

AN ACT concerning education.

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

Section 5. The Children and Family Services Act is amended by changing Sections 8 and 35.10 as follows:

(20 ILCS 505/8) (from Ch. 23, par. 5008)

Sec. 8. Scholarships and fee waivers; tuition waiver.

(a) Each year the Department shall select a minimum of 53 students (at least 4 of whom shall be children of veterans) to receive scholarships and fee waivers which will enable them to attend and complete their post-secondary education at a community college, university, or college. Youth shall be selected from among the youth for whom the Department has court-ordered legal responsibility, youth who aged out of care at age 18 or older, or youth formerly under care who have been adopted or who have been placed in private guardianship. Recipients must have earned a high school diploma from an accredited institution or a State of Illinois High School Diploma ~~high school equivalency certificate~~ or diploma or have met the State criteria for high school graduation before the start of the school year for which they are applying for the scholarship and waiver. Scholarships and fee waivers shall be available to students for at least 5 years, provided they are

continuing to work toward graduation. Unused scholarship dollars and fee waivers shall be reallocated to new recipients. No later than January 1, 2015, the Department shall promulgate rules identifying the criteria for "continuing to work toward graduation" and for reallocating unused scholarships and fee waivers. Selection shall be made on the basis of several factors, including, but not limited to, scholastic record, aptitude, and general interest in higher education. The selection committee shall include at least 2 individuals formerly under the care of the Department who have completed their post-secondary education. In accordance with this Act, tuition scholarships and fee waivers shall be available to such students at any university or college maintained by the State of Illinois. The Department shall provide maintenance and school expenses, except tuition and fees, during the academic years to supplement the students' earnings or other resources so long as they consistently maintain scholastic records which are acceptable to their schools and to the Department. Students may attend other colleges and universities, if scholarships are awarded them, and receive the same benefits for maintenance and other expenses as those students attending any Illinois State community college, university, or college under this Section. Beginning with recipients receiving scholarships and waivers in August 2014, the Department shall collect data and report annually to the General Assembly on measures of success,

including (i) the number of youth applying for and receiving scholarships or waivers, (ii) the percentage of scholarship or waiver recipients who complete their college or university degree within 5 years, (iii) the average length of time it takes for scholarship or waiver recipients to complete their college or university degree, (iv) the reasons that scholarship or waiver recipients are discharged or fail to complete their college or university degree, (v) when available, youths' outcomes 5 years and 10 years after being awarded the scholarships or waivers, and (vi) budget allocations for maintenance and school expenses incurred by the Department.

(b) Youth shall receive a tuition and fee waiver to assist them in attending and completing their post-secondary education at any community college, university, or college maintained by the State of Illinois if they are youth for whom the Department has court-ordered legal responsibility, youth who aged out of care at age 18 or older, or youth formerly under care who have been adopted and were the subject of an adoption assistance agreement or who have been placed in private guardianship and were the subject of a subsidized guardianship agreement.

To receive a waiver under this subsection, an applicant must:

- (1) have earned a high school diploma from an accredited institution or a State of Illinois High School

Diploma ~~high school equivalency certificate~~ or have met the State criteria for high school graduation before the start of the school year for which the applicant is applying for the waiver;

(2) enroll in a qualifying post-secondary education before the applicant reaches the age of 26; and

(3) apply for federal and State grant assistance by completing the Free Application for Federal Student Aid.

The community college or public university that an applicant attends must waive any tuition and fee amounts that exceed the amounts paid to the applicant under the federal Pell Grant Program or the State's Monetary Award Program.

Tuition and fee waivers shall be available to a student for at least the first 5 years the student is enrolled in a community college, university, or college maintained by the State of Illinois so long as the student makes satisfactory progress toward completing his or her degree. The age requirement and 5-year cap on tuition and fee waivers under this subsection shall be waived and eligibility for tuition and fee waivers shall be extended for any applicant or student who the Department determines was unable to enroll in a qualifying post-secondary school or complete an academic term because the applicant or student: (i) was called into active duty with the United States Armed Forces; (ii) was deployed for service in the United States Public Health Service Commissioned Corps; or (iii) volunteered in the Peace Corps or

the AmeriCorps. The Department shall extend eligibility for a qualifying applicant or student by the total number of months or years during which the applicant or student served on active duty with the United States Armed Forces, was deployed for service in the United States Public Health Service Commissioned Corps, or volunteered in the Peace Corps or the AmeriCorps. The number of months an applicant or student served on active duty with the United States Armed Forces shall be rounded up to the next higher year to determine the maximum length of time to extend eligibility for the applicant or student.

The Department may provide the student with a stipend to cover maintenance and school expenses, except tuition and fees, during the academic years to supplement the student's earnings or other resources so long as the student consistently maintains scholastic records which are acceptable to the student's school and to the Department.

The Department shall develop outreach programs to ensure that youths who qualify for the tuition and fee waivers under this subsection who are high school students in grades 9 through 12 or who are enrolled in a high school equivalency testing program are aware of the availability of the tuition and fee waivers.

(c) Subject to appropriation, the Department shall provide eligible youth an apprenticeship stipend to cover those costs associated with entering and sustaining through completion an

apprenticeship, including, but not limited to fees, tuition for classes, work clothes, rain gear, boots, and occupation-specific tools. The following youth may be eligible for the apprenticeship stipend provided under this subsection: youth for whom the Department has court-ordered legal responsibility; youth who aged out of care at age 18 or older; or youth formerly under care who have been adopted and were the subject of an adoption assistance agreement or who have been placed in private guardianship and were the subject of a subsidized guardianship agreement.

To receive a stipend under this subsection, an applicant must:

(1) be enrolled in an apprenticeship training program approved or recognized by the Illinois Department of Employment Security or an apprenticeship program approved by the United States Department of Labor;

(2) not be a recipient of a scholarship or fee waiver under subsection (a) or (b); and

(3) be under the age of 26 before enrolling in a qualified apprenticeship program.

Apprenticeship stipends shall be available to an eligible youth for a maximum of 5 years after the youth enrolls in a qualifying apprenticeship program so long as the youth makes satisfactory progress toward completing his or her apprenticeship. The age requirement and 5-year cap on the apprenticeship stipend provided under this subsection shall be

extended for any applicant who the Department determines was unable to enroll in a qualifying apprenticeship program because the applicant: (i) was called into active duty with the United States Armed Forces; (ii) was deployed for service in the United States Public Health Service Commissioned Corps; or (iii) volunteered in the Peace Corps or the AmeriCorps. The Department shall extend eligibility for a qualifying applicant by the total number of months or years during which the applicant served on active duty with the United States Armed Forces, was deployed for service in the United States Public Health Service Commissioned Corps, or volunteered in the Peace Corps or the AmeriCorps. The number of months an applicant served on active duty with the United States Armed Forces shall be rounded up to the next higher year to determine the maximum length of time to extend eligibility for the applicant.

The Department shall develop outreach programs to ensure that youths who qualify for the apprenticeship stipends under this subsection who are high school students in grades 9 through 12 or who are enrolled in a high school equivalency testing program are aware of the availability of the apprenticeship stipend.

(Source: P.A. 100-1045, eff. 1-1-19; 101-558, eff. 1-1-20.)

(20 ILCS 505/35.10)

Sec. 35.10. Documents necessary for adult living. The

Department shall assist a youth in care in identifying and obtaining documents necessary to function as an independent adult prior to the closure of the youth's case to terminate wardship as provided in Section 2-31 of the Juvenile Court Act of 1987. These necessary documents shall include, but not be limited to, any of the following:

- (1) State identification card or driver's license.
- (2) Social Security card.
- (3) Medical records, including, but not limited to, health passport, dental records, immunization records, name and contact information for all current medical, dental, and mental health providers, and a signed certification that the Department provided the youth with education on executing a healthcare power of attorney.
- (4) Medicaid card or other health eligibility documentation.
- (5) Certified copy of birth certificate.
- (6) Any applicable religious documents.
- (7) Voter registration card.
- (8) Immigration, citizenship, or naturalization documentation, if applicable.
- (9) Death certificates of parents, if applicable.
- (10) Life book or compilation of personal history and photographs.
- (11) List of known relatives with relationships, addresses, telephone numbers, and other contact



information, with the permission of the involved relative.

(12) Resume.

(13) Educational records, including list of schools attended, and transcript, high school diploma, or State of Illinois High School Diploma ~~high school equivalency certificate~~.

(14) List of placements while in care.

(15) List of community resources with referral information, including the Midwest Adoption Center for search and reunion services for former youth in care, whether or not they were adopted, and the Illinois Chapter of Foster Care Alumni of America.

(16) All documents necessary to complete a Free Application for Federal Student Aid form, if applicable, or an application for State financial aid.

If a court determines that a youth in care no longer requires wardship of the court and orders the wardship terminated and all proceedings under the Juvenile Court Act of 1987 respecting the youth in care finally closed and discharged, the Department shall ensure that the youth in care receives a copy of the court's order.

(Source: P.A. 102-70, eff. 1-1-22.)

Section 10. The Illinois Youthbuild Act is amended by changing Section 25 as follows:

(20 ILCS 1315/25)

Sec. 25. Eligible participants. Eligible participants are youth 16 to 24 years old who are economically disadvantaged as defined in United States Code, Title 29, Section 1503, and who are part of one of the following groups:

(a) Persons who are not attending any school and have not received a secondary school diploma or its equivalent.

(b) Persons currently enrolled in a traditional or alternative school setting or a high school equivalency testing program and who are in danger of dropping out of school.

(c) A member of a low-income family, a youth in foster care (including a youth aging-out of foster care), a youth offender, a youth with a disability, a child of incarcerated parents, or a migrant youth.

Not more than 25% of the participants in the program may be individuals who do not meet the requirements of subsections (a) or (b), but who are deficient in basic skills despite having attained a secondary school diploma, State of Illinois High School Diploma ~~high school equivalency certificate~~, or other State-recognized equivalent, or who have been referred by a local secondary school for participation in a Youthbuild program leading to the attainment of a secondary school diploma.

(Source: P.A. 98-718, eff. 1-1-15.)

Section 15. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 15.4 as follows:

(20 ILCS 1705/15.4)

Sec. 15.4. Authorization for nursing delegation to permit direct care staff to administer medications.

(a) This Section applies to (i) all residential programs for persons with a developmental disability in settings of 16 persons or fewer that are funded or licensed by the Department of Human Services and that distribute or administer medications, (ii) all intermediate care facilities for persons with developmental disabilities with 16 beds or fewer that are licensed by the Department of Public Health, and (iii) all day programs certified to serve persons with developmental disabilities by the Department of Human Services. The Department of Human Services shall develop a training program for authorized direct care staff to administer medications under the supervision and monitoring of a registered professional nurse. The training program for authorized direct care staff shall include educational and oversight components for staff who work in day programs that are similar to those for staff who work in residential programs. This training program shall be developed in consultation with professional associations representing (i) physicians licensed to practice medicine in all its branches, (ii) registered professional

nurses, and (iii) pharmacists.

(b) For the purposes of this Section:

"Authorized direct care staff" means non-licensed persons who have successfully completed a medication administration training program approved by the Department of Human Services and conducted by a nurse-trainer. This authorization is specific to an individual receiving service in a specific agency and does not transfer to another agency.

"Medications" means oral and topical medications, insulin in an injectable form, oxygen, epinephrine auto-injectors, and vaginal and rectal creams and suppositories. "Oral" includes inhalants and medications administered through enteral tubes, utilizing aseptic technique. "Topical" includes eye, ear, and nasal medications. Any controlled substances must be packaged specifically for an identified individual.

"Insulin in an injectable form" means a subcutaneous injection via an insulin pen pre-filled by the manufacturer. Authorized direct care staff may administer insulin, as ordered by a physician, advanced practice registered nurse, or physician assistant, if: (i) the staff has successfully completed a Department-approved advanced training program specific to insulin administration developed in consultation with professional associations listed in subsection (a) of this Section, and (ii) the staff consults with the registered nurse, prior to administration, of any insulin dose that is determined based on a blood glucose test result. The

authorized direct care staff shall not: (i) calculate the insulin dosage needed when the dose is dependent upon a blood glucose test result, or (ii) administer insulin to individuals who require blood glucose monitoring greater than 3 times daily, unless directed to do so by the registered nurse.

"Nurse-trainer training program" means a standardized, competency-based medication administration train-the-trainer program provided by the Department of Human Services and conducted by a Department of Human Services master nurse-trainer for the purpose of training nurse-trainers to train persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the supervision and monitoring of the nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, and a curriculum overview, including the ethical and legal aspects of supervising those administering medications.

"Self-administration of medications" means an individual administers his or her own medications. To be considered capable to self-administer their own medication, individuals must, at a minimum, be able to identify their medication by size, shape, or color, know when they should take the medication, and know the amount of medication to be taken each time.

"Training program" means a standardized medication administration training program approved by the Department of Human Services and conducted by a registered professional nurse for the purpose of training persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and provide self-administration of medication training to individuals under the delegation and supervision of a nurse-trainer. The program incorporates adult learning styles, teaching strategies, classroom management, curriculum overview, including ethical-legal aspects, and standardized competency-based evaluations on administration of medications and self-administration of medication training programs.

(c) Training and authorization of non-licensed direct care staff by nurse-trainers must meet the requirements of this subsection.

(1) Prior to training non-licensed direct care staff to administer medication, the nurse-trainer shall perform the following for each individual to whom medication will be administered by non-licensed direct care staff:

(A) An assessment of the individual's health history and physical and mental status.

(B) An evaluation of the medications prescribed.

(2) Non-licensed authorized direct care staff shall meet the following criteria:

(A) Be 18 years of age or older.

(B) Have completed high school or have a State of Illinois High School Diploma ~~high school equivalency certificate~~.

(C) Have demonstrated functional literacy.

(D) Have satisfactorily completed the Health and Safety component of a Department of Human Services authorized direct care staff training program.

(E) Have successfully completed the training program, pass the written portion of the comprehensive exam, and score 100% on the competency-based assessment specific to the individual and his or her medications.

(F) Have received additional competency-based assessment by the nurse-trainer as deemed necessary by the nurse-trainer whenever a change of medication occurs or a new individual that requires medication administration enters the program.

(3) Authorized direct care staff shall be re-evaluated by a nurse-trainer at least annually or more frequently at the discretion of the registered professional nurse. Any necessary retraining shall be to the extent that is necessary to ensure competency of the authorized direct care staff to administer medication.

(4) Authorization of direct care staff to administer medication shall be revoked if, in the opinion of the registered professional nurse, the authorized direct care

staff is no longer competent to administer medication.

(5) The registered professional nurse shall assess an individual's health status at least annually or more frequently at the discretion of the registered professional nurse.

(d) Medication self-administration shall meet the following requirements:

(1) As part of the normalization process, in order for each individual to attain the highest possible level of independent functioning, all individuals shall be permitted to participate in their total health care program. This program shall include, but not be limited to, individual training in preventive health and self-medication procedures.

(A) Every program shall adopt written policies and procedures for assisting individuals in obtaining preventative health and self-medication skills in consultation with a registered professional nurse, advanced practice registered nurse, physician assistant, or physician licensed to practice medicine in all its branches.

(B) Individuals shall be evaluated to determine their ability to self-medicate by the nurse-trainer through the use of the Department's required, standardized screening and assessment instruments.

(C) When the results of the screening and



assessment indicate an individual not to be capable to self-administer his or her own medications, programs shall be developed in consultation with the Community Support Team or Interdisciplinary Team to provide individuals with self-medication administration.

(2) Each individual shall be presumed to be competent to self-administer medications if:

(A) authorized by an order of a physician licensed to practice medicine in all its branches, an advanced practice registered nurse, or a physician assistant; and

(B) approved to self-administer medication by the individual's Community Support Team or Interdisciplinary Team, which includes a registered professional nurse or an advanced practice registered nurse.

(e) Quality Assurance.

(1) A registered professional nurse, advanced practice registered nurse, licensed practical nurse, physician licensed to practice medicine in all its branches, physician assistant, or pharmacist shall review the following for all individuals:

(A) Medication orders.

(B) Medication labels, including medications listed on the medication administration record for persons who are not self-medicating to ensure the

labels match the orders issued by the physician licensed to practice medicine in all its branches, advanced practice registered nurse, or physician assistant.

(C) Medication administration records for persons who are not self-medicating to ensure that the records are completed appropriately for:

- (i) medication administered as prescribed;
- (ii) refusal by the individual; and
- (iii) full signatures provided for all initials used.

(2) Reviews shall occur at least quarterly, but may be done more frequently at the discretion of the registered professional nurse or advanced practice registered nurse.

(3) A quality assurance review of medication errors and data collection for the purpose of monitoring and recommending corrective action shall be conducted within 7 days and included in the required annual review.

(f) Programs using authorized direct care staff to administer medications are responsible for documenting and maintaining records on the training that is completed.

(g) The absence of this training program constitutes a threat to the public interest, safety, and welfare and necessitates emergency rulemaking by the Departments of Human Services and Public Health under Section 5-45 of the Illinois Administrative Procedure Act.

(h) Direct care staff who fail to qualify for delegated authority to administer medications pursuant to the provisions of this Section shall be given additional education and testing to meet criteria for delegation authority to administer medications. Any direct care staff person who fails to qualify as an authorized direct care staff after initial training and testing must within 3 months be given another opportunity for retraining and retesting. A direct care staff person who fails to meet criteria for delegated authority to administer medication, including, but not limited to, failure of the written test on 2 occasions shall be given consideration for shift transfer or reassignment, if possible. No employee shall be terminated for failure to qualify during the 3-month time period following initial testing. Refusal to complete training and testing required by this Section may be grounds for immediate dismissal.

(i) No authorized direct care staff person delegated to administer medication shall be subject to suspension or discharge for errors resulting from the staff person's acts or omissions when performing the functions unless the staff person's actions or omissions constitute willful and wanton conduct. Nothing in this subsection is intended to supersede paragraph (4) of subsection (c).

(j) A registered professional nurse, advanced practice registered nurse, physician licensed to practice medicine in all its branches, or physician assistant shall be on duty or on

call at all times in any program covered by this Section.

(k) The employer shall be responsible for maintaining liability insurance for any program covered by this Section.

(l) Any direct care staff person who qualifies as authorized direct care staff pursuant to this Section shall be granted consideration for a one-time additional salary differential. The Department shall determine and provide the necessary funding for the differential in the base. This subsection (l) is inoperative on and after June 30, 2000.

(Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15; 99-581, eff. 1-1-17; 100-50, eff. 1-1-18; 100-513, eff. 1-1-18; 100-863, eff. 8-14-18.)

Section 20. The School Code is amended by changing Sections 3-15.12, 13-40, and 26-2 as follows:

(105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

Sec. 3-15.12. High school equivalency. The regional superintendent of schools and the Illinois Community College Board shall make available for qualified individuals residing within the region a High School Equivalency Testing Program and alternative methods of credentialing, as identified under this Section. For that purpose the regional superintendent alone or with other regional superintendents may establish and supervise a testing center or centers to administer the secure forms for high school equivalency testing to qualified

persons. Such centers shall be under the supervision of the regional superintendent in whose region such centers are located, subject to the approval of the Executive Director of the Illinois Community College Board. The Illinois Community College Board shall also establish criteria and make available alternative methods of credentialing throughout the State.

An individual is eligible to apply to the regional superintendent of schools for the region in which he or she resides if he or she is: (a) a person who is 17 years of age or older, has maintained residence in the State of Illinois, and is not a high school graduate; (b) a person who is successfully completing an alternative education program under Section 2-3.81, Article 13A, or Article 13B; or (c) a person who is enrolled in a youth education program sponsored by the Illinois National Guard. For purposes of this Section, residence is that abode which the applicant considers his or her home. Applicants may provide as sufficient proof of such residence and as an acceptable form of identification a driver's license, valid passport, military ID, or other form of government-issued national or foreign identification that shows the applicant's name, address, date of birth, signature, and photograph or other acceptable identification as may be allowed by law or as regulated by the Illinois Community College Board. Such regional superintendent shall determine if the applicant meets statutory and regulatory state standards.

If qualified the applicant shall at the time of such

application pay a fee established by the Illinois Community College Board, which fee shall be paid into a special fund under the control and supervision of the regional superintendent. Such moneys received by the regional superintendent shall be used, first, for the expenses incurred in administering and scoring the examination, and next for other educational programs that are developed and designed by the regional superintendent of schools to assist those who successfully complete high school equivalency testing or meet the criteria for alternative methods of credentialing in furthering their academic development or their ability to secure and retain gainful employment, including programs for the competitive award based on test scores of college or adult education scholarship grants or similar educational incentives. Any excess moneys shall be paid into the institute fund.

Any applicant who has achieved the minimum passing standards as established by the Illinois Community College Board shall be notified in writing by the regional superintendent and shall be issued a State of Illinois High School Diploma ~~high school equivalency certificate~~ on the forms provided by the Illinois Community College Board. The regional superintendent shall then certify to the Illinois Community College Board the score of the applicant and such other and additional information that may be required by the Illinois Community College Board. The moneys received

therefrom shall be used in the same manner as provided for in this Section.

The Illinois Community College Board shall establish alternative methods of credentialing for the issuance of a State of Illinois High School Diploma ~~high school equivalency certification~~. In addition to high school equivalency testing, the following alternative methods of receiving a State of Illinois High School Diploma ~~high school equivalency credential~~ shall be made available to qualified individuals on or after January 1, 2018:

(A) High School Equivalency based on High School Credit. A qualified candidate may petition to have his or her high school transcripts evaluated to determine what the candidate needs to meet criteria as established by the Illinois Community College Board.

(B) High School Equivalency based on Post-Secondary Credit. A qualified candidate may petition to have his or her post-secondary transcripts evaluated to determine what the candidate needs to meet criteria established by the Illinois Community College Board.

(C) High School Equivalency based on a Foreign Diploma. A qualified candidate may petition to have his or her foreign high school or post-secondary transcripts evaluated to determine what the candidate needs to meet criteria established by the Illinois Community College Board.

(D) High School Equivalency based on Completion of a Competency-Based Program as approved by the Illinois Community College Board. The Illinois Community College Board shall establish guidelines for competency-based high school equivalency programs.

Any applicant who has attained the age of 17 years and maintained residence in the State of Illinois and is not a high school graduate, any person who has enrolled in a youth education program sponsored by the Illinois National Guard, or any person who has successfully completed an alternative education program under Section 2-3.81, Article 13A, or Article 13B is eligible to apply for a State of Illinois High School Diploma ~~high school equivalency certificate~~ (if he or she meets the requirements prescribed by the Illinois Community College Board) upon showing evidence that he or she has completed, successfully, high school equivalency testing, administered by the United States Armed Forces Institute, official high school equivalency testing centers established in other states, Veterans' Administration Hospitals, or the office of the State Superintendent of Education for the Illinois State Penitentiary System and the Department of Corrections. Such applicant shall apply to the regional superintendent of the region wherein he or she has maintained residence, and, upon payment of a fee established by the Illinois Community College Board, the regional superintendent shall issue a State of Illinois High School Diploma ~~high~~



~~school equivalency certificate~~ and immediately thereafter certify to the Illinois Community College Board the score of the applicant and such other and additional information as may be required by the Illinois Community College Board.

Notwithstanding the provisions of this Section, any applicant who has been out of school for at least one year may request the regional superintendent of schools to administer restricted high school equivalency testing upon written request of: the director of a program who certifies to the Chief Examiner of an official high school equivalency testing center that the applicant has completed a program of instruction provided by such agencies as the Job Corps, the Postal Service Academy, or an apprenticeship training program; an employer or program director for purposes of entry into apprenticeship programs; another state's department of education in order to meet regulations established by that department of education; or a post high school educational institution for purposes of admission, the Department of Financial and Professional Regulation for licensing purposes, or the Armed Forces for induction purposes. The regional superintendent shall administer such testing, and the applicant shall be notified in writing that he or she is eligible to receive a State of Illinois High School Diploma ~~high school equivalency certificate~~ upon reaching age 17, provided he or she meets the standards established by the Illinois Community College Board.

Any test administered under this Section to an applicant who does not speak and understand English may at the discretion of the administering agency be given and answered in any language in which the test is printed. The regional superintendent of schools may waive any fees required by this Section in case of hardship. The regional superintendent of schools and the Illinois Community College Board shall waive any fees required by this Section for an applicant who meets all of the following criteria:

(1) The applicant qualifies as a homeless person, child, or youth as defined in the Education for Homeless Children Act.

(2) The applicant has not attained 25 years of age as of the date of the scheduled test.

(3) The applicant can verify his or her status as a homeless person, child, or youth. A homeless services provider that is qualified to verify an individual's housing status, as determined by the Illinois Community College Board, and that has knowledge of the applicant's housing status may verify the applicant's status for purposes of this subdivision (3).

(4) The applicant has completed a high school equivalency preparation course through an Illinois Community College Board-approved provider.

(5) The applicant is taking the test at a testing center operated by a regional superintendent of schools or

the Cook County High School Equivalency Office.

In counties of over 3,000,000 population, a State of Illinois High School Diploma ~~high school equivalency certificate~~ shall contain the signatures of the Executive Director of the Illinois Community College Board and the superintendent, president, or other chief executive officer of the institution where high school equivalency testing instruction occurred and any other signatures authorized by the Illinois Community College Board.

The regional superintendent of schools shall furnish the Illinois Community College Board with any information that the Illinois Community College Board requests with regard to testing and diplomas ~~certificates~~ under this Section.

A State of Illinois High School Diploma is a recognized high school equivalency certificate for purposes of reciprocity with other states. A high school equivalency certificate from another state is equivalent to a State of Illinois High School Diploma.

(Source: P.A. 99-78, eff. 7-20-15; 99-742, eff. 1-1-17; 100-130, eff. 1-1-18.)

(105 ILCS 5/13-40) (from Ch. 122, par. 13-40)

Sec. 13-40. To increase the effectiveness of the Department of Juvenile Justice and thereby to better serve the interests of the people of Illinois the following bill is presented.

Its purpose is to enhance the quality and scope of education for inmates and wards within the Department of Juvenile Justice so that they will be better motivated and better equipped to restore themselves to constructive and law abiding lives in the community. The specific measure sought is the creation of a school district within the Department so that its educational programs can meet the needs of persons committed and so the resources of public education at the state and federal levels are best used, all of the same being contemplated within the provisions of the Illinois State Constitution of 1970 which provides that "A fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities." Therefore, on July 1, 2006, the Department of Corrections school district shall be transferred to the Department of Juvenile Justice. It shall be responsible for the education of youth within the Department of Juvenile Justice and inmates age 21 or under within the Department of Corrections who have not yet earned a high school diploma or a State of Illinois High School Diploma ~~high school equivalency certificate~~, and the district may establish primary, secondary, vocational, adult, special, and advanced educational schools as provided in this Act. The Department of Corrections retains authority as provided for in subsection (d) of Section 3-6-2 of the Unified Code of Corrections. The Board of Education for this district shall with the aid and advice of professional educational personnel

of the Department of Juvenile Justice and the State Board of Education determine the needs and type of schools and the curriculum for each school within the school district and may proceed to establish the same through existing means within present and future appropriations, federal and state school funds, vocational rehabilitation grants and funds and all other funds, gifts and grants, private or public, including federal funds, but not exclusive to the said sources but inclusive of all funds which might be available for school purposes.

(Source: P.A. 98-718, eff. 1-1-15.)

(105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

Sec. 26-2. Enrolled pupils not of compulsory school age.

(a) For school years before the 2014-2015 school year, any person having custody or control of a child who is below the age of 7 years or is 17 years of age or above and who is enrolled in any of grades kindergarten through 12 in the public school shall cause him to attend the public school in the district wherein he resides when it is in session during the regular school term, unless he is excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1. Beginning with the 2014-2015 school year, any person having custody or control of a child who is below the age of 6 years or is 17 years of age or above and who is enrolled in any of grades kindergarten through 12 in the public school shall cause the child to attend the public

school in the district wherein he or she resides when it is in session during the regular school term, unless the child is excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1 of this Code.

(b) A school district shall deny reenrollment in its secondary schools to any child 19 years of age or above who has dropped out of school and who could not, because of age and lack of credits, attend classes during the normal school year and graduate before his or her twenty-first birthday. A district may, however, enroll the child in a graduation incentives program under Section 26-16 of this Code or an alternative learning opportunities program established under Article 13B. No child shall be denied reenrollment for the above reasons unless the school district first offers the child due process as required in cases of expulsion under Section 10-22.6. If a child is denied reenrollment after being provided with due process, the school district must provide counseling to that child and must direct that child to alternative educational programs, including adult education programs, that lead to graduation or receipt of a State of Illinois High School Diploma ~~high school equivalency certificate~~.

(c) A school or school district may deny enrollment to a student 17 years of age or older for one semester for failure to meet minimum attendance standards if all of the following conditions are met:

(1) The student was absent without valid cause for 20% or more of the attendance days in the semester immediately prior to the current semester.

(2) The student and the student's parent or guardian are given written notice warning that the student is subject to denial from enrollment for one semester unless the student is absent without valid cause less than 20% of the attendance days in the current semester.

(3) The student's parent or guardian is provided with the right to appeal the notice, as determined by the State Board of Education in accordance with due process.

(4) The student is provided with attendance remediation services, including without limitation assessment, counseling, and support services.

(5) The student is absent without valid cause for 20% or more of the attendance days in the current semester.

A school or school district may not deny enrollment to a student (or reenrollment to a dropout) who is at least 17 years of age or older but below 19 years for more than one consecutive semester for failure to meet attendance standards.

(d) No child may be denied reenrollment under this Section in violation of the federal Individuals with Disabilities Education Act or the Americans with Disabilities Act.

(e) In this subsection (e), "reenrolled student" means a dropout who has reenrolled full-time in a public school. Each school district shall identify, track, and report on the

educational progress and outcomes of reenrolled students as a subset of the district's required reporting on all enrollments. A reenrolled student who again drops out must not be counted again against a district's dropout rate performance measure. The State Board of Education shall set performance standards for programs serving reenrolled students.

(f) The State Board of Education shall adopt any rules necessary to implement the changes to this Section made by Public Act 93-803.

(Source: P.A. 100-825, eff. 8-13-18.)

Section 25. The Public University Uniform Admission Pilot Program Act is amended by changing Section 25 as follows:

(110 ILCS 118/25)

(Section scheduled to be repealed on July 1, 2027)

Sec. 25. Graduates of nonaccredited private schools.

(a) As used in this Section, "nonaccredited secondary education" means a course of study at the secondary school level in a nonaccredited private school setting.

(b) Because the State of Illinois considers successful completion of a nonaccredited secondary education to be equivalent to graduation from a public high school, an institution, in complying with this Act and for all other purposes, must treat an applicant for admission to the institution as an undergraduate student who presents evidence



that he or she has successfully completed a nonaccredited secondary education according to the same general standards, including specific standardized testing score requirements, as other applicants for undergraduate admission who have graduated from a public high school.

(c) An institution may not require an applicant for admission to the institution as an undergraduate student who presents evidence that he or she has successfully completed a nonaccredited secondary education to:

(1) obtain or submit evidence that the person has obtained a general educational development certificate, State of Illinois High School Diploma ~~certificate of high school equivalency~~, or other credentials equivalent to a public high school degree; or

(2) take an examination or comply with any other application or admission requirement not generally applicable to other applicants for undergraduate admission to the institution.

(d) In complying with this Act or otherwise, when an institution in its undergraduate admission review process sorts or is required to sort applicants by high school graduating class rank, the institution shall place any applicant who presents evidence that the applicant has successfully completed a nonaccredited secondary education that does not include a high school graduating class ranking at the average high school graduating class rank of

undergraduate applicants to the institution who have equivalent standardized testing scores as the applicant.

(e) Notwithstanding any other provision of this Act, with respect to admission into the institution or any program within the institution, with respect to scholarship programs, and with respect to other terms and conditions, and in complying with this Act, an institution may not treat an applicant who has successfully completed a nonaccredited secondary education that does not include a high school graduating class ranking differently than an applicant who graduated from an accredited public school.

(Source: P.A. 101-448, eff. 1-1-20.)

Section 30. The Public Community College Act is amended by changing Section 2-22 as follows:

(110 ILCS 805/2-22)

Sec. 2-22. High school equivalency testing ~~certificates~~. On the effective date of this amendatory Act of the 94th General Assembly, all powers and duties of the State Board of Education and State Superintendent of Education with regard to high school equivalency testing ~~certificates~~ under the School Code shall be transferred to the Illinois Community College Board. Within a reasonable period of time after that date, all assets, liabilities, contracts, property, records, pending business, and unexpended appropriations of the State Board of

Education with regard to high school equivalency testing certificates shall be transferred to the Illinois Community College Board. The Illinois Community College Board may adopt any rules necessary to carry out its responsibilities under the School Code with regard to high school equivalency testing certificates and to carry into efficient and uniform effect the provisions for the issuance of State of Illinois High School Diplomas ~~high school equivalency certificates~~ in this State. All rules, standards, and procedures adopted by the State Board of Education under the School Code with regard to high school equivalency testing certificates shall continue in effect as the rules, standards, and procedures of the Illinois Community College Board, until they are modified by the Illinois Community College Board.

(Source: P.A. 94-108, eff. 7-1-05.)

Section 35. The Higher Education Student Assistance Act is amended by changing Sections 50, 52, and 62 as follows:

(110 ILCS 947/50)

Sec. 50. Minority Teachers of Illinois scholarship program.

(a) As used in this Section:

"Eligible applicant" means a minority student who has graduated from high school or has received a State of Illinois High School Diploma ~~high school equivalency~~

~~certificate~~ and has maintained a cumulative grade point average of no less than 2.5 on a 4.0 scale, and who by reason thereof is entitled to apply for scholarships to be awarded under this Section.

"Minority student" means a student who is any of the following:

(1) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).

(2) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).

(3) Black or African American (a person having origins in any of the black racial groups of Africa).

(4) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).

(5) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

"Qualified bilingual minority applicant" means a qualified student who demonstrates proficiency in a

language other than English by (i) receiving a State Seal of Biliteracy from the State Board of Education or (ii) receiving a passing score on an educator licensure target language proficiency test.

"Qualified student" means a person (i) who is a resident of this State and a citizen or permanent resident of the United States; (ii) who is a minority student, as defined in this Section; (iii) who, as an eligible applicant, has made a timely application for a minority teaching scholarship under this Section; (iv) who is enrolled on at least a half-time basis at a qualified Illinois institution of higher learning; (v) who is enrolled in a course of study leading to teacher licensure, including alternative teacher licensure, or, if the student is already licensed to teach, in a course of study leading to an additional teaching endorsement or a master's degree in an academic field in which he or she is teaching or plans to teach or who has received one or more College and Career Pathway Endorsements pursuant to Section 80 of the Postsecondary and Workforce Readiness Act and commits to enrolling in a course of study leading to teacher licensure, including alternative teacher licensure; (vi) who maintains a grade point average of no less than 2.5 on a 4.0 scale; and (vii) who continues to advance satisfactorily toward the attainment of a degree.

(b) In order to encourage academically talented Illinois

minority students to pursue teaching careers at the preschool or elementary or secondary school level and to address and alleviate the teacher shortage crisis in this State described under the provisions of the Transitions in Education Act, each qualified student shall be awarded a minority teacher scholarship to any qualified Illinois institution of higher learning. However, preference may be given to qualified applicants enrolled at or above the junior level.

(c) Each minority teacher scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the qualified Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of \$5,000; except that in the case of a recipient who does not reside on-campus at the institution at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of \$5,000. However, if at least \$2,850,000 is appropriated in a given fiscal year for the Minority Teachers of Illinois scholarship program, then, in each fiscal year thereafter, each scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the qualified Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of \$7,500; except that in the case of a recipient who does not reside on-campus at the institution at which he or she

is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a commuter allowance, up to an annual maximum of \$7,500.

(d) The total amount of minority teacher scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the institution at which the student is enrolled. If the amount of minority teacher scholarship to be awarded to a qualified student as provided in subsection (c) of this Section exceeds the cost of attendance at the institution at which the student is enrolled, the minority teacher scholarship shall be reduced by an amount equal to the amount by which the combined financial assistance available to the student exceeds the cost of attendance.

(e) The maximum number of academic terms for which a qualified student can receive minority teacher scholarship assistance shall be 8 semesters or 12 quarters.

(f) In any academic year for which an eligible applicant under this Section accepts financial assistance through the Paul Douglas Teacher Scholarship Program, as authorized by Section 551 et seq. of the Higher Education Act of 1965, the applicant shall not be eligible for scholarship assistance awarded under this Section.

(g) All applications for minority teacher scholarships to

be awarded under this Section shall be made to the Commission on forms which the Commission shall provide for eligible applicants. The form of applications and the information required to be set forth therein shall be determined by the Commission, and the Commission shall require eligible applicants to submit with their applications such supporting documents or recommendations as the Commission deems necessary.

(h) Subject to a separate appropriation for such purposes, payment of any minority teacher scholarship awarded under this Section shall be determined by the Commission. All scholarship funds distributed in accordance with this subsection shall be paid to the institution and used only for payment of the tuition and fee and room and board expenses incurred by the student in connection with his or her attendance at a qualified Illinois institution of higher learning. Any minority teacher scholarship awarded under this Section shall be applicable to 2 semesters or 3 quarters of enrollment. If a qualified student withdraws from enrollment prior to completion of the first semester or quarter for which the minority teacher scholarship is applicable, the school shall refund to the Commission the full amount of the minority teacher scholarship.

(i) The Commission shall administer the minority teacher scholarship aid program established by this Section and shall make all necessary and proper rules not inconsistent with this



Section for its effective implementation.

(j) When an appropriation to the Commission for a given fiscal year is insufficient to provide scholarships to all qualified students, the Commission shall allocate the appropriation in accordance with this subsection. If funds are insufficient to provide all qualified students with a scholarship as authorized by this Section, the Commission shall allocate the available scholarship funds for that fiscal year to qualified students who submit a complete application form on or before a date specified by the Commission based on the following order of priority:

(1) To students who received a scholarship under this Section in the prior academic year and who remain eligible for a minority teacher scholarship under this Section.

(2) Except as otherwise provided in subsection (k), to students who demonstrate financial need, as determined by the Commission.

(k) Notwithstanding paragraph (2) of subsection (j), at least 35% of the funds appropriated for scholarships awarded under this Section in each fiscal year shall be reserved for qualified male minority applicants, with priority being given to qualified Black male applicants beginning with fiscal year 2023. If the Commission does not receive enough applications from qualified male minorities on or before January 1 of each fiscal year to award 35% of the funds appropriated for these scholarships to qualified male minority applicants, then the

Commission may award a portion of the reserved funds to qualified female minority applicants in accordance with subsection (j).

Beginning with fiscal year 2023, if at least \$2,850,000 but less than \$4,200,000 is appropriated in a given fiscal year for scholarships awarded under this Section, then at least 10% of the funds appropriated shall be reserved for qualified bilingual minority applicants, with priority being given to qualified bilingual minority applicants who are enrolled in an educator preparation program with a concentration in bilingual, bicultural education. Beginning with fiscal year 2023, if at least \$4,200,000 is appropriated in a given fiscal year for the Minority Teachers of Illinois scholarship program, then at least 30% of the funds appropriated shall be reserved for qualified bilingual minority applicants, with priority being given to qualified bilingual minority applicants who are enrolled in an educator preparation program with a concentration in bilingual, bicultural education. Beginning with fiscal year 2023, if at least \$2,850,000 is appropriated in a given fiscal year for scholarships awarded under this Section but the Commission does not receive enough applications from qualified bilingual minority applicants on or before January 1 of that fiscal year to award at least 10% of the funds appropriated to qualified bilingual minority applicants, then the Commission may, in its discretion, award a portion of the reserved funds to other

qualified students in accordance with subsection (j).

(l) Prior to receiving scholarship assistance for any academic year, each recipient of a minority teacher scholarship awarded under this Section shall be required by the Commission to sign an agreement under which the recipient pledges that, within the one-year period following the termination of the program for which the recipient was awarded a minority teacher scholarship, the recipient (i) shall begin teaching for a period of not less than one year for each year of scholarship assistance he or she was awarded under this Section; (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool, elementary school, or secondary school at which no less than 30% of the enrolled students are minority students in the year during which the recipient begins teaching at the school or may instead, if the recipient received a scholarship as a qualified bilingual minority applicant, fulfill this teaching obligation in a program in transitional bilingual education pursuant to Article 14C of the School Code or in a school in which 20 or more English learner students in the same language classification are enrolled; and (iii) shall, upon request by the Commission, provide the Commission with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection.

(m) If a recipient of a minority teacher scholarship awarded under this Section fails to fulfill the teaching

obligation set forth in subsection (l) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, at a rate of interest equal to 5%, and, if applicable, reasonable collection fees. The Commission is authorized to establish rules relating to its collection activities for repayment of scholarships under this Section. All repayments collected under this Section shall be forwarded to the State Comptroller for deposit into the State's General Revenue Fund.

(n) A recipient of minority teacher scholarship shall not be considered in violation of the agreement entered into pursuant to subsection (l) if the recipient (i) enrolls on a full time basis as a graduate student in a course of study related to the field of teaching at a qualified Illinois institution of higher learning; (ii) is serving, not in excess of 3 years, as a member of the armed services of the United States; (iii) is a person with a temporary total disability for a period of time not to exceed 3 years as established by sworn affidavit of a qualified physician; (iv) is seeking and unable to find full time employment as a teacher at an Illinois public, private, or parochial preschool or elementary or secondary school that satisfies the criteria set forth in subsection (l) of this Section and is able to provide evidence of that fact; (v) becomes a person with a permanent total disability as established by sworn affidavit of a qualified

physician; (vi) is taking additional courses, on at least a half-time basis, needed to obtain licensure as a teacher in Illinois; or (vii) is fulfilling teaching requirements associated with other programs administered by the Commission and cannot concurrently fulfill them under this Section in a period of time equal to the length of the teaching obligation.

(o) Scholarship recipients under this Section who withdraw from a program of teacher education but remain enrolled in school to continue their postsecondary studies in another academic discipline shall not be required to commence repayment of their Minority Teachers of Illinois scholarship so long as they remain enrolled in school on a full-time basis or if they can document for the Commission special circumstances that warrant extension of repayment.

(p) If the Minority Teachers of Illinois scholarship program does not expend at least 90% of the amount appropriated for the program in a given fiscal year for 3 consecutive fiscal years and the Commission does not receive enough applications from the groups identified in subsection (k) on or before January 1 in each of those fiscal years to meet the percentage reserved for those groups under subsection (k), then up to 3% of amount appropriated for the program for each of next 3 fiscal years shall be allocated to increasing awareness of the program and for the recruitment of Black male applicants. The Commission shall make a recommendation to the General Assembly by January 1 of the year immediately

following the end of that third fiscal year regarding whether the amount allocated to increasing awareness and recruitment should continue.

(q) Each qualified Illinois institution of higher learning that receives funds from the Minority Teachers of Illinois scholarship program shall host an annual information session at the institution about the program for teacher candidates of color in accordance with rules adopted by the Commission. Additionally, the institution shall ensure that each scholarship recipient enrolled at the institution meets with an academic advisor at least once per academic year to facilitate on-time completion of the recipient's educator preparation program.

(r) The changes made to this Section by Public Act 101-654 ~~this amendatory Act of the 101st General Assembly~~ will first take effect with awards made for the 2022-2023 academic year.

(Source: P.A. 101-654, eff. 3-8-21; 102-465, eff. 1-1-22; revised 9-28-21.)

(110 ILCS 947/52)

Sec. 52. Golden Apple Scholars of Illinois Program; Golden Apple Foundation for Excellence in Teaching.

(a) In this Section, "Foundation" means the Golden Apple Foundation for Excellence in Teaching, a registered 501(c)(3) not-for-profit corporation.

(a-2) In order to encourage academically talented Illinois

students, especially minority students, to pursue teaching careers, especially in teacher shortage disciplines (which shall be defined to include early childhood education) or at hard-to-staff schools (as defined by the Commission in consultation with the State Board of Education), to provide those students with the crucial mentoring, guidance, and in-service support that will significantly increase the likelihood that they will complete their full teaching commitments and elect to continue teaching in targeted disciplines and hard-to-staff schools, and to ensure that students in this State will continue to have access to a pool of highly-qualified teachers, each qualified student shall be awarded a Golden Apple Scholars of Illinois Program scholarship to any Illinois institution of higher learning. The Commission shall administer the Golden Apple Scholars of Illinois Program, which shall be managed by the Foundation pursuant to the terms of a grant agreement meeting the requirements of Section 4 of the Illinois Grant Funds Recovery Act.

(a-3) For purposes of this Section, a qualified student shall be a student who meets the following qualifications:

(1) is a resident of this State and a citizen or eligible noncitizen of the United States;

(2) is a high school graduate or a person who has received a State of Illinois High School Diploma ~~high school equivalency certificate~~;

(3) is enrolled or accepted, on at least a half-time basis, at an institution of higher learning;

(4) is pursuing a postsecondary course of study leading to initial certification or pursuing additional course work needed to gain State Board of Education approval to teach, including alternative teacher licensure; and

(5) is a participant in programs managed by and is approved to receive a scholarship from the Foundation.

(a-5) (Blank).

(b) (Blank).

(b-5) Funds designated for the Golden Apple Scholars of Illinois Program shall be used by the Commission for the payment of scholarship assistance under this Section or for the award of grant funds, subject to the Illinois Grant Funds Recovery Act, to the Foundation. Subject to appropriation, awards of grant funds to the Foundation shall be made on an annual basis and following an application for grant funds by the Foundation.

(b-10) Each year, the Foundation shall include in its application to the Commission for grant funds an estimate of the amount of scholarship assistance to be provided to qualified students during the grant period. Any amount of appropriated funds exceeding the estimated amount of scholarship assistance may be awarded by the Commission to the Foundation for management expenses expected to be incurred by



the Foundation in providing the mentoring, guidance, and in-service supports that will increase the likelihood that qualified students will complete their teaching commitments and elect to continue teaching in hard-to-staff schools. If the estimate of the amount of scholarship assistance described in the Foundation's application is less than the actual amount required for the award of scholarship assistance to qualified students, the Foundation shall be responsible for using awarded grant funds to ensure all qualified students receive scholarship assistance under this Section.

(b-15) All grant funds not expended or legally obligated within the time specified in a grant agreement between the Foundation and the Commission shall be returned to the Commission within 45 days. Any funds legally obligated by the end of a grant agreement shall be liquidated within 45 days or otherwise returned to the Commission within 90 days after the end of the grant agreement that resulted in the award of grant funds.

(c) Each scholarship awarded under this Section shall be in an amount sufficient to pay the tuition and fees and room and board costs of the Illinois institution of higher learning at which the recipient is enrolled, up to an annual maximum of \$5,000; except that in the case of a recipient who does not reside on-campus at the institution of higher learning at which he or she is enrolled, the amount of the scholarship shall be sufficient to pay tuition and fee expenses and a

commuter allowance, up to an annual maximum of \$5,000. All scholarship funds distributed in accordance with this Section shall be paid to the institution on behalf of recipients.

(d) The total amount of scholarship assistance awarded by the Commission under this Section to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, shall not exceed the cost of attendance at the institution of higher learning at which the student is enrolled. In any academic year for which a qualified student under this Section accepts financial assistance through any other teacher scholarship program administered by the Commission, a qualified student shall not be eligible for scholarship assistance awarded under this Section.

(e) A recipient may receive up to 8 semesters or 12 quarters of scholarship assistance under this Section. Scholarship funds are applicable toward 2 semesters or 3 quarters of enrollment each academic year.

(f) All applications for scholarship assistance to be awarded under this Section shall be made to the Foundation in a form determined by the Foundation. Each year, the Foundation shall notify the Commission of the individuals awarded scholarship assistance under this Section. Each year, at least 30% of the Golden Apple Scholars of Illinois Program scholarships shall be awarded to students residing in counties having a population of less than 500,000.

(g) (Blank).

(h) The Commission shall administer the payment of scholarship assistance provided through the Golden Apple Scholars of Illinois Program and shall make all necessary and proper rules not inconsistent with this Section for the effective implementation of this Section.

(i) Prior to receiving scholarship assistance for any academic year, each recipient of a scholarship awarded under this Section shall be required by the Foundation to sign an agreement under which the recipient pledges that, within the 2-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient: (i) shall begin teaching for a period of not less than 5 years, (ii) shall fulfill this teaching obligation at a nonprofit Illinois public, private, or parochial preschool or an Illinois public elementary or secondary school that qualifies for teacher loan cancellation under Section 465(a)(2)(A) of the federal Higher Education Act of 1965 (20 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools deemed eligible for fulfilling the teaching commitment as designated by the Foundation, and (iii) shall, upon request of the Foundation, provide the Foundation with evidence that he or she is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection. Upon request, the Foundation shall provide evidence of teacher fulfillment to the Commission.

(j) If a recipient of a scholarship awarded under this Section fails to fulfill the teaching obligation set forth in subsection (i) of this Section, the Commission shall require the recipient to repay the amount of the scholarships received, prorated according to the fraction of the teaching obligation not completed, plus interest at a rate of 5% and if applicable, reasonable collection fees. Payments received by the Commission under this subsection (j) shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(k) A recipient of a scholarship awarded by the Foundation under this Section shall not be considered to have failed to fulfill the teaching obligations of the agreement entered into pursuant to subsection (i) if the recipient (i) enrolls on a full-time basis as a graduate student in a course of study related to the field of teaching at an institution of higher learning; (ii) is serving as a member of the armed services of the United States; (iii) is a person with a temporary total disability, as established by sworn affidavit of a qualified physician; (iv) is seeking and unable to find full-time employment as a teacher at a school that satisfies the criteria set forth in subsection (i) and is able to provide

evidence of that fact; (v) is taking additional courses, on at least a half-time basis, needed to obtain certification as a teacher in Illinois; (vi) is fulfilling teaching requirements associated with other programs administered by the Commission and cannot concurrently fulfill them under this Section in a period of time equal to the length of the teaching obligation; or (vii) is participating in a program established under Executive Order 10924 of the President of the United States or the federal National Community Service Act of 1990 (42 U.S.C. 12501 et seq.). Any such extension of the period during which the teaching requirement must be fulfilled shall be subject to limitations of duration as established by the Commission.

(l) A recipient who fails to fulfill the teaching obligations of the agreement entered into pursuant to subsection (i) of this Section shall repay the amount of scholarship assistance awarded to them under this Section within 10 years.

(m) Annually, at a time determined by the Commission in consultation with the Foundation, the Foundation shall submit a report to assist the Commission in monitoring the Foundation's performance of grant activities. The report shall describe the following:

(1) the Foundation's anticipated expenditures for the next fiscal year;

(2) the number of qualified students receiving scholarship assistance at each institution of higher

learning where a qualified student was enrolled under this Section during the previous fiscal year;

(3) the total monetary value of scholarship funds paid to each institution of higher learning at which a qualified student was enrolled during the previous fiscal year;

(4) the number of scholarship recipients who completed a baccalaureate degree during the previous fiscal year;

(5) the number of scholarship recipients who fulfilled their teaching obligation during the previous fiscal year;

(6) the number of scholarship recipients who failed to fulfill their teaching obligation during the previous fiscal year;

(7) the number of scholarship recipients granted an extension described in subsection (k) of this Section during the previous fiscal year;

(8) the number of scholarship recipients required to repay scholarship assistance in accordance with subsection (j) of this Section during the previous fiscal year;

(9) the number of scholarship recipients who successfully repaid scholarship assistance in full during the previous fiscal year;

(10) the number of scholarship recipients who defaulted on their obligation to repay scholarship assistance during the previous fiscal year;

(11) the amount of scholarship assistance subject to

collection in accordance with subsection (j) of this Section at the end of the previous fiscal year;

(12) the amount of collected funds to be remitted to the Comptroller in accordance with subsection (j) of this Section at the end of the previous fiscal year; and

(13) other information that the Commission may reasonably request.

(n) Nothing in this Section shall affect the rights of the Commission to collect moneys owed to it by recipients of scholarship assistance through the Illinois Future Teacher Corps Program, repealed by this amendatory Act of the 98th General Assembly.

(o) The Auditor General shall prepare an annual audit of the operations and finances of the Golden Apple Scholars of Illinois Program. This audit shall be provided to the Governor, General Assembly, and the Commission.

(p) The suspension of grant making authority found in Section 4.2 of the Illinois Grant Funds Recovery Act shall not apply to grants made pursuant to this Section.

(Source: P.A. 98-533, eff. 8-23-13; 98-718, eff. 1-1-15; 99-143, eff. 7-27-15.)

(110 ILCS 947/62)

Sec. 62. Grants for exonerated persons.

(a) In this Section:

"Exonerated person" means an individual who has received a

pardon from the Governor of the State of Illinois stating that such a pardon is issued on the grounds of innocence of the crime for which he or she was imprisoned or an individual who has received a certificate of innocence from a circuit court pursuant to Section 2-702 of the Code of Civil Procedure.

"Satisfactory academic progress" means the qualified applicant's maintenance of minimum standards of academic performance, consistent with requirements for maintaining federal financial aid eligibility, as determined by the institution of higher learning.

(b) Subject to a separate appropriation for this purpose, the Commission shall, each year, receive and consider applications for grant assistance under this Section. Recipients of grants issued by the Commission in accordance with this Section must be exonerated persons. Provided that the recipient is maintaining satisfactory academic progress, the funds from the grant may be used to pay up to 8 semesters or 12 quarters of full payment of tuition and mandatory fees at any public university or public community college located in this State for either full or part-time study. This benefit may be used for undergraduate or graduate study.

In addition, an exonerated person who has not yet received a high school diploma or a State of Illinois High School Diploma ~~high school equivalency certificate~~ and completes a high school equivalency preparation course through an Illinois Community College Board-approved provider may use grant funds



to pay costs associated with obtaining a State of Illinois High School Diploma ~~high school equivalency certificate~~, including payment of the cost of the high school equivalency test and up to one retest on each test module, and any additional fees that may be required in order to obtain a State of Illinois High School Diploma ~~an Illinois High School Equivalency Certificate~~ or an official transcript of test scores after successful completion of the high school equivalency test.

(c) An applicant for a grant under this Section need not demonstrate financial need to qualify for the benefits.

(d) The Commission may adopt any rules necessary to implement and administer this Section.

(Source: P.A. 99-199, eff. 1-1-16.)

Section 40. The Illinois Insurance Code is amended by changing Section 500-50 as follows:

(215 ILCS 5/500-50)

(Section scheduled to be repealed on January 1, 2027)

Sec. 500-50. Insurance producers; examination statistics.

(a) The use of examinations for the purpose of determining qualifications of persons to be licensed as insurance producers has a direct and far-reaching effect on persons seeking those licenses, on insurance companies, and on the public. It is in the public interest and it will further the

public welfare to insure that examinations for licensing do not have the effect of unlawfully discriminating against applicants for licensing as insurance producers on the basis of race, color, national origin, or sex.

(b) As used in this Section, the following words have the meanings given in this subsection.

Examination. "Examination" means the examination in each line of insurance administered pursuant to Section 500-30.

Examinee. "Examinee" means a person who takes an examination.

Part. "Part" means a portion of an examination for which a score is calculated.

Operational item. "Operational item" means a test question considered in determining an examinee's score.

Test form. "Test form" means the test booklet or instrument used for a part of an examination.

Pretest item. "Pretest item" means a prospective test question that is included in a test form in order to assess its performance, but is not considered in determining an examinee's score.

Minority group or examinees. "Minority group" or "minority examinees" means examinees who are American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, or Native Hawaiian or Other Pacific Islander.

Correct-answer rate. "Correct-answer rate" for an item means the number of examinees who provided the correct answer

on an item divided by the number of examinees who answered the item.

Correlation. "Correlation" means a statistical measure of the relationship between performance on an item and performance on a part of the examination.

(c) The Director shall ask each examinee to self-report on a voluntary basis on the answer sheet, application form, or by other appropriate means, the following information:

(1) race or ethnicity (American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, or White);

(2) education (8th grade or less; less than 12th grade; high school diploma or State of Illinois High School Diploma ~~high school equivalency certificate~~; some college, but no 4-year degree; or 4-year degree or more); and

(3) gender (male or female).

The Director must advise all examinees that they are not required to provide this information, that they will not be penalized for not doing so, and that the Director will use the information provided exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

(d) No later than May 1 of each year, the Director must prepare, publicly announce, and publish an Examination Report

of summary statistical information relating to each examination administered during the preceding calendar year. Each Examination Report shall show with respect to each examination:

(1) For all examinees combined and separately by race or ethnicity, by educational level, by gender, by educational level within race or ethnicity, by education level within gender, and by race or ethnicity within gender:

(A) number of examinees;

(B) percentage and number of examinees who passed each part;

(C) percentage and number of examinees who passed all parts;

(D) mean scaled scores on each part; and

(E) standard deviation of scaled scores on each part.

(2) For male examinees, female examinees, Black or African American examinees, white examinees, American Indian or Alaska Native examinees, Asian examinees, Hispanic or Latino examinees, and Native Hawaiian or Other Pacific Islander, respectively, with a high school diploma or State of Illinois High School Diploma ~~high school equivalency certificate~~, the distribution of scaled scores on each part.

No later than May 1 of each year, the Director must prepare

and make available on request an Item Report of summary statistical information relating to each operational item on each test form administered during the preceding calendar year. The Item Report shall show, for each operational item, for all examinees combined and separately for Black or African American examinees, white examinees, American Indian or Alaska Native examinees, Asian examinees, Hispanic or Latino examinees, and Native Hawaiian or Other Pacific Islander, the correct-answer rates and correlations.

The Director is not required to report separate statistical information for any group or subgroup comprising fewer than 50 examinees.

(e) The Director must obtain a regular analysis of the data collected under this Section, and any other relevant information, for purposes of the development of new test forms. The analysis shall continue the implementation of the item selection methodology as recommended in the Final Report of the Illinois Insurance Producer's Licensing Examination Advisory Committee dated November 19, 1991, and filed with the Department unless some other methodology is determined by the Director to be as effective in minimizing differences between white and minority examinee pass-fail rates.

(f) The Director has the discretion to set cutoff scores for the examinations, provided that scaled scores on test forms administered after July 1, 1993, shall be made comparable to scaled scores on test forms administered in 1991

by use of professionally acceptable methods so as to minimize changes in passing rates related to the presence or absence of or changes in equating or scaling equations or methods or content outlines. Each calendar year, the scaled cutoff score for each part of each examination shall fluctuate by no more than the standard error of measurement from the scaled cutoff score employed during the preceding year.

(g) No later than May 1, 2003 and no later than May 1 of every fourth year thereafter, the Director must release to the public and make generally available one representative test form and set of answer keys for each part of each examination.

(h) The Director must maintain, for a period of 3 years after they are prepared or used, all registration forms, test forms, answer sheets, operational items and pretest items, item analyses, and other statistical analyses relating to the examinations. All personal identifying information regarding examinees and the content of test items must be maintained confidentially as necessary for purposes of protecting the personal privacy of examinees and the maintenance of test security.

(i) In administering the examinations, the Director must make such accommodations for examinees with disabilities as are reasonably warranted by the particular disability involved, including the provision of additional time if necessary to complete an examination or special assistance in taking an examination.

(j) For the purposes of this Section:

(1) "American Indian or Alaska Native" means a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment.

(2) "Asian" means a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

(3) "Black or African American" means a person having origins in any of the black racial groups of Africa.

(4) "Hispanic or Latino" means a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

(5) "Native Hawaiian or Other Pacific Islander" means a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

(6) "White" means a person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

(Source: P.A. 102-465, eff. 1-1-22.)

Section 45. The Nurse Practice Act is amended by changing Section 80-40 as follows:

(225 ILCS 65/80-40)

(Section scheduled to be repealed on January 1, 2028)

Sec. 80-40. Licensure by examination. An applicant for licensure by examination to practice as a licensed medication aide must:

(1) submit a completed written application on forms provided by the Department and fees as established by the Department;

(2) be age 18 or older;

(3) have a high school diploma or a State of Illinois High School Diploma ~~high school equivalency certificate~~;

(4) demonstrate the ability to speak, read, and write the English language, as determined by rule;

(5) demonstrate competency in math, as determined by rule;

(6) be currently certified in good standing as a certified nursing assistant and provide proof of 2,000 hours of practice as a certified nursing assistant within 3 years before application for licensure;

(7) submit to the criminal history records check required under Section 50-35 of this Act;

(8) have not engaged in conduct or behavior determined to be grounds for discipline under this Act;

(9) be currently certified to perform cardiopulmonary resuscitation by the American Heart Association or American Red Cross;



(10) have successfully completed a course of study approved by the Department as defined by rule; to be approved, the program must include a minimum of 60 hours of classroom-based medication aide education, a minimum of 10 hours of simulation laboratory study, and a minimum of 30 hours of registered nurse-supervised clinical practicum with progressive responsibility of patient medication assistance;

(11) have successfully completed the Medication Aide Certification Examination or other examination authorized by the Department; and

(12) submit proof of employment by a qualifying facility.

(Source: P.A. 98-990, eff. 8-18-14; 99-78, eff. 7-20-15.)

Section 50. The Pharmacy Practice Act is amended by changing Section 9 as follows:

(225 ILCS 85/9) (from Ch. 111, par. 4129)

(Section scheduled to be repealed on January 1, 2023)

Sec. 9. Licensure as registered pharmacy technician.

(a) Any person shall be entitled to licensure as a registered pharmacy technician who is of the age of 16 or over, has not engaged in conduct or behavior determined to be grounds for discipline under this Act, is attending or has graduated from an accredited high school or comparable school

or educational institution or received a State of Illinois High School Diploma ~~high school equivalency certificate~~, and has filed a written or electronic application for licensure on a form to be prescribed and furnished by the Department for that purpose. The Department shall issue a license as a registered pharmacy technician to any applicant who has qualified as aforesaid, and such license shall be the sole authority required to assist licensed pharmacists in the practice of pharmacy, under the supervision of a licensed pharmacist. A registered pharmacy technician may be delegated to perform any task within the practice of pharmacy if specifically trained for that task, except for patient counseling, drug regimen review, or clinical conflict resolution.

(b) Beginning on January 1, 2017, within 2 years after initial licensure as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. If the licensee has not yet attained the age of 18, then upon the next renewal as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. This requirement does not apply to pharmacy technicians registered prior to January 1, 2008.

(c) Any person registered as a pharmacy technician who is also enrolled in a first professional degree program in

pharmacy in a school or college of pharmacy or a department of pharmacy of a university approved by the Department or has graduated from such a program within the last 18 months, shall be considered a "student pharmacist" and entitled to use the title "student pharmacist". A student pharmacist must meet all of the requirements for licensure as a registered pharmacy technician set forth in this Section excluding the requirement of certification prior to the second license renewal and pay the required registered pharmacy technician license fees. A student pharmacist may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform any and all functions delegated to him or her by the pharmacist.

(d) Any person seeking licensure as a pharmacist who has graduated from a pharmacy program outside the United States must register as a pharmacy technician and shall be considered a "student pharmacist" and be entitled to use the title "student pharmacist" while completing the 1,200 clinical hours of training approved by the Board of Pharmacy described and for no more than 18 months after completion of these hours. These individuals are not required to become registered certified pharmacy technicians while completing their Board approved clinical training, but must become licensed as a pharmacist or become licensed as a registered certified pharmacy technician before the second pharmacy technician license renewal following completion of the Board approved clinical training.

(e) The Department shall not renew the registered pharmacy technician license of any person who has been licensed as a registered pharmacy technician with the designation "student pharmacist" who: (1) has dropped out of or been expelled from an ACPE accredited college of pharmacy; (2) has failed to complete his or her 1,200 hours of Board approved clinical training within 24 months; or (3) has failed the pharmacist licensure examination 3 times. The Department shall require these individuals to meet the requirements of and become licensed as a registered certified pharmacy technician.

(f) The Department may take any action set forth in Section 30 of this Act with regard to a license pursuant to this Section.

(g) Any person who is enrolled in a non-traditional Pharm.D. program at an ACPE accredited college of pharmacy and is licensed as a registered pharmacist under the laws of another United States jurisdiction shall be permitted to engage in the program of practice experience required in the academic program by virtue of such license. Such person shall be exempt from the requirement of licensure as a registered pharmacy technician or registered certified pharmacy technician while engaged in the program of practice experience required in the academic program.

An applicant for licensure as a registered pharmacy technician may assist a pharmacist in the practice of pharmacy for a period of up to 60 days prior to the issuance of a

license if the applicant has submitted the required fee and an application for licensure to the Department. The applicant shall keep a copy of the submitted application on the premises where the applicant is assisting in the practice of pharmacy. The Department shall forward confirmation of receipt of the application with start and expiration dates of practice pending licensure.

(Source: P.A. 100-497, eff. 9-8-17; 101-621, eff. 1-1-20.)

Section 55. The Structural Pest Control Act is amended by changing Section 5 as follows:

(225 ILCS 235/5) (from Ch. 111 1/2, par. 2205)

(Section scheduled to be repealed on December 31, 2029)

Sec. 5. Certification requirements. No individual shall apply any general use or restricted pesticide while engaged in commercial structural pest control in this State unless the individual is engaged in or has completed the training requirements prescribed by the Department and is certified, or supervised by someone who is certified, by the Department in accordance with this Section.

No individual shall apply any restricted pesticide while engaged in non-commercial structural pest control in this State unless the individual is engaged in or has completed the training requirements prescribed by the Department and is certified or supervised by someone who is certified in

accordance with this Section. In addition, any individual at any non-commercial structural pest control location using general use pesticides shall comply with the labeling requirements of the pesticides used at that location.

Each commercial structural pest control location shall be required to employ at least one certified technician at each location. In addition, each non-commercial structural pest control location utilizing restricted pesticides shall be required to employ at least one certified technician at each location. Individuals who are not certified technicians may work under the supervision of a certified technician employed at the commercial or non-commercial location who shall be responsible for their pest control activities. Any technician providing supervision for the use of restricted pesticides must be certified in the sub-category for which he is providing supervision.

A. Any individual engaging in commercial structural pest control and utilizing general use pesticides must:

1. be at least 18 years of age;
2. hold a high school diploma or State of Illinois High School Diploma ~~high school equivalency certificate~~;

and

3. have filed an original application, paid the fee required for examination, and have passed the General Standards examination.

B. Any individual engaging in commercial or non-commercial

structural pest control and supervising the use of restricted pesticides in any one of the sub-categories in Section 7 of this Act must:

1. be at least 18 years of age;

2. hold a high school diploma or a State of Illinois High School Diploma ~~high school equivalency certificate~~;  
and

3. have:

a. six months of practical experience in structural pest control; or

b. successfully completed a minimum of 16 semester hours, or their equivalent, in entomology or related fields from a recognized college or university; or

c. successfully completed a pest control course, approved by the Department, from a recognized educational institution or other entity.

Each applicant shall have filed an original application and paid the fee required for examination. Every applicant who successfully passes the General Standards examination and at least one sub-category examination shall be certified in each sub-category which he has successfully passed.

A certified technician who wishes to be certified in sub-categories for which he has not been previously certified may apply for any sub-category examination provided he meets the requirements set forth in this Section, files an original application, and pays the fee for examination.

An applicant who fails to pass the General Standards examination or any sub-category examination may reapply for that examination, provided that he files an application and pays the fee required for an original examination. Re-examination applications shall be on forms prescribed by the Department.

(Source: P.A. 100-716, eff. 8-3-18.)

Section 60. The Community Association Manager Licensing and Disciplinary Act is amended by changing Section 40 as follows:

(225 ILCS 427/40)

(Section scheduled to be repealed on January 1, 2027)

Sec. 40. Qualifications for licensure as a community association manager.

(a) No person shall be qualified for licensure as a community association manager under this Act unless the person has applied in writing on the prescribed forms and has paid the required, nonrefundable fees and has met all of the following qualifications:

(1) Is at least 18 years of age.

(1.5) Successfully completed a 4-year course of study in a high school, secondary school, or an equivalent course of study approved by the state in which the school is located, or possess a State of Illinois High School



Diploma ~~high school equivalency certificate~~, which shall be verified under oath by the applicant.

(2) Provided satisfactory evidence of having completed at least 20 classroom hours in community association management courses approved by the Board.

(3) Passed an examination authorized by the Department.

(4) Has not committed an act or acts, in this or any other jurisdiction, that would be a violation of this Act.

(5) Is of good moral character. In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or activities that would constitute grounds for discipline under this Act. Good moral character is a continuing requirement of licensure. Conviction of crimes may be used in determining moral character, but shall not constitute an absolute bar to licensure.

(6) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless subsequently declared by a court to be competent.

(7) Complies with any additional qualifications for licensure as determined by rule of the Department.

(b) (Blank).

(c) (Blank).

(d) Applicants have 3 years from the date of application

to complete the application process. If the process has not been completed within the 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of re-application.

(e) The Department shall not require applicants to report the following information and shall not consider the following criminal history records in connection with an application for licensure:

(1) juvenile adjudications of delinquent minors as defined in Section 5-105 of the Juvenile Court Act of 1987 subject to the restrictions set forth in Section 5-130 of that Act;

(2) law enforcement records, court records, and conviction records of an individual who was 17 years old at the time of the offense and before January 1, 2014, unless the nature of the offense required the individual to be tried as an adult;

(3) records of arrest not followed by a charge or conviction;

(4) records of arrest in which the charges were dismissed unless related to the practice of the profession; however, applicants shall not be asked to report any arrests, and an arrest not followed by a conviction shall not be the basis of a denial and may be used only to assess an applicant's rehabilitation;

(5) convictions overturned by a higher court; or

(6) convictions or arrests that have been sealed or expunged.

(f) An applicant or licensee shall report to the Department, in a manner prescribed by the Department, and within 30 days after the occurrence if during the term of licensure: (i) any conviction of or plea of guilty or nolo contendere to forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any similar offense or offenses or any conviction of a felony involving moral turpitude; (ii) the entry of an administrative sanction by a government agency in this State or any other jurisdiction that has as an essential element dishonesty or fraud or involves larceny, embezzlement, or obtaining money, property, or credit by false pretenses; or (iii) any conviction of or plea of guilty or nolo contendere to a crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act.

(Source: P.A. 102-20, eff. 1-1-22.)

Section 65. The Home Inspector License Act is amended by changing Section 5-10 as follows:

(225 ILCS 441/5-10)

(Section scheduled to be repealed on January 1, 2027)

Sec. 5-10. Application for home inspector license.

(a) Every natural person who desires to obtain a home inspector license shall:

(1) apply to the Department in a manner prescribed by the Department and accompanied by the required fee; all applications shall contain the information that, in the judgment of the Department, enables the Department to pass on the qualifications of the applicant for a license to practice as a home inspector as set by rule;

(2) be at least 18 years of age;

(3) successfully complete a 4-year course of study in a high school or secondary school or an equivalent course of study approved by the state in which the school is located, or possess a State of Illinois High School Diploma ~~high school equivalency certificate~~, which shall be verified under oath by the applicant;

(4) personally take and pass a written examination and a field examination authorized by the Department; and

(5) prior to taking the examination, provide evidence to the Department that the applicant has successfully completed the prerequisite classroom hours of instruction in home inspection, as established by rule.

(b) The Department shall not require applicants to report the following information and shall not consider the following criminal history records in connection with an application for licensure or registration:

(1) juvenile adjudications of delinquent minors as

defined in Section 5-105 of the Juvenile Court Act of 1987 subject to the restrictions set forth in Section 5-130 of that Act;

(2) law enforcement records, court records, and conviction records of an individual who was 17 years old at the time of the offense and before January 1, 2014, unless the nature of the offense required the individual to be tried as an adult;

(3) records of arrest not followed by a charge or conviction;

(4) records of arrest where the charges were dismissed unless related to the practice of the profession; however, applicants shall not be asked to report any arrests, and an arrest not followed by a conviction shall not be the basis of denial and may be used only to assess an applicant's rehabilitation;

(5) convictions overturned by a higher court; or

(6) convictions or arrests that have been sealed or expunged.

(c) An applicant or licensee shall report to the Department, in a manner prescribed by the Department, upon application and within 30 days after the occurrence, if during the term of licensure, (i) any conviction of or plea of guilty or nolo contendere to forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any similar offense or offenses or any conviction

of a felony involving moral turpitude, (ii) the entry of an administrative sanction by a government agency in this State or any other jurisdiction that has as an essential element dishonesty or fraud or involves larceny, embezzlement, or obtaining money, property, or credit by false pretenses, or (iii) a crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act.

(d) Applicants have 3 years after the date of the application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 102-20, eff. 1-1-22.)

Section 70. The Real Estate License Act of 2000 is amended by changing Sections 5-10, 5-27, and 5-28 as follows:

(225 ILCS 454/5-10)

(Section scheduled to be repealed on January 1, 2030)

Sec. 5-10. Requirements for license as a residential leasing agent; continuing education.

(a) Every applicant for licensure as a residential leasing agent must meet the following qualifications:

- (1) be at least 18 years of age;
- (2) be of good moral character;

(3) successfully complete a 4-year course of study in a high school or secondary school or an equivalent course of study approved by the state in which the school is located, or possess a State of Illinois High School Diploma ~~high school equivalency certificate~~, which shall be verified under oath by the applicant;

(4) personally take and pass a written examination authorized by the Department sufficient to demonstrate the applicant's knowledge of the provisions of this Act relating to residential leasing agents and the applicant's competence to engage in the activities of a licensed residential leasing agent;

(5) provide satisfactory evidence of having completed 15 hours of instruction in an approved course of study relating to the leasing of residential real property. The Board may recommend to the Department the number of hours each topic of study shall require. The course of study shall, among other topics, cover the provisions of this Act applicable to residential leasing agents; fair housing and human rights issues relating to residential leasing; advertising and marketing issues; leases, applications, and credit and criminal background reports; owner-tenant relationships and owner-tenant laws; the handling of funds; and environmental issues relating to residential real property;

(6) complete any other requirements as set forth by

rule; and

(7) present a valid application for issuance of an initial license accompanied by fees specified by rule.

(b) No applicant shall engage in any of the activities covered by this Act without a valid license and until a valid sponsorship has been registered with the Department.

(c) Successfully completed course work, completed pursuant to the requirements of this Section, may be applied to the course work requirements to obtain a managing broker's or broker's license as provided by rule. The Board may recommend to the Department and the Department may adopt requirements for approved courses, course content, and the approval of courses, instructors, and education providers, as well as education provider and instructor fees. The Department may establish continuing education requirements for residential licensed leasing agents, by rule, consistent with the language and intent of this Act, with the advice of the Board.

(d) The continuing education requirement for residential leasing agents shall consist of a single core curriculum to be prescribed by the Department as recommended by the Board. Leasing agents shall be required to complete no less than 8 hours of continuing education in the core curriculum for each 2-year renewal period. The curriculum shall, at a minimum, consist of a single course or courses on the subjects of fair housing and human rights issues related to residential leasing, advertising and marketing issues, leases,



applications, credit reports, and criminal history, the handling of funds, owner-tenant relationships and owner-tenant laws, and environmental issues relating to residential real estate.

(Source: P.A. 100-188, eff. 1-1-18; 101-357, eff. 8-9-19.)

(225 ILCS 454/5-27)

(Section scheduled to be repealed on January 1, 2030)

Sec. 5-27. Requirements for licensure as a broker.

(a) Every applicant for licensure as a broker must meet the following qualifications:

(1) Be at least 18 years of age;

(2) Be of good moral character;

(3) Successfully complete a 4-year course of study in a high school or secondary school approved by the state in which the school is located, or possess a State of Illinois High School Diploma ~~high school equivalency certificate~~, which shall be verified under oath by the applicant;

(4) (Blank);

(5) Provide satisfactory evidence of having completed 75 hours of instruction in real estate courses approved by the Department, 15 hours of which must consist of situational and case studies presented in the classroom or by live, interactive webinar or online distance education courses;

(6) Personally take and pass a written examination authorized by the Department;

(7) Present a valid application for issuance of a license accompanied by the fees specified by rule.

(b) The requirements specified in items (3) and (5) of subsection (a) of this Section do not apply to applicants who are currently admitted to practice law by the Supreme Court of Illinois and are currently in active standing.

(c) No applicant shall engage in any of the activities covered by this Act until a valid sponsorship has been registered with the Department.

(d) All licenses should be readily available to the public at the licensee's place of business.

(e) An individual holding an active license as a managing broker may, upon written request to the Department, permanently and irrevocably place his or her managing broker license on inactive status and shall be issued a broker's license in exchange. Any individual obtaining a broker's license under this subsection (e) shall be considered as having obtained a broker's license by education and passing the required test and shall be treated as such in determining compliance with this Act.

(Source: P.A. 100-188, eff. 1-1-18; 101-357, eff. 8-9-19.)

(225 ILCS 454/5-28)

(Section scheduled to be repealed on January 1, 2030)

Sec. 5-28. Requirements for licensure as a managing broker.

(a) Every applicant for licensure as a managing broker must meet the following qualifications:

- (1) be at least 20 years of age;
- (2) be of good moral character;
- (3) have been licensed at least 2 consecutive years out of the preceding 3 years as a broker;
- (4) successfully complete a 4-year course of study in high school or secondary school approved by the state in which the school is located, or a State of Illinois High School Diploma ~~high school equivalency certificate~~, which shall be verified under oath by the applicant;
- (5) provide satisfactory evidence of having completed at least 165 hours, 120 of which shall be those hours required pre-licensure and post-licensure to obtain a broker's license, and 45 additional hours completed within the year immediately preceding the filing of an application for a managing broker's license, which hours shall focus on brokerage administration and management and residential leasing agent management and include at least 15 hours in the classroom or by live, interactive webinar or online distance education courses;
- (6) personally take and pass a written examination authorized by the Department; and
- (7) submit a valid application for issuance of a

license accompanied by the fees specified by rule.

(b) The requirements specified in item (5) of subsection (a) of this Section do not apply to applicants who are currently admitted to practice law by the Supreme Court of Illinois and are currently in active standing.

(Source: P.A. 100-188, eff. 1-1-18; 101-357, eff. 8-9-19.)

Section 75. The Illinois Public Aid Code is amended by changing Sections 4-1.9 and 9A-8 as follows:

(305 ILCS 5/4-1.9) (from Ch. 23, par. 4-1.9)

Sec. 4-1.9. Participation in Educational and Vocational Training Programs.

(a) A parent or parents and a child age 16 or over not in regular attendance in school, as defined in Section 4-1.1 as that Section existed on August 26, 1969 (the effective date of Public Act 76-1047), for whom education and training is suitable, must participate in the educational and vocational training programs provided pursuant to Article IXA.

(b) A parent who is less than 20 years of age and who has not received a high school diploma or State of Illinois High School Diploma ~~high school equivalency certificate~~ is required to be enrolled in school or in an educational program that is expected to result in the receipt of a high school diploma or State of Illinois High School Diploma ~~high school equivalency certificate~~, except 18 and 19 year old parents may be assigned

to work activities or training if it is determined based on an individualized assessment that secondary school is inappropriate.

(Source: P.A. 89-6, eff. 3-6-95; 90-17, eff. 7-1-97.)

(305 ILCS 5/9A-8) (from Ch. 23, par. 9A-8)

Sec. 9A-8. Operation of program.

(a) At the time of application or redetermination of eligibility under Article IV, as determined by rule, the Illinois Department shall provide information in writing and orally regarding the education, training and employment program to all applicants and recipients. The information required shall be established by rule and shall include, but need not be limited to:

(1) education (including literacy training), employment and training opportunities available, the criteria for approval of those opportunities, and the right to request changes in the personal responsibility and services plan to include those opportunities;

(1.1) a complete list of all activities that are approvable activities, and the circumstances under which they are approvable, including work activities, substance use disorder or mental health treatment, activities to escape and prevent domestic violence, caring for a medically impaired family member, and any other approvable activities, together with the right to and procedures for

amending the responsibility and services plan to include these activities;

(1.2) the rules concerning the lifetime limit on eligibility, including the current status of the applicant or recipient in terms of the months of remaining eligibility, the criteria under which a month will not count towards the lifetime limit, and the criteria under which a recipient may receive benefits beyond the end of the lifetime limit;

(2) supportive services including child care and the rules regarding eligibility for and access to the child care assistance program, transportation, initial expenses of employment, job retention, books and fees, and any other supportive services;

(3) the obligation of the Department to provide supportive services;

(4) the rights and responsibilities of participants, including exemption, sanction, reconciliation, and good cause criteria and procedures, termination for non-cooperation and reinstatement rules and procedures, and appeal and grievance procedures; and

(5) the types and locations of child care services.

(b) The Illinois Department shall notify the recipient in writing of the opportunity to volunteer to participate in the program.

(c) (Blank).

(d) As part of the personal plan for achieving employment and self-sufficiency, the Department shall conduct an individualized assessment of the participant's employability. No participant may be assigned to any component of the education, training and employment activity prior to such assessment. The plan shall include collection of information on the individual's background, proficiencies, skills deficiencies, education level, work history, employment goals, interests, aptitudes, and employment preferences, as well as factors affecting employability or ability to meet participation requirements (e.g., health, physical or mental limitations, child care, family circumstances, domestic violence, sexual violence, substance use disorders, and special needs of any child of the individual). As part of the plan, individuals and Department staff shall work together to identify any supportive service needs required to enable the client to participate and meet the objectives of his or her employability plan. The assessment may be conducted through various methods such as interviews, testing, counseling, and self-assessment instruments. In the assessment process, the Department shall offer to include standard literacy testing and a determination of English language proficiency and shall provide it for those who accept the offer. Based on the assessment, the individual will be assigned to the appropriate activity. The decision will be based on a determination of the individual's level of preparation for employment as defined by

rule.

(e) Recipients determined to be exempt may volunteer to participate pursuant to Section 9A-4 and must be assessed.

(f) As part of the personal plan for achieving employment and self-sufficiency under Section 4-1, an employability plan for recipients shall be developed in consultation with the participant. The Department shall have final responsibility for approving the employability plan. The employability plan shall:

(1) contain an employment goal of the participant;

(2) describe the services to be provided by the Department, including child care and other support services;

(3) describe the activities, such as component assignment, that will be undertaken by the participant to achieve the employment goal. The Department shall treat participation in high school and high school equivalency programs as a core activity and count participation in high school and high school equivalency programs toward the first 20 hours per week of participation. The Department shall approve participation in high school or high school equivalency programs upon written or oral request of the participant if he or she has not already earned a high school diploma or a State of Illinois High School Diploma ~~high school equivalency certificate~~. However, participation in high school or high school



equivalency programs may be delayed as part of an applicant's or recipient's personal plan for achieving employment and self-sufficiency if it is determined that the benefit from participating in another activity, such as, but not limited to, treatment for a substance use disorder or an English proficiency program, would be greater to the applicant or recipient than participation in high school or a high school equivalency program. The availability of high school and high school equivalency programs may also delay enrollment in those programs. The Department shall treat such activities as a core activity as long as satisfactory progress is made, as determined by the high school or high school equivalency program. Proof of satisfactory progress shall be provided by the participant or the school at the end of each academic term; and

(4) describe any other needs of the family that might be met by the Department.

(g) The employability plan shall take into account:

- (1) available program resources;
- (2) the participant's support service needs;
- (3) the participant's skills level and aptitudes;
- (4) local employment opportunities; and
- (5) the preferences of the participant.

(h) A reassessment shall be conducted to assess a participant's progress and to review the employability plan on

the following occasions:

(1) upon completion of an activity and before assignment to an activity;

(2) upon the request of the participant;

(3) if the individual is not cooperating with the requirements of the program; and

(4) if the individual has failed to make satisfactory progress in an education or training program.

Based on the reassessment, the Department may revise the employability plan of the participant.

(Source: P.A. 99-746, eff. 1-1-17; 100-759, eff. 1-1-19.)

Section 80. The Firearm Concealed Carry Act is amended by changing Section 80 as follows:

(430 ILCS 66/80)

Sec. 80. Certified firearms instructors.

(a) Within 60 days of the effective date of this Act, the Illinois State Police shall begin approval of certified firearms instructors and enter certified firearms instructors into an online registry on the Illinois State Police's website.

(b) A person who is not a certified firearms instructor shall not teach applicant training courses or advertise or otherwise represent courses they teach as qualifying their students to meet the requirements to receive a license under

this Act. Each violation of this subsection is a business offense with a fine of at least \$1,000 per violation.

(c) A person seeking to become a certified firearms instructor shall:

- (1) be at least 21 years of age;
- (2) be a legal resident of the United States; and
- (3) meet the requirements of Section 25 of this Act, except for the Illinois residency requirement in item (xiv) of paragraph (2) of subsection (a) of Section 4 of the Firearm Owners Identification Card Act; and any additional uniformly applied requirements established by the Illinois State Police.

(d) A person seeking to become a certified firearms instructor, in addition to the requirements of subsection (c) of this Section, shall:

- (1) possess a high school diploma or State of Illinois High School Diploma ~~high school equivalency certificate~~; and

(2) have at least one of the following valid firearms instructor certifications:

- (A) certification from a law enforcement agency;
- (B) certification from a firearm instructor course offered by a State or federal governmental agency;
- (C) certification from a firearm instructor qualification course offered by the Illinois Law Enforcement Training Standards Board; or

(D) certification from an entity approved by the Illinois State Police that offers firearm instructor education and training in the use and safety of firearms.

(e) A person may have his or her firearms instructor certification denied or revoked if he or she does not meet the requirements to obtain a license under this Act, provides false or misleading information to the Illinois State Police, or has had a prior instructor certification revoked or denied by the Illinois State Police.

(Source: P.A. 102-538, eff. 8-20-21.)

Section 85. The Illinois Vehicle Code is amended by changing Sections 6-107 and 6-408.5 as follows:

(625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

Sec. 6-107. Graduated license.

(a) The purpose of the Graduated Licensing Program is to develop safe and mature driving habits in young, inexperienced drivers and reduce or prevent motor vehicle accidents, fatalities, and injuries by:

(1) providing for an increase in the time of practice period before granting permission to obtain a driver's license;

(2) strengthening driver licensing and testing standards for persons under the age of 21 years;

(3) sanctioning driving privileges of drivers under age 21 who have committed serious traffic violations or other specified offenses; and

(4) setting stricter standards to promote the public's health and safety.

(b) The application of any person under the age of 18 years, and not legally emancipated, for a drivers license or permit to operate a motor vehicle issued under the laws of this State, shall be accompanied by the written consent of either parent of the applicant; otherwise by the guardian having custody of the applicant, or in the event there is no parent or guardian, then by another responsible adult. The written consent must accompany any application for a driver's license under this subsection (b), regardless of whether or not the required written consent also accompanied the person's previous application for an instruction permit.

No graduated driver's license shall be issued to any applicant under 18 years of age, unless the applicant is at least 16 years of age and has:

(1) Held a valid instruction permit for a minimum of 9 months.

(2) Passed an approved driver education course and submits proof of having passed the course as may be required.

(3) Certification by the parent, legal guardian, or responsible adult that the applicant has had a minimum of

50 hours of behind-the-wheel practice time, at least 10 hours of which have been at night, and is sufficiently prepared and able to safely operate a motor vehicle.

(b-1) No graduated driver's license shall be issued to any applicant who is under 18 years of age and not legally emancipated, unless the applicant has graduated from a secondary school of this State or any other state, is enrolled in a course leading to a State of Illinois High School Diploma ~~high school equivalency certificate~~, has obtained a State of Illinois High School Diploma ~~high school equivalency certificate~~, is enrolled in an elementary or secondary school or college or university of this State or any other state and is not a chronic or habitual truant as provided in Section 26-2a of the School Code, or is receiving home instruction and submits proof of meeting any of those requirements at the time of application.

An applicant under 18 years of age who provides proof acceptable to the Secretary that the applicant has resumed regular school attendance or home instruction or that his or her application was denied in error shall be eligible to receive a graduated license if other requirements are met. The Secretary shall adopt rules for implementing this subsection (b-1).

(c) No graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed the offense of operating a motor vehicle without a valid

license or permit in violation of Section 6-101 of this Code or a similar out of state offense and no graduated driver's license or permit shall be issued to any applicant under 18 years of age who has committed an offense that would otherwise result in a mandatory revocation of a license or permit as provided in Section 6-205 of this Code or who has been either convicted of or adjudicated a delinquent based upon a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, the Use of Intoxicating Compounds Act, or the Methamphetamine Control and Community Protection Act while that individual was in actual physical control of a motor vehicle. For purposes of this Section, any person placed on probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act shall not be considered convicted. Any person found guilty of this offense, while in actual physical control of a motor vehicle, shall have an entry made in the court record by the judge that this offense did occur while the person was in actual physical control of a motor vehicle and order the clerk of the court to report the violation to the Secretary of State as such.

(d) No graduated driver's license shall be issued for 9 months to any applicant under the age of 18 years who has committed and subsequently been convicted of an offense against traffic regulations governing the movement of

vehicles, any violation of this Section or Section 12-603.1 of this Code, or who has received a disposition of court supervision for a violation of Section 6-20 of the Illinois Liquor Control Act of 1934 or a similar provision of a local ordinance.

(e) No graduated driver's license holder under the age of 18 years shall operate any motor vehicle, except a motor driven cycle or motorcycle, with more than one passenger in the front seat of the motor vehicle and no more passengers in the back seats than the number of available seat safety belts as set forth in Section 12-603 of this Code. If a graduated driver's license holder over the age of 18 committed an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code in the 6 months prior to the graduated driver's license holder's 18th birthday, and was subsequently convicted of the violation, the provisions of this paragraph shall continue to apply until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code.

(f) (Blank).

(g) If a graduated driver's license holder is under the age of 18 when he or she receives the license, for the first 12 months he or she holds the license or until he or she reaches



the age of 18, whichever occurs sooner, the graduated license holder may not operate a motor vehicle with more than one passenger in the vehicle who is under the age of 20, unless any additional passenger or passengers are siblings, step-siblings, children, or stepchildren of the driver. If a graduated driver's license holder committed an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code during the first 12 months the license is held and subsequently is convicted of the violation, the provisions of this paragraph shall remain in effect until such time as a period of 6 consecutive months has elapsed without an additional violation and subsequent conviction of an offense against traffic regulations governing the movement of vehicles or any violation of this Section or Section 12-603.1 of this Code.

(h) It shall be an offense for a person that is age 15, but under age 20, to be a passenger in a vehicle operated by a driver holding a graduated driver's license during the first 12 months the driver holds the license or until the driver reaches the age of 18, whichever occurs sooner, if another passenger under the age of 20 is present, excluding a sibling, step-sibling, child, or step-child of the driver.

(i) No graduated driver's license shall be issued to any applicant under the age of 18 years if the applicant has been issued a traffic citation for which a disposition has not been

rendered at the time of application.

(Source: P.A. 97-229, eff. 7-28-11; 97-835, eff. 7-20-12; 98-168, eff. 1-1-14; 98-718, eff. 1-1-15.)

(625 ILCS 5/6-408.5)

Sec. 6-408.5. Courses for students or high school dropouts; limitation.

(a) No driver training school or driving training instructor licensed under this Act may request a certificate of completion from the Secretary of State as provided in Section 6-411 for any person who is enrolled as a student in any public or non-public secondary school at the time such instruction is to be provided, or who was so enrolled during the semester last ended if that instruction is to be provided between semesters or during the summer after the regular school term ends, unless that student has received a passing grade in at least 8 courses during the 2 semesters last ending prior to requesting a certificate of completion from the Secretary of State for the student.

(b) No driver training school or driving training instructor licensed under this Act may request a certificate of completion from the Secretary of State as provided in Section 6-411 for any person who has dropped out of school and has not yet attained the age of 18 years unless the driver training school or driving training instructor has: 1) obtained written documentation verifying the dropout's

enrollment in a high school equivalency testing or alternative education program or has obtained a copy of the dropout's State of Illinois High School Diploma ~~high school equivalency certificate~~; 2) obtained verification that the student prior to dropping out had received a passing grade in at least 8 courses during the 2 previous semesters last ending prior to requesting a certificate of completion; or 3) obtained written consent from the dropout's parents or guardians and the regional superintendent.

(c) Students shall be informed of the eligibility requirements of this Act in writing at the time of registration.

(d) The superintendent of schools of the school district in which the student resides and attends school or in which the student resides at the time he or she drops out of school (with respect to a public high school student or a dropout from the public high school) or the chief school administrator (with respect to a student who attends a non-public high school or a dropout from a non-public high school) may waive the requirements of this Section if the superintendent or chief school administrator, as the case may be, deems it to be in the best interests of the student or dropout. Before requesting a certificate of completion from the Secretary of State for any person who is enrolled as a student in any public or non-public secondary school or who was so enrolled in the semester last ending prior to the request for a certificate of completion

from the Secretary of State or who is of high school age, the driver training school shall determine from the school district in which that person resides or resided at the time of dropping out of school, or from the chief administrator of the non-public high school attended or last attended by such person, as the case may be, that such person is not ineligible to receive a certificate of completion under this Section.

(Source: P.A. 98-718, eff. 1-1-15.)

Section 90. The Unified Code of Corrections is amended by changing Sections 3-6-3, 3-6-8, and 5-8-1.3 as follows:

(730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)

Sec. 3-6-3. Rules and regulations for sentence credit.

(a) (1) The Department of Corrections shall prescribe rules and regulations for awarding and revoking sentence credit for persons committed to the Department which shall be subject to review by the Prisoner Review Board.

(1.5) As otherwise provided by law, sentence credit may be awarded for the following:

(A) successful completion of programming while in custody of the Department or while in custody prior to sentencing;

(B) compliance with the rules and regulations of the Department; or

(C) service to the institution, service to a

community, or service to the State.

(2) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide, with respect to offenses listed in clause (i), (ii), or (iii) of this paragraph (2) committed on or after June 19, 1998 or with respect to the offense listed in clause (iv) of this paragraph (2) committed on or after June 23, 2005 (the effective date of Public Act 94-71) or with respect to offense listed in clause (vi) committed on or after June 1, 2008 (the effective date of Public Act 95-625) or with respect to the offense of being an armed habitual criminal committed on or after August 2, 2005 (the effective date of Public Act 94-398) or with respect to the offenses listed in clause (v) of this paragraph (2) committed on or after August 13, 2007 (the effective date of Public Act 95-134) or with respect to the offense of aggravated domestic battery committed on or after July 23, 2010 (the effective date of Public Act 96-1224) or with respect to the offense of attempt to commit terrorism committed on or after January 1, 2013 (the effective date of Public Act 97-990), the following:

(i) that a prisoner who is serving a term of imprisonment for first degree murder or for the offense of terrorism shall receive no sentence credit and shall serve the entire sentence imposed by the court;

(ii) that a prisoner serving a sentence for attempt to commit terrorism, attempt to commit first degree murder,

solicitation of murder, solicitation of murder for hire, intentional homicide of an unborn child, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated kidnapping, aggravated battery with a firearm as described in Section 12-4.2 or subdivision (e) (1), (e) (2), (e) (3), or (e) (4) of Section 12-3.05, heinous battery as described in Section 12-4.1 or subdivision (a) (2) of Section 12-3.05, being an armed habitual criminal, aggravated battery of a senior citizen as described in Section 12-4.6 or subdivision (a) (4) of Section 12-3.05, or aggravated battery of a child as described in Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(iii) that a prisoner serving a sentence for home invasion, armed robbery, aggravated vehicular hijacking, aggravated discharge of a firearm, or armed violence with a category I weapon or category II weapon, when the court has made and entered a finding, pursuant to subsection (c-1) of Section 5-4-1 of this Code, that the conduct leading to conviction for the enumerated offense resulted in great bodily harm to a victim, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(iv) that a prisoner serving a sentence for aggravated

discharge of a firearm, whether or not the conduct leading to conviction for the offense resulted in great bodily harm to the victim, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment;

(v) that a person serving a sentence for gunrunning, narcotics racketeering, controlled substance trafficking, methamphetamine trafficking, drug-induced homicide, aggravated methamphetamine-related child endangerment, money laundering pursuant to clause (c) (4) or (5) of Section 29B-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a Class X felony conviction for delivery of a controlled substance, possession of a controlled substance with intent to manufacture or deliver, calculated criminal drug conspiracy, criminal drug conspiracy, street gang criminal drug conspiracy, participation in methamphetamine manufacturing, aggravated participation in methamphetamine manufacturing, delivery of methamphetamine, possession with intent to deliver methamphetamine, aggravated delivery of methamphetamine, aggravated possession with intent to deliver methamphetamine, methamphetamine conspiracy when the substance containing the controlled substance or methamphetamine is 100 grams or more shall receive no more than 7.5 days sentence credit for each month of his or her sentence of imprisonment;

(vi) that a prisoner serving a sentence for a second or subsequent offense of luring a minor shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment; and

(vii) that a prisoner serving a sentence for aggravated domestic battery shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.1) For all offenses, other than those enumerated in subdivision (a)(2)(i), (ii), or (iii) committed on or after June 19, 1998 or subdivision (a)(2)(iv) committed on or after June 23, 2005 (the effective date of Public Act 94-71) or subdivision (a)(2)(v) committed on or after August 13, 2007 (the effective date of Public Act 95-134) or subdivision (a)(2)(vi) committed on or after June 1, 2008 (the effective date of Public Act 95-625) or subdivision (a)(2)(vii) committed on or after July 23, 2010 (the effective date of Public Act 96-1224), and other than the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, and other than the offense of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (C) of paragraph (1) of subsection (d) of



Section 11-501 of the Illinois Vehicle Code committed on or after January 1, 2011 (the effective date of Public Act 96-1230), the rules and regulations shall provide that a prisoner who is serving a term of imprisonment shall receive one day of sentence credit for each day of his or her sentence of imprisonment or recommitment under Section 3-3-9. Each day of sentence credit shall reduce by one day the prisoner's period of imprisonment or recommitment under Section 3-3-9.

(2.2) A prisoner serving a term of natural life imprisonment or a prisoner who has been sentenced to death shall receive no sentence credit.

(2.3) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof as defined in subparagraph (F) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code, shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.4) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide with respect to the offenses of aggravated battery with a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report

of a firearm or aggravated discharge of a machine gun or a firearm equipped with any device or attachment designed or used for silencing the report of a firearm, committed on or after July 15, 1999 (the effective date of Public Act 91-121), that a prisoner serving a sentence for any of these offenses shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.5) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated arson committed on or after July 27, 2001 (the effective date of Public Act 92-176) shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(2.6) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations on sentence credit shall provide that a prisoner who is serving a sentence for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds or any combination thereof as defined in subparagraph (C) of paragraph (1) of subsection (d) of Section 11-501 of the Illinois Vehicle Code committed on or after January 1, 2011 (the effective date of Public Act 96-1230) shall receive no more than 4.5 days of sentence credit for each month of his or her sentence of imprisonment.

(3) In addition to the sentence credits earned under

paragraphs (2.1), (4), (4.1), (4.2), and (4.7) of this subsection (a), the rules and regulations shall also provide that the Director may award up to 180 days of earned sentence credit for prisoners serving a sentence of incarceration of less than 5 years, and up to 365 days of earned sentence credit for prisoners serving a sentence of 5 years or longer. The Director may grant this credit for good conduct in specific instances as the Director deems proper. The good conduct may include, but is not limited to, compliance with the rules and regulations of the Department, service to the Department, service to a community, or service to the State.

Eligible inmates for an award of earned sentence credit under this paragraph (3) may be selected to receive the credit at the Director's or his or her designee's sole discretion. Eligibility for the additional earned sentence credit under this paragraph (3) may be based on, but is not limited to, participation in programming offered by the Department as appropriate for the prisoner based on the results of any available risk/needs assessment or other relevant assessments or evaluations administered by the Department using a validated instrument, the circumstances of the crime, demonstrated commitment to rehabilitation by a prisoner with a history of conviction for a forcible felony enumerated in Section 2-8 of the Criminal Code of 2012, the inmate's behavior and improvements in disciplinary history while incarcerated, and the inmate's commitment to rehabilitation,

including participation in programming offered by the Department.

The Director shall not award sentence credit under this paragraph (3) to an inmate unless the inmate has served a minimum of 60 days of the sentence; except nothing in this paragraph shall be construed to permit the Director to extend an inmate's sentence beyond that which was imposed by the court. Prior to awarding credit under this paragraph (3), the Director shall make a written determination that the inmate:

(A) is eligible for the earned sentence credit;

(B) has served a minimum of 60 days, or as close to 60 days as the sentence will allow;

(B-1) has received a risk/needs assessment or other relevant evaluation or assessment administered by the Department using a validated instrument; and

(C) has met the eligibility criteria established by rule for earned sentence credit.

The Director shall determine the form and content of the written determination required in this subsection.

(3.5) The Department shall provide annual written reports to the Governor and the General Assembly on the award of earned sentence credit no later than February 1 of each year. The Department must publish both reports on its website within 48 hours of transmitting the reports to the Governor and the General Assembly. The reports must include:

(A) the number of inmates awarded earned sentence

credit;

(B) the average amount of earned sentence credit awarded;

(C) the holding offenses of inmates awarded earned sentence credit; and

(D) the number of earned sentence credit revocations.

(4) (A) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall also provide that any prisoner who is engaged full-time in substance abuse programs, correctional industry assignments, educational programs, work-release programs or activities in accordance with Article 13 of Chapter III of this Code, behavior modification programs, life skills courses, or re-entry planning provided by the Department under this paragraph (4) and satisfactorily completes the assigned program as determined by the standards of the Department, shall receive one day of sentence credit for each day in which that prisoner is engaged in the activities described in this paragraph. The rules and regulations shall also provide that sentence credit may be provided to an inmate who was held in pre-trial detention prior to his or her current commitment to the Department of Corrections and successfully completed a full-time, 60-day or longer substance abuse program, educational program, behavior modification program, life skills course, or re-entry planning provided by the county department of corrections or county jail. Calculation of this

county program credit shall be done at sentencing as provided in Section 5-4.5-100 of this Code and shall be included in the sentencing order. The rules and regulations shall also provide that sentence credit may be provided to an inmate who is in compliance with programming requirements in an adult transition center.

(B) The Department shall award sentence credit under this paragraph (4) accumulated prior to January 1, 2020 (the effective date of Public Act 101-440) in an amount specified in subparagraph (C) of this paragraph (4) to an inmate serving a sentence for an offense committed prior to June 19, 1998, if the Department determines that the inmate is entitled to this sentence credit, based upon:

(i) documentation provided by the Department that the inmate engaged in any full-time substance abuse programs, correctional industry assignments, educational programs, behavior modification programs, life skills courses, or re-entry planning provided by the Department under this paragraph (4) and satisfactorily completed the assigned program as determined by the standards of the Department during the inmate's current term of incarceration; or

(ii) the inmate's own testimony in the form of an affidavit or documentation, or a third party's documentation or testimony in the form of an affidavit that the inmate likely engaged in any full-time substance abuse programs, correctional industry assignments,

educational programs, behavior modification programs, life skills courses, or re-entry planning provided by the Department under paragraph (4) and satisfactorily completed the assigned program as determined by the standards of the Department during the inmate's current term of incarceration.

(C) If the inmate can provide documentation that he or she is entitled to sentence credit under subparagraph (B) in excess of 45 days of participation in those programs, the inmate shall receive 90 days of sentence credit. If the inmate cannot provide documentation of more than 45 days of participation in those programs, the inmate shall receive 45 days of sentence credit. In the event of a disagreement between the Department and the inmate as to the amount of credit accumulated under subparagraph (B), if the Department provides documented proof of a lesser amount of days of participation in those programs, that proof shall control. If the Department provides no documentary proof, the inmate's proof as set forth in clause (ii) of subparagraph (B) shall control as to the amount of sentence credit provided.

(D) If the inmate has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act, sentencing credits under subparagraph (B) of this paragraph (4) shall be awarded by the Department only if the conditions set forth in paragraph (4.6) of subsection (a) are satisfied. No inmate serving a term of natural life imprisonment shall

receive sentence credit under subparagraph (B) of this paragraph (4).

Educational, vocational, substance abuse, behavior modification programs, life skills courses, re-entry planning, and correctional industry programs under which sentence credit may be earned under this paragraph (4) and paragraph (4.1) of this subsection (a) shall be evaluated by the Department on the basis of documented standards. The Department shall report the results of these evaluations to the Governor and the General Assembly by September 30th of each year. The reports shall include data relating to the recidivism rate among program participants.

Availability of these programs shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. Eligible inmates who are denied immediate admission shall be placed on a waiting list under criteria established by the Department. The rules and regulations shall provide that a prisoner who has been placed on a waiting list but is transferred for non-disciplinary reasons before beginning a program shall receive priority placement on the waitlist for appropriate programs at the new facility. The inability of any inmate to become engaged in any such programs by reason of insufficient program resources or for any other reason established under the rules and regulations of the Department shall not be deemed a cause of action under which the Department or any employee or agent of



the Department shall be liable for damages to the inmate. The rules and regulations shall provide that a prisoner who begins an educational, vocational, substance abuse, work-release programs or activities in accordance with Article 13 of Chapter III of this Code, behavior modification program, life skills course, re-entry planning, or correctional industry programs but is unable to complete the program due to illness, disability, transfer, lockdown, or another reason outside of the prisoner's control shall receive prorated sentence credits for the days in which the prisoner did participate.

(4.1) Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall also provide that an additional 90 days of sentence credit shall be awarded to any prisoner who passes high school equivalency testing while the prisoner is committed to the Department of Corrections. The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be pursuant to the guidelines and restrictions set forth in paragraph (4) of subsection (a) of this Section. The sentence credit provided for in this paragraph shall be available only to those prisoners who have not previously earned a high school diploma or a State of Illinois High School Diploma ~~high school equivalency certificate~~. If, after an award of the high school equivalency testing sentence credit has been made, the Department determines that the prisoner was

not eligible, then the award shall be revoked. The Department may also award 90 days of sentence credit to any committed person who passed high school equivalency testing while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections. Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall provide that an additional 120 days of sentence credit shall be awarded to any prisoner who obtains an associate degree while the prisoner is committed to the Department of Corrections, regardless of the date that the associate degree was obtained, including if prior to July 1, 2021 (the effective date of Public Act 101-652). The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be under the guidelines and restrictions set forth in paragraph (4) of subsection (a) of this Section. The sentence credit provided for in this paragraph (4.1) shall be available only to those prisoners who have not previously earned an associate degree prior to the current commitment to the Department of Corrections. If, after an award of the associate degree sentence credit has been made and the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also award 120 days of sentence credit to any committed person who earned an associate degree while he or she was held in pre-trial detention prior to the

current commitment to the Department of Corrections.

Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall provide that an additional 180 days of sentence credit shall be awarded to any prisoner who obtains a bachelor's degree while the prisoner is committed to the Department of Corrections. The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be under the guidelines and restrictions set forth in paragraph (4) of this subsection (a). The sentence credit provided for in this paragraph shall be available only to those prisoners who have not earned a bachelor's degree prior to the current commitment to the Department of Corrections. If, after an award of the bachelor's degree sentence credit has been made, the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also award 180 days of sentence credit to any committed person who earned a bachelor's degree while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections.

Except as provided in paragraph (4.7) of this subsection (a), the rules and regulations shall provide that an additional 180 days of sentence credit shall be awarded to any prisoner who obtains a master's or professional degree while the prisoner is committed to the Department of Corrections.

The sentence credit awarded under this paragraph (4.1) shall be in addition to, and shall not affect, the award of sentence credit under any other paragraph of this Section, but shall also be under the guidelines and restrictions set forth in paragraph (4) of this subsection (a). The sentence credit provided for in this paragraph shall be available only to those prisoners who have not previously earned a master's or professional degree prior to the current commitment to the Department of Corrections. If, after an award of the master's or professional degree sentence credit has been made, the Department determines that the prisoner was not eligible, then the award shall be revoked. The Department may also award 180 days of sentence credit to any committed person who earned a master's or professional degree while he or she was held in pre-trial detention prior to the current commitment to the Department of Corrections.

(4.2) The rules and regulations shall also provide that any prisoner engaged in self-improvement programs, volunteer work, or work assignments that are not otherwise eligible activities under paragraph (4), shall receive up to 0.5 days of sentence credit for each day in which the prisoner is engaged in activities described in this paragraph.

(4.5) The rules and regulations on sentence credit shall also provide that when the court's sentencing order recommends a prisoner for substance abuse treatment and the crime was committed on or after September 1, 2003 (the effective date of

Public Act 93-354), the prisoner shall receive no sentence credit awarded under clause (3) of this subsection (a) unless he or she participates in and completes a substance abuse treatment program. The Director may waive the requirement to participate in or complete a substance abuse treatment program in specific instances if the prisoner is not a good candidate for a substance abuse treatment program for medical, programming, or operational reasons. Availability of substance abuse treatment shall be subject to the limits of fiscal resources appropriated by the General Assembly for these purposes. If treatment is not available and the requirement to participate and complete the treatment has not been waived by the Director, the prisoner shall be placed on a waiting list under criteria established by the Department. The Director may allow a prisoner placed on a waiting list to participate in and complete a substance abuse education class or attend substance abuse self-help meetings in lieu of a substance abuse treatment program. A prisoner on a waiting list who is not placed in a substance abuse program prior to release may be eligible for a waiver and receive sentence credit under clause (3) of this subsection (a) at the discretion of the Director.

(4.6) The rules and regulations on sentence credit shall also provide that a prisoner who has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act shall receive no sentence credit unless he or she either has successfully completed or is participating in

sex offender treatment as defined by the Sex Offender Management Board. However, prisoners who are waiting to receive treatment, but who are unable to do so due solely to the lack of resources on the part of the Department, may, at the Director's sole discretion, be awarded sentence credit at a rate as the Director shall determine.

(4.7) On or after January 1, 2018 (the effective date of Public Act 100-3), sentence credit under paragraph (3), (4), or (4.1) of this subsection (a) may be awarded to a prisoner who is serving a sentence for an offense described in paragraph (2), (2.3), (2.4), (2.5), or (2.6) for credit earned on or after January 1, 2018 (the effective date of Public Act 100-3); provided, the award of the credits under this paragraph (4.7) shall not reduce the sentence of the prisoner to less than the following amounts:

(i) 85% of his or her sentence if the prisoner is required to serve 85% of his or her sentence; or

(ii) 60% of his or her sentence if the prisoner is required to serve 75% of his or her sentence, except if the prisoner is serving a sentence for gunrunning his or her sentence shall not be reduced to less than 75%.

(iii) 100% of his or her sentence if the prisoner is required to serve 100% of his or her sentence.

(5) Whenever the Department is to release any inmate earlier than it otherwise would because of a grant of earned sentence credit under paragraph (3) of subsection (a) of this

Section given at any time during the term, the Department shall give reasonable notice of the impending release not less than 14 days prior to the date of the release to the State's Attorney of the county where the prosecution of the inmate took place, and if applicable, the State's Attorney of the county into which the inmate will be released. The Department must also make identification information and a recent photo of the inmate being released accessible on the Internet by means of a hyperlink labeled "Community Notification of Inmate Early Release" on the Department's World Wide Web homepage. The identification information shall include the inmate's: name, any known alias, date of birth, physical characteristics, commitment offense, and county where conviction was imposed. The identification information shall be placed on the website within 3 days of the inmate's release and the information may not be removed until either: completion of the first year of mandatory supervised release or return of the inmate to custody of the Department.

(b) Whenever a person is or has been committed under several convictions, with separate sentences, the sentences shall be construed under Section 5-8-4 in granting and forfeiting of sentence credit.

(c) (1) The Department shall prescribe rules and regulations for revoking sentence credit, including revoking sentence credit awarded under paragraph (3) of subsection (a) of this Section. The Department shall prescribe rules and

regulations establishing and requiring the use of a sanctions matrix for revoking sentence credit. The Department shall prescribe rules and regulations for suspending or reducing the rate of accumulation of sentence credit for specific rule violations, during imprisonment. These rules and regulations shall provide that no inmate may be penalized more than one year of sentence credit for any one infraction.

(2) When the Department seeks to revoke, suspend, or reduce the rate of accumulation of any sentence credits for an alleged infraction of its rules, it shall bring charges therefor against the prisoner sought to be so deprived of sentence credits before the Prisoner Review Board as provided in subparagraph (a) (4) of Section 3-3-2 of this Code, if the amount of credit at issue exceeds 30 days, whether from one infraction or cumulatively from multiple infractions arising out of a single event, or when, during any 12-month period, the cumulative amount of credit revoked exceeds 30 days except where the infraction is committed or discovered within 60 days of scheduled release. In those cases, the Department of Corrections may revoke up to 30 days of sentence credit. The Board may subsequently approve the revocation of additional sentence credit, if the Department seeks to revoke sentence credit in excess of 30 days. However, the Board shall not be empowered to review the Department's decision with respect to the loss of 30 days of sentence credit within any calendar year for any prisoner or to increase any penalty beyond the length



requested by the Department.

(3) The Director of the Department of Corrections, in appropriate cases, may restore sentence credits which have been revoked, suspended, or reduced. The Department shall prescribe rules and regulations governing the restoration of sentence credits. These rules and regulations shall provide for the automatic restoration of sentence credits following a period in which the prisoner maintains a record without a disciplinary violation.

Nothing contained in this Section shall prohibit the Prisoner Review Board from ordering, pursuant to Section 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the sentence imposed by the court that was not served due to the accumulation of sentence credit.

(d) If a lawsuit is filed by a prisoner in an Illinois or federal court against the State, the Department of Corrections, or the Prisoner Review Board, or against any of their officers or employees, and the court makes a specific finding that a pleading, motion, or other paper filed by the prisoner is frivolous, the Department of Corrections shall conduct a hearing to revoke up to 180 days of sentence credit by bringing charges against the prisoner sought to be deprived of the sentence credits before the Prisoner Review Board as provided in subparagraph (a)(8) of Section 3-3-2 of this Code. If the prisoner has not accumulated 180 days of sentence credit at the time of the finding, then the Prisoner Review

Board may revoke all sentence credit accumulated by the prisoner.

For purposes of this subsection (d):

(1) "Frivolous" means that a pleading, motion, or other filing which purports to be a legal document filed by a prisoner in his or her lawsuit meets any or all of the following criteria:

(A) it lacks an arguable basis either in law or in fact;

(B) it is being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

(C) the claims, defenses, and other legal contentions therein are not warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

(D) the allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; or

(E) the denials of factual contentions are not warranted on the evidence, or if specifically so identified, are not reasonably based on a lack of information or belief.

(2) "Lawsuit" means a motion pursuant to Section 116-3 of the Code of Criminal Procedure of 1963, a habeas corpus action under Article X of the Code of Civil Procedure or under federal law (28 U.S.C. 2254), a petition for claim under the Court of Claims Act, an action under the federal Civil Rights Act (42 U.S.C. 1983), or a second or subsequent petition for post-conviction relief under Article 122 of the Code of Criminal Procedure of 1963 whether filed with or without leave of court or a second or subsequent petition for relief from judgment under Section 2-1401 of the Code of Civil Procedure.

(e) Nothing in Public Act 90-592 or 90-593 affects the validity of Public Act 89-404.

(f) Whenever the Department is to release any inmate who has been convicted of a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012, earlier than it otherwise would because of a grant of sentence credit, the Department, as a condition of release, shall require that the person, upon release, be placed under electronic surveillance as provided in Section 5-8A-7 of this Code.

(Source: P.A. 101-440, eff. 1-1-20; 101-652, eff. 7-1-21; 102-28, eff. 6-25-21; 102-558, eff. 8-20-21.)

(730 ILCS 5/3-6-8)

Sec. 3-6-8. High school equivalency testing programs. The

Department of Corrections shall develop and establish a program in the Adult Division designed to increase the number of committed persons enrolled in programs for high school equivalency testing and pursuing State of Illinois High School Diplomas ~~high school equivalency certificates~~ by at least 100% over the 4-year period following the effective date of this amendatory Act of the 94th General Assembly. Pursuant to the program, each adult institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in high school equivalency testing programs and those who pass high school equivalency testing, and the number of committed persons in the Adult Division who are on waiting lists for participation in the high school equivalency testing programs.

(Source: P.A. 98-718, eff. 1-1-15.)

(730 ILCS 5/5-8-1.3)

Sec. 5-8-1.3. Pilot residential and transition treatment program for women.

(a) The General Assembly recognizes:

(1) that drug-offending women with children who have been in and out of the criminal justice system for years are a serious problem;

(2) that the intergenerational cycle of women continuously being part of the criminal justice system needs to be broken;

(3) that the effects of drug offending women with children disrupts family harmony and creates an atmosphere that is not conducive to healthy childhood development;

(4) that there is a need for an effective residential community supervision model to provide help to women to become drug free, recover from trauma, focus on healthy mother-child relationships, and establish economic independence and long-term support;

(5) that certain non-violent women offenders with children eligible for sentences of incarceration, may benefit from the rehabilitative aspects of gender responsive treatment programs and services. This Section shall not be construed to allow violent offenders to participate in a treatment program.

(b) Under the direction of the sheriff and with the approval of the county board of commissioners, the sheriff, in any county with more than 3,000,000 inhabitants, may operate a residential and transition treatment program for women established by the Illinois Department of Corrections if funding has been provided by federal, local or private entities. If the court finds during the sentencing hearing conducted under Section 5-4-1 that a woman convicted of a felony meets the eligibility requirements of the sheriff's residential and transition treatment program for women, the court may refer the offender to the sheriff's residential and transition treatment program for women for consideration as a

participant as an alternative to incarceration in the penitentiary. The sheriff shall be responsible for supervising all women who are placed in the residential and transition treatment program for women for the 12-month period. In the event that the woman is not accepted for placement in the sheriff's residential and transition treatment program for women, the court shall proceed to sentence the woman to any other disposition authorized by this Code. If the woman does not successfully complete the residential and transition treatment program for women, the woman's failure to do so shall constitute a violation of the sentence to the residential and transition treatment program for women.

(c) In order to be eligible to be a participant in the pilot residential and transition treatment program for women, the participant shall meet all of the following conditions:

(1) The woman has not been convicted of a violent crime as defined in subsection (c) of Section 3 of the Rights of Crime Victims and Witnesses Act, a Class X felony, first or second degree murder, armed violence, aggravated kidnapping, criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, forcible detention, or arson and has not been previously convicted of any of those offenses.

(2) The woman must undergo an initial assessment evaluation to determine the treatment and program plan.

(3) The woman was recommended and accepted for placement in the pilot residential and transition treatment program for women by the Department of Corrections and has consented in writing to participation in the program under the terms and conditions of the program. The Department of Corrections may consider whether space is available.

(d) The program may include a substance abuse treatment program designed for women offenders, mental health, trauma, and medical treatment; parenting skills and family relationship counseling, preparation for a State of Illinois High School Diploma ~~high school equivalency~~ or vocational certificate; life skills program; job readiness and job skill training, and a community transition development plan.

(e) With the approval of the Department of Corrections, the sheriff shall issue requirements for the program and inform the participants who shall sign an agreement to adhere to all rules and all requirements for the pilot residential and transition treatment program.

(f) Participation in the pilot residential and transition treatment program for women shall be for a period not to exceed 12 months. The period may not be reduced by accumulation of good time.

(g) If the woman successfully completes the pilot residential and transition treatment program for women, the sheriff shall notify the Department of Corrections, the court,

and the State's Attorney of the county of the woman's successful completion.

(h) A woman may be removed from the pilot residential and transition treatment program for women for violation of the terms and conditions of the program or in the event she is unable to participate. The failure to complete the program shall be deemed a violation of the conditions of the program. The sheriff shall give notice to the Department of Corrections, the court, and the State's Attorney of the woman's failure to complete the program. The Department of Corrections or its designee shall file a petition alleging that the woman has violated the conditions of the program with the court. The State's Attorney may proceed on the petition under Section 5-4-1 of this Code.

(i) The conditions of the pilot residential and transition treatment program for women shall include that the woman while in the program:

(1) not violate any criminal statute of any jurisdiction;

(2) report or appear in person before any person or agency as directed by the court, the sheriff, or Department of Corrections;

(3) refrain from possessing a firearm or other dangerous weapon;

(4) consent to drug testing;

(5) not leave the State without the consent of the



court or, in circumstances in which reason for the absence is of such an emergency nature that prior consent by the court is not possible, without prior notification and approval of the Department of Corrections;

(6) upon placement in the program, must agree to follow all requirements of the program.

(j) The Department of Corrections or the sheriff may terminate the program at any time by mutual agreement or with 30 days prior written notice by either the Department of Corrections or the sheriff.

(k) The Department of Corrections may enter into a joint contract with a county with more than 3,000,000 inhabitants to establish and operate a pilot residential and treatment program for women.

(l) The Director of the Department of Corrections shall have the authority to develop rules to establish and operate a pilot residential and treatment program for women that shall include criteria for selection of the participants of the program in conjunction and approval by the sentencing court. Violent crime offenders are not eligible to participate in the program.

(m) The Department shall report to the Governor and the General Assembly before September 30th of each year on the pilot residential and treatment program for women, including the composition of the program by offenders, sentence, age, offense, and race. Reporting is only required if the pilot

residential and treatment program for women is operational.

(n) The Department of Corrections or the sheriff may terminate the program with 30 days prior written notice.

(o) A county with more than 3,000,000 inhabitants is authorized to apply for funding from federal, local or private entities to create a Residential and Treatment Program for Women. This sentencing option may not go into effect until the funding is secured for the program and the program has been established.

(Source: P.A. 97-800, eff. 7-13-12; 98-718, eff. 1-1-15.)

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