

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-THIRD GENERAL ASSEMBLY**

**119TH LEGISLATIVE DAY**

**TUESDAY, APRIL 27, 2004**

**1:00 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
Daily Journal Index  
119th Legislative Day**

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The House met pursuant to adjournment.

Speaker Madigan in the chair.

Prayer by Reverend J.M. Baldwin, with the Long Branch Baptist Church in Galatia, IL.

Representative Phelps led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

117 present. (ROLL CALL 1)

By unanimous consent, Representative Morrow was excused from attendance.

#### TEMPORARY COMMITTEE ASSIGNMENTS

Representative Dunn replaced Representative Tenhouse in the Committee on Environment & Energy on April 21, 2004.

Representative Coulson replaced Representative Lindner in the Committee on Human Services on April 21, 2004.

Representative Bost replaced Representative Millner in the Committee on Judiciary II - Criminal Law on April 22, 2004.

Representative Schmitz replaced Representative Millner in the Committee on Judiciary II - Criminal Law on April 22, 2004.

Representative Sullivan replaced Representative Hassert in the Committee on IL State Toll Highway Authority on April 23, 2004.

Representative Sullivan replaced Representative Saviano in the Committee on Aging on April 22, 2004.

Representative Rose replaced Representative Schmitz in the Committee on State Government Administration on April 21, 2004.

Representative Bost replaced Representative Brauer in the Committee on State Government Administration on April 21, 2004.

Representative Black replaced Representative Myers in the Committee on Agriculture & Conservation on April 20, 2004.

Representative Pritchard replaced Representative Schmitz in the Committee on Gaming on April 21, 2004.

Representative Eileen Lyons replaced Representative Kosel in the Committee on Financial Institutions on April 20, 2004.

Representative Froehlich replaced Representative Eddy in the Committee on Agriculture & Conservation on April 20, 2004.

#### LETTER OF TRANSMITTAL

April 27, 2004

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Committee Deadline to May 14, 2004 for the following Senate Bills:

**Senate Bills: 1400, 2227, 2238, 2243, 2499, 2517, 2724 and 2982.**

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

April 27, 2004

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Third Reading Deadline to April 30, 2004 for the following House Bills:

**House Bills: 4501 and 5252.**

If you have any questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain

Sincerely yours,  
s/Michael J. Madigan  
Speaker of the House

#### **REPORT FROM THE COMMITTEE ON RULES**

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken earlier today, and reported the same back with the following recommendations:

That the bill be reported "approved for consideration" and be placed on the order of Concurrence: HOUSE BILL 2572.

That the bill be reported "approved for consideration" and be placed on the order of Third Reading-- Short Debate: HOUSE BILL 4501.

That the bill be reported "approved for consideration" and be placed on the order of Second Reading-- Short Debate: HOUSE BILL 5252.

That the Floor Amendment be reported "recommends be adopted":  
Amendment No. 2 to HOUSE BILL 5960.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
4, Yeas; 0, Nays; 0, Answering Present.

Y Currie, Barbara(D), Chairperson  
Y Hannig, Gary(D)  
Y Turner, Arthur(D)

Y Black, William(R)  
A Hassert, Brent(R), Republican Spokesperson

#### **COMMITTEE ON RULES REFERRALS**

Representative Currie, Chairperson of the Committee on Rules, reported the following legislative measures and/or joint action motions have been assigned as follows:

Computer Technology: SENATE BILL 2517.

Consumer Protection: SENATE BILL 3004.  
Elementary & Secondary Education: SENATE BILL 1400.  
Housing & Urban Development: SENATE BILL 2724.  
Judiciary I - Civil Law: SENATE BILLS 2499 and 2982; Motion to Concur with SENATE AMENDMENT No. 1 to HOUSE BILL 2572.  
Judiciary II - Criminal Law: SENATE BILL 2447.  
Registration & Regulation: SENATE BILL 2887.  
State Government Administration: SENATE BILL 2559; HOUSE AMENDMENT No. 1 to SENATE BILL 1914.

**COMMITTEE ON RULES  
REASSIGNMENTS**

Representative Currie, from the Committee on Rules, reassigned the following legislation:  
SENATE BILLS 2227 and 2243 were recalled from the Committee on Executive and reassigned to the Committee on Judiciary II - Criminal Law.  
SENATE BILL 2238 was recalled from the Committee on Executive and reassigned to the Committee on Insurance.

**MOTIONS SUBMITTED**

Representative John Bradley, submitted the following written motion, which was placed on the order of Motions:

**MOTION**

Pursuant to Rule 58(a), I move to discharge the Committee on Judiciary II - Criminal Law - Subcommittee from further consideration of SENATE BILL 2165 and be placed on the Appropriate Order of Business.

**STATE DEBT IMPACT NOTE SUPPLIED**

A State Debt Impact Note has been supplied for SENATE BILL 2339.

**PENSION NOTES SUPPLIED**

Pension Notes have been supplied for HOUSE BILL 5189 and SENATE BILL 2339.

**FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for HOUSE BILL 5789, as amended, SENATE BILLS 2167 and 2339.

**HOUSING AFFORDABILITY IMPACT NOTE SUPPLIED**

A Housing Affordability Impact Note has been supplied for HOUSE BILL 6848, as amended.

**REQUEST FOR FISCAL NOTE**

Representative Black requested that a Fiscal Note be supplied for HOUSE BILL 5960.  
Representative Phelps requested that a Fiscal Note be supplied for HOUSE BILL 5960, as amended.

**CHANGE OF SPONSORSHIP**

Representative Eddy asked and obtained unanimous consent to be removed as chief sponsor and Representative Grunloh asked and obtained unanimous consent to be shown as chief sponsor of HOUSE BILL 6556.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Eileen Lyons asked and obtained unanimous consent to be shown as chief sponsor of SENATE BILL 2227.

Representative Madigan asked and obtained unanimous consent to be removed as chief sponsor and Representative Richard Bradley asked and obtained unanimous consent to be shown as chief sponsor of SENATE BILL 3200.

### **INTRODUCTION AND FIRST READING OF BILL**

The following bill was introduced, read by title a first time, ordered printed and placed in the Committee on Rules:

HOUSE BILL 7294. Introduced by Representative Davis, William, AN ACT concerning taxes.

### **SENATE BILLS ON FIRST READING**

Having been printed, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 948, 2409 and 2724.

### **AGREED RESOLUTIONS**

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

#### **HOUSE RESOLUTION 831**

Offered by Representative Krause:

WHEREAS, The members of the Illinois House of Representatives wish to recognize Nelson Westerberg, Inc. which will be celebrating its 100th Anniversary in September 2004; and

WHEREAS, Nelson Westerberg, Inc. is a relocation company located in Elk Grove Village on Arthur Avenue; Fred Nelson and Oscar Westerberg started a delivering service in 1904 delivering ice and coal to families and businesses in Chicago using horses and wagons; soon the moving needs of families extended to moving their household goods; in 1960, Nelson Westerberg signed on as Atlas Van Lines interstate Agency; and

WHEREAS, The Company was established in 1904 and is owned and operated by the fourth generation of the Westerberg family; John Westerberg the grandson of the company's founder is the current CEO; and

WHEREAS, In 1962, the corporation began to establish national account relationships; Nelson Westerberg opened offices in New Jersey/New York in 1972 and in Dallas, Texas in 1984; they expanded to Atlanta, Georgia in 1987; and in 1995, the corporation celebrated the national partners that have been customers for 25 years, which established the Quarter Century Partner Program; and

WHEREAS, Nelson Westerberg is one of the largest, more experienced quality providers of relocation, transportation, and logistics management in the United States; and

WHEREAS, Since its establishment in 1904, Nelson Westerberg has expanded its scope to become a top professional leader in the corporate and relocation business, numbering many Fortune 500 Companies as clients; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize and congratulate Nelson Westerberg, Inc. on celebrating its 100th anniversary of service to the citizens of Illinois and beyond; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the current CEO of Nelson Westerberg, Inc., John Westerberg, as a token of our respect.

HOUSE RESOLUTION 834

Offered by Representative Capparelli:

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to congratulate Dominic Mancuso of Chicago on being the recipient of the 33rd annual Dante Award given by the Joint Civic Committee of Italian Americans; and

WHEREAS, Mr. Mancuso is the station manager at WGN-TV (Channel 9), Chicago, where he is responsible for programming, production, creative services, sales, and research; he was promoted to station manager in October of 2002, having previously served as director of sales for WGN-TV; he joined the station in 1987 as an account executive and was appointed regional sales manager in 1989, national sales manager in 1992, and local sales manager in 1993; and

WHEREAS, Prior to his career at WGN-TV, Mr. Mancuso held account executive positions with Blair Television and Group W Satellite Communications; and

WHEREAS, Dominic Mancuso was born on September 6, 1958, in Joliet; he has fond memories of working during his youth at Mancuso Cheese Company, the family business; he earned a bachelor's degree in business administration from Notre Dame University with a major in marketing; he also holds a master's degree in business administration from Northwestern University's Kellogg School of Management; and

WHEREAS, Mr. Mancuso is a member of the Broadcast Advertising Club of Chicago and a past 3-term member of the group's board of directors; currently, he serves as vice chairman/television of the Illinois Broadcasters Association; in addition, he serves as vice president and Policy Committee chairman of the St. Clement Parish School Board in Chicago; and

WHEREAS, Mr. Mancuso and his wife, Teresa, live in Chicago; they have 3 children, Kadi, Francesca Rose, and Vincent; and

WHEREAS, The Dante Award is given by the Joint Civic Committee of Italian Americans in order to recognize positive contributions being made by a person in the communication field who helps foster the true image of Italian people; it is given annually to a member of the fourth estate who best exemplifies Dante's edict to be no timid friend to truth; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Dominic Mancuso on being the recipient of the 33rd annual Dante Award; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Dominic Mancuso as an expression of our respect and esteem.

HOUSE RESOLUTION 835

Offered by Representative William Davis:

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of Evans Royce Miller on April 17, 2004; and

WHEREAS, Mr. Miller was born on May 5, 1932, in Bowling Green, Kentucky, to Alice Hines Miller and Minor Townsend; he graduated from State Street High School in Bowling Green, Kentucky, in 1950; he played basketball and pool during school and enjoyed listening to the blues; he also developed an interest in politics after working in a Kentucky election; and

WHEREAS, Mr. Miller graduated from Eulon Barber College in 1951 and enlisted in the United States Air Force; he valiantly served his country in the Korean War as an Airman First Class, until he was honorably discharged in 1955; and

WHEREAS, He married Thelma Jo Waller on March 23, 1957; the couple moved to Chicago shortly after they were married; the family later moved to Markham in 1962, where he joined Christ Temple Community Baptist Church and began employment with the City of Markham in the Public Works Department; and

WHEREAS, Mr. Miller was active in numerous civic and civil rights organizations, including the Cub and Boy Scouts, Little League baseball, Markham Park District, Operation PUSH (formerly Operation Breadbasket), NAACP South Suburban Branch, National Urban League, School District 152 PTA, American Legion Post 828, and many others; and

WHEREAS, Because Mr. Miller was active in his community and believed he could make a difference, he ran for political office and was elected Alderman of Ward 1 in 1971 and 1975; in 1973, he became the president of the Markham Roller Rink, Inc., a position he held until he departed this life; his business has served as "the place" for recreation in metropolitan Chicago; and

WHEREAS, In April of 1985, Mr. Miller was elected mayor of the City of Markham; he was subsequently re-elected in 1989, 1993, and 1997; under his leadership, Markham grew and prospered; he worked tirelessly to make Markham a great city; and

WHEREAS, The passing of Evans Royce Miller has been deeply felt by many, especially his wife, Thelma; his son, Steven R. (Stephanie J.) Miller; his daughter, Sheila A. (Steve) Baker; his grandchildren, Stacie D. Miller, Simone E. Miller, Cameron J. Ellison, and Kellie N. Baker; his twin sister, Eva J. (Jack) Withrow; his brothers, Otha D. (Virginia) Miller, Percy (Inez) Miller, and Cecil (Maude) Miller; his sisters-in-law, Sarah Waller, Jean (Albert) Waller, and Johnnie Mae (James) Waller; and his many nieces, nephews, and wonderful friends; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Evans Royce Miller, and we extend our deepest sympathy to his friends, family, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Evans Royce Miller as an expression of our sincere condolences.

#### HOUSE RESOLUTION 836

Offered by Representatives Munson and Parke:

WHEREAS, The members of the Illinois House of Representatives wish to recognize Elgin High School Teacher, Deborah Perryman, on receiving the Illinois Teacher of the Year award on April 17, 2004; and

WHEREAS, Ms. Perryman is a biology and environmental science teacher from Elgin High School, where she has taught since 1994; and

WHEREAS, Ms. Perryman received a bachelor's degree from Western Michigan University and a master's degree from Aurora University; and

WHEREAS, Ms. Perryman's School District, U-46, is the second largest district in Illinois, serving over 39,000 students in all grade levels from 11 communities in Chicago's northwest suburbs; because of their size, the district offers the most comprehensive K-12 educational opportunities available in the Fox Valley area; and

WHEREAS, After learning that storm-water isn't treated before entering creeks, rivers, and lakes, Ms. Perryman's students initiated a class project that marked 3,800 storm drains in the Polar Creek watershed with warning signs against dumping waste in the drains; the initiative was copied and continued by the Conservation Foundation; in addition, Ms. Perryman and her students transformed 35 acres of vacant high school property into the Elgin High School Nature Trail; and

WHEREAS, She was chosen from a pool of 300 nominees and 12 finalists; as part of the award, she will spend the 2004 fall semester speaking at workshops, an educational conference, and community meetings; in addition, she will represent Illinois at the NASA Space Camp in Huntsville, Alabama, and in the National Teacher of the Year program; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Deborah Perryman on receiving the Illinois Teacher of the Year Award and wish her the best for the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Deborah Perryman as an expression of our respect and esteem.

#### HOUSE RESOLUTION 837

Offered by Representative Saviano:

WHEREAS, The members of the Illinois House of Representatives wish to recognize John and Jennie Roch on the occasion of their 50th wedding anniversary; and

WHEREAS, John Paul Roch was born on June 16, 1925 to Karol and Frances Roch in Chicago; he is the

brother of Anne, Genevieve, and Josephine (deceased); and is a beloved uncle, godfather, brother-in-law, and friend to many; and

WHEREAS, Jennie VIRRUSO was born July 15, 1921 to Joseph and Serafina VIRRUSO in Nebraska; she is sister to Joseph (deceased), Dorothy, Sotto, Mary, Dominick (deceased), and Christopher; and is a beloved aunt, godmother, sister-in-law, and friend to many; and

WHEREAS, John served in the Army during World War II and was honorably discharged; after the war, he returned to his position with Zenith Radio Corporation; and

WHEREAS, It was at this time that he met Jennie VIRRUSO who also worked at Zenith Radio Corporation; they courted, dated, and after some time decided to marry; and

WHEREAS, On May 8, 1954, John Roch and Jennie VIRRUSO became Mr. and Mrs. John Roch; they were married at St. Stanislaus B&M Church attended by Geraldine A. Czyscon (Smentek) and Dominick VIRRUSO (deceased); and

WHEREAS, John and Jennie Roch are longtime residents of the Cragin-Hanson area, attending St. Stanislaus Bishop and Martyr Parish and participating in various community activities; and

WHEREAS, After John's retirement from Zenith Radio Corporation, they sold their home in Chicago and purchased a condominium in Elmwood Park, where they have resided for the past 14 years; and

WHEREAS, John and Jennie are active members of various senior groups, including Cragin Hanson Seniors, the St. Genevieve Friendship Club, and the St. William Senior Club; in addition, John is a member of St. Stanislaus B&M Holy Name Society; and

WHEREAS, John and Jennie are involved in many activities including travel and other social events; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate John and Jennie Roch on their 50th wedding anniversary and wish them good health, happiness, and a continued long and enriched life; and be it further

RESOLVED, That a suitable copy of this resolution be presented to John and Jennie Roch as an token of our respect and esteem.

### **RESOLUTION**

Having been reported out of the Committee on Rules on April 21, 2004, HOUSE RESOLUTION 791 was taken up for consideration.

Representative Cross moved the adoption of the resolution.

The motion prevailed and the Resolution was adopted.

### **HOUSE BILL ON SECOND READING**

Having been printed, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 5189.

### **SENATE BILL ON SECOND READING**

HOUSE BILL 2329. Having been read by title a second time on April 22, 2004, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

### **SENATE BILL ON THIRD READING**

The following bill and any amendments adopted thereto was printed and laid upon the Members' desks. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Hamos, SENATE BILL 2329 was taken up and read by title a third time. And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 116, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 2)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate.

### SENATE BILLS ON SECOND READING

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 1550, 2115, 2124, 2134, 2135, 2151, 2156, 2167, 2171, 2272 and 2273.

SENATE BILL 2320. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment & Energy, adopted and printed:

AMENDMENT NO.   1  . Amend Senate Bill 2320 on page 1, line 25, by replacing "or wind" with "wind, or biomass".

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 2327. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation & Motor Vehicles, adopted and printed:

AMENDMENT NO.   1  . Amend Senate Bill 2327 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 15-301 and 15-308 as follows:

(625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

Sec. 15-301. Permits for excess size and weight.

(a) The Department with respect to highways under its jurisdiction and local authorities with respect to highways under their jurisdiction may, in their discretion, upon application and good cause being shown therefor, issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this Act or otherwise not in conformity with this Act upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which the party is responsible. Applications and permits other than those in written or printed form may only be accepted from and issued to the company or individual making the movement. Except for an application to move directly across a highway, it shall be the duty of the applicant to establish in the application that the load to be moved by such vehicle or combination is composed of a single nondivisible object that cannot reasonably be dismantled or disassembled. For the purpose of over length movements, more than one object may be carried side by side as long as the height, width, and weight laws are not exceeded and the cause for the over length is not due to multiple objects. For the purpose of over height movements, more than one object may be carried as long as the cause for the over height is not due to multiple objects and the length, width, and weight laws are not exceeded. For the purpose of an over width movement, more than one object may be carried as long as the cause for the over width is not due to multiple objects and length, height, and weight laws are not exceeded. No state or local agency shall authorize the issuance of excess size or weight permits for vehicles and loads that are divisible and that can be carried, when divided, within the existing size or weight maximums specified in this Chapter. Any excess size or weight permit issued in violation of the provisions of this Section shall be void at issue and any movement made thereunder shall not be authorized under the terms of the void permit. In any prosecution for a violation of this Chapter when the authorization of an excess size or weight permit is at issue, it is the burden of the defendant to establish that the permit was valid because the load to be moved could not reasonably be dismantled or disassembled, or was otherwise nondivisible.

(b) The application for any such permit shall: (1) state whether such permit is requested for a single trip

or for limited continuous operation; (2) state if the applicant is an authorized carrier under the Illinois Motor Carrier of Property Law, if so, his certificate, registration or permit number issued by the Illinois Commerce Commission; (3) specifically describe and identify the vehicle or vehicles and load to be operated or moved except that for vehicles or vehicle combinations registered by the Department as provided in Section 15-319 of this Chapter, only the Illinois Department of Transportation's (IDT) registration number or classification need be given; (4) state the routing requested including the points of origin and destination, and may identify and include a request for routing to the nearest certified scale in accordance with the Department's rules and regulations, provided the applicant has approval to travel on local roads; and (5) state if the vehicles or loads are being transported for hire. No permits for the movement of a vehicle or load for hire shall be issued to any applicant who is required under the Illinois Motor Carrier of Property Law to have a certificate, registration or permit and does not have such certificate, registration or permit.

(c) The Department or local authority when not inconsistent with traffic safety is authorized to issue or withhold such permit at its discretion; or, if such permit is issued at its discretion to prescribe the route or routes to be traveled, to limit the number of trips, to establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated, or otherwise to limit or prescribe conditions of operations of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure. The Department shall maintain a daily record of each permit issued along with the fee and the stipulated dimensions, weights, conditions and restrictions authorized and this record shall be presumed correct in any case of questions or dispute. The Department shall install an automatic device for recording applications received and permits issued by telephone. In making application by telephone, the Department and applicant waive all objections to the recording of the conversation.

(d) The Department shall, upon application in writing from any local authority, issue an annual permit authorizing the local authority to move oversize highway construction, transportation, utility and maintenance equipment over roads under the jurisdiction of the Department. The permit shall be applicable only to equipment and vehicles owned by or registered in the name of the local authority, and no fee shall be charged for the issuance of such permits.

(e) As an exception to paragraph (a) of this Section, the Department and local authorities, with respect to highways under their respective jurisdictions, in their discretion and upon application in writing may issue a special permit for limited continuous operation, authorizing the applicant to move loads of agricultural commodities sweet corn, soybeans, corn, wheat, milo, other small grains and ensilage during the harvest season only on a 2 axle single vehicle registered by the Secretary of State with axle loads not to exceed 35% , on a 3 or 4 axle vehicle registered by the Secretary of State with axle loads not to exceed 20%, and on a 5 axle vehicle registered by the Secretary of State not to exceed 10% above those provided in Section 15-111. The total gross weight of the vehicle, however, may not exceed the maximum gross weight of the registration class of the vehicle allowed under Section 3-815 or 3-818 of this Code.

As used in this Section, "agricultural commodities" means:

(1) cultivated plants or agricultural produce grown including, but is not limited to, corn, soybeans, wheat, oats, grain sorghum, canola, and rice;

(2) livestock, including but not limited to hogs, equine, sheep, and poultry;

(3) ensilage; and

(4) fruits and vegetables.

Permits may be issued for a period not to exceed 40 days and moves may be made of a distance not to exceed 50 25 miles from a field , an on-farm grain storage facility, a warehouse as defined in the Illinois Grain Code, or a livestock management facility as defined in the Livestock Management Facilities Act to a specified processing plant over any highway except the National System of Interstate and Defense Highways. The operator of the vehicle, however, must abide by posted bridge and posted highway weight limits. All implements of husbandry operating under this Section between sunset and sunrise shall be equipped as prescribed in Section 12-205.1. All such vehicles shall be operated in the daytime except when weather or crop conditions require emergency operation at night, but with respect to such night operation, every such vehicle with load shall be equipped with flashing amber lights as specified under Section 12-215.

(e-1) Upon a declaration by the Governor that an emergency harvest situation exists, a special permit issued by the Department under this Section shall not be required from September 1 through December 31 during harvest season emergencies, provided that the weight does not exceed 20% above the limits

provided in Section 15-111. All other restrictions that apply to permits issued under this Section shall apply during the declared time period. With respect to highways under the jurisdiction of local authorities, the local authorities may, at their discretion, waive special permit requirements during harvest season emergencies. This permit exemption shall apply to all vehicles eligible to obtain permits under this Section, including commercial vehicles in use during the declared time period.

(f) The form and content of the permit shall be determined by the Department with respect to highways under its jurisdiction and by local authorities with respect to highways under their jurisdiction. Every permit shall be in written form and carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit and no person shall violate any of the terms or conditions of such special permit. Violation of the terms and conditions of the permit shall not be deemed a revocation of the permit; however, any vehicle and load found to be off the route prescribed in the permit shall be held to be operating without a permit. Any off route vehicle and load shall be required to obtain a new permit or permits, as necessary, to authorize the movement back onto the original permit routing. No rule or regulation, nor anything herein shall be construed to authorize any police officer, court, or authorized agent of any authority granting the permit to remove the permit from the possession of the permittee unless the permittee is charged with a fraudulent permit violation as provided in paragraph (i). However, upon arrest for an offense of violation of permit, operating without a permit when the vehicle is off route, or any size or weight offense under this Chapter when the permittee plans to raise the issuance of the permit as a defense, the permittee, or his agent, must produce the permit at any court hearing concerning the alleged offense.

If the permit designates and includes a routing to a certified scale, the permittee, while enroute to the designated scale, shall be deemed in compliance with the weight provisions of the permit provided the axle or gross weights do not exceed any of the permitted limits by more than the following amounts:

|             |             |
|-------------|-------------|
| Single axle | 2000 pounds |
| Tandem axle | 3000 pounds |
| Gross       | 5000 pounds |

(g) The Department is authorized to adopt, amend, and to make available to interested persons a policy concerning reasonable rules, limitations and conditions or provisions of operation upon highways under its jurisdiction in addition to those contained in this Section for the movement by special permit of vehicles, combinations, or loads which cannot reasonably be dismantled or disassembled, including manufactured and modular home sections and portions thereof. All rules, limitations and conditions or provisions adopted in the policy shall have due regard for the safety of the traveling public and the protection of the highway system and shall have been promulgated in conformity with the provisions of the Illinois Administrative Procedure Act. The requirements of the policy for flagmen and escort vehicles shall be the same for all moves of comparable size and weight. When escort vehicles are required, they shall meet the following requirements:

- (1) All operators shall be 18 years of age or over and properly licensed to operate the vehicle.
- (2) Vehicles escorting oversized loads more than 12-feet wide must be equipped with a rotating or flashing amber light mounted on top as specified under Section 12-215.

The Department shall establish reasonable rules and regulations regarding liability insurance or self insurance for vehicles with oversized loads promulgated under The Illinois Administrative Procedure Act. Police vehicles may be required for escort under circumstances as required by rules and regulations of the Department.

(h) Violation of any rule, limitation or condition or provision of any permit issued in accordance with the provisions of this Section shall not render the entire permit null and void but the violator shall be deemed guilty of violation of permit and guilty of exceeding any size, weight or load limitations in excess of those authorized by the permit. The prescribed route or routes on the permit are not mere rules, limitations, conditions, or provisions of the permit, but are also the sole extent of the authorization granted by the permit. If a vehicle and load are found to be off the route or routes prescribed by any permit authorizing movement, the vehicle and load are operating without a permit. Any off route movement shall be subject to the size and weight maximums, under the applicable provisions of this Chapter, as determined by the type or class highway upon which the vehicle and load are being operated.

(i) Whenever any vehicle is operated or movement made under a fraudulent permit the permit shall be void, and the person, firm, or corporation to whom such permit was granted, the driver of such vehicle in addition to the person who issued such permit and any accessory, shall be guilty of fraud and either one or all persons may be prosecuted for such violation. Any person, firm, or corporation committing such

violation shall be guilty of a Class 4 felony and the Department shall not issue permits to the person, firm or corporation convicted of such violation for a period of one year after the date of conviction. Penalties for violations of this Section shall be in addition to any penalties imposed for violation of other Sections of this Act.

(j) Whenever any vehicle is operated or movement made in violation of a permit issued in accordance with this Section, the person to whom such permit was granted, or the driver of such vehicle, is guilty of such violation and either, but not both, persons may be prosecuted for such violation as stated in this subsection (j). Any person, firm or corporation convicted of such violation shall be guilty of a petty offense and shall be fined for the first offense, not less than \$50 nor more than \$200 and, for the second offense by the same person, firm or corporation within a period of one year, not less than \$200 nor more than \$300 and, for the third offense by the same person, firm or corporation within a period of one year after the date of the first offense, not less than \$300 nor more than \$500 and the Department shall not issue permits to the person, firm or corporation convicted of a third offense during a period of one year after the date of conviction for such third offense.

(k) Whenever any vehicle is operated on local roads under permits for excess width or length issued by local authorities, such vehicle may be moved upon a State highway for a distance not to exceed one-half mile without a permit for the purpose of crossing the State highway.

(l) Notwithstanding any other provision of this Section, the Department, with respect to highways under its jurisdiction, and local authorities, with respect to highways under their jurisdiction, may at their discretion authorize the movement of a vehicle in violation of any size or weight requirement, or both, that would not ordinarily be eligible for a permit, when there is a showing of extreme necessity that the vehicle and load should be moved without unnecessary delay.

For the purpose of this subsection, showing of extreme necessity shall be limited to the following: shipments of livestock, hazardous materials, liquid concrete being hauled in a mobile cement mixer, or hot asphalt.

(m) Penalties for violations of this Section shall be in addition to any penalties imposed for violating any other Section of this Code.

(n) The Department with respect to highways under its jurisdiction and local authorities with respect to highways under their jurisdiction, in their discretion and upon application in writing, may issue a special permit for continuous limited operation, authorizing the applicant to operate a tow-truck that exceeds the weight limits provided for in subsection (d) of Section 15-111, provided:

(1) no rear single axle of the tow-truck exceeds 26,000 pounds;

(2) no rear tandem axle of the tow-truck exceeds 50,000 pounds;

(3) neither the disabled vehicle nor the disabled combination of vehicles exceed the weight restrictions imposed by this Chapter 15, or the weight limits imposed under a permit issued by the Department prior to hookup;

(4) the tow-truck prior to hookup does not exceed the weight restrictions imposed by this Chapter 15;

(5) during the tow operation the tow-truck does not violate any weight restriction sign;

(6) the tow-truck is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(7) the tow-truck is specifically designed and licensed as a tow-truck;

(8) the tow-truck has a gross vehicle weight rating of sufficient capacity to safely handle the load;

(9) the tow-truck is equipped with air brakes;

(10) the tow-truck is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles;

(11) the tow distance of the tow does not exceed 50 miles from the point of disablement to a place of repair or safekeeping;

(12) the permit issued to the tow-truck is carried in the tow-truck and exhibited on demand by a police officer; and

(13) the movement shall be valid only on state routes approved by the Department.

(Source: P.A. 90-89, eff. 1-1-98; 90-228, eff. 7-25-97; 90-655, eff. 7-30-98; 90-676, eff. 7-31-98; 91-569, eff. 1-1-00.)

(625 ILCS 5/15-308) (from Ch. 95 1/2, par. 15-308)

Sec. 15-308. Fees for overweight trucks hauling agricultural commodities ~~Overweight Trucks Hauling Sweet Corn.~~

Fees for special permits for ~~increased two axle loads truck with gross axle load not to exceed 35 percent in excess of the legal axle load~~ to be used for hauling agricultural commodities, as defined in subsection (e) of Section 15-301 sweet corn and ensilage, for a period of 40 days only during harvest season; limited continuous operation permit only, \$5 per axle \$10.  
(Source: P.A. 76-1586.)

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

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2337, 2378, 2395, 2444, 2457, 2460, 2480, 2491, 2526, 2530, 2545, 2546 and 2583.

SENATE BILL 2607. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary II - Criminal Law, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2607 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 3-14-2 as follows:  
(730 ILCS 5/3-14-2) (from Ch. 38, par. 1003-14-2)

Sec. 3-14-2. Supervision on Parole, Mandatory Supervised Release and Release by Statute.

(a) The Department shall retain custody of all persons placed on parole or mandatory supervised release or released pursuant to Section 3-3-10 of this Code and shall supervise such persons during their parole or release period in accord with the conditions set by the Prisoner Review Board. Such conditions shall include referral to an alcohol or drug abuse treatment program, as appropriate, if such person has previously been identified as having an alcohol or drug abuse problem. Such conditions may include that the person use an approved electronic monitoring device subject to Article 8A of Chapter V.

(b) The Department shall assign personnel to assist persons eligible for parole in preparing a parole plan. Such Department personnel shall make a report of their efforts and findings to the Prisoner Review Board prior to its consideration of the case of such eligible person.

(c) A copy of the conditions of his parole or release shall be signed by the parolee or releasee and given to him and to his supervising officer who shall report on his progress under the rules and regulations of the Prisoner Review Board. The supervising officer shall report violations to the Prisoner Review Board and shall have the full power of peace officers in the arrest and retaking of any parolees or releasees or the officer may request the Department to issue a warrant for the arrest of any parolee or releasee who has allegedly violated his parole or release conditions. If the parolee or releasee commits an act that constitutes a felony using a firearm or knife, or, if applicable, fails to comply with the requirements of the Sex Offender Registration Act, the officer shall request the Department to issue a warrant and the Department shall issue the warrant and the officer or the Department shall file a violation report with notice of charges with the Prisoner Review Board. A sheriff or other peace officer may detain an alleged parole or release violator until a warrant for his return to the Department can be issued. The parolee or releasee may be delivered to any secure place until he can be transported to the Department.

(d) The supervising officer shall regularly advise and consult with the parolee or releasee, assist him in adjusting to community life, inform him of the restoration of his rights on successful completion of sentence under Section 5-5-5.

(e) Supervising officers shall receive specialized training in the special needs of female releasees or parolees including the family reunification process.

(f) The supervising officer shall keep such records as the Prisoner Review Board or Department may require. All records shall be entered in the master file of the individual.

(Source: P.A. 86-661; 86-1281; 87-855.)

Section 10. The Sex Offender Registration Act is amended by changing Sections 2, 3, 7, 8, 8-5, 10, and 11 as follows:

(730 ILCS 150/2) (from Ch. 38, par. 222)

## Sec. 2. Definitions.

(A) As used in this Article, "sex offender" means any person who is:

(1) charged pursuant to Illinois law, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, with a sex offense set forth in subsection (B) of this Section or the attempt to commit an included sex offense, and:

(a) is convicted of such offense or an attempt to commit such offense; or

(b) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(c) is found not guilty by reason of insanity pursuant to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(d) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(e) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(f) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(2) certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(3) subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) adjudicated a juvenile delinquent as the result of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, or found guilty under Article V of the Juvenile Court Act of 1987 of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Article as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Article.

For purposes of this Section, "convicted" shall have the same meaning as "adjudicated".

(B) As used in this Article, "sex offense" means:

(1) A violation of any of the following Sections of the Criminal Code of 1961:

11-20.1 (child pornography),

11-6 (indecent solicitation of a child),

11-9.1 (sexual exploitation of a child),

11-15.1 (soliciting for a juvenile prostitute),

11-18.1 (patronizing a juvenile prostitute),

11-17.1 (keeping a place of juvenile prostitution),

11-19.1 (juvenile pimping),

11-19.2 (exploitation of a child),

12-13 (criminal sexual assault),

12-14 (aggravated criminal sexual assault),

12-14.1 (predatory criminal sexual assault of a child),

12-15 (criminal sexual abuse),

12-16 (aggravated criminal sexual abuse),

12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

(1.5) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, and the offense was committed on or after January 1, 1996:

- 10-1 (kidnapping),
  - 10-2 (aggravated kidnapping),
  - 10-3 (unlawful restraint),
  - 10-3.1 (aggravated unlawful restraint).
- An attempt to commit any of these offenses.

(1.6) First degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age, the defendant was at least 17 years of age at the time of the commission of the offense, and the offense was committed on or after June 1, 1996.

(1.7) (Blank).

(1.8) A violation or attempted violation of Section 11-11 (sexual relations within families) of the Criminal Code of 1961, and the offense was committed on or after June 1, 1997.

(1.9) Child abduction under paragraph (10) of subsection (b) of Section 10-5 of the Criminal Code of 1961 committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than a lawful purpose and the offense was committed on or after January 1, 1998.

(1.10) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after July 1, 1999:

- 10-4 (forcible detention, if the victim is under 18 years of age),
- 11-6.5 (indecent solicitation of an adult),
- 11-15 (soliciting for a prostitute, if the victim is under 18 years of age),
- 11-16 (pandering, if the victim is under 18 years of age),
- 11-18 (patronizing a prostitute, if the victim is under 18 years of age),
- 11-19 (pimping, if the victim is under 18 years of age).

(1.11) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 when the offense was committed on or after the effective date of this amendatory Act of the 92nd General Assembly:

- 11-9 (public indecency for a third or subsequent conviction),
- 11-9.2 (custodial sexual misconduct).

(1.12) A violation or attempted violation of Section 5.1 of the Wrongs to Children Act (permitting sexual abuse) when the offense was committed on or after the effective date of this amendatory Act of the 92nd General Assembly.

(2) A violation of any former law of this State substantially equivalent to any offense listed in subsection (B) of this Section.

(C) A conviction for an offense of federal law, Uniform Code of Military Justice, or the law of another state or a foreign country that is substantially equivalent to any offense listed in subsections (B), (C), and (E) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person or a sexually violent person under any federal law, Uniform Code of Military Justice, or the law of another state or foreign country that is substantially equivalent to the Sexually Dangerous Persons Act or the Sexually Violent Persons Commitment Act shall constitute an adjudication for the purposes of this Article.

(C-5) A person at least 17 years of age at the time of the commission of the offense who is convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, committed on or after June 1, 1996 against a person under 18 years of age, shall be required to register for natural life. A conviction for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (C-5) of this Section shall constitute a conviction for the purpose of this Article.

(D) As used in this Article, "law enforcement agency having jurisdiction" means the Chief of Police in each of the municipalities in which the sex offender expects to reside, work, or attend school (1) upon his or her discharge, parole or release or (2) during the service of his or her sentence of probation or conditional discharge, or the Sheriff of the county, in the event no Police Chief exists or if the offender intends to reside, work, or attend school in an unincorporated area. "Law enforcement agency having jurisdiction" includes the location where out-of-state students attend school and where out-of-state employees are employed or are otherwise required to register.

(D-1) As used in this Article, "supervising officer" means the assigned Illinois Department of

Corrections parole agent or county probation officer.

(E) As used in this Article, "sexual predator" means any person who, after July 1, 1999, is:

(1) Convicted for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (E) of this Section shall constitute a conviction for the purpose of this Article. Convicted of a violation or attempted violation of any of the following Sections of the Criminal Code of 1961, if the conviction occurred after July 1, 1999:

- 11-17.1 (keeping a place of juvenile prostitution),
- 11-19.1 (juvenile pimping),
- 11-19.2 (exploitation of a child),
- 11-20.1 (child pornography),
- 12-13 (criminal sexual assault, if the victim is a person under 12 years of age),
- 12-14 (aggravated criminal sexual assault),
- 12-14.1 (predatory criminal sexual assault of a child),
- 12-16 (aggravated criminal sexual abuse),
- 12-33 (ritualized abuse of a child); or

(2) convicted of first degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense; or

(3) certified as a sexually dangerous person pursuant to the Sexually Dangerous Persons Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) convicted of a second or subsequent offense which requires registration pursuant to this Act. The conviction for the second or subsequent offense must have occurred after July 1, 1999. For purposes of this paragraph (5), "convicted" shall include a conviction under any substantially similar Illinois, federal, Uniform Code of Military Justice, sister state, or foreign country law.

(F) As used in this Article, "out-of-state student" means any sex offender, as defined in this Section, or sexual predator who is enrolled in Illinois, on a full-time or part-time basis, in any public or private educational institution, including, but not limited to, any secondary school, trade or professional institution, or institution of higher learning.

(G) As used in this Article, "out-of-state employee" means any sex offender, as defined in this Section, or sexual predator who works in Illinois, regardless of whether the individual receives payment for services performed, for a period of time of 10 or more days or for an aggregate period of time of 30 or more days during any calendar year. Persons who operate motor vehicles in the State accrue one day of employment time for any portion of a day spent in Illinois.

(H) As used in this Article, "school" means a public or private elementary or secondary school.

(Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

(730 ILCS 150/3) (from Ch. 38, par. 223)

Sec. 3. Duty to register.

(a) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, ~~and school~~ and institution of higher education attended. The sex offender or sexual predator shall register:

(1) with the chief of police in ~~each of the~~ municipality ~~municipalities~~ in which he or she ~~attends school, is employed,~~ resides or is temporarily

domiciled for a period of time of 10 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in ~~each of the~~ county ~~counties~~ in which he or she ~~attends school, is employed,~~ resides or is temporarily domiciled for a period of time of 10 or more days

in an unincorporated area or, if incorporated, no police chief exists.

If the sex offender or sexual predator is employed at or attends an institution of higher education, he or she shall register:

(i) with the chief of police in the municipality in which he or she is employed at or attends an

institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(ii) with the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 10 or more days during any calendar year.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within 10 days after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school, institution of higher education attended, and address in state of residence. The out-of-state student or out-of-state employee shall register:

(1) with the chief of police in ~~each of the~~ municipality ~~municipalities~~ in which he or she attends school or is employed

for a period of time of 10 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in ~~each of the~~ county ~~counties~~ in which he or she attends school or is employed for a

period of time of 10 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists.

If the out-of-state student or out-of-state employee is employed at or attends an institution of higher education, he or she shall register:

(i) with the chief of police in the municipality in which he or she attends or is employed at an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(ii) with the sheriff in the county in which he or she attends or is employed at an institution of higher education located in an unincorporated area or, if incorporated, no police chief exists.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance, attendance at an institution of higher education, or the out-of-state employee's current place of employment.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within 10 days of beginning school, attendance at an institution of higher education, or establishing a residence, place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

(c) The registration for any person required to register under this Article shall be as follows:

(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection (c)(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.5) Except as provided in subsection (c)(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within 10 days of notification of his or her requirement to register. If notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection (c)(4), any person convicted on or after January 1, 1996, shall register in person within 10 days after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1, 1996,

shall register in person within 10 days of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a \$20 initial registration fee and a \$10 annual renewal fee.

The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee. Ten dollars for the initial registration fee and \$5 of the annual renewal fee shall be used by the registering agency for official purposes. Ten dollars of the initial registration fee and \$5 of the annual fee shall be deposited into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used to fund practices endorsed or required by the Sex Offender Management Board Act including but not limited to sex offenders evaluation, treatment, or monitoring programs that are or may be developed, as well as for administrative costs, including staff, incurred by the Board.

(d) Within 10 days after obtaining or changing employment and, if employed on January 1, 2000, within 10 days after that date, a person required to register under this Section must report, in person or in writing to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

(Source: P.A. 92-828, eff. 8-22-02; 93-616, eff. 1-1-04.)

(730 ILCS 150/7) (from Ch. 38, par. 227)

Sec. 7. Duration of registration. A person who has been adjudicated to be sexually dangerous and is later released or found to be no longer sexually dangerous and discharged, shall register for the period of his or her natural life. A sexually violent person or sexual predator shall register for the period of his or her natural life after conviction or adjudication if not confined to a penal institution, hospital, or other institution or facility, and if confined, for the period of his or her natural life after parole, discharge, or release from any such facility. Any other person who is required to register under this Article shall be required to register for a period of 10 years after conviction or adjudication if not confined to a penal institution, hospital or any other institution or facility, and if confined, for a period of 10 years after parole, discharge or release from any such facility. A sex offender who is allowed to leave a county, State, or federal facility for the purposes of work release, education, or overnight visitations shall be required to register within 10 days of beginning such a program. Liability for registration terminates at the expiration of 10 years from the date of conviction or adjudication if not confined to a penal institution, hospital or any other institution or facility and if confined, at the expiration of 10 years from the date of parole, discharge or release from any such facility, providing such person does not, during that period, again become liable to register under the provisions of this Article. Reconfinement due to a violation of parole or other circumstances that relates to the original conviction or adjudication shall extend the period of registration to 10 years after final parole, discharge, or release. The Director of State Police, consistent with administrative rules, shall extend for 10 years the registration period of any sex offender, as defined in Section 2 of this Act, who fails to comply with the provisions of this Article. The registration period for any sex offender who fails to comply with any provision of the Act shall extend the period of registration by 10 years beginning from the first date of registration after the violation.

(Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

(730 ILCS 150/8) (from Ch. 38, par. 228)

Sec. 8. Registration Requirements. Registration as required by this Article shall consist of a statement in writing signed by the person giving the information that is required by the Department of State Police, which may include the fingerprints and must include a current photograph of the person, to be updated annually. The registration information must include whether the person is a sex offender as defined in the Sex Offender and Child Murderer Community Notification Law. Within 3 days, the registering law enforcement agency shall forward any required information to the Department of State Police. The registering law enforcement agency shall enter the information into the Law Enforcement Agencies Data System (LEADS) as provided in Sections 6 and 7 of the Intergovernmental Missing Child Recovery Act of 1984.

(Source: P.A. 90-193, eff. 7-24-97; 91-224, eff. 7-1-00.)

(730 ILCS 150/8-5)

Sec. 8-5. Verification ~~Address verification~~ requirements.

(a) Address verification. The agency having jurisdiction shall verify the address of sex offenders, as defined in Section 2 of this Act, or sexual predators required to register with their agency at least once per calendar year. The verification must be documented in LEADS in the form and manner required by the Department of State Police.

(b) Registration verification. The supervising officer shall, within 15 days of sentencing to probation or release from an Illinois Department of Corrections facility, contact the law enforcement agency in the jurisdiction in which the sex offender or sexual predator designated as his or her intended residence and verify compliance with the requirements of this Act. Revocation proceedings shall be immediately commenced against a sex offender or sexual predator on probation, parole, or mandatory supervised release who fails to comply with the requirements of this Act.

(Source: P.A. 91-48, eff. 7-1-99; 92-828, eff. 8-22-02.)

(730 ILCS 150/10) (from Ch. 38, par. 230)

Sec. 10. Penalty. Any person who is required to register under this Article who violates any of the provisions of this Article and any person who is required to register under this Article who seeks to change his or her name under Article 21 of the Code of Civil Procedure is guilty of a Class 3 4 felony. Any person who is required to register under this Article who knowingly or wilfully gives material information required by this Article that is false is guilty of a Class 3 felony. Any person convicted of a violation of any provision of this Article shall, in addition to any other penalty required by law, be required to serve a minimum period of 7 days confinement in the local county jail. The court shall impose a mandatory minimum fine of \$500 for failure to comply with any provision of this Article. These fines shall be deposited in the Sex Offender Registration Fund. Any sex offender, as defined in Section 2 of this Act, or sexual predator who violates any provision of this Article may be tried in any Illinois county where the sex offender can be located.

(Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99; 92-16, eff. 6-28-01; 92-828, eff. 8-22-02.)

(730 ILCS 150/11)

Sec. 11. Sex offender registration fund. There is created the Sex Offender Registration Fund. Moneys in the Fund shall be used to cover costs incurred by the criminal justice system to administer this Article. The Department of State Police shall establish and promulgate rules and procedures regarding the administration of this Fund. Fifty percent ~~At least 50%~~ of the moneys in the Fund shall be allocated by the Department for sheriffs' offices and police departments. The remaining moneys in the Fund shall be allocated to the Illinois State Police Sex Offender Registration Unit for education and administration of the Act.

(Source: P.A. 90-193, eff. 7-24-97.)

Section 15. The Sex Offender and Child Murderer Community Notification Law is amended by changing Section 115 as follows:

(730 ILCS 152/115)

Sec. 115. Sex offender database.

(a) The Department of State Police shall establish and maintain a Statewide Sex Offender Database for the purpose of identifying sex offenders and making that information available to the persons specified in Sections 120 and 125 of this Law. The Database shall be created from the Law Enforcement Agencies Data System (LEADS) established under Section 6 of the Intergovernmental Missing Child Recovery Act of 1984. The Department of State Police shall examine its LEADS database for persons registered as sex offenders under the Sex Offender Registration Act and shall identify those who are sex offenders and shall add all the information, including photographs if available, on those sex offenders to the Statewide Sex Offender Database.

(b) The Department of State Police must make the information contained in the Statewide Sex Offender Database accessible on the Internet by means of a hyperlink labeled "Sex Offender Information" on the Department's World Wide Web home page. The Department of State Police must update that information as it deems necessary.

The Department of State Police may require that a person who seeks access to the sex offender information submit biographical information about himself or herself before permitting access to the sex offender information. ~~The Department of State Police may limit access to the sex offender information to information about sex offenders who reside within a specified geographic area in proximity to the address of the person seeking that information.~~ The Department of State Police must promulgate rules in accordance with the Illinois Administrative Procedure Act to implement this subsection (b) and those rules must include procedures to ensure that the information in the database is accurate.

(c) The Department of State Police, Sex Offender Registration Unit, must develop and conduct training

to educate all those entities involved in the Sex Offender Registration Program.  
(Source: P.A. 90-193, eff. 7-24-97; 91-224, eff. 7-1-00.)

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

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been printed, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 2707, 2726, 2769 and 2809.

Having been printed, the following bill was taken up, read by title a second time and held on the order of Second Reading: SENATE BILL 2820.

SENATE BILL 2845. Having been printed, was taken up and read by title a second time.  
The following amendment was offered in the Committee on Aging, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2845 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Excellence in Alzheimer's Disease Center Treatment Act.

Section 5. Purpose. This Act is intended to maintain and enhance excellence in Alzheimer's disease treatment in Illinois in order to develop strategies to treat and prevent Alzheimer's disease in Illinois and across the United States, ensure that all Illinois citizens obtain the highest quality clinical care for Alzheimer's disease and other dementias, reduce the enormous societal cost of this disease, ensure that Illinois is a national center for Alzheimer's disease research, and maintain and enhance Illinois' ability to attract additional federal and private funding for these purposes.

Section 15. Definitions. As used in this Act:

"Academic medical center hospital" means a hospital located in Illinois that is either (i) under common ownership with the college of medicine of a college or university or (ii) a free-standing hospital in which the majority of the clinical chiefs of service are department chairmen in an affiliated medical school.

"Qualified Academic Medical Center Hospital - Pre 1996 Designation" means any academic medical center hospital that was designated by the National Institutes of Health and National Institutes on Aging as an Alzheimer's Disease Core (or Research) Center prior to calendar year 1996.

"Qualified Academic Medical Center Hospital - Post 1996 Designation" means any academic medical center hospital that was designated by the National Institutes of Health and National Institutes on Aging as an Alzheimer's Disease Core (or Research) Center in or after calendar year 1996 through calendar year 2003.

"Medicaid inpatient day of care" means each day contained in the Illinois Department of Public Aid's paid claims database, including obstetrical days multiplied by two and excluding Medicare crossover days, for dates of service occurring during State fiscal year 1998 and adjudicated through June 30, 1999.

Section 20. Funds created.

(a) The Alzheimer's Disease Center Clinical Fund is created as a special fund in the State treasury, to which the General Assembly shall from time to time appropriate funds and from which the Comptroller shall pay amounts as authorized by law. Appropriations made to this Fund are exempt from the provisions of Section 8h of the State Finance Act.

(b) The Alzheimer's Disease Center Expanded Clinical Fund is created as a special fund in the State treasury, to which the General Assembly shall from time to time appropriate funds and from which the Comptroller shall pay amounts as authorized by law. Appropriations made to this Fund are exempt from the provisions of Section 8h of the State Finance Act.

(c) The Alzheimer's Disease Center Independent Clinical Fund is created as a special fund in the State treasury, to which the General Assembly shall from time to time appropriate funds and from which the Comptroller shall pay amounts as authorized by law. Appropriations made to this Fund are exempt from the provisions of Section 8h of the State Finance Act.

Section 25. The Alzheimer's Disease Center Clinical Fund.

(a) Each institution defined as a Qualified Academic Medical Center Hospital - Pre 1996 Designation shall be eligible for payments from the Alzheimer's Disease Center Clinical Fund.

(b) Appropriations allocated to this Fund shall be divided among the qualifying hospitals. The Department of Public Aid shall calculate payment rates for each hospital qualifying under this Section as follows:

(1) Hospitals that qualify under the Qualified Academic Medical Center Hospital - Pre 1996 Designation shall be paid a rate of \$55.50 for each Medicaid inpatient day of care.

(2) No qualifying hospital shall receive payments under this Section that exceed \$1,200,000.

(c) Payments under this Section shall be made at least quarterly.

Section 30. The Alzheimer's Disease Center Expanded Clinical Fund.

(a) Each institution defined as a Qualified Academic Medical Center Hospital - Pre 1996 Designation or as a Qualified Academic Medical Center Hospital - Post 1996 Designation shall be eligible for payments from the Alzheimer's Disease Center Expanded Clinical Fund.

(b) Appropriations allocated to this Fund shall be divided among the qualifying hospitals. The Department of Public Aid shall calculate payment rates for each hospital qualifying under this Section as follows:

(1) Hospitals that are defined as a Qualifying Academic Medical Center Hospital - Pre 1996 Designation shall be paid \$13.90 for each Medicaid inpatient day of care.

(2) Hospitals that are defined as a Qualifying Academic Medical Center Hospital - Post 1996 Designation and do not meet the Pre 1996 Designation criterion, shall be paid \$10.75 for each Medicaid inpatient day of care.

(3) Hospitals that qualify under the Pre and Post 1996 Designation shall qualify for payments under this Section according to the payment guidelines for Pre 1996 Designated hospitals.

(4) No qualifying hospital shall receive payments under this Section that exceed \$300,000.

(c) Payments under this Section shall be made at least quarterly.

Section 35. The Alzheimer's Disease Center Independent Clinical Fund.

(a) Each institution defined as a Qualified Academic Medical Center Hospital - Pre 1996 Designation or as a Qualified Academic Medical Center Hospital - Post 1996 Designation may be eligible for payments from the Alzheimer's Disease Center Independent Clinical Fund.

(b) Appropriations allocated to this Fund shall be allocated to specific Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) for specific and unique clinical/research projects as determined by the General Assembly.

(c) Payments under this Section shall be made at least quarterly.

Section 40. Use of funds. Reimbursement for medical services under this Act eligible for federal financial participation under Title XIX of the Social Security Act shall be used for the following 6 general purposes:

(1) Clinical Care. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support clinical care for affected persons and their families. In addition to providing clinical care, the Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) shall serve as models of multi-disciplinary diagnostic and treatment facilities for Alzheimer's disease and other dementias.

(2) Underserved Community Outreach. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support some type of outreach program in underserved communities.

(3) Research. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support research on aging and dementia.

(4) Education. Funds disbursed to each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) must be used to support education regarding aging and dementia.

(5) Brain Bank. Funds should be used by each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) to support a brain banking program.

(6) Administration. Funds, as needed, may be used to cover administrative costs, facility costs, and other costs commonly incurred by clinical, research, and educational programs according to the rules governing each Qualified Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation).

Section 45. Payment of funds. The Comptroller shall disburse all funds appropriated to the Alzheimer's Disease Center Clinical Fund, the Alzheimer's Disease Center Expanded Clinical Fund, and the Alzheimer's Disease Center Independent Clinical Fund to the appropriate Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) as the funds are appropriated by the General Assembly and come due under this Act. The payment of these funds shall be made through the Department of Public Aid.

Section 50. Reporting requirements. Qualified Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) receiving payments from the Alzheimer's Disease Center Clinical Fund, the Alzheimer's Disease Center Expanded Clinical Fund, or the Alzheimer's Disease Center Independent Clinical Fund shall submit annual reports to the Department of Public Health and the ADA Advisory Committee.

Section 55. Payment methodology. The Department of Public Aid shall promulgate rules necessary to make payments to the Qualifying Academic Medical Center Hospitals (either Pre 1996 or Post 1996 Designation) utilizing a reimbursement methodology consistent with this Act for distribution of all moneys from the funds in a manner that would help ensure these funds could be matchable to the maximum extent possible under Title XIX of the Social Security Act.

Section 60. Reimbursements of payments by the State. Nothing in this Act may be used to reduce reimbursements or payments by the State to a Qualifying Academic Medical Center Hospital (either Pre 1996 or Post 1996 Designation) under any other Act.

Section 65. Contravention of law. Funds received under this Act shall not be used in contravention of any law of this State.

Section 900. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-215 as follows:

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

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

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

(b) The Center shall have the following duties:

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

(2) To recommend treatment methods and programs that are sensitive and relevant to the unique linguistic, cultural, and ethnic characteristics of minority populations.

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

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

(5) To disseminate information on available minority services.

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

(7) To coordinate with the Department on Aging and the Department of Public Aid to coordinate services designed to meet the needs of minority senior citizens.

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

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

(1) African-American (a person having origins in any of the black racial groups in Africa);

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

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

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

(Source: P.A. 91-239, eff. 1-1-00.)

Section 905. The State Finance Act is amended by adding Sections 5.625, 5.626, and 5.627 as follows:

(30 ILCS 105/5.625 new)

Sec. 5.625. The Alzheimer's Disease Center Clinical Fund.

(30 ILCS 105/5.626 new)

Sec. 5.626. The Alzheimer's Disease Center Expanded Clinical Fund.

(30 ILCS 105/5.627 new)

Sec. 5.627. The Alzheimer's Disease Center Independent Clinical Fund.

Section 910. The Alzheimer's Disease Assistance Act is amended by changing Sections 2, 6, and 7 as follows:

(410 ILCS 405/2) (from Ch. 111 1/2, par. 6952)

Sec. 2. Policy declaration. The General Assembly finds that Alzheimer's disease and related disorders are devastating health conditions which destroy certain vital cells of the brain and which affect an estimated 4,500,000 ~~1,500,000~~ Americans. This means that approximately 200,000 ~~111,000~~ Illinois citizens are victims. The General Assembly also finds that 50% of all nursing home admissions in the State may be attributable to the Alzheimer's disease and related disorders and that these conditions are the fourth leading cause of death among the elderly. It is the opinion of the General Assembly that Alzheimer's disease and related disorders cause serious financial, social and emotional hardships on the victims and their families of such a major consequence that it is essential for the State to develop and implement policies, plans, programs and services to alleviate such hardships.

The General Assembly recognizes that there is no known cause or cure of Alzheimer's disease at this time, and that it can progress over an extended period of time and to such a degree that the victim's deteriorated condition makes him or her susceptible to other medical disorders that generally prove fatal. It is the intent of the General Assembly, through implementation of this Act, to establish a program for the conduct of research regarding the cause, cure and treatment of Alzheimer's disease and related disorders; and, through the establishment of Regional Alzheimer's Disease Assistance Centers and a comprehensive, Statewide system of regional and community-based services, to provide for the identification, evaluation, diagnosis, referral and treatment of victims of such health problems.

(Source: P.A. 85-1209.)

(410 ILCS 405/6) (from Ch. 111 1/2, par. 6956)

Sec. 6. ADA Advisory Committee. There is created the Alzheimer's Disease Advisory Committee consisting of 21 voting members appointed by the Director of the Department, as well as 5 nonvoting members as hereinafter provided in this Section. The Director or his designee shall serve as one of the 21 voting members and as the Chairman of the Committee. Those appointed as voting members shall include persons who are experienced in research and the delivery of services to victims and their families. Such members shall include 4 physicians licensed to practice medicine in all of its branches, one representative of a postsecondary educational institution which administers or is affiliated with a medical center in the State, one representative of a licensed hospital, one registered nurse, one representative of a long term care facility under the Nursing Home Care Act, one representative of an area agency on aging as defined by Section 3.07 of the Illinois Act on the Aging, one social worker, one representative of an organization established under the Illinois Insurance Code for the purpose of providing health insurance, 5 family members or representatives of victims of Alzheimer's disease and related disorders, and 4 members of the general public. Among the physician appointments shall be persons with specialties in the fields of neurology, family medicine, psychiatry and pharmacology. Among the general public members, at least 2 appointments shall include persons 65 years of age or older.

In addition to the 21 voting members, the Secretary of Human Services (or his or her designee) and one additional representative of the Department of Human Services designated by the Secretary plus the Directors of the following State agencies or their designees shall serve as nonvoting members: Department on Aging, Department of Public Aid, and Guardianship and Advocacy Commission.

Each voting member appointed by the Director of Public Health shall serve for a term of 2 years, and until his successor is appointed and qualified. Members of the Committee shall not be compensated but shall be reimbursed for expenses actually incurred in the performance of their duties. No more than 11 voting members may be of the same political party. Vacancies shall be filled in the same manner as original appointments.

The Committee shall review all State programs and services provided by State agencies that are directed toward persons with Alzheimer's disease and related dementias, and recommend changes to improve the State's response to this serious health problem.

(Source: P.A. 89-507, eff. 7-1-97.)

(410 ILCS 405/7) (from Ch. 111 1/2, par. 6957)

Sec. 7. Regional ADA center funding. Pursuant to appropriations enacted by the General Assembly, the

Department shall provide funds to hospitals affiliated with each Regional ADA Center for necessary research and for the development and maintenance of services for victims of Alzheimer's disease and related disorders and their families. For the fiscal year beginning July 1, 2003, and each year thereafter, the Department shall effect payments under this Section to hospitals affiliated with each Regional ADA Center through the Illinois Department of Public Aid under the Excellence in Alzheimer's Disease Center Treatment Act. The Department of Public Aid shall annually report to the Advisory Committee established under this Act regarding the funding of centers under this Act. The Department shall include the annual expenditures for this purpose in the plan required by Section 5 of this Act.

(Source: P.A. 93-20, eff. 6-20-03.)

Section 999. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 2858. Having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Consumer Protection, adopted and printed:

AMENDMENT NO. 1. Amend Senate Bill 2858 by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2QQ as follows:

(815 ILCS 505/2QQ new)

Sec. 2QQ. Internet service; cancellation.

(a) As used in this Section:

"Internet service provider" means a person who provides a service that combines computer processing, information storage, protocol conversion, and routing with transmission to enable a consumer to access Internet content and services.

(b) This Section applies only to agreements under which an Internet service provider provides service to consumers, for home and personal use, for a one-year term that is automatically renewed for another one-year term unless a consumer cancels the service.

(c) An Internet service provider must give a consumer who is an Illinois resident the following: (1) a secure method at the Internet service provider's web site that the consumer may use to cancel the service, which method shall not require the consumer to make a telephone call or send U.S. Postal Service mail to effectuate the cancellation; and (2) instructions that the consumer may follow to cancel the service at the Internet service provider's web site.

(d) A person who violates this Section commits an unlawful practice within the meaning of this Act."

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

At the hour of 2:10 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, April 28, 2004, at 12:00 o'clock noon.

The motion prevailed.

And the House stood adjourned.

GENERAL ASSEMBLY  
HOUSE ROLL CALL  
QUORUM ROLL CALL FOR ATTENDANCE

April 27, 2004

0 YEAS

0 NAYS

117 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| P Acevedo          | P Delgado     | P Kurtz           | P Phelps      |
| P Aguilar          | P Dugan       | P Lang            | P Pihos       |
| P Bailey           | P Dunkin      | P Leitch          | P Poe         |
| P Bassi            | P Dunn        | P Lindner         | P Pritchard   |
| P Beaubien         | P Eddy        | P Lyons, Eileen   | P Reitz       |
| P Bellock          | P Feigenholtz | P Lyons, Joseph   | P Rita        |
| P Berrios          | P Flider      | P Mathias         | P Rose        |
| P Biggins          | P Flowers     | P Mautino         | P Ryg         |
| P Black            | P Franks      | P May             | P Sacia       |
| P Boland           | P Fritchey    | P McAuliffe       | P Saviano     |
| P Bost             | P Froehlich   | P McCarthy        | P Schmitz     |
| P Bradley, John    | P Giles       | P McGuire         | P Scully      |
| P Bradley, Richard | P Gordon      | P McKeon          | P Slone       |
| P Brady            | P Graham      | P Mendoza         | P Smith       |
| P Brauer           | P Granberg    | P Meyer           | P Sommer      |
| P Brosnahan        | P Grunloh     | P Miller          | P Soto        |
| P Burke            | P Hamos       | P Millner         | P Stephens    |
| P Capparelli       | P Hannig      | P Mitchell, Bill  | P Sullivan    |
| P Chapa LaVia      | P Hassert     | P Mitchell, Jerry | P Tenhouse    |
| P Churchill        | P Hoffman     | P Moffitt         | P Turner      |
| P Collins          | P Holbrook    | P Molaro          | P Verschoore  |
| P Colvin           | P Howard      | E Morrow          | P Wait        |
| P Coulson          | P Hultgren    | P Mulligan        | P Washington  |
| P Cross            | P Jakobsson   | P Munson          | P Watson      |
| P Cultra           | P Jefferson   | P Myers           | P Winters     |
| P Currie           | P Jones       | P Nekritz         | P Yarbrough   |
| P Daniels          | P Joyce       | P Osmond          | P Younge      |
| P Davis, Monique   | P Kelly       | P Osterman        | P Mr. Speaker |
| P Davis, Steve     | P Kosel       | P Pankau          |               |
| P Davis, William   | P Krause      | P Parke           |               |

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-THIRD  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 2329  
FED SUBSIDIZED HOUSNG PRESERVE  
THIRD READING  
PASSED

April 27, 2004

116 YEAS

0 NAYS

1 PRESENT

|                    |               |                   |               |
|--------------------|---------------|-------------------|---------------|
| Y Acevedo          | Y Delgado     | Y Kurtz           | Y Phelps      |
| Y Aguilar          | Y Dugan       | Y Lang            | Y Pihos       |
| Y Bailey           | Y Dunkin      | Y Leitch          | Y Poe         |
| Y Bassi            | Y Dunn        | Y Lindner         | Y Pritchard   |
| Y Beaubien         | Y Eddy        | Y Lyons, Eileen   | Y Reitz       |
| Y Bellock          | Y Feigenholtz | Y Lyons, Joseph   | Y Rita        |
| Y Berrios          | Y Flider      | Y Mathias         | Y Rose        |
| Y Biggins          | Y Flowers     | Y Mautino         | Y Ryg         |
| Y Black            | Y Franks      | Y May             | Y Sacia       |
| Y Boland           | Y Fritchey    | Y McAuliffe       | Y Saviano     |
| Y Bost             | Y Froehlich   | Y McCarthy        | Y Schmitz     |
| Y Bradley, John    | Y Giles       | Y McGuire         | Y Scully      |
| Y Bradley, Richard | Y Gordon      | Y McKeon          | Y Slone       |
| Y Brady            | Y Graham      | Y Mendoza         | Y Smith       |
| Y Brauer           | Y Granberg    | Y Meyer           | Y Sommer      |
| Y Brosnahan        | Y Grunloh     | Y Miller          | Y Soto        |
| Y Burke            | Y Hamos       | Y Millner         | Y Stephens    |
| Y Capparelli       | Y Hannig      | Y Mitchell, Bill  | Y Sullivan    |
| Y Chapa LaVia      | Y Hassert     | Y Mitchell, Jerry | Y Tenhouse    |
| Y Churchill        | Y Hoffman     | Y Moffitt         | Y Turner      |
| Y Collins          | Y Holbrook    | Y Molaro          | Y Verschoore  |
| Y Colvin           | Y Howard      | E Morrow          | Y Wait        |
| Y Coulson          | Y Hultgren    | Y Mulligan        | Y Washington  |
| Y Cross            | Y Jakobsson   | Y Munson          | Y Watson      |
| Y Cultra           | Y Jefferson   | Y Myers           | Y Winters     |
| Y Currie           | Y Jones       | Y Nekritz         | Y Yarbrough   |
| Y Daniels          | Y Joyce       | Y Osmond          | Y Younge      |
| Y Davis, Monique   | Y Kelly       | Y Osterman        | P Mr. Speaker |
| Y Davis, Steve     | Y Kosel       | Y Pankau          |               |
| Y Davis, William   | Y Krause      | Y Parke           |               |

E - Denotes Excused Absence