



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2777

Introduced 2/16/2023, by Rep. Cyril Nichols

SYNOPSIS AS INTRODUCED:

5 ILCS 410/10	
5 ILCS 410/15	
20 ILCS 50/5	
20 ILCS 65/20-15	
20 ILCS 105/3.10	
20 ILCS 301/5-10	
20 ILCS 607/3-10	
20 ILCS 2310/2310-215	was 20 ILCS 2310/55.62
20 ILCS 2630/4.5	
30 ILCS 575/2	
30 ILCS 577/35-5	
30 ILCS 785/5	
70 ILCS 210/23.1	from Ch. 85, par. 1243.1
105 ILCS 5/27-21	from Ch. 122, par. 27-21
105 ILCS 5/34-18	from Ch. 122, par. 34-18
110 ILCS 205/9.16	from Ch. 144, par. 189.16
110 ILCS 925/3.07	from Ch. 144, par. 1503.07
110 ILCS 930/2	from Ch. 144, par. 2302
110 ILCS 947/50	
110 ILCS 947/65.30	
110 ILCS 947/65.110	
215 ILCS 5/500-50	
305 ILCS 5/4-23	
305 ILCS 5/12-4.48	
505 ILCS 72/10	
625 ILCS 5/11-212	
720 ILCS 5/17-10.2	was 720 ILCS 5/17-29
775 ILCS 5/2-105	from Ch. 68, par. 2-105
805 ILCS 5/8.12	

Amends various Acts to add Arab persons to provisions referencing or defining minority groups and ethnicities.

LRB103 26355 DTM 52716 b

1 AN ACT concerning government.

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

4 Section 5. The State Employment Records Act is amended by
5 changing Sections 10 and 15 as follows:

6 (5 ILCS 410/10)

7 Sec. 10. Definitions. As used in this Act:

8 (a) "Agency work force" means those persons employed by a
9 State agency who are part of the State work force.

10 (b) "Contractual services employee" means a person
11 employed by the State, or a State supported institution of
12 higher education, under a written contract and paid by a State
13 system CO-2 voucher (or its administrative equivalent) whose
14 daily duties and responsibilities are directly or indirectly
15 supervised or managed by a person paid by a payroll warrant (or
16 its administrative equivalent) funded by State funds or pass
17 through funds.

18 (c) "Agency" or "State agency" means those entities
19 included in the definition of "State agencies" in the Illinois
20 State Auditing Act.

21 (d) "Minority" means a person who is any of the following:

22 (1) American Indian or Alaska Native (a person having
23 origins in any of the original peoples of North and South

1 America, including Central America, and who maintains
2 tribal affiliation or community attachment).

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

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

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

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

16 (6) Arab (a person having origins in any of the
17 original peoples of Saudi Arabia, United Arab Emirates,
18 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
19 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
20 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

21 (e) "Professional employee" means a person employed to
22 perform employment duties requiring academic training,
23 evidenced by a graduate or advanced degree from an accredited
24 institution of higher education, and who, in the performance
25 of those employment duties, may only engage in active practice
26 of the academic training received when licensed or certified

1 by the State of Illinois.

2 (f) "State employee" means any person employed within the
3 State work force.

4 (g) "State work force" means all persons employed by the
5 State of Illinois as evidenced by:

6 (1) the total number of all payroll warrants (or their
7 administrative equivalent) issued by the Comptroller to
8 pay:

9 (i) persons subject to the Personnel Code; and

10 (ii) for the sole purpose of providing accurate
11 statistical information, all persons exempt from the
12 Personnel Code; and

13 (2) the total number of payroll warrants (or their
14 administrative equivalent) funded by State appropriation
15 which are issued by educational institutions governed by
16 the Board of Trustees of the University of Illinois, the
17 Board of Trustees of Southern Illinois University, the
18 Board of Governors of State Colleges and Universities, and
19 the Board of Regents; and

20 (3) the total number of contractual payroll system
21 CO-2 vouchers (or their administrative equivalent) funded
22 by State revenues and issued by:

23 (i) the State Comptroller; and

24 (ii) the issuing agents of the educational
25 institutions listed in subdivision (2) of this
26 subsection (g).

1 "State work force" does not, however, include persons holding
2 elective State office.

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

4 (5 ILCS 410/15)

5 Sec. 15. Reported information.

6 (a) State agencies shall, if necessary, consult with the
7 Office of the Comptroller and the Governor's Office of
8 Management and Budget to confirm the accuracy of information
9 required by this Act. State agencies shall collect and
10 maintain information and publish reports including but not
11 limited to the following information arranged in the indicated
12 categories:

13 (i) the total number of persons employed by the agency
14 who are part of the State work force, as defined by this
15 Act, and the number and statistical percentage of women,
16 minorities, and persons with physical disabilities
17 employed within the agency work force;

18 (ii) the total number of persons employed within the
19 agency work force receiving levels of State remuneration
20 within incremental levels of \$10,000, and the number and
21 statistical percentage of minorities, women, and persons
22 with physical disabilities in the agency work force
23 receiving levels of State remuneration within incremented
24 levels of \$10,000;

25 (iii) the number of open positions of employment or

1 advancement in the agency work force, reported on a fiscal
2 year basis;

3 (iv) the number and percentage of open positions of
4 employment or advancement in the agency work force filled
5 by minorities, women, and persons with physical
6 disabilities, reported on a fiscal year basis;

7 (v) the total number of persons employed within the
8 agency work force as professionals, and the number and
9 percentage of minorities, women, and persons with physical
10 disabilities employed within the agency work force as
11 professional employees; and

12 (vi) the total number of persons employed within the
13 agency work force as contractual service employees, and
14 the number and percentage of minorities, women, and
15 persons with physical disabilities employed within the
16 agency work force as contractual services employees.

17 (b) The numbers and percentages of minorities required to
18 be reported by this Section shall be identified by the
19 following categories:

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

24 (2) Asian (a person having origins in any of the
25 original peoples of the Far East, Southeast Asia, or the
26 Indian subcontinent, including, but not limited to,

1 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
2 the Philippine Islands, Thailand, and Vietnam).

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

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

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

11 (6) Arab (a person having origins in any of the
12 original peoples of Saudi Arabia, United Arab Emirates,
13 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
14 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
15 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

16 Data concerning women shall be reported on a minority and
17 nonminority basis. The numbers and percentages of persons with
18 physical disabilities required to be reported under this
19 Section shall be identified by categories as male and female.

20 (c) To accomplish consistent and uniform classification
21 and collection of information from each State agency, and to
22 ensure full compliance and that all required information is
23 provided, the Index Department of the Office of the Secretary
24 of State, in consultation with the Department of Human Rights,
25 the Department of Central Management Services, and the Office
26 of the Comptroller, shall develop appropriate forms to be used

1 by all State agencies subject to the reporting requirements of
2 this Act.

3 All State agencies shall make the reports required by this
4 Act using the forms developed under this subsection. The
5 reports must be certified and signed by an official of the
6 agency who is responsible for the information provided.

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

8 Section 10. The Uniform Racial Classification Act is
9 amended by changing Section 5 as follows:

10 (20 ILCS 50/5)

11 Sec. 5. Uniform racial classification. Notwithstanding any
12 other provision of law, except as otherwise required by
13 federal law or regulation, whenever a State agency is required
14 by law to compile or report statistical data using racial or
15 ethnic classifications, that State agency shall use the
16 following classifications: (i) White; (ii) Black or African
17 American; (iii) American Indian or Alaska Native; (iv) Asian;
18 (v) Native Hawaiian or Other Pacific Islander; ~~or~~ (vi)
19 Hispanic or Latino; or (vii) Arab.

20 For the purposes of this Act, "State agency" means the
21 offices of the constitutional officers identified in Article V
22 of the Illinois Constitution, executive agencies, and
23 departments, boards, commissions, and authorities under the
24 Governor.

1 (Source: P.A. 98-982, eff. 8-18-14.)

2 Section 15. The Data Governance and Organization to
3 Support Equity and Racial Justice Act is amended by changing
4 Section 20-15 as follows:

5 (20 ILCS 65/20-15)

6 Sec. 20-15. Data Governance and Organization to Support
7 Equity and Racial Justice.

8 (a) On or before July 1, 2022 and each July 1 thereafter,
9 the Board and the Department shall report statistical data on
10 the racial, ethnic, age, sex, disability status, sexual
11 orientation, gender identity, and primary or preferred
12 language demographics of program participants for each major
13 program administered by the Board or the Department. Except as
14 provided in subsection (b), when reporting the data required
15 under this Section, the Board or the Department shall use the
16 same racial and ethnic classifications for each program, which
17 shall include, but not be limited to, the following:

18 (1) American Indian and Alaska Native alone.

19 (2) Asian alone.

20 (3) Black or African American alone.

21 (4) Hispanic or Latino of any race.

22 (5) Native Hawaiian and Other Pacific Islander alone.

23 (5.5) Arab alone.

24 (6) White alone.

1 (7) Some other race alone.

2 (8) Two or more races.

3 The Board and the Department may further define, by rule,
4 the racial and ethnic classifications, including, if
5 necessary, a classification of "No Race Specified".

6 (b) ~~(e)~~ If a program administered by the Board or the
7 Department is subject to federal reporting requirements that
8 include the collection and public reporting of statistical
9 data on the racial and ethnic demographics of program
10 participants, the Department may maintain the same racial and
11 ethnic classifications used under the federal requirements if
12 such classifications differ from the classifications listed in
13 subsection (a).

14 (c) ~~(d)~~ The Department of Innovation and Technology shall
15 assist the Board and the Department by establishing common
16 technological processes and procedures for the Board and the
17 Department to:

18 (1) Catalog data.

19 (2) Identify similar fields in datasets.

20 (3) Manage data requests.

21 (4) Share data.

22 (5) Collect data.

23 (6) Improve and clean data.

24 (7) Match data across the Board and Departments.

25 (8) Develop research and analytic agendas.

26 (9) Report on program participation disaggregated by

1 race and ethnicity.

2 (10) Evaluate equitable outcomes for underserved
3 populations in Illinois.

4 (11) Define common roles for data management.

5 (12) Ensure that all major programs can report
6 disaggregated data by race, ethnicity, age, sex,
7 disability status, sexual orientation, and gender
8 identity, and primary or preferred language.

9 The Board and the Department shall use the common
10 technological processes and procedures established by the
11 Department of Innovation and Technology.

12 (d) ~~(e)~~ If the Board or the Department is unable to begin
13 reporting the data required by subsection (a) by July 1, 2022,
14 the Board or the Department shall state the reasons for the
15 delay under the reporting requirements.

16 (e) ~~(f)~~ By no later than March 31, 2022, the Board and the
17 Department shall provide a progress report to the General
18 Assembly to disclose: (i) the programs and datasets that have
19 been cataloged for which race, ethnicity, age, sex, disability
20 status, sexual orientation, gender identity, and primary or
21 preferred language have been standardized; and (ii) to the
22 extent possible, the datasets and programs that are
23 outstanding for each agency and the datasets that are planned
24 for the upcoming year. On or before March 31, 2023, and each
25 year thereafter, the Board and the Department ~~Departments~~
26 shall provide an updated report to the General Assembly.

1 (f) ~~(g)~~ By no later than October 31, 2021, the Governor's
2 Office shall provide a plan to establish processes for input
3 from the Board and the Department into processes outlined in
4 subsection (c) ~~(b)~~. The plan shall incorporate ongoing efforts
5 at data interoperability within the Department and the
6 governance established to support the P-20 Longitudinal
7 Education Data System enacted by Public Act 96-107.

8 (g) ~~(h)~~ Nothing in this Section shall be construed to
9 limit the rights granted to individuals or data sharing
10 protections established under existing State and federal data
11 privacy and security laws.

12 (Source: P.A. 101-654, eff. 3-8-21; 102-543, eff. 8-20-21;
13 revised 2-4-23.)

14 Section 20. The Illinois Act on the Aging is amended by
15 changing Section 3.10 as follows:

16 (20 ILCS 105/3.10)

17 Sec. 3.10. "Minority senior citizen" means any person 55
18 years of age or older for whom opportunities for employment
19 and participation in community life are unavailable or
20 severely limited and who is any of the following:

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

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

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

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

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

14 (6) Arab (a person having origins in any of the
15 original peoples of Saudi Arabia, United Arab Emirates,
16 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
17 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
18 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

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

20 Section 25. The Substance Use Disorder Act is amended by
21 changing Section 5-10 as follows:

22 (20 ILCS 301/5-10)

23 Sec. 5-10. Functions of the Department.

24 (a) In addition to the powers, duties and functions vested

1 in the Department by this Act, or by other laws of this State,
2 the Department shall carry out the following activities:

3 (1) Design, coordinate and fund comprehensive
4 community-based and culturally and gender-appropriate
5 services throughout the State. These services must include
6 prevention, early intervention, treatment, and other
7 recovery support services for substance use disorders that
8 are accessible and addresses the needs of at-risk
9 individuals and their families.

10 (2) Act as the exclusive State agency to accept,
11 receive and expend, pursuant to appropriation, any public
12 or private monies, grants or services, including those
13 received from the federal government or from other State
14 agencies, for the purpose of providing prevention, early
15 intervention, treatment, and other recovery support
16 services for substance use disorders.

17 (2.5) In partnership with the Department of Healthcare
18 and Family Services, act as one of the principal State
19 agencies for the sole purpose of calculating the
20 maintenance of effort requirement under Section 1930 of
21 Title XIX, Part B, Subpart II of the Public Health Service
22 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR
23 96.134).

24 (3) Coordinate a statewide strategy for the
25 prevention, early intervention, treatment, and recovery
26 support of substance use disorders. This strategy shall

1 include the development of a comprehensive plan, submitted
2 annually with the application for federal substance use
3 disorder block grant funding, for the provision of an
4 array of such services. The plan shall be based on local
5 community-based needs and upon data including, but not
6 limited to, that which defines the prevalence of and costs
7 associated with substance use disorders. This
8 comprehensive plan shall include identification of
9 problems, needs, priorities, services and other pertinent
10 information, including the needs of minorities and other
11 specific priority populations in the State, and shall
12 describe how the identified problems and needs will be
13 addressed. For purposes of this paragraph, the term
14 "minorities and other specific priority populations" may
15 include, but shall not be limited to, groups such as
16 women, children, intravenous drug users, persons with AIDS
17 or who are HIV infected, veterans, African-Americans,
18 Puerto Ricans, Hispanics, Asian Americans, Arabs, the
19 elderly, persons in the criminal justice system, persons
20 who are clients of services provided by other State
21 agencies, persons with disabilities and such other
22 specific populations as the Department may from time to
23 time identify. In developing the plan, the Department
24 shall seek input from providers, parent groups,
25 associations and interested citizens.

26 The plan developed under this Section shall include an

1 explanation of the rationale to be used in ensuring that
2 funding shall be based upon local community needs,
3 including, but not limited to, the incidence and
4 prevalence of, and costs associated with, substance use
5 disorders, as well as upon demonstrated program
6 performance.

7 The plan developed under this Section shall also
8 contain a report detailing the activities of and progress
9 made through services for the care and treatment of
10 substance use disorders among pregnant women and mothers
11 and their children established under subsection (j) of
12 Section 35-5.

13 As applicable, the plan developed under this Section
14 shall also include information about funding by other
15 State agencies for prevention, early intervention,
16 treatment, and other recovery support services.

17 (4) Lead, foster and develop cooperation, coordination
18 and agreements among federal and State governmental
19 agencies and local providers that provide assistance,
20 services, funding or other functions, peripheral or
21 direct, in the prevention, early intervention, treatment,
22 and recovery support for substance use disorders. This
23 shall include, but shall not be limited to, the following:

24 (A) Cooperate with and assist other State
25 agencies, as applicable, in establishing and
26 conducting substance use disorder services among the

1 populations they respectively serve.

2 (B) Cooperate with and assist the Illinois
3 Department of Public Health in the establishment,
4 funding and support of programs and services for the
5 promotion of maternal and child health and the
6 prevention and treatment of infectious diseases,
7 including but not limited to HIV infection, especially
8 with respect to those persons who are high risk due to
9 intravenous injection of illegal drugs, or who may
10 have been sexual partners of these individuals, or who
11 may have impaired immune systems as a result of a
12 substance use disorder.

13 (C) Supply to the Department of Public Health and
14 prenatal care providers a list of all providers who
15 are licensed to provide substance use disorder
16 treatment for pregnant women in this State.

17 (D) Assist in the placement of child abuse or
18 neglect perpetrators (identified by the Illinois
19 Department of Children and Family Services (DCFS)) who
20 have been determined to be in need of substance use
21 disorder treatment pursuant to Section 8.2 of the
22 Abused and Neglected Child Reporting Act.

23 (E) Cooperate with and assist DCFS in carrying out
24 its mandates to:

25 (i) identify substance use disorders among its
26 clients and their families; and

1 (ii) develop services to deal with such
2 disorders.

3 These services may include, but shall not be limited
4 to, programs to prevent or treat substance use
5 disorders with DCFS clients and their families,
6 identifying child care needs within such treatment,
7 and assistance with other issues as required.

8 (F) Cooperate with and assist the Illinois
9 Criminal Justice Information Authority with respect to
10 statistical and other information concerning the
11 incidence and prevalence of substance use disorders.

12 (G) Cooperate with and assist the State
13 Superintendent of Education, boards of education,
14 schools, police departments, the Illinois State
15 Police, courts and other public and private agencies
16 and individuals in establishing prevention programs
17 statewide and preparing curriculum materials for use
18 at all levels of education.

19 (H) Cooperate with and assist the Illinois
20 Department of Healthcare and Family Services in the
21 development and provision of services offered to
22 recipients of public assistance for the treatment and
23 prevention of substance use disorders.

24 (I) (Blank).

25 (5) From monies appropriated to the Department from
26 the Drunk and Drugged Driving Prevention Fund, reimburse

1 DUI evaluation and risk education programs licensed by the
2 Department for providing indigent persons with free or
3 reduced-cost evaluation and risk education services
4 relating to a charge of driving under the influence of
5 alcohol or other drugs.

6 (6) Promulgate regulations to identify and disseminate
7 best practice guidelines that can be utilized by publicly
8 and privately funded programs as well as for levels of
9 payment to government funded programs that provide
10 prevention, early intervention, treatment, and other
11 recovery support services for substance use disorders and
12 those services referenced in Sections 15-10 and 40-5.

13 (7) In consultation with providers and related trade
14 associations, specify a uniform methodology for use by
15 funded providers and the Department for billing and
16 collection and dissemination of statistical information
17 regarding services related to substance use disorders.

18 (8) Receive data and assistance from federal, State
19 and local governmental agencies, and obtain copies of
20 identification and arrest data from all federal, State and
21 local law enforcement agencies for use in carrying out the
22 purposes and functions of the Department.

23 (9) Designate and license providers to conduct
24 screening, assessment, referral and tracking of clients
25 identified by the criminal justice system as having
26 indications of substance use disorders and being eligible

1 to make an election for treatment under Section 40-5 of
2 this Act, and assist in the placement of individuals who
3 are under court order to participate in treatment.

4 (10) Identify and disseminate evidence-based best
5 practice guidelines as maintained in administrative rule
6 that can be utilized to determine a substance use disorder
7 diagnosis.

8 (11) (Blank).

9 (12) Make grants with funds appropriated from the Drug
10 Treatment Fund in accordance with Section 7 of the
11 Controlled Substance and Cannabis Nuisance Act, or in
12 accordance with Section 80 of the Methamphetamine Control
13 and Community Protection Act, or in accordance with
14 subsections (h) and (i) of Section 411.2 of the Illinois
15 Controlled Substances Act, or in accordance with Section
16 6z-107 of the State Finance Act.

17 (13) Encourage all health and disability insurance
18 programs to include substance use disorder treatment as a
19 covered service and to use evidence-based best practice
20 criteria as maintained in administrative rule and as
21 required in Public Act 99-0480 in determining the
22 necessity for such services and continued stay.

23 (14) Award grants and enter into fixed-rate and
24 fee-for-service arrangements with any other department,
25 authority or commission of this State, or any other state
26 or the federal government or with any public or private

1 agency, including the disbursement of funds and furnishing
2 of staff, to effectuate the purposes of this Act.

3 (15) Conduct a public information campaign to inform
4 the State's Hispanic residents regarding the prevention
5 and treatment of substance use disorders.

6 (b) In addition to the powers, duties and functions vested
7 in it by this Act, or by other laws of this State, the
8 Department may undertake, but shall not be limited to, the
9 following activities:

10 (1) Require all organizations licensed or funded by
11 the Department to include an education component to inform
12 participants regarding the causes and means of
13 transmission and methods of reducing the risk of acquiring
14 or transmitting HIV infection and other infectious
15 diseases, and to include funding for such education
16 component in its support of the program.

17 (2) Review all State agency applications for federal
18 funds that include provisions relating to the prevention,
19 early intervention and treatment of substance use
20 disorders in order to ensure consistency.

21 (3) Prepare, publish, evaluate, disseminate and serve
22 as a central repository for educational materials dealing
23 with the nature and effects of substance use disorders.
24 Such materials may deal with the educational needs of the
25 citizens of Illinois, and may include at least pamphlets
26 that describe the causes and effects of fetal alcohol

1 spectrum disorders.

2 (4) Develop and coordinate, with regional and local
3 agencies, education and training programs for persons
4 engaged in providing services for persons with substance
5 use disorders, which programs may include specific HIV
6 education and training for program personnel.

7 (5) Cooperate with and assist in the development of
8 education, prevention, early intervention, and treatment
9 programs for employees of State and local governments and
10 businesses in the State.

11 (6) Utilize the support and assistance of interested
12 persons in the community, including recovering persons, to
13 assist individuals and communities in understanding the
14 dynamics of substance use disorders, and to encourage
15 individuals with substance use disorders to voluntarily
16 undergo treatment.

17 (7) Promote, conduct, assist or sponsor basic
18 clinical, epidemiological and statistical research into
19 substance use disorders and research into the prevention
20 of those problems either solely or in conjunction with any
21 public or private agency.

22 (8) Cooperate with public and private agencies,
23 organizations and individuals in the development of
24 programs, and to provide technical assistance and
25 consultation services for this purpose.

26 (9) (Blank).

1 (10) (Blank) .

2 (11) Fund, promote, or assist entities dealing with
3 substance use disorders.

4 (12) With monies appropriated from the Group Home Loan
5 Revolving Fund, make loans, directly or through
6 subcontract, to assist in underwriting the costs of
7 housing in which individuals recovering from substance use
8 disorders may reside, pursuant to Section 50-40 of this
9 Act.

10 (13) Promulgate such regulations as may be necessary
11 to carry out the purposes and enforce the provisions of
12 this Act.

13 (14) Provide funding to help parents be effective in
14 preventing substance use disorders by building an
15 awareness of the family's role in preventing substance use
16 disorders through adjusting expectations, developing new
17 skills, and setting positive family goals. The programs
18 shall include, but not be limited to, the following
19 subjects: healthy family communication; establishing rules
20 and limits; how to reduce family conflict; how to build
21 self-esteem, competency, and responsibility in children;
22 how to improve motivation and achievement; effective
23 discipline; problem solving techniques; and how to talk
24 about drugs and alcohol. The programs shall be open to all
25 parents.

26 (c) There is created within the Department of Human

1 Services an Office of Opioid Settlement Administration. The
2 Office shall be responsible for implementing and administering
3 approved abatement programs as described in Exhibit B of the
4 Illinois Opioid Allocation Agreement, effective December 30,
5 2021. The Office may also implement and administer other
6 opioid-related programs, including but not limited to
7 prevention, treatment, and recovery services from other funds
8 made available to the Department of Human Services. The
9 Secretary of Human Services shall appoint or assign staff as
10 necessary to carry out the duties and functions of the Office.
11 (Source: P.A. 101-10, eff. 6-5-19; 102-538, eff. 8-20-21;
12 102-699, eff. 4-19-22.)

13 Section 30. The Brownfields Redevelopment and Intermodal
14 Promotion Act is amended by changing Section 3-10 as follows:

15 (20 ILCS 607/3-10)

16 Sec. 3-10. Definitions. As used in this Act:

17 "Affected Municipality" means a municipality whose
18 boundaries are partially or completely within the Brownfields
19 Redevelopment Zone and where an Eligible Project will take
20 place.

21 "Developer Agreement" means the agreement between an
22 eligible developer or eligible employer and the Department
23 under this Act.

24 "Brownfield" means real property, the expansion,

1 redevelopment, or reuse of which may be complicated by the
2 presence or potential presence of a hazardous substance,
3 pollutant, or contaminant; for the purposes of this Act, a
4 property will be considered a brownfield if a prospective
5 purchaser seeking financing from a private financial
6 institution is required by that institution to conduct a Phase
7 I Environmental Site Assessment (ESA), as defined by ASTM
8 Standard E-1527-05 ("Standard Practice for Environmental Site
9 Assessments: Phase I Environmental Site Assessment Process").

10 "Department" means the Department of Commerce and Economic
11 Opportunity.

12 "Director" means the Director of the Department of
13 Commerce and Economic Opportunity.

14 "Eligible Developer" means an individual, partnership,
15 corporation, or other entity, currently and actively engaged
16 in the development of logistics, warehousing, distribution, or
17 light manufacturing facilities in North America, including the
18 Managing Partner of the South Suburban Brownfields
19 Redevelopment Zone, that owns, options, or otherwise directly
20 controls a parcel of land that is included in a South Suburban
21 Brownfields Redevelopment Zone Project.

22 "Eligible employer" means an individual, partnership,
23 corporation, or other entity that employs or will employ
24 full-time employees at finished facilities on property that is
25 within the South Suburban Brownfields Redevelopment Zone.

26 "Employment goal" means the goal of achieving a minimum

1 percentage of labor hours to be performed by employees who are
2 a member of a minority group and who reside in one of the
3 municipalities containing property that is part of the South
4 Suburban Brownfields Redevelopment Zone.

5 "Full-time employee" means an individual who is employed
6 for consideration for at least 35 hours each week or who
7 renders any other standard of service generally accepted by
8 industry custom or practice as full-time employment. An
9 individual for whom a W-2 is issued by a Professional Employer
10 Organization is a full-time employee if employed in the
11 service of the eligible employer for consideration for at
12 least 35 hours each week or who renders any other standard of
13 service generally accepted by industry custom or practice as
14 full-time employment.

15 "Eligible Project" means those projects described in
16 Section 3-35 of this Act.

17 "Incremental income tax" means the total amount withheld
18 from the compensation of new employees under Article 7 of the
19 Illinois Income Tax Act arising from employment by an eligible
20 employer.

21 "Infrastructure" means roads and streets, bridges,
22 sidewalks, street lights, water and sewer line extensions or
23 improvements, storm water drainage and retention facilities,
24 gas and electric utility line extensions or improvements, and
25 rail improvements including signalization and siding
26 construction or repair, on publicly owned land or other public

1 improvements that are essential to the development of a
2 Redevelopment Zone Project.

3 "Intermodal" means a type of international freight system
4 that permits transshipping among sea, highway, rail and air
5 modes of transportation through use of ANSI/International
6 Organization for Standardization containers, line haul assets,
7 and handling equipment.

8 "Intermodal terminal" means an integrated facility where
9 trailers and containers are transferred between intermodal
10 railcars and highway carriers, including domestic and
11 international container shipments; or an integrated facility
12 where dry or liquid bulk and packaged commodities are
13 transferred between conventional railroad freight cars and
14 highway carriers.

15 "Managing Partner" means a representative of Cook County
16 appointed by the President of the Board of Commissioners of
17 Cook County or a duly created instrumentality of the County
18 which enters into an agreement with the Department as
19 described in subsection (c) of Section 3-30 of this Act
20 regarding the overall management and use of Increment Funds
21 and which is authorized by the County to undertake, or to enter
22 into Development agreements with third parties to undertake,
23 activities necessary for the redevelopment of parcels
24 designated under this Act as part of a South Suburban
25 Brownfields Redevelopment Zone. For the purposes of this
26 definition, a "duly created instrumentality of the county" is

1 a company that:

2 (1) is licensed to conduct business in the State of
3 Illinois;

4 (2) has (i) executed industrial developments of the
5 type described as "eligible projects" in Section 3-35 and
6 duly met all of its financial obligations entailed in
7 those projects and (ii) managed each of the types of tasks
8 described in Section 3-45 of this Act as "eligible
9 activities", performing those activities with results that
10 met or exceeded the objectives of the project, or
11 otherwise possesses the business experience described in
12 this item (2);

13 (3) is selected through a competitive Request for
14 Proposals process conducted according to rules and
15 standards generally applicable to the selection of
16 professional service contractors by the government of Cook
17 County.

18 "Minority" means a person who is a citizen or lawful
19 permanent resident of the United States and who is:

20 (i) African American, meaning a person whose origins
21 are in any of the Black racial groups of Africa, and who
22 has historically and consistently identified himself or
23 herself as being such a person;

24 (ii) Hispanic American or Latino American, meaning a
25 person whose origins are in Mexico, Central or South
26 America, or any of the Spanish speaking islands of the

1 Caribbean (for example Cuba and Puerto Rico), regardless
2 of race, and who has historically and consistently
3 identified himself or herself as being such a person;

4 (iii) Asian or Pacific Islander American, meaning a
5 person whose origins are in any of the original peoples of
6 the Far East, Southeast Asia, the islands of the Pacific
7 or the Northern Marianas, or the Indian Subcontinent, and
8 who has historically and consistently identified himself
9 or herself as being such a person; ~~or~~

10 (iv) Native American, meaning a person having origins
11 in any of the original peoples of North America, and who
12 maintain tribal affiliation or demonstrate at least
13 one-quarter descent from such groups, and who has
14 historically and consistently identified himself or
15 herself as being such a person; or -

16 (v) Arab, meaning a person having origins in any of
17 the original peoples of Saudi Arabia, United Arab
18 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon,
19 Libya, Mauritania, Morocco, Djibouti, Somalia, Palestine,
20 Oman, Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or
21 Algeria, and who has historically and consistently
22 identified himself or herself as being such a person.

23 "New employee" means a full-time employee first employed
24 by an eligible employer for a project that is the subject of an
25 agreement between the Managing Partner and an eligible
26 developer or eligible employer and who is hired after the

1 eligible developer enters into the agreement, but does not
2 include:

3 (1) an employee of the eligible employer who performs
4 a job that (i) existed for at least 6 months before the
5 employee was hired and (ii) was previously performed by
6 another employee;

7 (2) an employee of the eligible employer who was
8 previously employed in Illinois by a related member of the
9 eligible employer and whose employment was shifted to the
10 eligible employer after the eligible employer entered into
11 the agreement; or

12 (3) a child, grandchild, parent, or spouse, other than
13 a spouse who is legally separated from the individual, of
14 any individual who has a direct or an indirect ownership
15 interest of at least 5% in the profits, capital, or value
16 of the eligible employer.

17 Notwithstanding item (2) of this definition, an employee
18 may be considered a new employee under the agreement if the
19 employee performs a job that was previously performed by an
20 employee who was: (i) treated under the agreement as a new
21 employee and (ii) promoted by the eligible employer to another
22 job.

23 "Professional Employer Organization" means an employee
24 leasing company, as defined in Section 206.1(A)(2) of the
25 Unemployment Insurance Act.

26 "Related member" means a person or entity that, with

1 respect to the eligible employer during any portion of the
2 taxable year, is any one of the following:

3 (1) an individual stockholder, if the stockholder and
4 the members of the stockholder's family (as defined in
5 Section 318 of the Internal Revenue Code) own directly,
6 indirectly, beneficially, or constructively, in the
7 aggregate, at least 50% of the value of the eligible
8 employer's outstanding stock;

9 (2) a partnership, estate, or trust and any partner or
10 beneficiary, if the partnership, estate, or trust, and its
11 partners or beneficiaries own directly, indirectly,
12 beneficially, or constructively, in the aggregate, at
13 least 50% of the profits, capital, stock, or value of the
14 eligible employer;

15 (3) a corporation, and any party related to the
16 corporation in a manner that would require an attribution
17 of stock from the corporation to the party or from the
18 party to the corporation under the attribution rules of
19 Section 318 of the Internal Revenue Code, if the taxpayer
20 owns directly, indirectly, beneficially, or constructively
21 at least 50% of the value of the corporation's outstanding
22 stock;

23 (4) a corporation and any party related to that
24 corporation in a manner that would require an attribution
25 of stock from the corporation to the party or from the
26 party to the corporation under the attribution rules of

1 Section 318 of the Internal Revenue Code, if the
2 corporation and all such related parties own in the
3 aggregate at least 50% of the profits, capital, stock, or
4 value of the eligible employer; or

5 (5) a person to or from whom there is attribution of
6 stock ownership in accordance with Section 1563(e) of the
7 Internal Revenue Code, except, for purposes of determining
8 whether a person is a related member under this
9 definition, 20% shall be substituted for 5% wherever 5%
10 appears in Section 1563(e) of the Internal Revenue Code.

11 "South Suburban Brownfields Advisory Council" or "Advisory
12 Council" means a body comprised of representatives of Affected
13 Municipalities, along with experts appointed by the President
14 of the Cook County Board of Commissioners and the Governor of
15 Illinois, created to guide development within the South
16 Suburban Brownfields Redevelopment Zone.

17 "South Suburban Brownfields Redevelopment Zone Project" or
18 "Project" means an Eligible Project, as described in Section
19 3-35, to coordinate the redevelopment and re-use of industrial
20 sites within the South Suburban Brownfields Redevelopment Zone
21 in southern Cook County.

22 "South Suburban Brownfields Redevelopment Zone",
23 "Brownfields Redevelopment Zone" or "Zone" means the area
24 fully encompassing all properties, acreage, and structures,
25 including sites that conform to the Environmental Protection
26 Agency definition of Brownfield Industrial Sites, that are

1 zoned for industrial uses by the applicable local zoning
2 agency and which are located within the following South
3 Suburban Cook County municipalities that surround the Canadian
4 National and Union Pacific intermodal freight terminals in
5 Harvey and Dolton, Illinois respectively: Dixmoor, Dolton,
6 East Hazelcrest, Harvey, Hazelcrest, Homewood, Markham,
7 Phoenix, Posen, Riverdale, South Holland and Thornton. The
8 South Suburban Brownfields Advisory Council shall advise the
9 Managing Partner in regard to the selection of Projects. The
10 composition of the Advisory Council is determined as set forth
11 in subsection (a) of Section 3-30 of this Act.

12 (Source: P.A. 98-109, eff. 7-25-13.)

13 Section 35. The Department of Public Health Powers and
14 Duties Law of the Civil Administrative Code of Illinois is
15 amended by changing Section 2310-215 as follows:

16 (20 ILCS 2310/2310-215) (was 20 ILCS 2310/55.62)

17 Sec. 2310-215. Center for Minority Health Services.

18 (a) The Department shall establish a Center for Minority
19 Health Services to advise the Department on matters pertaining
20 to the health needs of minority populations within the State.

21 (b) The Center shall have the following duties:

22 (1) To assist in the assessment of the health needs of
23 minority populations in the State.

24 (2) To recommend treatment methods and programs that

1 are sensitive and relevant to the unique linguistic,
2 cultural, and ethnic characteristics of minority
3 populations.

4 (3) To provide consultation, technical assistance,
5 training programs, and reference materials to service
6 providers, organizations, and other agencies.

7 (4) To promote awareness of minority health concerns,
8 and encourage, promote, and aid in the establishment of
9 minority services.

10 (5) To disseminate information on available minority
11 services.

12 (6) To provide adequate and effective opportunities
13 for minority populations to express their views on
14 Departmental policy development and program
15 implementation.

16 (7) To coordinate with the Department on Aging and the
17 Department of Healthcare and Family Services to coordinate
18 services designed to meet the needs of minority senior
19 citizens.

20 (8) To promote awareness of the incidence of
21 Alzheimer's disease and related dementias among minority
22 populations and to encourage, promote, and aid in the
23 establishment of prevention and treatment programs and
24 services relating to this health problem.

25 (c) For the purpose of this Section, "minority" shall mean
26 and include any person or group of persons who are any of the

1 following:

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

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

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

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

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

19 (6) Arab (a person having origins in any of the
20 original peoples of Saudi Arabia, United Arab Emirates,
21 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
22 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
23 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

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

25 Section 40. The Criminal Identification Act is amended by

changing Section 4.5 as follows:

(20 ILCS 2630/4.5)

Sec. 4.5. Ethnic and racial data collection.

(a) Ethnic and racial data for every adult or juvenile arrested shall be collected at the following points of contact by the entity identified in this subsection or another entity authorized and qualified to collect and report on this data:

(1) at arrest or booking, by the supervising law enforcement agency;

(2) upon admittance to the Department of Corrections, by the Department of Corrections;

(3) upon admittance to the Department of Juvenile Justice, by the Department of Juvenile Justice; and

(4) upon transfer from the Department of Juvenile Justice to the Department of Corrections, by the Department of Juvenile Justice.

(b) Ethnic and racial data shall be collected through selection of one of the following categories:

(1) American Indian or Alaskan Native;

(2) Asian or Pacific Islander;

(3) Black or African American;

(4) White or Caucasian;

(5) Hispanic or Latino; ~~or~~

(5.5) Arab; or

(6) Unknown.

1 (c) The collecting entity shall make a good-faith effort
2 to collect race and ethnicity information as self-reported by
3 the adult or juvenile. If the adult or juvenile is unable or
4 unwilling to provide race and ethnicity information, the
5 collecting entity shall make a good-faith effort to deduce the
6 race and ethnicity of the adult or juvenile.

7 (Source: P.A. 98-528, eff. 1-1-15; 99-78, eff. 7-20-15.)

8 Section 45. The Business Enterprise for Minorities, Women,
9 and Persons with Disabilities Act is amended by changing
10 Section 2 as follows:

11 (30 ILCS 575/2)

12 (Section scheduled to be repealed on June 30, 2024)

13 Sec. 2. Definitions.

14 (A) For the purpose of this Act, the following terms shall
15 have the following definitions:

16 (1) "Minority person" shall mean a person who is a
17 citizen or lawful permanent resident of the United States
18 and who is any of the following:

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

23 (b) Asian (a person having origins in any of the
24 original peoples of the Far East, Southeast Asia, or

1 the Indian subcontinent, including, but not limited
2 to, Cambodia, China, India, Japan, Korea, Malaysia,
3 Pakistan, the Philippine Islands, Thailand, and
4 Vietnam).

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

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

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

13 (f) Arab (a person having origins in any of the
14 original peoples of Saudi Arabia, United Arab
15 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait,
16 Lebanon, Libya, Mauritania, Morocco, Djibouti,
17 Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan,
18 Tunisia, Egypt, or Algeria).

19 (2) "Woman" shall mean a person who is a citizen or
20 lawful permanent resident of the United States and who is
21 of the female gender.

22 (2.05) "Person with a disability" means a person who
23 is a citizen or lawful resident of the United States and is
24 a person qualifying as a person with a disability under
25 subdivision (2.1) of this subsection (A).

26 (2.1) "Person with a disability" means a person with a

1 severe physical or mental disability that:

2 (a) results from:

3 amputation,

4 arthritis,

5 autism,

6 blindness,

7 burn injury,

8 cancer,

9 cerebral palsy,

10 Crohn's disease,

11 cystic fibrosis,

12 deafness,

13 head injury,

14 heart disease,

15 hemiplegia,

16 hemophilia,

17 respiratory or pulmonary dysfunction,

18 an intellectual disability,

19 mental illness,

20 multiple sclerosis,

21 muscular dystrophy,

22 musculoskeletal disorders,

23 neurological disorders, including stroke and

24 epilepsy,

25 paraplegia,

26 quadriplegia and other spinal cord conditions,

1 sickle cell anemia,
2 ulcerative colitis,
3 specific learning disabilities, or
4 end stage renal failure disease; and

5 (b) substantially limits one or more of the
6 person's major life activities.

7 Another disability or combination of disabilities may
8 also be considered as a severe disability for the purposes
9 of item (a) of this subdivision (2.1) if it is determined
10 by an evaluation of rehabilitation potential to cause a
11 comparable degree of substantial functional limitation
12 similar to the specific list of disabilities listed in
13 item (a) of this subdivision (2.1).

14 (3) "Minority-owned business" means a business which
15 is at least 51% owned by one or more minority persons, or
16 in the case of a corporation, at least 51% of the stock in
17 which is owned by one or more minority persons; and the
18 management and daily business operations of which are
19 controlled by one or more of the minority individuals who
20 own it.

21 (4) "Women-owned business" means a business which is
22 at least 51% owned by one or more women, or, in the case of
23 a corporation, at least 51% of the stock in which is owned
24 by one or more women; and the management and daily
25 business operations of which are controlled by one or more
26 of the women who own it.

1 (4.1) "Business owned by a person with a disability"
2 means a business that is at least 51% owned by one or more
3 persons with a disability and the management and daily
4 business operations of which are controlled by one or more
5 of the persons with disabilities who own it. A
6 not-for-profit agency for persons with disabilities that
7 is exempt from taxation under Section 501 of the Internal
8 Revenue Code of 1986 is also considered a "business owned
9 by a person with a disability".

10 (4.2) "Council" means the Business Enterprise Council
11 for Minorities, Women, and Persons with Disabilities
12 created under Section 5 of this Act.

13 (4.3) "Commission" means, unless the context clearly
14 indicates otherwise, the Commission on Equity and
15 Inclusion created under the Commission on Equity and
16 Inclusion Act.

17 (5) "State contracts" means all contracts entered into
18 by the State, any agency or department thereof, or any
19 public institution of higher education, including
20 community college districts, regardless of the source of
21 the funds with which the contracts are paid, which are not
22 subject to federal reimbursement. "State contracts" does
23 not include contracts awarded by a retirement system,
24 pension fund, or investment board subject to Section
25 1-109.1 of the Illinois Pension Code. This definition
26 shall control over any existing definition under this Act

1 or applicable administrative rule.

2 "State construction contracts" means all State
3 contracts entered into by a State agency or public
4 institution of higher education for the repair,
5 remodeling, renovation or construction of a building or
6 structure, or for the construction or maintenance of a
7 highway defined in Article 2 of the Illinois Highway Code.

8 (6) "State agencies" shall mean all departments,
9 officers, boards, commissions, institutions and bodies
10 politic and corporate of the State, but does not include
11 the Board of Trustees of the University of Illinois, the
12 Board of Trustees of Southern Illinois University, the
13 Board of Trustees of Chicago State University, the Board
14 of Trustees of Eastern Illinois University, the Board of
15 Trustees of Governors State University, the Board of
16 Trustees of Illinois State University, the Board of
17 Trustees of Northeastern Illinois University, the Board of
18 Trustees of Northern Illinois University, the Board of
19 Trustees of Western Illinois University, municipalities or
20 other local governmental units, or other State
21 constitutional officers.

22 (7) "Public institutions of higher education" means
23 the University of Illinois, Southern Illinois University,
24 Chicago State University, Eastern Illinois University,
25 Governors State University, Illinois State University,
26 Northeastern Illinois University, Northern Illinois

1 University, Western Illinois University, the public
2 community colleges of the State, and any other public
3 universities, colleges, and community colleges now or
4 hereafter established or authorized by the General
5 Assembly.

6 (8) "Certification" means a determination made by the
7 Council or by one delegated authority from the Council to
8 make certifications, or by a State agency with statutory
9 authority to make such a certification, that a business
10 entity is a business owned by a minority, woman, or person
11 with a disability for whatever purpose. A business owned
12 and controlled by women shall be certified as a
13 "woman-owned business". A business owned and controlled by
14 women who are also minorities shall be certified as both a
15 "women-owned business" and a "minority-owned business".

16 (9) "Control" means the exclusive or ultimate and sole
17 control of the business including, but not limited to,
18 capital investment and all other financial matters,
19 property, acquisitions, contract negotiations, legal
20 matters, officer-director-employee selection and
21 comprehensive hiring, operating responsibilities,
22 cost-control matters, income and dividend matters,
23 financial transactions and rights of other shareholders or
24 joint partners. Control shall be real, substantial and
25 continuing, not pro forma. Control shall include the power
26 to direct or cause the direction of the management and

1 policies of the business and to make the day-to-day as
2 well as major decisions in matters of policy, management
3 and operations. Control shall be exemplified by possessing
4 the requisite knowledge and expertise to run the
5 particular business and control shall not include simple
6 majority or absentee ownership.

7 (10) "Business" means a business that has annual gross
8 sales of less than \$150,000,000 as evidenced by the
9 federal income tax return of the business. A firm with
10 gross sales in excess of this cap may apply to the Council
11 for certification for a particular contract if the firm
12 can demonstrate that the contract would have significant
13 impact on businesses owned by minorities, women, or
14 persons with disabilities as suppliers or subcontractors
15 or in employment of minorities, women, or persons with
16 disabilities. Firms with gross sales in excess of this cap
17 that are granted certification by the Council shall be
18 granted certification for the life of the contract,
19 including available renewals.

20 (11) "Utilization plan" means a form and additional
21 documentations included in all bids or proposals that
22 demonstrates a vendor's proposed utilization of vendors
23 certified by the Business Enterprise Program to meet the
24 targeted goal. The utilization plan shall demonstrate that
25 the Vendor has either: (1) met the entire contract goal or
26 (2) requested a full or partial waiver and made good faith

1 efforts towards meeting the goal.

2 (12) "Business Enterprise Program" means the Business
3 Enterprise Program of the Commission on Equity and
4 Inclusion.

5 (B) When a business is owned at least 51% by any
6 combination of minority persons, women, or persons with
7 disabilities, even though none of the 3 classes alone holds at
8 least a 51% interest, the ownership requirement for purposes
9 of this Act is considered to be met. The certification
10 category for the business is that of the class holding the
11 largest ownership interest in the business. If 2 or more
12 classes have equal ownership interests, the certification
13 category shall be determined by the business.

14 (Source: P.A. 101-601, eff. 1-1-20; 101-657, eff. 1-1-22;
15 102-29, eff. 6-25-21; 102-1119, eff. 1-23-23.)

16 Section 50. The State Construction Minority and Female
17 Building Trades Act is amended by changing Section 35-5 as
18 follows:

19 (30 ILCS 577/35-5)

20 Sec. 35-5. Definitions. For the purposes of this Article:

21 "Under-represented minority" means a person who is any of
22 the following:

23 (1) American Indian or Alaska Native (a person having
24 origins in any of the original peoples of North and South

1 America, including Central America, and who maintains
2 tribal affiliation or community attachment).

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

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

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

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

16 (6) Arab (a person having origins in any of the
17 original peoples of Saudi Arabia, United Arab Emirates,
18 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
19 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
20 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

21 "Construction" means any constructing, altering,
22 reconstructing, repairing, rehabilitating, refinishing,
23 refurbishing, remodeling, remediating, renovating, custom
24 fabricating, maintenance, landscaping, improving, wrecking,
25 painting, decorating, demolishing, and adding to or
26 subtracting from any building, structure, highway, roadway,

1 street, bridge, alley, sewer, ditch, sewage disposal plant,
2 water works, parking facility, railroad, excavation or other
3 structure, project, development, real property or improvement,
4 or to do any part thereof, whether or not the performance of
5 the work herein described involves the addition to, or
6 fabrication into, any structure, project, development, real
7 property or improvement herein described of any material or
8 article of merchandise. Construction shall also include moving
9 construction related materials on the job site to or from the
10 job site.

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

12 Section 55. The Inclusion of Women and Minorities in
13 Clinical Research Act is amended by changing Section 5 as
14 follows:

15 (30 ILCS 785/5)

16 Sec. 5. Definitions. In this Act:

17 "Grantee" means any qualified public, private, or
18 not-for-profit agency or individual, including, but not
19 limited to, a college, university, hospital, laboratory,
20 research institution, local health department, voluntary
21 health agency, health maintenance organization, corporation,
22 student, fellow, or entrepreneur, conducting clinical research
23 using State funds. A grantee may also be a corporation that is
24 headquartered in Illinois and that conducts research using

1 State funds.

2 "Minority group" means a group that is a readily
3 identifiable subset of the U.S. population that is
4 distinguished by racial, ethnic, or cultural heritage and that
5 is made up of persons who are any of the following:

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

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

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

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

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

23 (6) Arab (a person having origins in any of the
24 original peoples of Saudi Arabia, United Arab Emirates,
25 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
26 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,

1 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

2 "Project of clinical research" includes a clinical trial.

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

4 Section 60. The Metropolitan Pier and Exposition Authority
5 Act is amended by changing Section 23.1 as follows:

6 (70 ILCS 210/23.1) (from Ch. 85, par. 1243.1)

7 Sec. 23.1. Affirmative action.

8 (a) The Authority shall, within 90 days after the
9 effective date of this amendatory Act of 1984, establish and
10 maintain an affirmative action program designed to promote
11 equal employment opportunity and eliminate the effects of past
12 discrimination. Such program shall include a plan, including
13 timetables where appropriate, which shall specify goals and
14 methods for increasing participation by women and minorities
15 in employment, including employment related to the planning,
16 organization, and staging of the games, by the Authority and
17 by parties which contract with the Authority. The Authority
18 shall submit a detailed plan with the General Assembly prior
19 to September 1 of each year. Such program shall also establish
20 procedures and sanctions, which the Authority shall enforce to
21 ensure compliance with the plan established pursuant to this
22 Section and with State and federal laws and regulations
23 relating to the employment of women and minorities. A
24 determination by the Authority as to whether a party to a

1 contract with the Authority has achieved the goals or employed
2 the methods for increasing participation by women and
3 minorities shall be determined in accordance with the terms of
4 such contracts or the applicable provisions of rules and
5 regulations of the Authority existing at the time such
6 contract was executed, including any provisions for
7 consideration of good faith efforts at compliance which the
8 Authority may reasonably adopt.

9 (b) The Authority shall adopt and maintain minority-owned
10 and women-owned business enterprise procurement programs under
11 the affirmative action program described in subsection (a) for
12 any and all work, including all contracting related to the
13 planning, organization, and staging of the games, undertaken
14 by the Authority. That work shall include, but is not limited
15 to, the purchase of professional services, construction
16 services, supplies, materials, and equipment. The programs
17 shall establish goals of awarding not less than 25% of the
18 annual dollar value of all contracts, purchase orders, or
19 other agreements (collectively referred to as "contracts") to
20 minority-owned businesses and 5% of the annual dollar value of
21 all contracts to women-owned businesses. Without limiting the
22 generality of the foregoing, the programs shall require in
23 connection with the prequalification or consideration of
24 vendors for professional service contracts, construction
25 contracts, and contracts for supplies, materials, equipment,
26 and services that each proposer or bidder submit as part of his

1 or her proposal or bid a commitment detailing how he or she
2 will expend 25% or more of the dollar value of his or her
3 contracts with one or more minority-owned businesses and 5% or
4 more of the dollar value with one or more women-owned
5 businesses. Bids or proposals that do not include such
6 detailed commitments are not responsive and shall be rejected
7 unless the Authority deems it appropriate to grant a waiver of
8 these requirements. In addition the Authority may, in
9 connection with the selection of providers of professional
10 services, reserve the right to select a minority-owned or
11 women-owned business or businesses to fulfill the commitment
12 to minority and woman business participation. The commitment
13 to minority and woman business participation may be met by the
14 contractor or professional service provider's status as a
15 minority-owned or women-owned business, by joint venture or by
16 subcontracting a portion of the work with or purchasing
17 materials for the work from one or more such businesses, or by
18 any combination thereof. Each contract shall require the
19 contractor or provider to submit a certified monthly report
20 detailing the status of that contractor or provider's
21 compliance with the Authority's minority-owned and women-owned
22 business enterprise procurement program. The Authority, after
23 reviewing the monthly reports of the contractors and
24 providers, shall compile a comprehensive report regarding
25 compliance with this procurement program and file it quarterly
26 with the General Assembly. If, in connection with a particular

1 contract, the Authority determines that it is impracticable or
2 excessively costly to obtain minority-owned or women-owned
3 businesses to perform sufficient work to fulfill the
4 commitment required by this subsection, the Authority shall
5 reduce or waive the commitment in the contract, as may be
6 appropriate. The Authority shall establish rules and
7 regulations setting forth the standards to be used in
8 determining whether or not a reduction or waiver is
9 appropriate. The terms "minority-owned business" and
10 "women-owned business" have the meanings given to those terms
11 in the Business Enterprise for Minorities, Women, and Persons
12 with Disabilities Act.

13 (c) The Authority shall adopt and maintain an affirmative
14 action program in connection with the hiring of minorities and
15 women on the Expansion Project and on any and all construction
16 projects, including all contracting related to the planning,
17 organization, and staging of the games, undertaken by the
18 Authority. The program shall be designed to promote equal
19 employment opportunity and shall specify the goals and methods
20 for increasing the participation of minorities and women in a
21 representative mix of job classifications required to perform
22 the respective contracts awarded by the Authority.

23 (d) In connection with the Expansion Project, the
24 Authority shall incorporate the following elements into its
25 minority-owned and women-owned business procurement programs
26 to the extent feasible: (1) a major contractors program that

1 permits minority-owned businesses and women-owned businesses
2 to bear significant responsibility and risk for a portion of
3 the project; (2) a mentor/protege program that provides
4 financial, technical, managerial, equipment, and personnel
5 support to minority-owned businesses and women-owned
6 businesses; (3) an emerging firms program that includes
7 minority-owned businesses and women-owned businesses that
8 would not otherwise qualify for the project due to
9 inexperience or limited resources; (4) a small projects
10 program that includes participation by smaller minority-owned
11 businesses and women-owned businesses on jobs where the total
12 dollar value is \$5,000,000 or less; and (5) a set-aside
13 program that will identify contracts requiring the expenditure
14 of funds less than \$50,000 for bids to be submitted solely by
15 minority-owned businesses and women-owned businesses.

16 (e) The Authority is authorized to enter into agreements
17 with contractors' associations, labor unions, and the
18 contractors working on the Expansion Project to establish an
19 Apprenticeship Preparedness Training Program to provide for an
20 increase in the number of minority and women journeymen and
21 apprentices in the building trades and to enter into
22 agreements with Community College District 508 to provide
23 readiness training. The Authority is further authorized to
24 enter into contracts with public and private educational
25 institutions and persons in the hospitality industry to
26 provide training for employment in the hospitality industry.

1 (f) McCormick Place Advisory Board. There is created a
2 McCormick Place Advisory Board composed as follows: 2 members
3 shall be appointed by the Mayor of Chicago; 2 members shall be
4 appointed by the Governor; 2 members shall be State Senators
5 appointed by the President of the Senate; 2 members shall be
6 State Senators appointed by the Minority Leader of the Senate;
7 2 members shall be State Representatives appointed by the
8 Speaker of the House of Representatives; and 2 members shall
9 be State Representatives appointed by the Minority Leader of
10 the House of Representatives. The terms of all previously
11 appointed members of the Advisory Board expire on the
12 effective date of this amendatory Act of the 92nd General
13 Assembly. A State Senator or State Representative member may
14 appoint a designee to serve on the McCormick Place Advisory
15 Board in his or her absence.

16 A "member of a minority group" shall mean a person who is a
17 citizen or lawful permanent resident of the United States and
18 who is any of the following:

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

23 (2) Asian (a person having origins in any of the
24 original peoples of the Far East, Southeast Asia, or the
25 Indian subcontinent, including, but not limited to,
26 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,

1 the Philippine Islands, Thailand, and Vietnam).

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

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

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

10 (6) Arab (a person having origins in any of the
11 original peoples of Saudi Arabia, United Arab Emirates,
12 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
13 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
14 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

15 Members of the McCormick Place Advisory Board shall serve
16 2-year terms and until their successors are appointed, except
17 members who serve as a result of their elected position whose
18 terms shall continue as long as they hold their designated
19 elected positions. Vacancies shall be filled by appointment
20 for the unexpired term in the same manner as original
21 appointments are made. The McCormick Place Advisory Board
22 shall elect its own chairperson.

23 Members of the McCormick Place Advisory Board shall serve
24 without compensation but, at the Authority's discretion, shall
25 be reimbursed for necessary expenses in connection with the
26 performance of their duties.

1 The McCormick Place Advisory Board shall meet quarterly,
2 or as needed, shall produce any reports it deems necessary,
3 and shall:

4 (1) Work with the Authority on ways to improve the
5 area physically and economically;

6 (2) Work with the Authority regarding potential means
7 for providing increased economic opportunities to
8 minorities and women produced indirectly or directly from
9 the construction and operation of the Expansion Project;

10 (3) Work with the Authority to minimize any potential
11 impact on the area surrounding the McCormick Place
12 Expansion Project, including any impact on minority-owned
13 or women-owned businesses, resulting from the construction
14 and operation of the Expansion Project;

15 (4) Work with the Authority to find candidates for
16 building trades apprenticeships, for employment in the
17 hospitality industry, and to identify job training
18 programs;

19 (5) Work with the Authority to implement the
20 provisions of subsections (a) through (e) of this Section
21 in the construction of the Expansion Project, including
22 the Authority's goal of awarding not less than 25% and 5%
23 of the annual dollar value of contracts to minority-owned
24 and women-owned businesses, the outreach program for
25 minorities and women, and the mentor/protege program for
26 providing assistance to minority-owned and women-owned

1 businesses.

2 (g) The Authority shall comply with subsection (e) of
3 Section 5-42 of the Olympic Games and Paralympic Games (2016)
4 Law. For purposes of this Section, the term "games" has the
5 meaning set forth in the Olympic Games and Paralympic Games
6 (2016) Law.

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

8 Section 65. The School Code is amended by changing
9 Sections 27-21 and 34-18 as follows:

10 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

11 Sec. 27-21. History of United States. History of the
12 United States shall be taught in all public schools and in all
13 other educational institutions in this State supported or
14 maintained, in whole or in part, by public funds. The teaching
15 of history shall have as one of its objectives the imparting to
16 pupils of a comprehensive idea of our democratic form of
17 government and the principles for which our government stands
18 as regards other nations, including the studying of the place
19 of our government in world-wide movements and the leaders
20 thereof, with particular stress upon the basic principles and
21 ideals of our representative form of government. The teaching
22 of history shall include a study of the role and contributions
23 of African Americans and other ethnic groups, including, but
24 not restricted to, Polish, Lithuanian, German, Hungarian,

1 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,
2 French, Scots, Hispanics, Asian Americans, Arabs, etc., in the
3 history of this country and this State. To reinforce the study
4 of the role and contributions of Hispanics, such curriculum
5 shall include the study of the events related to the forceful
6 removal and illegal deportation of Mexican-American U.S.
7 citizens during the Great Depression. In public schools only,
8 the teaching of history shall include a study of the roles and
9 contributions of lesbian, gay, bisexual, and transgender
10 people in the history of this country and this State. The
11 teaching of history also shall include a study of the role of
12 labor unions and their interaction with government in
13 achieving the goals of a mixed free enterprise system.
14 Beginning with the 2020-2021 school year, the teaching of
15 history must also include instruction on the history of
16 Illinois. The teaching of history shall include the
17 contributions made to society by Americans of different faith
18 practices, including, but not limited to, Muslim Americans,
19 Jewish Americans, Christian Americans, Hindu Americans, Sikh
20 Americans, Buddhist Americans, and any other collective
21 community of faith that has shaped America. No pupils shall be
22 graduated from the eighth grade of any public school unless he
23 or she has received such instruction in the history of the
24 United States and gives evidence of having a comprehensive
25 knowledge thereof, which may be administered remotely.

26 (Source: P.A. 101-227, eff. 7-1-20; 101-341, eff. 1-1-20;

1 101-643, eff. 6-18-20; 102-411, eff. 1-1-22.)

2 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

3 Sec. 34-18. Powers of the board. The board shall exercise
4 general supervision and jurisdiction over the public education
5 and the public school system of the city, and, except as
6 otherwise provided by this Article, shall have power:

7 1. To make suitable provision for the establishment
8 and maintenance throughout the year or for such portion
9 thereof as it may direct, not less than 9 months and in
10 compliance with Section 10-19.05, of schools of all grades
11 and kinds, including normal schools, high schools, night
12 schools, schools for defectives and delinquents, parental
13 and truant schools, schools for the blind, the deaf, and
14 persons with physical disabilities, schools or classes in
15 manual training, constructural and vocational teaching,
16 domestic arts, and physical culture, vocation and
17 extension schools and lecture courses, and all other
18 educational courses and facilities, including
19 establishing, equipping, maintaining and operating
20 playgrounds and recreational programs, when such programs
21 are conducted in, adjacent to, or connected with any
22 public school under the general supervision and
23 jurisdiction of the board; provided that the calendar for
24 the school term and any changes must be submitted to and
25 approved by the State Board of Education before the

1 calendar or changes may take effect, and provided that in
2 allocating funds from year to year for the operation of
3 all attendance centers within the district, the board
4 shall ensure that supplemental general State aid or
5 supplemental grant funds are allocated and applied in
6 accordance with Section 18-8, 18-8.05, or 18-8.15. To
7 admit to such schools without charge foreign exchange
8 students who are participants in an organized exchange
9 student program which is authorized by the board. The
10 board shall permit all students to enroll in
11 apprenticeship programs in trade schools operated by the
12 board, whether those programs are union-sponsored or not.
13 No student shall be refused admission into or be excluded
14 from any course of instruction offered in the common
15 schools by reason of that student's sex. No student shall
16 be denied equal access to physical education and
17 interscholastic athletic programs supported from school
18 district funds or denied participation in comparable
19 physical education and athletic programs solely by reason
20 of the student's sex. Equal access to programs supported
21 from school district funds and comparable programs will be
22 defined in rules promulgated by the State Board of
23 Education in consultation with the Illinois High School
24 Association. Notwithstanding any other provision of this
25 Article, neither the board of education nor any local
26 school council or other school official shall recommend

1 that children with disabilities be placed into regular
2 education classrooms unless those children with
3 disabilities are provided with supplementary services to
4 assist them so that they benefit from the regular
5 classroom instruction and are included on the teacher's
6 regular education class register;

7 2. To furnish lunches to pupils, to make a reasonable
8 charge therefor, and to use school funds for the payment
9 of such expenses as the board may determine are necessary
10 in conducting the school lunch program;

11 3. To co-operate with the circuit court;

12 4. To make arrangements with the public or
13 quasi-public libraries and museums for the use of their
14 facilities by teachers and pupils of the public schools;

15 5. To employ dentists and prescribe their duties for
16 the purpose of treating the pupils in the schools, but
17 accepting such treatment shall be optional with parents or
18 guardians;

19 6. To grant the use of assembly halls and classrooms
20 when not otherwise needed, including light, heat, and
21 attendants, for free public lectures, concerts, and other
22 educational and social interests, free of charge, under
23 such provisions and control as the principal of the
24 affected attendance center may prescribe;

25 7. To apportion the pupils to the several schools;
26 provided that no pupil shall be excluded from or

1 segregated in any such school on account of his color,
2 race, sex, or nationality. The board shall take into
3 consideration the prevention of segregation and the
4 elimination of separation of children in public schools
5 because of color, race, sex, or nationality. Except that
6 children may be committed to or attend parental and social
7 adjustment schools established and maintained either for
8 boys or girls only. All records pertaining to the
9 creation, alteration or revision of attendance areas shall
10 be open to the public. Nothing herein shall limit the
11 board's authority to establish multi-area attendance
12 centers or other student assignment systems for
13 desegregation purposes or otherwise, and to apportion the
14 pupils to the several schools. Furthermore, beginning in
15 school year 1994-95, pursuant to a board plan adopted by
16 October 1, 1993, the board shall offer, commencing on a
17 phased-in basis, the opportunity for families within the
18 school district to apply for enrollment of their children
19 in any attendance center within the school district which
20 does not have selective admission requirements approved by
21 the board. The appropriate geographical area in which such
22 open enrollment may be exercised shall be determined by
23 the board of education. Such children may be admitted to
24 any such attendance center on a space available basis
25 after all children residing within such attendance
26 center's area have been accommodated. If the number of

1 applicants from outside the attendance area exceed the
2 space available, then successful applicants shall be
3 selected by lottery. The board of education's open
4 enrollment plan must include provisions that allow
5 low-income students to have access to transportation
6 needed to exercise school choice. Open enrollment shall be
7 in compliance with the provisions of the Consent Decree
8 and Desegregation Plan cited in Section 34-1.01;

9 8. To approve programs and policies for providing
10 transportation services to students. Nothing herein shall
11 be construed to permit or empower the State Board of
12 Education to order, mandate, or require busing or other
13 transportation of pupils for the purpose of achieving
14 racial balance in any school;

15 9. Subject to the limitations in this Article, to
16 establish and approve system-wide curriculum objectives
17 and standards, including graduation standards, which
18 reflect the multi-cultural diversity in the city and are
19 consistent with State law, provided that for all purposes
20 of this Article courses or proficiency in American Sign
21 Language shall be deemed to constitute courses or
22 proficiency in a foreign language; and to employ
23 principals and teachers, appointed as provided in this
24 Article, and fix their compensation. The board shall
25 prepare such reports related to minimal competency testing
26 as may be requested by the State Board of Education and, in

1 addition, shall monitor and approve special education and
2 bilingual education programs and policies within the
3 district to ensure that appropriate services are provided
4 in accordance with applicable State and federal laws to
5 children requiring services and education in those areas;

6 10. To employ non-teaching personnel or utilize
7 volunteer personnel for: (i) non-teaching duties not
8 requiring instructional judgment or evaluation of pupils,
9 including library duties; and (ii) supervising study
10 halls, long distance teaching reception areas used
11 incident to instructional programs transmitted by
12 electronic media such as computers, video, and audio,
13 detention and discipline areas, and school-sponsored
14 extracurricular activities. The board may further utilize
15 volunteer nonlicensed personnel or employ nonlicensed
16 personnel to assist in the instruction of pupils under the
17 immediate supervision of a teacher holding a valid
18 educator license, directly engaged in teaching subject
19 matter or conducting activities; provided that the teacher
20 shall be continuously aware of the nonlicensed persons'
21 activities and shall be able to control or modify them.
22 The general superintendent shall determine qualifications
23 of such personnel and shall prescribe rules for
24 determining the duties and activities to be assigned to
25 such personnel;

26 10.5. To utilize volunteer personnel from a regional

1 School Crisis Assistance Team (S.C.A.T.), created as part
2 of the Safe to Learn Program established pursuant to
3 Section 25 of the Illinois Violence Prevention Act of
4 1995, to provide assistance to schools in times of
5 violence or other traumatic incidents within a school
6 community by providing crisis intervention services to
7 lessen the effects of emotional trauma on individuals and
8 the community; the School Crisis Assistance Team Steering
9 Committee shall determine the qualifications for
10 volunteers;

11 11. To provide television studio facilities in not to
12 exceed one school building and to provide programs for
13 educational purposes, provided, however, that the board
14 shall not construct, acquire, operate, or maintain a
15 television transmitter; to grant the use of its studio
16 facilities to a licensed television station located in the
17 school district; and to maintain and operate not to exceed
18 one school radio transmitting station and provide programs
19 for educational purposes;

20 12. To offer, if deemed appropriate, outdoor education
21 courses, including field trips within the State of
22 Illinois, or adjacent states, and to use school
23 educational funds for the expense of the said outdoor
24 educational programs, whether within the school district
25 or not;

26 13. During that period of the calendar year not

1 embraced within the regular school term, to provide and
2 conduct courses in subject matters normally embraced in
3 the program of the schools during the regular school term
4 and to give regular school credit for satisfactory
5 completion by the student of such courses as may be
6 approved for credit by the State Board of Education;

7 14. To insure against any loss or liability of the
8 board, the former School Board Nominating Commission,
9 Local School Councils, the Chicago Schools Academic
10 Accountability Council, or the former Subdistrict Councils
11 or of any member, officer, agent, or employee thereof,
12 resulting from alleged violations of civil rights arising
13 from incidents occurring on or after September 5, 1967 or
14 from the wrongful or negligent act or omission of any such
15 person whether occurring within or without the school
16 premises, provided the officer, agent, or employee was, at
17 the time of the alleged violation of civil rights or
18 wrongful act or omission, acting within the scope of his
19 or her employment or under direction of the board, the
20 former School Board Nominating Commission, the Chicago
21 Schools Academic Accountability Council, Local School
22 Councils, or the former Subdistrict Councils; and to
23 provide for or participate in insurance plans for its
24 officers and employees, including, but not limited to,
25 retirement annuities, medical, surgical and
26 hospitalization benefits in such types and amounts as may

1 be determined by the board; provided, however, that the
2 board shall contract for such insurance only with an
3 insurance company authorized to do business in this State.
4 Such insurance may include provision for employees who
5 rely on treatment by prayer or spiritual means alone for
6 healing, in accordance with the tenets and practice of a
7 recognized religious denomination;

8 15. To contract with the corporate authorities of any
9 municipality or the county board of any county, as the
10 case may be, to provide for the regulation of traffic in
11 parking areas of property used for school purposes, in
12 such manner as is provided by Section 11-209 of the
13 Illinois Vehicle Code;

14 16. (a) To provide, on an equal basis, access to a high
15 school campus and student directory information to the
16 official recruiting representatives of the armed forces of
17 Illinois and the United States for the purposes of
18 informing students of the educational and career
19 opportunities available in the military if the board has
20 provided such access to persons or groups whose purpose is
21 to acquaint students with educational or occupational
22 opportunities available to them. The board is not required
23 to give greater notice regarding the right of access to
24 recruiting representatives than is given to other persons
25 and groups. In this paragraph 16, "directory information"
26 means a high school student's name, address, and telephone

1 number.

2 (b) If a student or his or her parent or guardian
3 submits a signed, written request to the high school
4 before the end of the student's sophomore year (or if the
5 student is a transfer student, by another time set by the
6 high school) that indicates that the student or his or her
7 parent or guardian does not want the student's directory
8 information to be provided to official recruiting
9 representatives under subsection (a) of this Section, the
10 high school may not provide access to the student's
11 directory information to these recruiting representatives.
12 The high school shall notify its students and their
13 parents or guardians of the provisions of this subsection
14 (b).

15 (c) A high school may require official recruiting
16 representatives of the armed forces of Illinois and the
17 United States to pay a fee for copying and mailing a
18 student's directory information in an amount that is not
19 more than the actual costs incurred by the high school.

20 (d) Information received by an official recruiting
21 representative under this Section may be used only to
22 provide information to students concerning educational and
23 career opportunities available in the military and may not
24 be released to a person who is not involved in recruiting
25 students for the armed forces of Illinois or the United
26 States;

1 17. (a) To sell or market any computer program
2 developed by an employee of the school district, provided
3 that such employee developed the computer program as a
4 direct result of his or her duties with the school
5 district or through the utilization of school district
6 resources or facilities. The employee who developed the
7 computer program shall be entitled to share in the
8 proceeds of such sale or marketing of the computer
9 program. The distribution of such proceeds between the
10 employee and the school district shall be as agreed upon
11 by the employee and the school district, except that
12 neither the employee nor the school district may receive
13 more than 90% of such proceeds. The negotiation for an
14 employee who is represented by an exclusive bargaining
15 representative may be conducted by such bargaining
16 representative at the employee's request.

17 (b) For the purpose of this paragraph 17:

18 (1) "Computer" means an internally programmed,
19 general purpose digital device capable of
20 automatically accepting data, processing data and
21 supplying the results of the operation.

22 (2) "Computer program" means a series of coded
23 instructions or statements in a form acceptable to a
24 computer, which causes the computer to process data in
25 order to achieve a certain result.

26 (3) "Proceeds" means profits derived from the

1 marketing or sale of a product after deducting the
2 expenses of developing and marketing such product;

3 18. To delegate to the general superintendent of
4 schools, by resolution, the authority to approve contracts
5 and expenditures in amounts of \$10,000 or less;

6 19. Upon the written request of an employee, to
7 withhold from the compensation of that employee any dues,
8 payments, or contributions payable by such employee to any
9 labor organization as defined in the Illinois Educational
10 Labor Relations Act. Under such arrangement, an amount
11 shall be withheld from each regular payroll period which
12 is equal to the pro rata share of the annual dues plus any
13 payments or contributions, and the board shall transmit
14 such withholdings to the specified labor organization
15 within 10 working days from the time of the withholding;

16 19a. Upon receipt of notice from the comptroller of a
17 municipality with a population of 500,000 or more, a
18 county with a population of 3,000,000 or more, the Cook
19 County Forest Preserve District, the Chicago Park
20 District, the Metropolitan Water Reclamation District, the
21 Chicago Transit Authority, or a housing authority of a
22 municipality with a population of 500,000 or more that a
23 debt is due and owing the municipality, the county, the
24 Cook County Forest Preserve District, the Chicago Park
25 District, the Metropolitan Water Reclamation District, the
26 Chicago Transit Authority, or the housing authority by an

1 employee of the Chicago Board of Education, to withhold,
2 from the compensation of that employee, the amount of the
3 debt that is due and owing and pay the amount withheld to
4 the municipality, the county, the Cook County Forest
5 Preserve District, the Chicago Park District, the
6 Metropolitan Water Reclamation District, the Chicago
7 Transit Authority, or the housing authority; provided,
8 however, that the amount deducted from any one salary or
9 wage payment shall not exceed 25% of the net amount of the
10 payment. Before the Board deducts any amount from any
11 salary or wage of an employee under this paragraph, the
12 municipality, the county, the Cook County Forest Preserve
13 District, the Chicago Park District, the Metropolitan
14 Water Reclamation District, the Chicago Transit Authority,
15 or the housing authority shall certify that (i) the
16 employee has been afforded an opportunity for a hearing to
17 dispute the debt that is due and owing the municipality,
18 the county, the Cook County Forest Preserve District, the
19 Chicago Park District, the Metropolitan Water Reclamation
20 District, the Chicago Transit Authority, or the housing
21 authority and (ii) the employee has received notice of a
22 wage deduction order and has been afforded an opportunity
23 for a hearing to object to the order. For purposes of this
24 paragraph, "net amount" means that part of the salary or
25 wage payment remaining after the deduction of any amounts
26 required by law to be deducted and "debt due and owing"

1 means (i) a specified sum of money owed to the
2 municipality, the county, the Cook County Forest Preserve
3 District, the Chicago Park District, the Metropolitan
4 Water Reclamation District, the Chicago Transit Authority,
5 or the housing authority for services, work, or goods,
6 after the period granted for payment has expired, or (ii)
7 a specified sum of money owed to the municipality, the
8 county, the Cook County Forest Preserve District, the
9 Chicago Park District, the Metropolitan Water Reclamation
10 District, the Chicago Transit Authority, or the housing
11 authority pursuant to a court order or order of an
12 administrative hearing officer after the exhaustion of, or
13 the failure to exhaust, judicial review;

14 20. The board is encouraged to employ a sufficient
15 number of licensed school counselors to maintain a
16 student/counselor ratio of 250 to 1. Each counselor shall
17 spend at least 75% of his work time in direct contact with
18 students and shall maintain a record of such time;

19 21. To make available to students vocational and
20 career counseling and to establish 5 special career
21 counseling days for students and parents. On these days
22 representatives of local businesses and industries shall
23 be invited to the school campus and shall inform students
24 of career opportunities available to them in the various
25 businesses and industries. Special consideration shall be
26 given to counseling minority students as to career

1 opportunities available to them in various fields. For the
2 purposes of this paragraph, minority student means a
3 person who is any of the following:

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

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

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

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

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

21 (f) Arab (a person having origins in any of the
22 original peoples of Saudi Arabia, United Arab Emirates,
23 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
24 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
25 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

26 Counseling days shall not be in lieu of regular school

1 days;

2 22. To report to the State Board of Education the
3 annual student dropout rate and number of students who
4 graduate from, transfer from, or otherwise leave bilingual
5 programs;

6 23. Except as otherwise provided in the Abused and
7 Neglected Child Reporting Act or other applicable State or
8 federal law, to permit school officials to withhold, from
9 any person, information on the whereabouts of any child
10 removed from school premises when the child has been taken
11 into protective custody as a victim of suspected child
12 abuse. School officials shall direct such person to the
13 Department of Children and Family Services or to the local
14 law enforcement agency, if appropriate;

15 24. To develop a policy, based on the current state of
16 existing school facilities, projected enrollment, and
17 efficient utilization of available resources, for capital
18 improvement of schools and school buildings within the
19 district, addressing in that policy both the relative
20 priority for major repairs, renovations, and additions to
21 school facilities and the advisability or necessity of
22 building new school facilities or closing existing schools
23 to meet current or projected demographic patterns within
24 the district;

25 25. To make available to the students in every high
26 school attendance center the ability to take all courses

1 necessary to comply with the Board of Higher Education's
2 college entrance criteria effective in 1993;

3 26. To encourage mid-career changes into the teaching
4 profession, whereby qualified professionals become
5 licensed teachers, by allowing credit for professional
6 employment in related fields when determining point of
7 entry on the teacher pay scale;

8 27. To provide or contract out training programs for
9 administrative personnel and principals with revised or
10 expanded duties pursuant to this Code in order to ensure
11 they have the knowledge and skills to perform their
12 duties;

13 28. To establish a fund for the prioritized special
14 needs programs, and to allocate such funds and other lump
15 sum amounts to each attendance center in a manner
16 consistent with the provisions of part 4 of Section
17 34-2.3. Nothing in this paragraph shall be construed to
18 require any additional appropriations of State funds for
19 this purpose;

20 29. (Blank);

21 30. Notwithstanding any other provision of this Act or
22 any other law to the contrary, to contract with third
23 parties for services otherwise performed by employees,
24 including those in a bargaining unit, and to layoff those
25 employees upon 14 days written notice to the affected
26 employees. Those contracts may be for a period not to

1 exceed 5 years and may be awarded on a system-wide basis.
2 The board may not operate more than 30 contract schools,
3 provided that the board may operate an additional 5
4 contract turnaround schools pursuant to item (5.5) of
5 subsection (d) of Section 34-8.3 of this Code, and the
6 governing bodies of contract schools are subject to the
7 Freedom of Information Act and Open Meetings Act;

8 31. To promulgate rules establishing procedures
9 governing the layoff or reduction in force of employees
10 and the recall of such employees, including, but not
11 limited to, criteria for such layoffs, reductions in force
12 or recall rights of such employees and the weight to be
13 given to any particular criterion. Such criteria shall
14 take into account factors, including, but not limited to,
15 qualifications, certifications, experience, performance
16 ratings or evaluations, and any other factors relating to
17 an employee's job performance;

18 32. To develop a policy to prevent nepotism in the
19 hiring of personnel or the selection of contractors;

20 33. (Blank); and

21 34. To establish a Labor Management Council to the
22 board comprised of representatives of the board, the chief
23 executive officer, and those labor organizations that are
24 the exclusive representatives of employees of the board
25 and to promulgate policies and procedures for the
26 operation of the Council.

1 The specifications of the powers herein granted are not to
2 be construed as exclusive, but the board shall also exercise
3 all other powers that may be requisite or proper for the
4 maintenance and the development of a public school system, not
5 inconsistent with the other provisions of this Article or
6 provisions of this Code which apply to all school districts.

7 In addition to the powers herein granted and authorized to
8 be exercised by the board, it shall be the duty of the board to
9 review or to direct independent reviews of special education
10 expenditures and services. The board shall file a report of
11 such review with the General Assembly on or before May 1, 1990.
12 (Source: P.A. 101-12, eff. 7-1-19; 101-88, eff. 1-1-20;
13 102-465, eff. 1-1-22; 102-558, eff. 8-20-21; 102-894, eff.
14 5-20-22.)

15 Section 70. The Board of Higher Education Act is amended
16 by changing Section 9.16 as follows:

17 (110 ILCS 205/9.16) (from Ch. 144, par. 189.16)

18 Sec. 9.16. Underrepresentation of certain groups in higher
19 education. To require public institutions of higher education
20 to develop and implement an equity plan and practices that
21 include methods and strategies to increase the access,
22 retention, completion, and student loan repayment rates of
23 minorities, rural students, adult students, women, and
24 individuals with disabilities who are traditionally

1 underrepresented in education programs and activities. To
2 encourage private institutions of higher education to develop
3 and implement an equity plan and practices. For the purpose of
4 this Section, minorities shall mean persons ~~residents~~ who are
5 any of the following:

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

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

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

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

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

23 (6) Arab (a person having origins in any of the
24 original peoples of Saudi Arabia, United Arab Emirates,
25 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
26 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,

1 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

2 The Board shall adopt any rules necessary to administer
3 this Section. The Board, in collaboration with the Illinois
4 Community College Board, shall also do the following:

5 (a) require all public institutions of higher
6 education to develop and submit an equity plan and
7 implement practices that, at a minimum, close gaps in
8 enrollment, retention, completion, and student loan
9 repayment rates for underrepresented groups and encourage
10 all private institutions of higher education to develop
11 and submit such equity plans and implement such practices;

12 (b) conduct periodic review of public institutions of
13 higher education and private institutions of higher
14 education to determine compliance with this Section; and
15 if the Board finds that a public institution of higher
16 education is not in compliance with this Section, it shall
17 notify the institution of steps to take to attain
18 compliance;

19 (c) provide advice and counsel pursuant to this
20 Section;

21 (d) conduct studies of the effectiveness and outcomes
22 of the methods and strategies outlined in an institution's
23 equity plan, as well as others designed to increase
24 participation and success of students in education
25 programs and activities in which minorities, rural
26 students, adult students, women, and individuals with

1 disabilities are traditionally underrepresented, and
2 monitor and report the outcomes for students as a result
3 of the implementation of equity plans;

4 (e) require components of an institution's equity plan
5 to include strategies to increase minority student
6 recruitment, retention, and student loan repayment rates
7 in colleges and universities. In implementing this
8 paragraph, the Board shall undertake, but need not be
9 limited to, the following: the establishment of guidelines
10 and plans for public institutions of higher education and
11 private institutions of higher education for minority
12 student recruitment, retention, and student loan repayment
13 rates, including requirements to establish campus climate
14 and culture surveys, the review and monitoring of minority
15 student services, programs, and supports implemented at
16 public institutions of higher education and private
17 institutions of higher education to determine their
18 compliance with any guidelines and plans so established,
19 the determination of the effectiveness and funding
20 requirements of minority student services, programs, and
21 supports at public institutions of higher education and
22 private institutions of higher education, the
23 dissemination of successful programs as models, and the
24 encouragement of cooperative partnerships between
25 community colleges, local school attendance centers, and
26 4-year colleges and universities to support enrollment of

1 minority students;

2 (f) mandate all public institutions of higher
3 education and encourage all private institutions of higher
4 education to submit data and information essential to
5 determine compliance with this Section. The Board shall
6 prescribe the format and the date for submission of this
7 data and any other education equity data; and

8 (g) report to the General Assembly and the Governor
9 annually with a description of the plans submitted by each
10 public institution of higher education and each private
11 institution of higher education for implementation of this
12 Section, including financial data relating to the most
13 recent fiscal year, the effectiveness of such plans and
14 programs and the effectiveness of the methods and
15 strategies developed by the Board in meeting the purposes
16 of this Section, the degree of compliance with this
17 Section by each public institution of higher education and
18 each private institution of higher education as determined
19 by the Board pursuant to its periodic review
20 responsibilities, and the findings made by the Board in
21 conducting its studies and monitoring student outcomes and
22 institutional success as required by paragraph (d) of this
23 Section. With respect to each public institution of higher
24 education and each private institution of higher
25 education, such report also shall include, but need not be
26 limited to, information with respect to each institution's

1 minority program budget allocations; minority student
2 admission, retention and graduation and student loan
3 repayment rate statistics; admission, retention,
4 graduation, and student loan repayment rate statistics of
5 all students who are the first in their immediate family
6 to attend an institution of higher education; number of
7 financial assistance awards, not including student loans,
8 to undergraduate and graduate minority students; and
9 minority faculty representation. This paragraph shall not
10 be construed to prohibit the Board from making, preparing,
11 or issuing additional surveys or studies with respect to
12 minority education in Illinois.

13 (Source: P.A. 102-465, eff. 1-1-22; 102-1030, eff. 5-27-22;
14 102-1046, eff. 6-7-22; revised 7-26-22.)

15 Section 75. The Dental Student Grant Act is amended by
16 changing Section 3.07 as follows:

17 (110 ILCS 925/3.07) (from Ch. 144, par. 1503.07)

18 Sec. 3.07. "Racial minority" means a person who is any of
19 the following:

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

24 (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).

(6) Arab (a person having origins in any of the original peoples of Saudi Arabia, United Arab Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya, Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

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

Section 80. The Diversifying Higher Education Faculty in Illinois Act is amended by changing Section 2 as follows:

(110 ILCS 930/2) (from Ch. 144, par. 2302)

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

"Board" means the Board of Higher Education.

1 "DFI" means the Diversifying Higher Education Faculty in
2 Illinois Program of financial assistance to minorities who are
3 traditionally underrepresented as participants in
4 postsecondary education. The program shall assist them in
5 pursuing a graduate or professional degree and shall also
6 assist program graduates to find employment at an Illinois
7 institution of higher education, including a community
8 college, in a faculty or staff position.

9 "Program Board" means the entity created to administer the
10 grant program authorized by this Act.

11 "Qualified institution of higher education" means a
12 qualifying publicly or privately operated educational
13 institution located within Illinois (i) that offers
14 instruction leading toward or prerequisite to an academic or
15 professional degree beyond the baccalaureate degree, excluding
16 theological schools, and (ii) that is authorized to operate in
17 the State of Illinois.

18 "Racial minority" means a person who is a citizen of the
19 United States or a lawful permanent resident of the United
20 States and who is any of the following:

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

25 (2) Asian (a person having origins in any of the
26 original peoples of the Far East, Southeast Asia, or the

1 Indian subcontinent, including, but not limited to,
2 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
3 the Philippine Islands, Thailand, and Vietnam).

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

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

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

12 (6) Arab (a person having origins in any of the
13 original peoples of Saudi Arabia, United Arab Emirates,
14 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
15 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
16 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

17 (Source: P.A. 102-465, eff. 1-1-22; 102-1030, eff. 5-27-22.)

18 Section 85. The Higher Education Student Assistance Act is
19 amended by changing Sections 50, 65.30, and 65.110 as follows:

20 (110 ILCS 947/50)

21 Sec. 50. Minority Teachers of Illinois scholarship
22 program.

23 (a) As used in this Section:

24 "Eligible applicant" means a minority student who has

1 graduated from high school or has received a State of
2 Illinois High School Diploma and has maintained a
3 cumulative grade point average of no less than 2.5 on a 4.0
4 scale, and who by reason thereof is entitled to apply for
5 scholarships to be awarded under this Section.

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

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

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

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

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

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

26 (6) Arab (a person having origins in any of the

1 original peoples of Saudi Arabia, United Arab
2 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait,
3 Lebanon, Libya, Mauritania, Morocco, Djibouti,
4 Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan,
5 Tunisia, Egypt, or Algeria).

6 "Qualified bilingual minority applicant" means a
7 qualified student who demonstrates proficiency in a
8 language other than English by (i) receiving a State Seal
9 of Biliteracy from the State Board of Education or (ii)
10 receiving a passing score on an educator licensure target
11 language proficiency test.

12 "Qualified student" means a person (i) who is a
13 resident of this State and a citizen or permanent resident
14 of the United States; (ii) who is a minority student, as
15 defined in this Section; (iii) who, as an eligible
16 applicant, has made a timely application for a minority
17 teaching scholarship under this Section; (iv) who is
18 enrolled on at least a half-time basis at a qualified
19 Illinois institution of higher learning; (v) who is
20 enrolled in a course of study leading to teacher
21 licensure, including alternative teacher licensure, or, if
22 the student is already licensed to teach, in a course of
23 study leading to an additional teaching endorsement or a
24 master's degree in an academic field in which he or she is
25 teaching or plans to teach or who has received one or more
26 College and Career Pathway Endorsements pursuant to

1 Section 80 of the Postsecondary and Workforce Readiness
2 Act and commits to enrolling in a course of study leading
3 to teacher licensure, including alternative teacher
4 licensure; (vi) who maintains a grade point average of no
5 less than 2.5 on a 4.0 scale; and (vii) who continues to
6 advance satisfactorily toward the attainment of a degree.

7 (b) In order to encourage academically talented Illinois
8 minority students to pursue teaching careers at the preschool
9 or elementary or secondary school level and to address and
10 alleviate the teacher shortage crisis in this State described
11 under the provisions of the Transitions in Education Act, each
12 qualified student shall be awarded a minority teacher
13 scholarship to any qualified Illinois institution of higher
14 learning. However, preference may be given to qualified
15 applicants enrolled at or above the junior level.

16 (c) Each minority teacher scholarship awarded under this
17 Section shall be in an amount sufficient to pay the tuition and
18 fees and room and board costs of the qualified Illinois
19 institution of higher learning at which the recipient is
20 enrolled, up to an annual maximum of \$5,000; except that in the
21 case of a recipient who does not reside on-campus at the
22 institution at which he or she is enrolled, the amount of the
23 scholarship shall be sufficient to pay tuition and fee
24 expenses and a commuter allowance, up to an annual maximum of
25 \$5,000. However, if at least \$2,850,000 is appropriated in a
26 given fiscal year for the Minority Teachers of Illinois

1 scholarship program, then, in each fiscal year thereafter,
2 each scholarship awarded under this Section shall be in an
3 amount sufficient to pay the tuition and fees and room and
4 board costs of the qualified Illinois institution of higher
5 learning at which the recipient is enrolled, up to an annual
6 maximum of \$7,500; except that in the case of a recipient who
7 does not reside on-campus at the institution at which he or she
8 is enrolled, the amount of the scholarship shall be sufficient
9 to pay tuition and fee expenses and a commuter allowance, up to
10 an annual maximum of \$7,500.

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

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

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

7 (g) All applications for minority teacher scholarships to
8 be awarded under this Section shall be made to the Commission
9 on forms which the Commission shall provide for eligible
10 applicants. The form of applications and the information
11 required to be set forth therein shall be determined by the
12 Commission, and the Commission shall require eligible
13 applicants to submit with their applications such supporting
14 documents or recommendations as the Commission deems
15 necessary.

16 (h) Subject to a separate appropriation for such purposes,
17 payment of any minority teacher scholarship awarded under this
18 Section shall be determined by the Commission. All scholarship
19 funds distributed in accordance with this subsection shall be
20 paid to the institution and used only for payment of the
21 tuition and fee and room and board expenses incurred by the
22 student in connection with his or her attendance at a
23 qualified Illinois institution of higher learning. Any
24 minority teacher scholarship awarded under this Section shall
25 be applicable to 2 semesters or 3 quarters of enrollment. If a
26 qualified student withdraws from enrollment prior to

1 completion of the first semester or quarter for which the
2 minority teacher scholarship is applicable, the school shall
3 refund to the Commission the full amount of the minority
4 teacher scholarship.

5 (i) The Commission shall administer the minority teacher
6 scholarship aid program established by this Section and shall
7 make all necessary and proper rules not inconsistent with this
8 Section for its effective implementation.

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

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

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

25 (k) Notwithstanding paragraph (2) of subsection (j), at
26 least 35% of the funds appropriated for scholarships awarded

1 under this Section in each fiscal year shall be reserved for
2 qualified male minority applicants, with priority being given
3 to qualified Black male applicants beginning with fiscal year
4 2023. If the Commission does not receive enough applications
5 from qualified male minorities on or before January 1 of each
6 fiscal year to award 35% of the funds appropriated for these
7 scholarships to qualified male minority applicants, then the
8 Commission may award a portion of the reserved funds to
9 qualified female minority applicants in accordance with
10 subsection (j).

11 Beginning with fiscal year 2023, if at least \$2,850,000
12 but less than \$4,200,000 is appropriated in a given fiscal
13 year for scholarships awarded under this Section, then at
14 least 10% of the funds appropriated shall be reserved for
15 qualified bilingual minority applicants, with priority being
16 given to qualified bilingual minority applicants who are
17 enrolled in an educator preparation program with a
18 concentration in bilingual, bicultural education. Beginning
19 with fiscal year 2023, if at least \$4,200,000 is appropriated
20 in a given fiscal year for the Minority Teachers of Illinois
21 scholarship program, then at least 30% of the funds
22 appropriated shall be reserved for qualified bilingual
23 minority applicants, with priority being given to qualified
24 bilingual minority applicants who are enrolled in an educator
25 preparation program with a concentration in bilingual,
26 bicultural education. Beginning with fiscal year 2023, if at

1 least \$2,850,000 is appropriated in a given fiscal year for
2 scholarships awarded under this Section but the Commission
3 does not receive enough applications from qualified bilingual
4 minority applicants on or before January 1 of that fiscal year
5 to award at least 10% of the funds appropriated to qualified
6 bilingual minority applicants, then the Commission may, in its
7 discretion, award a portion of the reserved funds to other
8 qualified students in accordance with subsection (j).

9 (1) Prior to receiving scholarship assistance for any
10 academic year, each recipient of a minority teacher
11 scholarship awarded under this Section shall be required by
12 the Commission to sign an agreement under which the recipient
13 pledges that, within the one-year period following the
14 termination of the program for which the recipient was awarded
15 a minority teacher scholarship, the recipient (i) shall begin
16 teaching for a period of not less than one year for each year
17 of scholarship assistance he or she was awarded under this
18 Section; (ii) shall fulfill this teaching obligation at a
19 nonprofit Illinois public, private, or parochial preschool,
20 elementary school, or secondary school at which no less than
21 30% of the enrolled students are minority students in the year
22 during which the recipient begins teaching at the school or
23 may instead, if the recipient received a scholarship as a
24 qualified bilingual minority applicant, fulfill this teaching
25 obligation in a program in transitional bilingual education
26 pursuant to Article 14C of the School Code or in a school in

1 which 20 or more English learner students in the same language
2 classification are enrolled; and (iii) shall, upon request by
3 the Commission, provide the Commission with evidence that he
4 or she is fulfilling or has fulfilled the terms of the teaching
5 agreement provided for in this subsection.

6 (m) If a recipient of a minority teacher scholarship
7 awarded under this Section fails to fulfill the teaching
8 obligation set forth in subsection (l) of this Section, the
9 Commission shall require the recipient to repay the amount of
10 the scholarships received, prorated according to the fraction
11 of the teaching obligation not completed, at a rate of
12 interest equal to 5%, and, if applicable, reasonable
13 collection fees. The Commission is authorized to establish
14 rules relating to its collection activities for repayment of
15 scholarships under this Section. All repayments collected
16 under this Section shall be forwarded to the State Comptroller
17 for deposit into the State's General Revenue Fund.

18 (n) A recipient of minority teacher scholarship shall not
19 be considered in violation of the agreement entered into
20 pursuant to subsection (l) if the recipient (i) enrolls on a
21 full time basis as a graduate student in a course of study
22 related to the field of teaching at a qualified Illinois
23 institution of higher learning; (ii) is serving, not in excess
24 of 3 years, as a member of the armed services of the United
25 States; (iii) is a person with a temporary total disability
26 for a period of time not to exceed 3 years as established by

1 sworn affidavit of a qualified physician; (iv) is seeking and
2 unable to find full time employment as a teacher at an Illinois
3 public, private, or parochial preschool or elementary or
4 secondary school that satisfies the criteria set forth in
5 subsection (l) of this Section and is able to provide evidence
6 of that fact; (v) becomes a person with a permanent total
7 disability as established by sworn affidavit of a qualified
8 physician; (vi) is taking additional courses, on at least a
9 half-time basis, needed to obtain licensure as a teacher in
10 Illinois; or (vii) is fulfilling teaching requirements
11 associated with other programs administered by the Commission
12 and cannot concurrently fulfill them under this Section in a
13 period of time equal to the length of the teaching obligation.

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

22 (p) If the Minority Teachers of Illinois scholarship
23 program does not expend at least 90% of the amount
24 appropriated for the program in a given fiscal year for 3
25 consecutive fiscal years and the Commission does not receive
26 enough applications from the groups identified in subsection

1 (k) on or before January 1 in each of those fiscal years to
2 meet the percentage reserved for those groups under subsection
3 (k), then up to 3% of amount appropriated for the program for
4 each of next 3 fiscal years shall be allocated to increasing
5 awareness of the program and for the recruitment of Black male
6 applicants. The Commission shall make a recommendation to the
7 General Assembly by January 1 of the year immediately
8 following the end of that third fiscal year regarding whether
9 the amount allocated to increasing awareness and recruitment
10 should continue.

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

21 (r) The changes made to this Section by Public Act 101-654
22 will first take effect with awards made for the 2022-2023
23 academic year.

24 (Source: P.A. 101-654, eff. 3-8-21; 102-465, eff. 1-1-22;
25 102-813, eff. 5-13-22; 102-1100, eff. 1-1-23.)

1 (110 ILCS 947/65.30)

2 Sec. 65.30. Equal opportunity scholarships.

3 (a) The Commission may annually award a number of
4 scholarships to students who are interested in pursuing
5 studies in educational administration. Such scholarships shall
6 be issued to students who make application to the Commission
7 and who agree to take courses at qualified institutions of
8 higher learning that will allow them to complete a degree in
9 educational administration.

10 (b) Scholarships awarded under this Section shall be
11 issued pursuant to regulations promulgated by the Commission;
12 provided that no rule or regulation promulgated by the State
13 Board of Education prior to the effective date of this
14 amendatory Act of 1993 pursuant to the exercise of any right,
15 power, duty, responsibility or matter of pending business
16 transferred from the State Board of Education to the
17 Commission under this Section shall be affected thereby, and
18 all such rules and regulations shall become the rules and
19 regulations of the Commission until modified or changed by the
20 Commission in accordance with law.

21 (c) Such scholarships shall be utilized for the payment of
22 tuition and non-revenue bond fees at any qualified institution
23 of higher learning. Such tuition and fees shall only be
24 available for courses that will enable the student to complete
25 training in educational administration. The Commission shall
26 determine which courses are eligible for tuition payments

1 under this Section.

2 (d) The Commission may make tuition payments directly to
3 the qualified institution of higher learning which the student
4 attends for the courses prescribed or may make payments to the
5 student. Any student who receives payments and who fails to
6 enroll in the courses prescribed shall refund the payments to
7 the Commission.

8 (e) The Commission, with the cooperation of the State
9 Board of Education, shall assist students who have
10 participated in the scholarship program established by this
11 Section in finding employment in positions relating to
12 educational administration.

13 (f) Appropriations for the scholarships outlined in this
14 Section shall be made to the Commission from funds
15 appropriated by the General Assembly.

16 (g) This Section is substantially the same as Section
17 30-4d of the School Code, which Section is repealed by this
18 amendatory Act of 1993, and shall be construed as a
19 continuation of the equal opportunity scholarship program
20 established under that prior law, and not as a new or different
21 equal opportunity scholarship program. The State Board of
22 Education shall transfer to the Commission, as the successor
23 to the State Board of Education for all purposes of
24 administering and implementing the provisions of this Section,
25 all books, accounts, records, papers, documents, contracts,
26 agreements, and pending business in any way relating to the

1 equal opportunity scholarship program continued under this
2 Section; and all scholarships at any time awarded under that
3 program by, and all applications for any such scholarship at
4 any time made to, the State Board of Education shall be
5 unaffected by the transfer to the Commission of all
6 responsibility for the administration and implementation of
7 the equal opportunity scholarship program continued under this
8 Section. The State Board of Education shall furnish to the
9 Commission such other information as the Commission may
10 request to assist it in administering this Section.

11 (h) For purposes of this Section:

12 (1) "Qualified institution of higher learning" means
13 the University of Illinois; Southern Illinois University;
14 Chicago State University; Eastern Illinois University;
15 Governors State University; Illinois State University;
16 Northeastern Illinois University; Northern Illinois
17 University; Western Illinois University; the public
18 community colleges of the State; any other public
19 universities, colleges and community colleges now or
20 hereafter established or authorized by the General
21 Assembly; and any Illinois privately operated, not for
22 profit institution located in this State which provides at
23 least an organized 2-year program of collegiate grade in
24 liberal arts or sciences, or both, directly applicable
25 toward the attainment of a baccalaureate or graduate
26 degree.

1 (2) "Racial minority" means a person who is any of the
2 following:

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

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

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

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

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

21 (6) Arab (a person having origins in any of the
22 original peoples of Saudi Arabia, United Arab
23 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait,
24 Lebanon, Libya, Mauritania, Morocco, Djibouti,
25 Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan,
26 Tunisia, Egypt, or Algeria).

1 (3) "Student" means a woman or racial minority.

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

3 (110 ILCS 947/65.110)

4 Sec. 65.110. Post-Master of Social Work School Social Work
5 Professional Educator License scholarship.

6 (a) Subject to appropriation, beginning with awards for
7 the 2022-2023 academic year, the Commission shall award
8 annually up to 250 Post-Master of Social Work School Social
9 Work Professional Educator License scholarships to a person
10 who:

11 (1) holds a valid Illinois-licensed clinical social
12 work license or social work license;

13 (2) has obtained a master's degree in social work from
14 an approved program;

15 (3) is a United States citizen or eligible noncitizen;
16 and

17 (4) submits an application to the Commission for such
18 scholarship and agrees to take courses to obtain an
19 Illinois Professional Educator License with an endorsement
20 in School Social Work.

21 (b) If an appropriation for this Section for a given
22 fiscal year is insufficient to provide scholarships to all
23 qualified applicants, the Commission shall allocate the
24 appropriation in accordance with this subsection (b). If funds
25 are insufficient to provide all qualified applicants with a

1 scholarship as authorized by this Section, the Commission
2 shall allocate the available scholarship funds for that fiscal
3 year to qualified applicants who submit a complete application
4 on or before a date specified by the Commission, based on the
5 following order of priority:

6 (1) firstly, to students who received a scholarship
7 under this Section in the prior academic year and who
8 remain eligible for a scholarship under this Section;

9 (2) secondly, to new, qualified applicants who are
10 members of a racial minority, as defined in subsection
11 (c); and

12 (3) finally, to other new, qualified applicants in
13 accordance with this Section.

14 (c) Scholarships awarded under this Section shall be
15 issued pursuant to rules adopted by the Commission. In
16 awarding scholarships, the Commission shall give priority to
17 those applicants who are members of a racial minority. Racial
18 minorities are underrepresented as school social workers in
19 elementary and secondary schools in this State, and the
20 General Assembly finds that it is in the interest of this State
21 to provide them with priority consideration for programs that
22 encourage their participation in this field and thereby foster
23 a profession that is more reflective of the diversity of
24 Illinois students and the parents they will serve. A more
25 reflective workforce in school social work allows improved
26 outcomes for students and a better utilization of services.

1 Therefore, the Commission shall give priority to those
2 applicants who are members of a racial minority. In this
3 subsection (c), "racial minority" means a person who is a
4 citizen of the United States or a lawful permanent resident of
5 the United States and who is:

6 (1) Black (a person having origins in any of the black
7 racial groups in Africa);

8 (2) Hispanic (a person of Spanish or Portuguese
9 culture with origins in Mexico, South or Central America,
10 or the Caribbean Islands, regardless of race);

11 (3) Asian American (a person having origins in any of
12 the original peoples of the Far East, Southeast Asia, the
13 Indian Subcontinent, or the Pacific Islands); ~~or~~

14 (4) American Indian or Alaskan Native (a person having
15 origins in any of the original peoples of North America);
16 or;

17 (5) Arab (a person having origins in any of the
18 original peoples of Saudi Arabia, United Arab Emirates,
19 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
20 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
21 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

22 (d) Each scholarship shall be applied to the payment of
23 tuition and mandatory fees at the University of Illinois,
24 Southern Illinois University, Chicago State University,
25 Eastern Illinois University, Governors State University,
26 Illinois State University, Northeastern Illinois University,

1 Northern Illinois University, and Western Illinois University.
2 Each scholarship may be applied to pay tuition and mandatory
3 fees required to obtain an Illinois Professional Educator
4 License with an endorsement in School Social Work.

5 (e) The Commission shall make tuition and fee payments
6 directly to the qualified institution of higher learning that
7 the applicant attends.

8 (f) Any person who has accepted a scholarship under this
9 Section must, within one year after graduation or termination
10 of enrollment in a Post-Master of Social Work Professional
11 Education License with an endorsement in School Social Work
12 program, begin working as a school social worker at a public or
13 nonpublic not-for-profit preschool, elementary school, or
14 secondary school located in this State for at least 2 of the 5
15 years immediately following that graduation or termination,
16 excluding, however, from the computation of that 5-year
17 period: (i) any time up to 3 years spent in the military
18 service, whether such service occurs before or after the
19 person graduates; (ii) the time that person is a person with a
20 temporary total disability for a period of time not to exceed 3
21 years, as established by the sworn affidavit of a qualified
22 physician; and (iii) the time that person is seeking and
23 unable to find full-time employment as a school social worker
24 at a State public or nonpublic not-for-profit preschool,
25 elementary school, or secondary school.

26 (g) If a recipient of a scholarship under this Section

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

11 A recipient of a scholarship under this Section is not
12 considered to be in violation of the failure to fulfill the
13 work obligation under subsection (f) if the recipient (i)
14 enrolls on a full-time basis as a graduate student in a course
15 of study related to the field of social work at a qualified
16 Illinois institution of higher learning; (ii) is serving, not
17 in excess of 3 years, as a member of the armed services of the
18 United States; (iii) is a person with a temporary total
19 disability for a period of time not to exceed 3 years, as
20 established by the sworn affidavit of a qualified physician;
21 (iv) is seeking and unable to find full-time employment as a
22 school social worker at an Illinois public or nonpublic
23 not-for-profit preschool, elementary school, or secondary
24 school that satisfies the criteria set forth in subsection (f)
25 and is able to provide evidence of that fact; or (v) becomes a
26 person with a permanent total disability, as established by

1 the sworn affidavit of a qualified physician.

2 (Source: P.A. 102-621, eff. 1-1-22; 102-813, eff. 5-13-22;
3 102-1030, eff. 5-27-22.)

4 Section 90. The Illinois Insurance Code is amended by
5 changing Section 500-50 as follows:

6 (215 ILCS 5/500-50)

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

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

9 (a) The use of examinations for the purpose of determining
10 qualifications of persons to be licensed as insurance
11 producers has a direct and far-reaching effect on persons
12 seeking those licenses, on insurance companies, and on the
13 public. It is in the public interest and it will further the
14 public welfare to insure that examinations for licensing do
15 not have the effect of unlawfully discriminating against
16 applicants for licensing as insurance producers on the basis
17 of race, color, national origin, or sex.

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

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

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

24 Part. "Part" means a portion of an examination for which a

1 score is calculated.

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

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

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

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

14 Correct-answer rate. "Correct-answer rate" for an item
15 means the number of examinees who provided the correct answer
16 on an item divided by the number of examinees who answered the
17 item.

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

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

24 (1) race or ethnicity (American Indian or Alaska
25 Native, Asian, Black or African American, Hispanic or
26 Latino, Native Hawaiian or Other Pacific Islander, Arab,

1 or White);

2 (2) education (8th grade or less; less than 12th
3 grade; high school diploma or State of Illinois High
4 School Diploma; some college, but no 4-year degree; or
5 4-year degree or more); and

6 (3) gender (male or female).

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

13 (d) No later than May 1 of each year, the Director must
14 prepare, publicly announce, and publish an Examination Report
15 of summary statistical information relating to each
16 examination administered during the preceding calendar year.
17 Each Examination Report shall show with respect to each
18 examination:

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

24 (A) number of examinees;

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

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

3 (D) mean scaled scores on each part; and

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

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

14 No later than May 1 of each year, the Director must prepare
15 and make available on request an Item Report of summary
16 statistical information relating to each operational item on
17 each test form administered during the preceding calendar
18 year. The Item Report shall show, for each operational item,
19 for all examinees combined and separately for Black or African
20 American examinees, white examinees, American Indian or Alaska
21 Native examinees, Asian examinees, Hispanic or Latino
22 examinees, ~~and~~ Native Hawaiian or Other Pacific Islander
23 examinees, and Arab examinees, the correct-answer rates and
24 correlations.

25 The Director is not required to report separate
26 statistical information for any group or subgroup comprising

1 fewer than 50 examinees.

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

12 (f) The Director has the discretion to set cutoff scores
13 for the examinations, provided that scaled scores on test
14 forms administered after July 1, 1993, shall be made
15 comparable to scaled scores on test forms administered in 1991
16 by use of professionally acceptable methods so as to minimize
17 changes in passing rates related to the presence or absence of
18 or changes in equating or scaling equations or methods or
19 content outlines. Each calendar year, the scaled cutoff score
20 for each part of each examination shall fluctuate by no more
21 than the standard error of measurement from the scaled cutoff
22 score employed during the preceding year.

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

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

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

16 (j) For the purposes of this Section:

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

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

26 (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.

(5.5) "Arab" means a person having origins in any of the original peoples of Saudi Arabia, United Arab Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya, Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria.

(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; 102-1100, eff. 1-1-23.)

Section 95. The Illinois Public Aid Code is amended by changing Sections 4-23 and 12-4.48 as follows:

(305 ILCS 5/4-23)

Sec. 4-23. Civil rights impact statement.

(a) The Department of Human Services must submit to the Governor and the General Assembly on January 1 of each even-numbered year a written report that details the disparate

1 impact of various provisions of the TANF program on people of
2 different racial or ethnic groups who identify themselves in
3 an application for benefits as any of the following:

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

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

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

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

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

21 (5.5) Arab (a person having origins in any of the
22 original peoples of Saudi Arabia, United Arab Emirates,
23 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
24 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
25 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

26 (6) White (a person having origins in any of the

1 original peoples of Europe, the Middle East, or North
2 Africa).

3 (b) The report must at least compare the number of persons
4 in each group:

5 (1) who are receiving TANF assistance;

6 (2) whose 60-month lifetime limit on receiving
7 assistance has expired;

8 (3) who have left TANF due to earned income;

9 (4) who have left TANF due to non-compliance with
10 program rules;

11 (5) whose TANF grants have been reduced by sanctions
12 for non-compliance with program rules;

13 (6) who have returned to TANF 6 months after leaving
14 due to earned income;

15 (7) who have returned to TANF 12 months after leaving
16 due to earned income;

17 (8) who have one or more children excluded from
18 receiving TANF cash assistance due to the child exclusion
19 rule;

20 (9) who have been granted an exemption from work
21 requirements; and

22 (10) who are participating in post-secondary education
23 activities.

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

25 (305 ILCS 5/12-4.48)

1 Sec. 12-4.48. Long-Term Services and Supports Disparities
2 Task Force.

3 (a) The Department of Healthcare and Family Services shall
4 establish a Long-Term Services and Supports Disparities Task
5 Force.

6 (b) Members of the Task Force shall be appointed by the
7 Director of the Department of Healthcare and Family Services
8 and shall include representatives of the following agencies,
9 organizations, or groups:

10 (1) The Governor's office.

11 (2) The Department of Healthcare and Family Services.

12 (3) The Department of Human Services.

13 (4) The Department on Aging.

14 (5) The Department of Human Rights.

15 (6) Area Agencies on Aging.

16 (7) The Department of Public Health.

17 (8) Managed Care Plans.

18 (9) The for-profit urban nursing home or assisted
19 living industry.

20 (10) The for-profit rural nursing home or assisted
21 living industry.

22 (11) The not-for-profit nursing home or assisted
23 living industry.

24 (12) The home care association or home care industry.

25 (13) The adult day care association or adult day care
26 industry.

1 (14) An association representing workers who provide
2 long-term services and supports.

3 (15) A representative of providers that serve the
4 predominantly ethnic minority populations.

5 (16) Case Management Organizations.

6 (17) Three consumer representatives which may include
7 a consumer of long-term services and supports or an
8 individual who advocates for such consumers. For purposes
9 of this provision, "consumer representative" means a
10 person who is not an elected official and who has no
11 financial interest in a health or long-term care delivery
12 system.

13 (c) The Task Force shall not meet unless all consumer
14 representative positions are filled. The Task Force shall
15 reflect diversity in race, ethnicity, and gender.

16 (d) The Chair of the Task Force shall be appointed by the
17 Director of the Department of Healthcare and Family Services.

18 (e) The Director of the Department of Healthcare and
19 Family Services shall assign appropriate staff and resources
20 to support the efforts of the Task Force. The Task Force shall
21 meet as often as necessary but not less than 4 times per
22 calendar year.

23 (f) The Task Force shall promote and facilitate
24 communication, coordination, and collaboration among relevant
25 State agencies and communities of color, limited
26 English-speaking communities, and the private and public

1 entities providing services to those communities.

2 (g) The Task Force shall do all of the following:

3 (1) Document the number and types of Long-Term
4 Services and Supports (LTSS) providers in the State and
5 the number of clients served in each setting.

6 (2) Document the number and racial profiles of
7 residents using LTSS, including, but not limited to,
8 residential nursing facilities, assisted living
9 facilities, adult day care, home health services, and
10 other home and community based long-term care services.

11 (3) Document the number and profiles of family or
12 informal caregivers who provide care for minority elders.

13 (4) Compare data over multiple years to identify
14 trends in the delivery of LTSS for each racial or ethnic
15 category including: Alaskan Native or American Indian,
16 Asian or Pacific Islander, black or African American,
17 Hispanic, Arab, or white.

18 (5) Identify any racial disparities in the provision
19 of care in various LTSS settings and determine factors
20 that might influence the disparities found.

21 (6) Identify any disparities uniquely experienced in
22 metropolitan or rural areas and make recommendations to
23 address these areas.

24 (7) Assess whether the LTSS industry, including
25 managed care plans and independent providers, is equipped
26 to offer culturally sensitive, competent, and

1 linguistically appropriate care to meet the needs of a
2 diverse aging population and their informal and formal
3 caregivers.

4 (8) Consider whether to recommend that the State
5 require all home and community based services as a
6 condition of licensure to report data similar to that
7 gathered under the Minimum Data Set and required when a
8 new resident is admitted to a nursing home.

9 (9) Identify and prioritize recommendations for
10 actions to be taken by the State to address disparity
11 issues identified in the course of these studies.

12 (10) Monitor the progress of the State in eliminating
13 racial disparities in the delivery of LTSS.

14 (h) The Task Force shall conduct public hearings,
15 inquiries, studies, and other forms of information gathering
16 to identify how the actions of State government contribute to
17 or reduce racial disparities in long-term care settings.

18 (i) The Task Force shall report its findings and
19 recommendations to the Governor and the General Assembly no
20 later than one year after the effective date of this
21 amendatory Act of the 98th General Assembly. Annual reports
22 shall be issued every year thereafter and shall include
23 documentation of progress made to eliminate disparities in
24 long-term care service settings.

25 (Source: P.A. 98-825, eff. 8-1-14; 99-78, eff. 7-20-15.)

1 Section 100. The Farmer Equity Act is amended by changing
2 Section 10 as follows:

3 (505 ILCS 72/10)

4 Sec. 10. Definitions. In this Act:

5 "Department" means the Department of Agriculture.

6 "Director" means the Director of Agriculture.

7 "Socially disadvantaged farmers" means a farmer who is a
8 member of a socially disadvantaged group.

9 "Socially disadvantaged group" means a group whose members
10 have been subjected to racial, ethnic, or gender prejudice
11 because of their identity as members of a group without regard
12 to that member's personal qualities. "Socially disadvantaged
13 group" includes, but is not limited to, African Americans,
14 Native Indians, Alaskan Natives, Hispanics, Asian Americans,
15 ~~and~~ Pacific Islanders, and Arabs.

16 "Urbanized area" means a geographic location with a
17 population of at least 50,000 people.

18 (Source: P.A. 100-1039, eff. 8-23-18.)

19 Section 105. The Illinois Vehicle Code is amended by
20 changing Section 11-212 as follows:

21 (625 ILCS 5/11-212)

22 Sec. 11-212. Traffic and pedestrian stop statistical
23 study.

1 (a) Whenever a State or local law enforcement officer
2 issues a uniform traffic citation or warning citation for an
3 alleged violation of the Illinois Vehicle Code, he or she
4 shall record at least the following:

5 (1) the name, address, gender, and the officer's
6 subjective determination of the race of the person
7 stopped; the person's race shall be selected from the
8 following list: American Indian or Alaska Native, Asian,
9 Black or African American, Hispanic or Latino, Native
10 Hawaiian or Other Pacific Islander, Arab, or White;

11 (2) the alleged traffic violation that led to the stop
12 of the motorist;

13 (3) the make and year of the vehicle stopped;

14 (4) the date and time of the stop, beginning when the
15 vehicle was stopped and ending when the driver is free to
16 leave or taken into physical custody;

17 (5) the location of the traffic stop;

18 (5.5) whether or not a consent search contemporaneous
19 to the stop was requested of the vehicle, driver,
20 passenger, or passengers; and, if so, whether consent was
21 given or denied;

22 (6) whether or not a search contemporaneous to the
23 stop was conducted of the vehicle, driver, passenger, or
24 passengers; and, if so, whether it was with consent or by
25 other means;

26 (6.2) whether or not a police dog performed a sniff of

1 the vehicle; and, if so, whether or not the dog alerted to
2 the presence of contraband; and, if so, whether or not an
3 officer searched the vehicle; and, if so, whether or not
4 contraband was discovered; and, if so, the type and amount
5 of contraband;

6 (6.5) whether or not contraband was found during a
7 search; and, if so, the type and amount of contraband
8 seized; and

9 (7) the name and badge number of the issuing officer.

10 (b) Whenever a State or local law enforcement officer
11 stops a motorist for an alleged violation of the Illinois
12 Vehicle Code and does not issue a uniform traffic citation or
13 warning citation for an alleged violation of the Illinois
14 Vehicle Code, he or she shall complete a uniform stop card,
15 which includes field contact cards, or any other existing form
16 currently used by law enforcement containing information
17 required pursuant to this Act, that records at least the
18 following:

19 (1) the name, address, gender, and the officer's
20 subjective determination of the race of the person
21 stopped; the person's race shall be selected from the
22 following list: American Indian or Alaska Native, Asian,
23 Black or African American, Hispanic or Latino, Native
24 Hawaiian or Other Pacific Islander, Arab, or White;

25 (2) the reason that led to the stop of the motorist;

26 (3) the make and year of the vehicle stopped;

1 (4) the date and time of the stop, beginning when the
2 vehicle was stopped and ending when the driver is free to
3 leave or taken into physical custody;

4 (5) the location of the traffic stop;

5 (5.5) whether or not a consent search contemporaneous
6 to the stop was requested of the vehicle, driver,
7 passenger, or passengers; and, if so, whether consent was
8 given or denied;

9 (6) whether or not a search contemporaneous to the
10 stop was conducted of the vehicle, driver, passenger, or
11 passengers; and, if so, whether it was with consent or by
12 other means;

13 (6.2) whether or not a police dog performed a sniff of
14 the vehicle; and, if so, whether or not the dog alerted to
15 the presence of contraband; and, if so, whether or not an
16 officer searched the vehicle; and, if so, whether or not
17 contraband was discovered; and, if so, the type and amount
18 of contraband;

19 (6.5) whether or not contraband was found during a
20 search; and, if so, the type and amount of contraband
21 seized; and

22 (7) the name and badge number of the issuing officer.

23 (b-5) For purposes of this subsection (b-5), "detention"
24 means all frisks, searches, summons, and arrests. Whenever a
25 law enforcement officer subjects a pedestrian to detention in
26 a public place, he or she shall complete a uniform pedestrian

1 stop card, which includes any existing form currently used by
2 law enforcement containing all the information required under
3 this Section, that records at least the following:

4 (1) the gender, and the officer's subjective
5 determination of the race of the person stopped; the
6 person's race shall be selected from the following list:
7 American Indian or Alaska Native, Asian, Black or African
8 American, Hispanic or Latino, Native Hawaiian or Other
9 Pacific Islander, Arab, or White;

10 (2) all the alleged reasons that led to the stop of the
11 person;

12 (3) the date and time of the stop;

13 (4) the location of the stop;

14 (5) whether or not a protective pat down or frisk was
15 conducted of the person; and, if so, all the alleged
16 reasons that led to the protective pat down or frisk, and
17 whether it was with consent or by other means;

18 (6) whether or not contraband was found during the
19 protective pat down or frisk; and, if so, the type and
20 amount of contraband seized;

21 (7) whether or not a search beyond a protective pat
22 down or frisk was conducted of the person or his or her
23 effects; and, if so, all the alleged reasons that led to
24 the search, and whether it was with consent or by other
25 means;

26 (8) whether or not contraband was found during the

1 search beyond a protective pat down or frisk; and, if so,
2 the type and amount of contraband seized;

3 (9) the disposition of the stop, such as a warning, a
4 ticket, a summons, or an arrest;

5 (10) if a summons or ticket was issued, or an arrest
6 made, a record of the violations, offenses, or crimes
7 alleged or charged; and

8 (11) the name and badge number of the officer who
9 conducted the detention.

10 This subsection (b-5) does not apply to searches or
11 inspections for compliance authorized under the Fish and
12 Aquatic Life Code, the Wildlife Code, the Herptiles-Herps Act,
13 or searches or inspections during routine security screenings
14 at facilities or events.

15 (c) The Illinois Department of Transportation shall
16 provide a standardized law enforcement data compilation form
17 on its website.

18 (d) Every law enforcement agency shall, by March 1 with
19 regard to data collected during July through December of the
20 previous calendar year and by August 1 with regard to data
21 collected during January through June of the current calendar
22 year, compile the data described in subsections (a), (b), and
23 (b-5) on the standardized law enforcement data compilation
24 form provided by the Illinois Department of Transportation and
25 transmit the data to the Department.

26 (e) The Illinois Department of Transportation shall

1 analyze the data provided by law enforcement agencies required
2 by this Section and submit a report of the previous year's
3 findings to the Governor, the General Assembly, the Racial
4 Profiling Prevention and Data Oversight Board, and each law
5 enforcement agency no later than July 1 of each year. The
6 Illinois Department of Transportation may contract with an
7 outside entity for the analysis of the data provided. In
8 analyzing the data collected under this Section, the analyzing
9 entity shall scrutinize the data for evidence of statistically
10 significant aberrations. The following list, which is
11 illustrative, and not exclusive, contains examples of areas in
12 which statistically significant aberrations may be found:

13 (1) The percentage of minority drivers, passengers, or
14 pedestrians being stopped in a given area is substantially
15 higher than the proportion of the overall population in or
16 traveling through the area that the minority constitutes.

17 (2) A substantial number of false stops including
18 stops not resulting in the issuance of a traffic ticket or
19 the making of an arrest.

20 (3) A disparity between the proportion of citations
21 issued to minorities and proportion of minorities in the
22 population.

23 (4) A disparity among the officers of the same law
24 enforcement agency with regard to the number of minority
25 drivers, passengers, or pedestrians being stopped in a
26 given area.

1 (5) A disparity between the frequency of searches
2 performed on minority drivers or pedestrians and the
3 frequency of searches performed on non-minority drivers or
4 pedestrians.

5 (f) Any law enforcement officer identification information
6 and driver or pedestrian identification information that is
7 compiled by any law enforcement agency or the Illinois
8 Department of Transportation pursuant to this Act for the
9 purposes of fulfilling the requirements of this Section shall
10 be confidential and exempt from public inspection and copying,
11 as provided under Section 7 of the Freedom of Information Act,
12 and the information shall not be transmitted to anyone except
13 as needed to comply with this Section. This Section shall not
14 exempt those materials that, prior to the effective date of
15 this amendatory Act of the 93rd General Assembly, were
16 available under the Freedom of Information Act. This
17 subsection (f) shall not preclude law enforcement agencies
18 from reviewing data to perform internal reviews.

19 (g) Funding to implement this Section shall come from
20 federal highway safety funds available to Illinois, as
21 directed by the Governor.

22 (h) The Illinois Criminal Justice Information Authority,
23 in consultation with law enforcement agencies, officials, and
24 organizations, including Illinois chiefs of police, the
25 Illinois State Police, the Illinois Sheriffs Association, and
26 the Chicago Police Department, and community groups and other

1 experts, shall undertake a study to determine the best use of
2 technology to collect, compile, and analyze the traffic stop
3 statistical study data required by this Section. The
4 Department shall report its findings and recommendations to
5 the Governor and the General Assembly by March 1, 2022.

6 (h-1) The Traffic and Pedestrian Stop Data Use and
7 Collection Task Force is hereby created.

8 (1) The Task Force shall undertake a study to
9 determine the best use of technology to collect, compile,
10 and analyze the traffic stop statistical study data
11 required by this Section.

12 (2) The Task Force shall be an independent Task Force
13 under the Illinois Criminal Justice Information Authority
14 for administrative purposes, and shall consist of the
15 following members:

16 (A) 2 academics or researchers who have studied
17 issues related to traffic or pedestrian stop data
18 collection and have education or expertise in
19 statistics;

20 (B) one professor from an Illinois university who
21 specializes in policing and racial equity;

22 (C) one representative from the Illinois State
23 Police;

24 (D) one representative from the Chicago Police
25 Department;

26 (E) one representative from the Illinois Chiefs of

1 Police;

2 (F) one representative from the Illinois Sheriffs
3 Association;

4 (G) one representative from the Chicago Fraternal
5 Order of Police;

6 (H) one representative from the Illinois Fraternal
7 Order of Police;

8 (I) the Executive Director of the American Civil
9 Liberties Union of Illinois, or his or her designee;
10 and

11 (J) 5 representatives from different community
12 organizations who specialize in civil or human rights,
13 policing, or criminal justice reform work, and that
14 represent a range of minority interests or different
15 parts of the State.

16 (3) The Illinois Criminal Justice Information
17 Authority may consult, contract, work in conjunction with,
18 and obtain any information from any individual, agency,
19 association, or research institution deemed appropriate by
20 the Authority.

21 (4) The Task Force shall report its findings and
22 recommendations to the Governor and the General Assembly
23 by March 1, 2022 and every 3 years after.

24 (h-5) For purposes of this Section:

25 (1) "American Indian or Alaska Native" means a person
26 having origins in any of the original peoples of North and

1 South America, including Central America, and who
2 maintains tribal affiliation or community attachment.

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

8 (2.5) "Badge" means an officer's department issued
9 identification number associated with his or her position
10 as a police officer with that department.

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

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

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

19 (5.5) "Arab" means a person having origins in any of
20 the original peoples of Saudi Arabia, United Arab
21 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon,
22 Libya, Mauritania, Morocco, Djibouti, Somalia, Palestine,
23 Oman, Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or
24 Algeria.

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

1 Africa.

2 (i) (Blank).

3 (Source: P.A. 101-24, eff. 6-21-19; 102-465, eff. 1-1-22;
4 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

5 Section 110. The Criminal Code of 2012 is amended by
6 changing Section 17-10.2 as follows:

7 (720 ILCS 5/17-10.2) (was 720 ILCS 5/17-29)

8 Sec. 17-10.2. Businesses owned by minorities, females, and
9 persons with disabilities; fraudulent contracts with
10 governmental units.

11 (a) In this Section:

12 "Minority person" means a person who is any of the
13 following:

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

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

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

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

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

7 (6) Arab (a person having origins in any of the
8 original peoples of Saudi Arabia, United Arab Emirates,
9 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
10 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
11 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

12 "Female" means a person who is of the female gender.

13 "Person with a disability" means a person who is a
14 person qualifying as having a disability.

15 "Disability" means a severe physical or mental
16 disability that: (1) results from: amputation, arthritis,
17 autism, blindness, burn injury, cancer, cerebral palsy,
18 cystic fibrosis, deafness, head injury, heart disease,
19 hemiplegia, hemophilia, respiratory or pulmonary
20 dysfunction, an intellectual disability, mental illness,
21 multiple sclerosis, muscular dystrophy, musculoskeletal
22 disorders, neurological disorders, including stroke and
23 epilepsy, paraplegia, quadriplegia and other spinal cord
24 conditions, sickle cell anemia, specific learning
25 disabilities, or end stage renal failure disease; and (2)
26 substantially limits one or more of the person's major

1 life activities.

2 "Minority owned business" means a business concern
3 that is at least 51% owned by one or more minority persons,
4 or in the case of a corporation, at least 51% of the stock
5 in which is owned by one or more minority persons; and the
6 management and daily business operations of which are
7 controlled by one or more of the minority individuals who
8 own it.

9 "Female owned business" means a business concern that
10 is at least 51% owned by one or more females, or, in the
11 case of a corporation, at least 51% of the stock in which
12 is owned by one or more females; and the management and
13 daily business operations of which are controlled by one
14 or more of the females who own it.

15 "Business owned by a person with a disability" means a
16 business concern that is at least 51% owned by one or more
17 persons with a disability and the management and daily
18 business operations of which are controlled by one or more
19 of the persons with disabilities who own it. A
20 not-for-profit agency for persons with disabilities that
21 is exempt from taxation under Section 501 of the Internal
22 Revenue Code of 1986 is also considered a "business owned
23 by a person with a disability".

24 "Governmental unit" means the State, a unit of local
25 government, or school district.

26 (b) In addition to any other penalties imposed by law or by

1 an ordinance or resolution of a unit of local government or
2 school district, any individual or entity that knowingly
3 obtains, or knowingly assists another to obtain, a contract
4 with a governmental unit, or a subcontract or written
5 commitment for a subcontract under a contract with a
6 governmental unit, by falsely representing that the individual
7 or entity, or the individual or entity assisted, is a minority
8 owned business, female owned business, or business owned by a
9 person with a disability is guilty of a Class 2 felony,
10 regardless of whether the preference for awarding the contract
11 to a minority owned business, female owned business, or
12 business owned by a person with a disability was established
13 by statute or by local ordinance or resolution.

14 (c) In addition to any other penalties authorized by law,
15 the court shall order that an individual or entity convicted
16 of a violation of this Section must pay to the governmental
17 unit that awarded the contract a penalty equal to one and
18 one-half times the amount of the contract obtained because of
19 the false representation.

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

21 Section 115. The Illinois Human Rights Act is amended by
22 changing Section 2-105 as follows:

23 (775 ILCS 5/2-105) (from Ch. 68, par. 2-105)

24 Sec. 2-105. Equal Employment Opportunities; Affirmative

1 Action.

2 (A) Public Contracts. Every party to a public contract and
3 every eligible bidder shall:

4 (1) Refrain from unlawful discrimination and
5 discrimination based on citizenship status in employment
6 and undertake affirmative action to assure equality of
7 employment opportunity and eliminate the effects of past
8 discrimination;

9 (2) Comply with the procedures and requirements of the
10 Department's regulations concerning equal employment
11 opportunities and affirmative action;

12 (3) Provide such information, with respect to its
13 employees and applicants for employment, and assistance as
14 the Department may reasonably request;

15 (4) Have written sexual harassment policies that shall
16 include, at a minimum, the following information: (i) the
17 illegality of sexual harassment; (ii) the definition of
18 sexual harassment under State law; (iii) a description of
19 sexual harassment, utilizing examples; (iv) the vendor's
20 internal complaint process including penalties; (v) the
21 legal recourse, investigative, and complaint process
22 available through the Department and the Commission; (vi)
23 directions on how to contact the Department and
24 Commission; and (vii) protection against retaliation as
25 provided by Sections 6-101 and 6-101.5 of this Act. A copy
26 of the policies shall be provided to the Department upon

1 request. Additionally, each bidder who submits a bid or
2 offer for a State contract under the Illinois Procurement
3 Code shall have a written copy of the bidder's sexual
4 harassment policy as required under this paragraph (4). A
5 copy of the policy shall be provided to the State agency
6 entering into the contract upon request.

7 The Department, by rule, shall establish a reasonable
8 opportunity to cure any noncompliance with this subsection by
9 a bidder prior to the awarding of a contract.

10 (B) State Agencies. Every State executive department,
11 State agency, board, commission, and instrumentality shall:

12 (1) Comply with the procedures and requirements of the
13 Department's regulations concerning equal employment
14 opportunities and affirmative action.

15 (2) Provide such information and assistance as the
16 Department may request.

17 (3) Establish, maintain, and carry out a continuing
18 affirmative action plan consistent with this Act and the
19 regulations of the Department designed to promote equal
20 opportunity for all State residents in every aspect of
21 agency personnel policy and practice. For purposes of
22 these affirmative action plans, the race and national
23 origin categories to be included in the plans are:
24 American Indian or Alaska Native, Asian, Black or African
25 American, Hispanic or Latino, Native Hawaiian or Other
26 Pacific Islander, and Arab.

1 This plan shall include a current detailed status
2 report:

3 (a) indicating, by each position in State service,
4 the number, percentage, and average salary of
5 individuals employed by race, national origin, sex and
6 disability, and any other category that the Department
7 may require by rule;

8 (b) identifying all positions in which the
9 percentage of the people employed by race, national
10 origin, sex and disability, and any other category
11 that the Department may require by rule, is less than
12 four-fifths of the percentage of each of those
13 components in the State work force;

14 (c) specifying the goals and methods for
15 increasing the percentage by race, national origin,
16 sex, and disability, and any other category that the
17 Department may require by rule, in State positions;

18 (d) indicating progress and problems toward
19 meeting equal employment opportunity goals, including,
20 if applicable, but not limited to, Department of
21 Central Management Services recruitment efforts,
22 publicity, promotions, and use of options designating
23 positions by linguistic abilities;

24 (e) establishing a numerical hiring goal for the
25 employment of qualified persons with disabilities in
26 the agency as a whole, to be based on the proportion of

1 people with work disabilities in the Illinois labor
2 force as reflected in the most recent employment data
3 made available by the United States Census Bureau.

4 (4) If the agency has 1000 or more employees, appoint
5 a full-time Equal Employment Opportunity officer, subject
6 to the Department's approval, whose duties shall include:

7 (a) Advising the head of the particular State
8 agency with respect to the preparation of equal
9 employment opportunity programs, procedures,
10 regulations, reports, and the agency's affirmative
11 action plan.

12 (b) Evaluating in writing each fiscal year the
13 sufficiency of the total agency program for equal
14 employment opportunity and reporting thereon to the
15 head of the agency with recommendations as to any
16 improvement or correction in recruiting, hiring or
17 promotion needed, including remedial or disciplinary
18 action with respect to managerial or supervisory
19 employees who have failed to cooperate fully or who
20 are in violation of the program.

21 (c) Making changes in recruitment, training and
22 promotion programs and in hiring and promotion
23 procedures designed to eliminate discriminatory
24 practices when authorized.

25 (d) Evaluating tests, employment policies,
26 practices, and qualifications and reporting to the

1 head of the agency and to the Department any policies,
2 practices and qualifications that have unequal impact
3 by race, national origin as required by Department
4 rule, sex, or disability or any other category that
5 the Department may require by rule, and to assist in
6 the recruitment of people in underrepresented
7 classifications. This function shall be performed in
8 cooperation with the Department of Central Management
9 Services.

10 (e) Making any aggrieved employee or applicant for
11 employment aware of his or her remedies under this
12 Act.

13 In any meeting, investigation, negotiation,
14 conference, or other proceeding between a State
15 employee and an Equal Employment Opportunity officer,
16 a State employee (1) who is not covered by a collective
17 bargaining agreement and (2) who is the complaining
18 party or the subject of such proceeding may be
19 accompanied, advised and represented by (1) an
20 attorney licensed to practice law in the State of
21 Illinois or (2) a representative of an employee
22 organization whose membership is composed of employees
23 of the State and of which the employee is a member. A
24 representative of an employee, other than an attorney,
25 may observe but may not actively participate, or
26 advise the State employee during the course of such

1 meeting, investigation, negotiation, conference, or
2 other proceeding. Nothing in this Section shall be
3 construed to permit any person who is not licensed to
4 practice law in Illinois to deliver any legal services
5 or otherwise engage in any activities that would
6 constitute the unauthorized practice of law. Any
7 representative of an employee who is present with the
8 consent of the employee, shall not, during or after
9 termination of the relationship permitted by this
10 Section with the State employee, use or reveal any
11 information obtained during the course of the meeting,
12 investigation, negotiation, conference, or other
13 proceeding without the consent of the complaining
14 party and any State employee who is the subject of the
15 proceeding and pursuant to rules and regulations
16 governing confidentiality of such information as
17 promulgated by the appropriate State agency.
18 Intentional or reckless disclosure of information in
19 violation of these confidentiality requirements shall
20 constitute a Class B misdemeanor.

21 (5) Establish, maintain, and carry out a continuing
22 sexual harassment program that shall include the
23 following:

24 (a) Develop a written sexual harassment policy
25 that includes at a minimum the following information:
26 (i) the illegality of sexual harassment; (ii) the

1 definition of sexual harassment under State law; (iii)
2 a description of sexual harassment, utilizing
3 examples; (iv) the agency's internal complaint process
4 including penalties; (v) the legal recourse,
5 investigative, and complaint process available through
6 the Department and the Commission; (vi) directions on
7 how to contact the Department and Commission; and
8 (vii) protection against retaliation as provided by
9 Section 6-101 of this Act. The policy shall be
10 reviewed annually.

11 (b) Post in a prominent and accessible location
12 and distribute in a manner to assure notice to all
13 agency employees without exception the agency's sexual
14 harassment policy. Such documents may meet, but shall
15 not exceed, the 6th grade literacy level. Distribution
16 shall be effectuated within 90 days of the effective
17 date of this amendatory Act of 1992 and shall occur
18 annually thereafter.

19 (c) Provide training on sexual harassment
20 prevention and the agency's sexual harassment policy
21 as a component of all ongoing or new employee training
22 programs.

23 (6) Notify the Department 30 days before effecting any
24 layoff. Once notice is given, the following shall occur:

25 (a) No layoff may be effective earlier than 10
26 working days after notice to the Department, unless an

1 emergency layoff situation exists.

2 (b) The State executive department, State agency,
3 board, commission, or instrumentality in which the
4 layoffs are to occur must notify each employee
5 targeted for layoff, the employee's union
6 representative (if applicable), and the State
7 Dislocated Worker Unit at the Department of Commerce
8 and Economic Opportunity.

9 (c) The State executive department, State agency,
10 board, commission, or instrumentality in which the
11 layoffs are to occur must conform to applicable
12 collective bargaining agreements.

13 (d) The State executive department, State agency,
14 board, commission, or instrumentality in which the
15 layoffs are to occur should notify each employee
16 targeted for layoff that transitional assistance may
17 be available to him or her under the Economic
18 Dislocation and Worker Adjustment Assistance Act
19 administered by the Department of Commerce and
20 Economic Opportunity. Failure to give such notice
21 shall not invalidate the layoff or postpone its
22 effective date.

23 As used in this subsection (B), "disability" shall be
24 defined in rules promulgated under the Illinois Administrative
25 Procedure Act.

26 (C) Civil Rights Violations. It is a civil rights

1 violation for any public contractor or eligible bidder to:

2 (1) fail to comply with the public contractor's or
3 eligible bidder's duty to refrain from unlawful
4 discrimination and discrimination based on citizenship
5 status in employment under subsection (A)(1) of this
6 Section; or

7 (2) fail to comply with the public contractor's or
8 eligible bidder's duties of affirmative action under
9 subsection (A) of this Section, provided however, that the
10 Department has notified the public contractor or eligible
11 bidder in writing by certified mail that the public
12 contractor or eligible bidder may not be in compliance
13 with affirmative action requirements of subsection (A). A
14 minimum of 60 days to comply with the requirements shall
15 be afforded to the public contractor or eligible bidder
16 before the Department may issue formal notice of
17 non-compliance.

18 (D) As used in this Section:

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

23 (2) "Asian" means a person having origins in any of
24 the original peoples of the Far East, Southeast Asia, or
25 the Indian subcontinent, including, but not limited to,
26 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,

1 the Philippine Islands, Thailand, and Vietnam.

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

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

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

10 (6) "Arab" means a person having origins in any of the
11 original peoples of Saudi Arabia, United Arab Emirates,
12 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
13 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
14 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria.

15 (Source: P.A. 102-362, eff. 1-1-22; 102-465, eff. 1-1-22;
16 102-721, eff. 1-1-23; 102-813, eff. 5-13-22.)

17 Section 120. The Business Corporation Act of 1983 is
18 amended by changing Section 8.12 as follows:

19 (805 ILCS 5/8.12)

20 Sec. 8.12. Female, minority, and LGBTQ directors.

21 (a) Findings and purpose. The General Assembly finds that
22 women, minorities, and LGBTQ people are still largely
23 underrepresented nationally in positions of corporate
24 authority, such as serving as a director on a corporation's

1 board of directors. This low representation could be
2 contributing to the disparity seen in wages made by females
3 and minorities versus their white male counterparts. Increased
4 representation of these individuals as directors on boards of
5 directors for corporations may boost the Illinois economy,
6 improve opportunities for women, minorities, and LGBTQ people
7 in the workplace, and foster an environment in Illinois where
8 the business community is representative of our residents.
9 Therefore, it is the intent of the General Assembly to gather
10 more data and study this issue within the State so that
11 effective policy changes may be implemented to eliminate this
12 disparity.

13 (b) As used in this Section:

14 "Annual report" means the report submitted annually to the
15 Secretary of State pursuant to this Act.

16 "Female" means a person who is a citizen or lawful
17 permanent resident of the United States and who
18 self-identifies as a woman, without regard to the individual's
19 designated sex at birth.

20 "Minority person" means a person who is a citizen or
21 lawful permanent resident of the United States and who is any
22 of the following races or ethnicities:

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

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

6 (3) Black or African American (a person having origins
7 in any of the black racial groups of Africa). Terms such as
8 "Haitian" or "Negro" can be used in addition to "Black" or
9 "African American".

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

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

16 (6) Arab (a person having origins in any of the
17 original peoples of Saudi Arabia, United Arab Emirates,
18 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
19 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
20 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

21 ~~(6)~~ "Publicly held domestic or foreign corporation" means
22 a corporation with outstanding shares listed on a major United
23 States stock exchange.

24 (c) Reporting to the Secretary of State. As soon as
25 practical after August 27, 2019 (the effective date of Public
26 Act 101-589), but no later than January 1, 2021, the following

1 information shall be provided in a corporation's annual report
2 submitted to the Secretary of State under this Act and made
3 available by the Secretary of State to the public online as it
4 is received:

5 (1) Whether the corporation is a publicly held
6 domestic or foreign corporation with its principal
7 executive office located in Illinois.

8 (2) Where the corporation is a publicly held domestic
9 or foreign corporation with its principal executive office
10 located in Illinois, data on specific qualifications,
11 skills, and experience that the corporation considers for
12 its board of directors, nominees for the board of
13 directors, and executive officers.

14 (3) Where the corporation is a publicly held domestic
15 or foreign corporation with its principal executive office
16 located in Illinois, the self-identified gender of each
17 member of its board of directors.

18 (4) Where the corporation is a publicly held domestic
19 or foreign corporation with its principal executive office
20 located in Illinois, whether each member of its board of
21 directors self-identifies as a minority person and, if so,
22 which race or ethnicity to which the member belongs.

23 (5) Where the corporation is a publicly held domestic
24 or foreign corporation with its principal executive office
25 located in Illinois, the self-identified sexual
26 orientation of each member of its board of directors.

1 (6) Where the corporation is a publicly held domestic
2 or foreign corporation with its principal executive office
3 located in Illinois, the self-identified gender identity
4 of each member of its board of directors.

5 (7) Where the corporation is a publicly held domestic
6 or foreign corporation with its principal executive office
7 located in Illinois, a description of the corporation's
8 process for identifying and evaluating nominees for the
9 board of directors, including whether and, if so, how
10 demographic diversity is considered.

11 (8) Where the corporation is a publicly held domestic
12 or foreign corporation with its principal executive office
13 located in Illinois, a description of the corporation's
14 process for identifying and appointing executive officers,
15 including whether and, if so, how demographic diversity is
16 considered.

17 (9) Where the corporation is a publicly held domestic
18 or foreign corporation with its principal executive office
19 located in Illinois, a description of the corporation's
20 policies and practices for promoting diversity, equity,
21 and inclusion among its board of directors and executive
22 officers.

23 Information reported under this subsection shall be
24 updated in each annual report filed with the Secretary of
25 State thereafter.

26 (d) Beginning no later than March 1, 2021, and every March

1 1 thereafter, the University of Illinois Systems shall review
2 the information reported and published under subsection (c)
3 and shall publish on its website a report that provides
4 aggregate data on the demographic characteristics of the
5 boards of directors and executive officers of corporations
6 filing an annual report for the preceding year along with an
7 individualized rating for each corporation. The report shall
8 also identify strategies for promoting diversity and inclusion
9 among boards of directors and corporate executive officers.

10 (e) The University of Illinois System shall establish a
11 rating system assessing the representation of women,
12 minorities, and LGBTQ people on corporate boards of directors
13 of those corporations that are publicly held domestic or
14 foreign corporations with their principal executive office
15 located in Illinois based on the information gathered under
16 this Section. The rating system shall consider, among other
17 things: compliance with the demographic reporting obligations
18 in subsection (c); the corporation's policies and practices
19 for encouraging diversity in recruitment, board membership,
20 and executive appointments; and the demographic diversity of
21 board seats and executive positions.

22 (Source: P.A. 101-589, eff. 8-27-19; 102-223, eff. 1-1-22;
23 102-813, eff. 5-13-22.)