obligated by the municipality for the  
15 following purposes:

16 (i) public safety initiatives to ensure safe passage  
17 around schools, and to provide police protection and  
18 surveillance around schools and parks, including but not  
19 limited to: (1) personnel costs; and (2) non-personnel  
20 costs such as construction and maintenance of public  
21 safety infrastructure and equipment;

22 (ii) initiatives to improve pedestrian and traffic  
23 safety;

24 (iii) construction and maintenance of infrastructure  
25 within the municipality, including but not limited to  
26 roads and bridges; and

1 (iv) after school programs.

2 (e) For each violation of a provision of this Code or a  
3 local ordinance recorded by an automated speed enforcement  
4 system, the municipality having jurisdiction shall issue a  
5 written notice of the violation to the registered owner of the  
6 vehicle as the alleged violator. The notice shall be delivered  
7 to the registered owner of the vehicle, by mail, within 30 days  
8 after the Secretary of State notifies the municipality of the  
9 identity of the owner of the vehicle, but in no event later  
10 than 90 days after the violation.

11 (f) The notice required under subsection (e) of this  
12 Section shall include:

13 (1) the name and address of the registered owner of  
14 the vehicle;

15 (2) the registration number of the motor vehicle  
16 involved in the violation;

17 (3) the violation charged;

18 (4) the date, time, and location where the violation  
19 occurred;

20 (5) a copy of the recorded image or images;

21 (6) the amount of the civil penalty imposed and the  
22 date by which the civil penalty should be paid;

23 (7) a statement that recorded images are evidence of a  
24 violation of a speed restriction;

25 (8) a warning that failure to pay the civil penalty or  
26 to contest liability in a timely manner is an admission of

1 liability;

2 (9) a statement that the person may elect to proceed

3 by:

4 (A) paying the fine; or

5 (B) challenging the charge in court, by mail, or

6 by administrative hearing; and

7 (10) a website address, accessible through the

8 Internet, where the person may view the recorded images of

9 the violation.

10 (g) (Blank).

11 (h) Based on inspection of recorded images produced by an

12 automated speed enforcement system, a notice alleging that the

13 violation occurred shall be evidence of the facts contained in

14 the notice and admissible in any proceeding alleging a

15 violation under this Section.

16 (i) Recorded images made by an automated speed enforcement

17 system are confidential and shall be made available only to

18 the alleged violator and governmental and law enforcement

19 agencies for purposes of adjudicating a violation of this

20 Section, for statistical purposes, or for other governmental

21 purposes. Any recorded image evidencing a violation of this

22 Section, however, may be admissible in any proceeding

23 resulting from the issuance of the citation.

24 (j) The court or hearing officer may consider in defense

25 of a violation:

26 (1) that the motor vehicle or registration plates or

1 digital registration plates of the motor vehicle were  
2 stolen before the violation occurred and not under the  
3 control or in the possession of the owner or lessee at the  
4 time of the violation;

5 (1.5) that the motor vehicle was hijacked before the  
6 violation occurred and not under the control of or in the  
7 possession of the owner or lessee at the time of the  
8 violation;

9 (2) that the driver of the motor vehicle received a  
10 Uniform Traffic Citation from a police officer for a  
11 speeding violation occurring within one-eighth of a mile  
12 and 15 minutes of the violation that was recorded by the  
13 system; and

14 (3) any other evidence or issues provided by municipal  
15 ordinance.

16 (k) To demonstrate that the motor vehicle was hijacked or  
17 the motor vehicle or registration plates or digital  
18 registration plates were stolen before the violation occurred  
19 and were not under the control or possession of the owner or  
20 lessee at the time of the violation, the owner or lessee must  
21 submit proof that a report concerning the motor vehicle or  
22 registration plates was filed with a law enforcement agency in  
23 a timely manner.

24 (l) A roadway equipped with an automated speed enforcement  
25 system shall be posted with a sign conforming to the national  
26 Manual on Uniform Traffic Control Devices that is visible to

1 approaching traffic stating that vehicle speeds are being  
2 photo-enforced and indicating the speed limit. The  
3 municipality shall install such additional signage as it  
4 determines is necessary to give reasonable notice to drivers  
5 as to where automated speed enforcement systems are installed.

6 (m) A roadway where a new automated speed enforcement  
7 system is installed shall be posted with signs providing 30  
8 days notice of the use of a new automated speed enforcement  
9 system prior to the issuance of any citations through the  
10 automated speed enforcement system.

11 (n) The compensation paid for an automated speed  
12 enforcement system must be based on the value of the equipment  
13 or the services provided and may not be based on the number of  
14 traffic citations issued or the revenue generated by the  
15 system.

16 (o) (Blank).

17 (p) No person who is the lessor of a motor vehicle pursuant  
18 to a written lease agreement shall be liable for an automated  
19 speed or traffic law enforcement system violation involving  
20 such motor vehicle during the period of the lease; provided  
21 that upon the request of the appropriate authority received  
22 within 120 days after the violation occurred, the lessor  
23 provides within 60 days after such receipt the name and  
24 address of the lessee. The drivers license number of a lessee  
25 may be subsequently individually requested by the appropriate  
26 authority if needed for enforcement of this Section.

1           Upon the provision of information by the lessor pursuant  
2 to this subsection, the municipality may issue the violation  
3 to the lessee of the vehicle in the same manner as it would  
4 issue a violation to a registered owner of a vehicle pursuant  
5 to this Section, and the lessee may be held liable for the  
6 violation.

7           (q) A municipality using an automated speed enforcement  
8 system must provide notice to drivers by publishing the  
9 locations of all safety zones where system equipment is  
10 installed on the website of the municipality.

11           (r) A municipality operating an automated speed  
12 enforcement system shall conduct a statistical analysis to  
13 assess the safety impact of the system. The statistical  
14 analysis shall be based upon the best available crash,  
15 traffic, and other data, and shall cover a period of time  
16 before and after installation of the system sufficient to  
17 provide a statistically valid comparison of safety impact. The  
18 statistical analysis shall be consistent with professional  
19 judgment and acceptable industry practice. The statistical  
20 analysis also shall be consistent with the data required for  
21 valid comparisons of before and after conditions and shall be  
22 conducted within a reasonable period following the  
23 installation of the automated traffic law enforcement system.  
24 The statistical analysis required by this subsection shall be  
25 made available to the public and shall be published on the  
26 website of the municipality.

1 (s) This Section applies only to municipalities with a  
2 population of 1,000,000 or more inhabitants.

3 (t) Except as provided in this Section, a county or  
4 municipality, including a home rule county or municipality,  
5 may not use an automated speed enforcement system to provide  
6 recorded images of a motor vehicle for the purpose of  
7 recording its speed. Except as provided under this Section,  
8 the regulation of the use of automated speed enforcement  
9 systems to record vehicle speeds is an exclusive power and  
10 function of the State. This subsection (c) is a denial and  
11 limitation of home rule powers and functions under subsection  
12 (h) of Section 6 of Article VII of the Illinois Constitution.

13 (Source: P.A. 101-395, eff. 8-16-19; 101-652, eff. 7-1-21;  
14 102-905, eff. 1-1-23.)

15 (625 ILCS 5/11-208.6 rep.)

16 Section 10. The Illinois Vehicle Code is amended by  
17 repealing Section 11-208.6.

18 Section 90. The State Mandates Act is amended by adding  
19 Section 8.47 as follows:

20 (30 ILCS 805/8.47 new)

21 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and  
22 8 of this Act, no reimbursement by the State is required for  
23 the implementation of any mandate created by this amendatory



1 Act of the 103rd General Assembly.