

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FOURTH GENERAL ASSEMBLY

40TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

THURSDAY, APRIL 14, 2005

12:21 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
Daily Journal Index
40th Legislative Day**

| Action | Page(s) |
|---|----------------|
| Adjournment | 159 |
| Agreed Resolutions | 29 |
| Balanced Budget Note Requested | 20 |
| Balanced Budget Notes Supplied | 19 |
| Change of Sponsorship | 28 |
| Correctional Notes Supplied | 19 |
| Fiscal Notes Requested | 20 |
| Fiscal Notes Supplied | 19 |
| Fiscal Notes Withdrawn | 20 |
| Home Rule Note Requested | 20 |
| Home Rule Note Withdrawn | 21 |
| Home Rule Notes Supplied | 19 |
| Housing Affordability Impact Note Requested | 20 |
| Housing Affordability Impact Note Withdrawn | 21 |
| Housing Affordability Impact Notes Supplied | 19 |
| Judicial Note Withdrawn | 21 |
| Judicial Notes Requested | 20 |
| Judicial Notes Supplied | 19 |
| Land Conveyance Appraisal Note Withdrawn | 21 |
| Legislative Measures Approved for Floor Consideration | 11 |
| Messages From The Senate | 21 |
| Motions Submitted | 18 |
| Pension Notes Supplied | 19 |
| Perfunctory Adjournment | 211 |
| Perfunctory Session | 210 |
| Quorum Roll Call | 10 |
| Reports From Standing Committees | 11 |
| Resolutions | 210 |
| Senate Bills on First Reading | 210 |
| State Debt Impact Note Requested | 20 |
| State Debt Impact Notes Supplied | 19 |
| State Mandates Fiscal Notes Requested | 20 |
| State Mandates Fiscal Notes Supplied | 19 |
| State Mandates Fiscal Notes Withdrawn | 21 |
| Temporary Committee Assignments | 10 |

| Bill Number | Legislative Action | Page(s) |
|--------------------|--|----------------|
| HB 0002 | Second Reading – Amendment/s | 43 |
| HB 0009 | Second Reading – Amendment/s | 101 |
| HB 0044 | Committee Report – Floor Amendment/s | 13 |
| HB 0044 | Second Reading – amendment | 55 |
| HB 0045 | Second Reading – Amendment/s | 91 |
| HB 0124 | Motion Submitted | 18 |
| HB 0242 | Motion Submitted | 18 |
| HB 0242 | Third Reading | 132 |
| HB 0315 | Committee Report – Floor Amendment/s | 15 |
| HB 0315 | Second Reading – amendment | 31 |
| HB 0340 | Third Reading | 72 |
| HB 0341 | Third Reading - CPP | 90 |
| HB 0368 | Motion Submitted | 19 |

| | | |
|---------|--|-----|
| HB 0481 | Second Reading – Amendment/s | 157 |
| HB 0483 | Committee Report – Floor Amendment/s | 11 |
| HB 0483 | Second Reading – amendment | 70 |
| HB 0542 | Second Reading..... | 140 |
| HB 0599 | Motion Submitted | 18 |
| HB 0666 | Committee Report – Floor Amendment/s | 11 |
| HB 0666 | Second Reading – Amendment/s | 50 |
| HB 0690 | Third Reading | 42 |
| HB 0712 | Second Reading – Amendment/s | 156 |
| HB 0756 | Third Reading | 54 |
| HB 0782 | Third Reading | 102 |
| HB 0794 | Third Reading | 97 |
| HB 0805 | Third Reading | 30 |
| HB 0822 | Committee Report – Floor Amendment/s | 13 |
| HB 0822 | Second Reading – amendments..... | 129 |
| HB 0834 | Third Reading | 128 |
| HB 0866 | Second Reading..... | 132 |
| HB 0873 | Committee Report – Floor Amendment/s | 12 |
| HB 0873 | Second Reading – Amendment/s | 120 |
| HB 0875 | Third Reading | 151 |
| HB 0914 | Third Reading | 31 |
| HB 0934 | Second Reading..... | 126 |
| HB 0962 | Third Reading | 140 |
| HB 1031 | Second Reading – amendment | 132 |
| HB 1044 | Committee Report – Floor Amendment/s | 13 |
| HB 1044 | Second Reading – amendment | 159 |
| HB 1074 | Committee Report – Floor Amendment/s | 16 |
| HB 1074 | Second Reading – amendment | 102 |
| HB 1133 | Committee Report – Floor Amendment/s | 15 |
| HB 1133 | Second Reading – amendment | 128 |
| HB 1178 | Third Reading | 99 |
| HB 1197 | Second Reading – Amendment/s | 97 |
| HB 1284 | Third Reading | 100 |
| HB 1285 | Third Reading | 147 |
| HB 1314 | Second Reading..... | 147 |
| HB 1320 | Second Reading..... | 139 |
| HB 1370 | Second Reading – amendment | 100 |
| HB 1397 | Third Reading | 41 |
| HB 1428 | Second Reading – amendments..... | 155 |
| HB 1450 | Committee Report – Floor Amendment/s | 12 |
| HB 1450 | Second Reading – amendment | 42 |
| HB 1463 | Third Reading | 49 |
| HB 1475 | Third Reading | 43 |
| HB 1535 | Second Reading..... | 41 |
| HB 1592 | Third Reading | 30 |
| HB 1604 | Committee Report – Floor Amendment/s | 13 |
| HB 1604 | Second Reading – amendment | 158 |
| HB 1633 | Third Reading | 49 |
| HB 1662 | Committee Report – Floor Amendment/s | 12 |
| HB 1662 | Second Reading – amendment | 140 |
| HB 1679 | Committee Report – Floor Amendment/s | 16 |
| HB 1679 | Second Reading – amendment | 63 |
| HB 1716 | Committee Report – Floor Amendment/s | 11 |
| HB 1870 | Committee Report – Floor Amendment/s | 15 |
| HB 1870 | Second Reading – amendment | 44 |
| HB 1916 | Committee Report – Floor Amendment/s | 16 |
| HB 1916 | Second Reading – amendment | 82 |

| | | |
|---------|--|-----|
| HB 2001 | Committee Report – Floor Amendment/s | 17 |
| HB 2001 | Second Reading..... | 159 |
| HB 2001 | Second Reading – amendment | 154 |
| HB 2004 | Committee Report – Floor Amendment/s | 17 |
| HB 2004 | Second Reading – amendment | 153 |
| HB 2137 | Second Reading – Amendment/s | 147 |
| HB 2241 | Third Reading | 30 |
| HB 2244 | Second Reading – amendment | 79 |
| HB 2260 | Second Reading..... | 146 |
| HB 2260 | Third Reading | 146 |
| HB 2312 | Committee Report – Floor Amendment/s | 16 |
| HB 2369 | Third Reading | 100 |
| HB 2390 | Third Reading | 101 |
| HB 2408 | Third Reading | 41 |
| HB 2453 | Third Reading | 31 |
| HB 2461 | Third Reading | 54 |
| HB 2521 | Recall | 156 |
| HB 2521 | Second Reading – amendment | 156 |
| HB 2526 | Third Reading | 64 |
| HB 2547 | Third Reading | 49 |
| HB 2572 | Committee Report – Floor Amendment/s | 17 |
| HB 2572 | Second Reading – Amendment/s | 151 |
| HB 2577 | Third Reading | 98 |
| HB 2578 | Third Reading | 64 |
| HB 2593 | Second Reading – Amendment/s | 71 |
| HB 2612 | Second Reading – Amendment/s | 99 |
| HB 2712 | Committee Report – Floor Amendment/s | 11 |
| HB 2712 | Second Reading – amendment | 79 |
| HB 2853 | Third Reading | 101 |
| HB 2941 | Third Reading | 155 |
| HB 2946 | Third Reading | 70 |
| HB 2977 | Committee Report – Floor Amendment/s | 13 |
| HB 3022 | Committee Report – Floor Amendment/s | 13 |
| HB 3022 | Second Reading – amendment | 72 |
| HB 3045 | Committee Report – Floor Amendment/s | 11 |
| HB 3045 | Second Reading – amendment | 135 |
| HB 3066 | Committee Report – Floor Amendment/s | 16 |
| HB 3066 | Second Reading – amendment | 104 |
| HB 3273 | Second Reading – amendment | 78 |
| HB 3471 | Third Reading | 128 |
| HB 3488 | Third Reading | 147 |
| HB 3523 | Third Reading | 70 |
| HB 3528 | Third Reading | 97 |
| HB 3532 | Third Reading | 70 |
| HB 3555 | Third Reading | 49 |
| HB 3596 | Third Reading | 30 |
| HB 3628 | Third Reading | 44 |
| HB 3650 | Committee Report – Floor Amendment/s | 13 |
| HB 3650 | Second Reading – Amendment/s | 64 |
| HB 3687 | Recall | 128 |
| HB 3694 | Third Reading | 64 |
| HB 3696 | Third Reading | 132 |
| HB 3742 | Third Reading | 101 |
| HB 3767 | Second Reading – amendment | 126 |
| HB 3800 | Third Reading | 71 |
| HB 3802 | Third Reading | 151 |
| HB 3816 | Third Reading | 78 |

| | | |
|----------|---|-----|
| HB 3819 | Third Reading | 64 |
| HB 3851 | Third Reading | 99 |
| HJR 0031 | Committee Report | 13 |
| HJR 0044 | Resolution..... | 211 |
| HR 0199 | Committee Report | 16 |
| HR 0201 | Committee Report | 17 |
| HR 0302 | Adoption | 159 |
| HR 0303 | Adoption | 159 |
| HR 0304 | Adoption | 159 |
| HR 0305 | Adoption | 159 |
| HR 0306 | Adoption | 159 |
| HR 0307 | Adoption | 159 |
| HR 0308 | Adoption | 159 |
| HR 0309 | Adoption | 159 |
| HR 0310 | Adoption | 159 |
| HR 0311 | Adoption | 159 |
| HR 0312 | Adoption | 159 |
| HR 0313 | Adoption | 159 |
| HR 0314 | Adoption | 159 |
| HR 0315 | Adoption | 159 |
| HR 0316 | Adoption | 159 |
| HR 0317 | Resolution | 29 |
| HR 0317 | Adoption | 159 |
| HR 0318 | Resolution | 210 |
| HR 0319 | Resolution | 29 |
| HR 0319 | Adoption | 159 |
| HR 0320 | Resolution | 29 |
| HR 0320 | Adoption | 159 |
| HR 0321 | Resolution | 29 |
| HR 0321 | Adoption | 159 |
| HR 0322 | Resolution | 30 |
| HR 0322 | Adoption | 159 |
| HR 0323 | Resolution | 30 |
| HR 0323 | Adoption | 159 |
| SB 0007 | Senate Message – Passage of Senate Bill | 22 |
| SB 0015 | First Reading..... | 210 |
| SB 0015 | Senate Message – Passage of Senate Bill | 26 |
| SB 0016 | Senate Message – Passage of Senate Bill | 26 |
| SB 0021 | First Reading..... | 210 |
| SB 0021 | Senate Message – Passage of Senate Bill | 22 |
| SB 0023 | First Reading..... | 210 |
| SB 0023 | Senate Message – Passage of Senate Bill | 22 |
| SB 0026 | First Reading..... | 210 |
| SB 0026 | Senate Message – Passage of Senate Bill | 22 |
| SB 0027 | First Reading..... | 210 |
| SB 0027 | Senate Message – Passage of Senate Bill | 22 |
| SB 0028 | Senate Message – Passage of Senate Bill | 26 |
| SB 0030 | Senate Message – Passage of Senate Bill | 22 |
| SB 0041 | First Reading..... | 210 |
| SB 0041 | Senate Message – Passage of Senate Bill | 22 |
| SB 0052 | First Reading..... | 210 |
| SB 0052 | Senate Message – Passage of Senate Bill | 22 |
| SB 0057 | First Reading..... | 210 |
| SB 0057 | Senate Message – Passage of Senate Bill | 22 |
| SB 0058 | Senate Message – Passage of Senate Bill | 22 |
| SB 0059 | Senate Message – Passage of Senate Bill | 22 |

| | | |
|---------|---|-----|
| SB 0062 | First Reading..... | 210 |
| SB 0062 | Senate Message – Passage of Senate Bill | 23 |
| SB 0066 | First Reading..... | 210 |
| SB 0066 | Senate Message – Passage of Senate Bill | 23 |
| SB 0069 | First Reading..... | 210 |
| SB 0069 | Senate Message – Passage of Senate Bill | 23 |
| SB 0072 | Senate Message – Passage of Senate Bill | 26 |
| SB 0075 | First Reading..... | 210 |
| SB 0075 | Senate Message – Passage of Senate Bill | 23 |
| SB 0092 | First Reading..... | 210 |
| SB 0092 | Senate Message – Passage of Senate Bill | 26 |
| SB 0094 | First Reading..... | 210 |
| SB 0094 | Senate Message – Passage of Senate Bill | 23 |
| SB 0095 | Senate Message – Passage of Senate Bill | 23 |
| SB 0098 | First Reading..... | 210 |
| SB 0098 | Senate Message – Passage of Senate Bill | 26 |
| SB 0101 | First Reading..... | 210 |
| SB 0101 | Senate Message – Passage of Senate Bill | 23 |
| SB 0129 | Senate Message – Passage of Senate Bill | 23 |
| SB 0139 | Senate Message – Passage of Senate Bill | 23 |
| SB 0143 | First Reading..... | 210 |
| SB 0143 | Senate Message – Passage of Senate Bill | 23 |
| SB 0157 | First Reading..... | 210 |
| SB 0157 | Senate Message – Passage of Senate Bill | 23 |
| SB 0158 | Senate Message – Passage of Senate Bill | 23 |
| SB 0159 | First Reading..... | 210 |
| SB 0159 | Senate Message – Passage of Senate Bill | 23 |
| SB 0162 | Senate Message – Passage of Senate Bill | 23 |
| SB 0176 | First Reading..... | 210 |
| SB 0176 | Senate Message – Passage of Senate Bill | 26 |
| SB 0184 | Senate Message – Passage of Senate Bill | 23 |
| SB 0187 | First Reading..... | 210 |
| SB 0187 | Senate Message – Passage of Senate Bill | 26 |
| SB 0189 | First Reading..... | 210 |
| SB 0189 | Senate Message – Passage of Senate Bill | 26 |
| SB 0193 | Senate Message – Passage of Senate Bill | 23 |
| SB 0198 | First Reading..... | 210 |
| SB 0198 | Senate Message – Passage of Senate Bill | 26 |
| SB 0204 | Senate Message – Passage of Senate Bill | 23 |
| SB 0210 | Senate Message – Passage of Senate Bill | 23 |
| SB 0214 | Senate Message – Passage of Senate Bill | 26 |
| SB 0223 | First Reading..... | 210 |
| SB 0223 | Senate Message – Passage of Senate Bill | 23 |
| SB 0226 | First Reading..... | 210 |
| SB 0226 | Senate Message – Passage of Senate Bill | 26 |
| SB 0241 | First Reading..... | 210 |
| SB 0241 | Senate Message – Passage of Senate Bill | 26 |
| SB 0248 | Senate Message – Passage of Senate Bill | 26 |
| SB 0251 | First Reading..... | 210 |
| SB 0251 | Senate Message – Passage of Senate Bill | 23 |
| SB 0253 | Senate Message – Passage of Senate Bill | 23 |
| SB 0262 | First Reading..... | 210 |
| SB 0262 | Senate Message – Passage of Senate Bill | 26 |
| SB 0273 | Senate Message – Passage of Senate Bill | 24 |
| SB 0274 | First Reading..... | 210 |
| SB 0274 | Senate Message – Passage of Senate Bill | 24 |
| SB 0283 | Senate Message – Passage of Senate Bill | 26 |

| | | |
|---------|---|-----|
| SB 0287 | Senate Message – Passage of Senate Bill | 24 |
| SB 0293 | First Reading..... | 210 |
| SB 0293 | Senate Message – Passage of Senate Bill | 24 |
| SB 0304 | First Reading..... | 210 |
| SB 0304 | Senate Message – Passage of Senate Bill | 26 |
| SB 0316 | Senate Message – Passage of Senate Bill | 24 |
| SB 0318 | First Reading..... | 210 |
| SB 0318 | Senate Message – Passage of Senate Bill | 24 |
| SB 0319 | First Reading..... | 210 |
| SB 0319 | Senate Message – Passage of Senate Bill | 26 |
| SB 0323 | First Reading..... | 210 |
| SB 0323 | Senate Message – Passage of Senate Bill | 24 |
| SB 0334 | Senate Message – Passage of Senate Bill | 26 |
| SB 0339 | Senate Message – Passage of Senate Bill | 24 |
| SB 0343 | Senate Message – Passage of Senate Bill | 25 |
| SB 0383 | First Reading..... | 210 |
| SB 0383 | Senate Message – Passage of Senate Bill | 24 |
| SB 0385 | Senate Message – Passage of Senate Bill | 25 |
| SB 0406 | First Reading..... | 210 |
| SB 0406 | Senate Message – Passage of Senate Bill | 26 |
| SB 0409 | First Reading..... | 210 |
| SB 0409 | Senate Message – Passage of Senate Bill | 26 |
| SB 0411 | First Reading..... | 210 |
| SB 0411 | Senate Message – Passage of Senate Bill | 26 |
| SB 0413 | First Reading..... | 210 |
| SB 0413 | Senate Message – Passage of Senate Bill | 25 |
| SB 0429 | Senate Message – Passage of Senate Bill | 27 |
| SB 0451 | Senate Message – Passage of Senate Bill | 26 |
| SB 0452 | Senate Message – Passage of Senate Bill | 25 |
| SB 0458 | First Reading..... | 210 |
| SB 0458 | Senate Message – Passage of Senate Bill | 25 |
| SB 0482 | First Reading..... | 210 |
| SB 0482 | Senate Message – Passage of Senate Bill | 25 |
| SB 0485 | Senate Message – Passage of Senate Bill | 25 |
| SB 0489 | First Reading..... | 210 |
| SB 0489 | Senate Message – Passage of Senate Bill | 25 |
| SB 0500 | Senate Message – Passage of Senate Bill | 26 |
| SB 0501 | Senate Message – Passage of Senate Bill | 25 |
| SB 0502 | Senate Message – Passage of Senate Bill | 26 |
| SB 0505 | First Reading..... | 210 |
| SB 0505 | Senate Message – Passage of Senate Bill | 25 |
| SB 0506 | First Reading..... | 210 |
| SB 0506 | Senate Message – Passage of Senate Bill | 25 |
| SB 0508 | First Reading..... | 210 |
| SB 0508 | Senate Message – Passage of Senate Bill | 25 |
| SB 0518 | First Reading..... | 210 |
| SB 0518 | Senate Message – Passage of Senate Bill | 25 |
| SB 0519 | First Reading..... | 210 |
| SB 0519 | Senate Message – Passage of Senate Bill | 25 |
| SB 0521 | First Reading..... | 210 |
| SB 0521 | Senate Message – Passage of Senate Bill | 25 |
| SB 0526 | First Reading..... | 210 |
| SB 0526 | Senate Message – Passage of Senate Bill | 25 |
| SB 0538 | Senate Message – Passage of Senate Bill | 25 |
| SB 0553 | First Reading..... | 210 |
| SB 0553 | Senate Message – Passage of Senate Bill | 25 |
| SB 0556 | Senate Message – Passage of Senate Bill | 28 |

| | | |
|---------|---|-----|
| SB 0557 | Senate Message – Passage of Senate Bill | 27 |
| SB 0558 | Senate Message – Passage of Senate Bill | 28 |
| SB 0564 | Senate Message – Passage of Senate Bill | 27 |
| SB 0568 | Senate Message – Passage of Senate Bill | 28 |
| SB 0569 | Senate Message – Passage of Senate Bill | 27 |
| SB 0574 | Senate Message – Passage of Senate Bill | 27 |
| SB 0575 | Senate Message – Passage of Senate Bill | 27 |
| SB 0581 | Senate Message – Passage of Senate Bill | 28 |
| SB 0600 | Senate Message – Passage of Senate Bill | 28 |
| SB 0610 | Senate Message – Passage of Senate Bill | 27 |
| SB 0613 | Senate Message – Passage of Senate Bill | 27 |
| SB 0630 | Senate Message – Passage of Senate Bill | 28 |
| SB 0635 | Senate Message – Passage of Senate Bill | 28 |
| SB 0658 | Senate Message – Passage of Senate Bill | 27 |
| SB 0760 | Senate Message – Passage of Senate Bill | 27 |
| SB 0763 | Senate Message – Passage of Senate Bill | 27 |
| SB 0764 | Senate Message – Passage of Senate Bill | 27 |
| SB 0776 | Senate Message – Passage of Senate Bill | 28 |
| SB 0780 | Senate Message – Passage of Senate Bill | 27 |
| SB 0834 | Senate Message – Passage of Senate Bill | 28 |
| SB 0840 | Senate Message – Passage of Senate Bill | 28 |
| SB 0966 | Senate Message – Passage of Senate Bill | 27 |
| SB 1119 | Senate Message – Passage of Senate Bill | 28 |
| SB 1120 | Senate Message – Passage of Senate Bill | 28 |
| SB 1233 | Senate Message – Passage of Senate Bill | 27 |
| SB 1234 | Senate Message – Passage of Senate Bill | 27 |
| SB 1235 | Senate Message – Passage of Senate Bill | 27 |
| SB 1767 | First Reading..... | 210 |
| SB 1826 | First Reading..... | 210 |
| SB 1894 | First Reading..... | 210 |
| SB 1898 | First Reading..... | 210 |
| SB 1908 | First Reading..... | 210 |
| SB 1932 | First Reading..... | 210 |
| SB 1960 | First Reading..... | 210 |
| SB 1966 | First Reading..... | 210 |
| SB 1967 | First Reading..... | 210 |
| SB 1968 | First Reading..... | 210 |
| SB 1989 | First Reading..... | 210 |
| SB 2015 | First Reading..... | 210 |
| SB 2015 | Senate Message – Passage of Senate Bill | 22 |
| SB 2030 | First Reading..... | 210 |
| SB 2030 | Senate Message – Passage of Senate Bill | 22 |
| SB 2038 | Senate Message – Passage of Senate Bill | 22 |
| SB 2040 | Senate Message – Passage of Senate Bill | 22 |
| SB 2049 | Senate Message – Passage of Senate Bill | 26 |
| SB 2053 | Senate Message – Passage of Senate Bill | 26 |
| SB 2054 | Senate Message – Passage of Senate Bill | 22 |
| SB 2060 | First Reading..... | 210 |
| SB 2060 | Senate Message – Passage of Senate Bill | 22 |
| SB 2062 | First Reading..... | 210 |
| SB 2062 | Senate Message – Passage of Senate Bill | 22 |
| SB 2064 | First Reading..... | 210 |
| SB 2064 | Senate Message – Passage of Senate Bill | 26 |
| SB 2071 | Senate Message – Passage of Senate Bill | 26 |
| SB 2072 | First Reading..... | 210 |
| SB 2072 | Senate Message – Passage of Senate Bill | 26 |
| SB 2075 | First Reading..... | 210 |

| | | |
|---------|---|-----|
| SB 2075 | Senate Message – Passage of Senate Bill | 26 |
| SB 2078 | First Reading..... | 210 |
| SB 2078 | Senate Message – Passage of Senate Bill | 22 |
| SB 2082 | First Reading..... | 210 |
| SB 2082 | Senate Message – Passage of Senate Bill | 22 |
| SB 2084 | Senate Message – Passage of Senate Bill | 22 |
| SB 2085 | Senate Message – Passage of Senate Bill | 26 |
| SB 2087 | First Reading..... | 210 |
| SB 2087 | Senate Message – Passage of Senate Bill | 22 |
| SB 2088 | Senate Message – Passage of Senate Bill | 22 |
| SB 2090 | First Reading..... | 210 |
| SB 2090 | Senate Message – Passage of Senate Bill | 22 |
| SB 2091 | First Reading..... | 210 |
| SB 2091 | Senate Message – Passage of Senate Bill | 22 |
| SB 2094 | First Reading..... | 210 |
| SB 2094 | Senate Message – Passage of Senate Bill | 22 |
| SB 2095 | Senate Message – Passage of Senate Bill | 26 |
| SB 2103 | Senate Message – Passage of Senate Bill | 22 |
| SB 2104 | First Reading..... | 210 |
| SB 2104 | Senate Message – Passage of Senate Bill | 22 |
| SB 2111 | First Reading..... | 210 |
| SB 2111 | Senate Message – Passage of Senate Bill | 26 |
| SB 2112 | First Reading..... | 210 |
| SB 2112 | Senate Message – Passage of Senate Bill | 26 |
| SB 2116 | First Reading..... | 210 |
| SB 2116 | Senate Message – Passage of Senate Bill | 22 |

The House met pursuant to adjournment.
Representative Hannig in the chair.
Prayer by Reverend Rebecca Gordon with the Nativity Lutheran Church in Wonder Lake, IL.
Representative Rita 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 McKeon was excused from attendance.

LETTER OF TRANSMITTAL

April 15, 2005

Mark Mahoney, Clerk of the House
402 Capitol
Springfield, IL 62706

Dear Mr. Mahoney:

On Thursday, April 14th, I was recorded as voting No on HB 3471 which amends the Day Labor and Temporary Labor Services Act. I respectfully ask that my vote be recorded as Yes.

Thank you for your consideration.

Sincerely,
s/Ruth Munson
State Representative
43rd District
State Representative

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Granberg will replace Representative Hannig in the Committee on Rules on April 14, 2005.

Representative Lang will replace Representative Turner in the Committee on Rules on April 14, 2005.

Representative Bailey replaced Representative Chapa LaVia in the Committee on Developmental Disabilities and Mental Illness on April 12, 2005.

Representative Ryg replaced Representative Hamos in the Committee on Judiciary I - Civil Law on April 14, 2005.

Representative Jerry Mitchell replaced Representative Biggins in the Committee on Executive on April 14, 2005.

Representative Black replaced Representative Moffitt in the Committee on Agriculture & Conservation on April 14, 2005.

Representative Mautino replaced Representative Dugan in the Committee on Agriculture & Conservation on April 14, 2005.

Representative Holbrook replaced Representative Flider in the Committee on Local Government on April 14, 2005.

Representative Saviano replaced Representative Sommer in the Committee on Local Government on April 14, 2005.

Representative Verschoore replaced Representative Flider in the Committee on Elementary & Secondary Education on April 14, 2005.

Representative Mathias replaced Representative Mulligan in the Committee on Elementary & Secondary Education on April 14, 2005.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 5 to HOUSE BILL 483.

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 | A Black, William(R), Republican Spokesperson |
| Y Granberg(D) (replacing Hannig) | Y Hassert, Brent(R) |
| Y Lang(D) (replacing Turner) | |

REPORTS FROM STANDING COMMITTEES

Representative Reitz, Chairperson, from the Committee on Revenue to which the following were referred, action taken on April 13, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 666.

Amendment No. 2 to HOUSE BILL 2712.

The committee roll call vote on Amendment No. 2 to House Bills 666 and Amendment No. 2 to House Bill 2712 is as follows:

7, Yeas; 0, Nays; 0, Answering Present.

| | |
|--|--|
| Y Reitz, Dan(D), Chairperson | Y Beaubien, Mark(R) |
| Y Biggins, Bob(R), Republican Spokesperson | A Currie, Barbara(D), Vice-Chairperson |
| A Hannig, Gary(D) | A Holbrook, Thomas(D) |
| A Jenisch, Roger(R) | A Krause, Carolyn(R) |
| Y McGuire, Jack(D) | Y Smith, Michael(D) |
| Y Sullivan, Ed(R) | Y Younge, Wyvetter(D) |

Representative Saviano, Chairperson, from the Committee on Registration and Regulation to which the following were referred, action taken on April 13, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 1716.

Amendment No. 1 to HOUSE BILL 3045.

The committee roll call vote on Amendment No. 1 to House Bill 1716 is as follows:
14, Yeas; 2, Nays; 0, Answering Present.

| | |
|---|--------------------------------------|
| Y Saviano,Angelo(R), Chairperson | A Acevedo,Edward(D) |
| A Bellock,Patricia(R) | A Bradley,Richard(D) |
| A Brauer,Rich(R) | A Burke,Daniel(D) |
| N Coulson,Elizabeth(R), Republican Spokesperson | Y Davis,Monique(D) |
| A Delgado,William(D) | Y Fritchey,John(D), Vice-Chairperson |
| Y Froehlich,Paul(R) | Y Granberg,Kurt(D) |
| A Holbrook,Thomas(D) | Y Joyce,Kevin(D) |
| A Kosel,Renee(R) | A Mautino,Frank(D) |
| Y McAuliffe,Michael(R) | Y Mendoza,Susana(D) |
| Y Miller,David(D) | Y Millner,John(R) |
| N Mulligan,Rosemary(R) | Y Munson,Ruth(R) |
| Y Phelps,Brandon(D) | Y Reis,David(R) |
| A Reitz,Dan(D) | Y Sullivan,Ed(R) |

The committee roll call vote on Amendment No. 1 to House Bill 3045 is as follows:
19, Yeas; 3, Nays; 0, Answering Present.

| | |
|---|--------------------------------------|
| Y Saviano,Angelo(R), Chairperson | A Acevedo,Edward(D) |
| Y Bellock,Patricia(R) | A Bradley,Richard(D) |
| Y Brauer,Rich(R) | A Burke,Daniel(D) |
| Y Coulson,Elizabeth(R), Republican Spokesperson | Y Davis,Monique(D) |
| Y Delgado,William(D) | Y Fritchey,John(D), Vice-Chairperson |
| Y Froehlich,Paul(R) | A Granberg,Kurt(D) |
| Y Holbrook,Thomas(D) | Y Joyce,Kevin(D) |
| Y Kosel,Renee(R) | Y Mautino,Frank(D) |
| Y McAuliffe,Michael(R) | Y Mendoza,Susana(D) |
| Y Miller,David(D) | Y Millner,John(R) |
| Y Mulligan,Rosemary(R) | N Munson,Ruth(R) |
| N Phelps,Brandon(D) | N Reis,David(R) |
| Y Reitz,Dan(D) | Y Sullivan,Ed(R) |

Representative Daniels, Chairperson, from the Committee on Developmental Disabilities and Mental Illness to which the following were referred, action taken on April 13, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 1450.

The committee roll call vote on Amendment No. 2 to House Bill 1450 is as follows:
6, Yeas; 0, Nays; 0, Answering Present.

| | |
|---|--------------------------------------|
| Y Daniels, Lee(R), Chairperson | Y Ryg, Kathleen(D), Vice-Chairperson |
| Y Bellock, Patricia(R) | Y Bailey(D) (replacing Chapa La Via) |
| Y Churchill, Robert(R), Republican Spokesperson | A Hultgren, Randall(R) |
| Y McKeon, Larry(D) | |

Representative Colvin, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on April 13, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 873.

Amendment No. 1 to HOUSE BILL 1662.

The committee roll call vote on Amendment No. 2 to House Bill 873 and Amendment No. 1 to House Bill 1662 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Colvin,Marlow(D), Chairperson
 Y Bost,Mike(R)
 Y Chapa LaVia,Linda(D)
 Y Millner,John(R)
 A Rita,Robert(D)
 A Tenhouse,Art(R)
 Y Washington,Eddie(D)

Y Gordon,Careen(D), Vice-Chairperson
 Y Brady,Dan(R), Republican Spokesperson
 Y Mendoza,Susana(D)
 Y Parke,Terry(R)
 Y Scully,George(D)
 Y Tryon,Michael(R)

Representative Howard, Chairperson, from the Committee on Computer Technology to which the following were referred, action taken on April 13, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 3 to HOUSE BILL 3650.

The committee roll call vote on Amendment No. 3 to House Bill 3650 is as follows:

7, Yeas; 0, Nays; 0, Answering Present.

Y Howard,Constance(D), Chairperson
 Y Hannig,Gary(D), Vice-Chairperson
 Y Patterson,Milton(D)
 Y Yarbrough,Karen(D)

Y Beaubien,Mark(R)
 Y Munson,Ruth(R), Republican Spokesperson
 Y Pritchard,Robert(R)

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on April 13, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 1 to HOUSE BILL 3022.

The committee roll call vote on Amendment No. 1 to House Bill 3022 is as follows:

13, Yeas; 0, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson
 Y Berrios,Maria(D)
 Y Bradley,Richard(D)
 Y Jones,Lovana(D)
 Y Lyons,Eileen(R)
 Y McKeon,Larry(D)
 Y Saviano,Angelo(R)

Y Acevedo,Edward(D)
 Y Biggins,Bob(R)
 Y Hassert,Brent(R)
 Y Kosel,Renee(R), Republican Spokesperson
 Y Lyons,Joseph(D), Vice-Chairperson
 Y Molaro,Robert(D)

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on April 13, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 44.

Amendments numbered 1 and 2 to HOUSE BILL 822.

Amendment No. 2 to HOUSE BILL 1044.

Amendment No. 1 to HOUSE BILL 1604.

Amendment No. 1 to HOUSE BILL 2977.

That the resolution be reported "recommends be adopted as amended" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 31.

The committee roll call vote on House Joint Resolution 31 is as follows:

12, Yeas; 0, Nays; 0, Answering Present.

Y Delgado,William(D), Chairperson
 Y Chavez,Michelle(D)
 Y Coulson,Elizabeth(R)

Y Bellock,Patricia(R), Republican Spokesperson
 Y Collins,Annazette(D)
 Y Cultra,Shane(R)

| | |
|-----------------------|------------------------------------|
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| Y Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on Amendment No. 2 to House Bill 44 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

| | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | Y Collins,Annazette(D) |
| Y Coulson,Elizabeth(R) | Y Cultra,Shane(R) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| A Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| Y Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on Amendment No. 1 to House Bill 822 is as follows:
9, Yeas; 1, Nay; 1, Answering Present.

| | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | N Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | A Collins,Annazette(D) |
| P Coulson,Elizabeth(R) | Y Cultra,Shane(R) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| Y Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on Amendment No. 2 to House Bill 822 is as follows:
9, Yeas; 0, Nays; 2, Answering Present.

| | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | P Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | A Collins,Annazette(D) |
| P Coulson,Elizabeth(R) | Y Cultra,Shane(R) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| Y Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on Amendment No. 2 to House Bill 1044 is as follows:
7, Yeas; 4, Nays; 0, Answering Present.

| | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | N Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | Y Collins,Annazette(D) |
| A Coulson,Elizabeth(R) | N Cultra,Shane(R) |
| N Dunn,Joe(R) | Y Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| N Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on Amendment No. 1 to House Bill 1604 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

| | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | Y Collins,Annazette(D) |
| A Coulson,Elizabeth(R) | Y Cultra,Shane(R) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| Y Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

The committee roll call vote on Amendment No. 1 to House Bill 2977 is as follows:
8, Yeas; 0, Nays; 1, Answering Present.

| | |
|-----------------------------------|--|
| P Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | A Collins,Annazette(D) |
| Y Coulson,Elizabeth(R) | Y Cultra,Shane(R) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| A Howard,Constance(D) | A Jakobsson,Naomi(D) |
| Y Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 1 to HOUSE BILL 1870.

The committee roll call vote on Amendment No. 1 to House Bill 1870 is as follows:

14, Yeas; 0, Nays; 0, Answering Present.

| | |
|--|-------------------------------------|
| Y Fritchey,John(D), Chairperson | Y Bradley,John(D), Vice-Chairperson |
| Y Brosnahan,James(D) | Y Gordon,Careen(D) |
| Y Ryg(D) (replacing Hamos) | Y Hoffman,Jay(D) |
| Y Hultgren,Randall(R), Republican Spokesperson | Y Lang,Lou(D) |
| Y Mathias,Sidney(R) | Y Nekritz,Elaine(D) |
| Y Osmond,JoAnn(R) | Y Rose,Chapin(R) |
| Y Sacia,Jim(R) | Y Wait,Ronald(R) |

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 1133.

The committee roll call vote on Amendment No. 2 to House Bill 1133 is as follows:

12, Yeas; 0, Nays; 0, Answering Present.

| | |
|-----------------------------------|--|
| Y Delgado,William(D), Chairperson | Y Bellock,Patricia(R), Republican Spokesperson |
| Y Chavez,Michelle(D) | Y Collins,Annazette(D) |
| Y Coulson,Elizabeth(R) | Y Cultra,Shane(R) |
| Y Dunn,Joe(R) | Y Flowers,Mary(D) |
| Y Howard,Constance(D) | Y Jakobsson,Naomi(D) |
| Y Jenisch,Roger(R) | Y Rita,Robert(D), Vice-Chairperson |

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 3 to HOUSE BILL 315.

The committee roll call vote on Amendment No. 3 to House Bill 315 is as follows:

13, Yeas; 0, Nays; 0, Answering Present.

| | |
|--------------------------------|---|
| Y Burke,Daniel(D), Chairperson | Y Acevedo,Edward(D) |
| Y Berrios,Maria(D) | Y Mitchell, J(R) (replacing Biggins) |
| Y Bradley,Richard(D) | Y Hassert,Brent(R) |
| Y Jones,Lovana(D) | Y Kosel,Renee(R), Republican Spokesperson |
| Y Lyons,Eileen(R) | Y Lyons,Joseph(D), Vice-Chairperson |
| Y McKeon,Larry(D) | Y Molaro,Robert(D) |
| Y Saviano,Angelo(R) | |

Representative Granberg, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 1074.

The committee roll call vote on Amendment No. 2 to House Bill 1074 is as follows:

10, Yeas; 2, Nays; 0, Answering Present.

- | | |
|---------------------------------------|--------------------------------|
| A Granberg,Kurt(D), Chairperson | Y Boland,Mike(D) |
| Y Cultra,Shane(R) | Y Mautino(D) (replacing Dugan) |
| N Flider,Robert(D) | Y McGuire,Jack(D) |
| N Black(R) (replacing Moffitt) | Y Myers,Richard(R) |
| Y Phelps,Brandon(D), Vice-Chairperson | A Pritchard,Robert(R) |
| Y Reis,David(R) | Y Reitz,Dan(D) |
| Y Sacia,Jim(R) | A Sommer,Keith(R) |
| Y Verschoore,Patrick(D) | |

Representative Franks, Chairperson, from the Committee on State Government Administration to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to HOUSE BILL 2312.

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 199.

The committee roll call vote on House Resolution 199 and Amendment No. 2 to House Bill 2312 is as follows:

8, Yeas; 0, Nays; 0, Answering Present.

- | | |
|--|------------------------|
| Y Franks,Jack(D), Chairperson | Y Bradley,John(D) |
| Y Chavez,Michelle(D) | A Collins,Annazette(D) |
| Y Dugan,Lisa(D), Vice-Chairperson | Y Lindner,Patricia(R) |
| Y Mitchell,Bill(R) | Y Myers,Richard(R) |
| Y Stephens,Ron(R), Republican Spokesperson | |

Representative Lang, Chairperson, from the Committee on Gaming to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 1 to HOUSE BILL 1916.

The committee roll call vote on Amendment No. 1 to House Bill 1916 is as follows:

6, Yeas; 2, Nays; 0, Answering Present.

- | | |
|--------------------------------------|---|
| Y Lang,Lou(D), Chairperson | N Beaubien,Mark(R) |
| Y Berrios,Maria(D), Vice-Chairperson | Y Hassert,Brent(R), Republican Spokesperson |
| Y Kosel,Renee(R) | Y Molaro,Robert(D) |
| A Rita,Robert(D) | A Scully,George(D) |
| A Stephens,Ron(R) | N Sullivan,Ed(R) |
| Y Verschoore,Patrick(D) | |

Representative Osterman, Chairperson, from the Committee on Local Government to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 1 to HOUSE BILL 1679.

Amendment No. 1 to HOUSE BILL 3066.

The committee roll call vote on Amendment No. 1 to House Bill 1679 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

| | |
|--|---------------------------------|
| Y Osterman,Harry(D), Chairperson | Y Beiser,Daniel(D) |
| Y Holbrook(D) (replacing Flider) | Y Kelly,Robin(D) |
| Y Mathias,Sidney(R), Republican Spokesperson | Y Moffitt,Donald(R) |
| Y Ryg,Kathleen(D) | Y Saviano(R) (replacing Sommer) |
| Y Tryon,Michael(R) | Y Watson,Jim(R) |
| Y Younge,Wyvetter(D) | |

The committee roll call vote on Amendment No. 1 to House Bill 3066 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

| | |
|--|---------------------|
| Y Osterman,Harry(D), Chairperson | Y Beiser,Daniel(D) |
| Y Flider,Robert(D), Vice-Chairperson | Y Kelly,Robin(D) |
| Y Mathias,Sidney(R), Republican Spokesperson | Y Moffitt,Donald(R) |
| Y Ryg,Kathleen(D) | Y Sommer,Keith(R) |
| Y Tryon,Michael(R) | Y Watson,Jim(R) |
| Y Younge,Wyvetter(D) | |

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 2572.

The committee roll call vote on Amendment No. 2 to House Bill 2572 is as follows:
10, Yeas; 0, Nays; 1, Answering Present.

| | |
|--|---|
| Y May,Karen(D), Chairperson | Y Brauer,Rich(R) |
| Y Churchill,Robert(R) | Y Feigenholtz,Sara(D) |
| Y McCarthy,Kevin(D) | P Meyer,James(R), Republican Spokesperson |
| Y Parke,Terry(R) | Y Ryg,Kathleen(D) |
| Y Tryon,Michael(R) | Y Yarbrough,Karen(D) |
| Y Younge,Wyvetter(D), Vice-Chairperson | |

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on April 14, 2005, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar:
HOUSE RESOLUTION 201.

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 2001.
Amendment No. 1 to HOUSE BILL 2004.

The committee roll call vote on House Resolution 201 is as follows:
17, Yeas; 0, Nays; 0, Answering Present.

| | |
|------------------------------------|--|
| Y Giles,Calvin(D), Chairperson | Y Davis,Monique(D), Vice-Chairperson |
| Y Bassi,Suzanne(R) | Y Beiser,Daniel(D) |
| Y Chapa LaVia,Linda(D) | A Colvin,Marlow(D) |
| Y Dugan,Lisa(D) | Y Eddy,Roger(R) |
| Y Verschoore(D) (replacing Flider) | Y Joyce,Kevin(D) |
| Y Miller,David(D) | Y Mitchell,Jerry(R), Republican Spokesperson |
| Y Moffitt,Donald(R) | Y Mathias(R) (replacing Mulligan) |
| Y Munson,Ruth(R) | A Osterman,Harry(D) |
| Y Pihos,Sandra(R) | Y Pritchard,Robert(R) |

A Reis,David(R)
Y Watson,Jim(R)

A Smith,Michael(D)

The committee roll call vote on Amendment No. 1 to House Bill 2001 is as follows:
11, Yeas; 0, Nays; 4, Answering Present.

Y Giles,Calvin(D), Chairperson
A Bassi,Suzanne(R)
Y Chapa LaVia,Linda(D)
Y Dugan,Lisa(D)
Y Verschoore(D) (replacing Flider)
Y Miller,David(D)
Y Moffitt,Donald(R)
A Munson,Ruth(R)
P Pihos,Sandra(R)
A Reis,David(R)
P Watson,Jim(R)

Y Davis,Monique(D), Vice-Chairperson
Y Beiser,Daniel(D)
A Colvin,Marlow(D)
P Eddy,Roger(R)
Y Joyce,Kevin(D)
Y Mitchell,Jerry(R), Republican Spokesperson
Y Mathias(R) (replacing Mulligan)
A Osterman,Harry(D)
P Pritchard,Robert(R)
A Smith,Michael(D)

The committee roll call vote on Amendment No. 1 to House Bill 2004 is as follows:
11, Yeas; 0, Nays; 0, Answering Present.

Y Giles,Calvin(D), Chairperson
A Bassi,Suzanne(R)
Y Chapa LaVia,Linda(D)
Y Dugan,Lisa(D)
Y Verschoore(D) (replacing Flider)
A Miller,David(D)
Y Moffitt,Donald(R)
A Munson,Ruth(R)
Y Pihos,Sandra(R)
A Reis,David(R)
A Watson,Jim(R)

Y Davis,Monique(D), Vice-Chairperson
Y Beiser,Daniel(D)
A Colvin,Marlow(D)
Y Eddy,Roger(R)
A Joyce,Kevin(D)
Y Mitchell,Jerry(R), Republican Spokesperson
Y Mathias(R) (replacing Mulligan)
A Osterman,Harry(D)
A Pritchard,Robert(R)
A Smith,Michael(D)

MOTIONS SUBMITTED

Representative Bill Mitchell submitted the following written motion, which was placed on the order of Motions:

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 124.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 599.

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

MOTION

Pursuant to Rule 65, and having voted on the prevailing side, I move to reconsider the vote by which HOUSE BILL 242 failed in the House on April 14, 2005.

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

MOTION

Pursuant to Rule 60(b), I move to table HOUSE BILL 368.

BALANCED BUDGET NOTES SUPPLIED

Balanced Budget Notes have been supplied for HOUSE BILLS 483, as amended, 1000, as amended, and 2249, as amended.

CORRECTIONAL NOTES SUPPLIED

Correctional Notes have been supplied for HOUSE BILLS 1916, as amended, and 2414, as amended.

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 483, as amended, 1308, as amended, 1370, as amended, 1628, as amended, 1749, as amended, 1916, as amended, 2240, as amended, 2260, as amended, 2414, as amended, 2572, as amended, and 2578, as amended.

HOME RULE NOTES SUPPLIED

Home Rule Notes have been supplied for HOUSE BILLS 1044, as amended, 1337, as amended, 1916, as amended, 2196, as amended, 2414, as amended and 2572, as amended.

HOUSING AFFORDABILITY IMPACT NOTES SUPPLIED

Housing Affordability Impact Notes have been supplied for HOUSE BILLS 1000, as amended, and 1063, as amended.

JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for HOUSE BILLS 483, as amended, 822, as amended, 1044, as amended, 1337, as amended, 1916, as amended, 2196, as amended, 2414, as amended, and 2572, as amended.

PENSION NOTES SUPPLIED

Pension Notes have been supplied for HOUSE BILLS 822, as amended, 1916, as amended, 2414, as amended, and 2768, as amended.

STATE DEBT IMPACT NOTES SUPPLIED

State Debt Impact Notes have been supplied for HOUSE BILLS 483, as amended, 822, as amended, 1107, 1337, as amended, and 1916, as amended.

STATE MANDATES FISCAL NOTES SUPPLIED

State Mandates Fiscal Notes have been supplied for HOUSE BILLS 483, as amended, 1044, as amended, 1320, as amended, 1337, as amended, 1628, as amended, 1916, as amended, 2260, as amended, 2414, as amended, and 2572, as amended.

REQUEST FOR BALANCED BUDGET NOTE

Representative Black requested that a Balanced Budget Note be supplied for HOUSE BILL 1916, as amended.

REQUEST FOR FISCAL NOTES

Representative Parke requested that a Fiscal Note be supplied for HOUSE BILLS 822, as amended, and 1428, as amended.

Representative Black requested that a Fiscal Note be supplied for HOUSE BILLS 1916, as amended, and 3767, as amended .

REQUEST FOR HOME RULE NOTE

Representative Black requested that a Home Rule Note be supplied for HOUSE BILL 1916, as amended.

REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE

Representative Parke requested that a Housing Affordability Impact Note be supplied for HOUSE BILL 822, as amended.

REQUEST FOR JUDICIAL NOTES

Representative Parke requested that a Judicial Note be supplied for HOUSE BILL 822, as amended.

Representative Black requested that a Judicial Note be supplied for HOUSE BILL 1916, as amended.

REQUEST FOR STATE DEBT IMPACT NOTE

Representative Black requested that a State Debt Impact Note be supplied for HOUSE BILL 1916, as amended.

REQUEST FOR STATE MANDATES FISCAL NOTES

Representative Parke requested that State Mandates Fiscal Notes be supplied for HOUSE BILLS 822, as amended, and 1428, as amended.

Representative Black requested that State Mandates Fiscal Notes be supplied for HOUSE BILL 1916, as amended, 2001, as amended, and 3767, as amended.

FISCAL NOTES WITHDRAWN

Representative Black withdrew his request for a Fiscal Note on HOUSE BILL 667, as amended.

Representative Parke withdrew his request for a Fiscal Note on HOUSE BILL 822, as amended.

STATE MANDATES FISCAL NOTES WITHDRAWN

Representative Black withdrew his request for State Mandates Fiscal Notes on HOUSE BILLS 667, as amended, and 2001.

Representative Parke withdrew his request for a State Mandates Fiscal Note on HOUSE BILL 822, as amended.

HOME RULE NOTE WITHDRAWN

Representative Black withdrew his request for a Home Rule Note on HOUSE BILL 667, as amended.

LAND CONVEYANCE APPRAISAL NOTE WITHDRAWN

Representative Black withdrew his request for a Land Conveyance Appraisal Note on HOUSE BILL 667, as amended.

HOUSING AFFORDABILITY IMPACT NOTE WITHDRAWN

Representative Parke withdrew his request for a Housing Affordability Impact Note on HOUSE BILL 822.

JUDICIAL NOTE WITHDRAWN

Representative Parke withdrew his request for a Judicial Note on HOUSE BILL 822.

MESSAGES FROM THE SENATE

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 7

A bill for AN ACT concerning revenue.

SENATE BILL NO. 21

A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 23

A bill for AN ACT concerning State government, which may be cited as the Act to End Atrocities and Terrorism in the Sudan.

SENATE BILL NO. 26

A bill for AN ACT concerning regulation.

SENATE BILL NO. 27

A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 30

A bill for AN ACT concerning courts.

SENATE BILL NO. 41

- A bill for AN ACT concerning education.
SENATE BILL NO. 52
- A bill for AN ACT concerning government.
SENATE BILL NO. 57
- A bill for AN ACT concerning firearms.
SENATE BILL NO. 58
- A bill for AN ACT concerning education.
SENATE BILL NO. 59
- A bill for AN ACT concerning transportation.
SENATE BILL NO. 2015
- A bill for AN ACT concerning elections.
SENATE BILL NO. 2030
- A bill for AN ACT concerning revenue.
SENATE BILL NO. 2038
- A bill for AN ACT concerning property.
SENATE BILL NO. 2040
- A bill for AN ACT concerning safety.
SENATE BILL NO. 2054
- A bill for AN ACT concerning local government.
SENATE BILL NO. 2060
- A bill for AN ACT concerning military personnel, which may be referred to as the Illinois Patriot Plan.
SENATE BILL NO. 2062
- A bill for AN ACT concerning aging.
SENATE BILL NO. 2078
- A bill for AN ACT concerning health.
SENATE BILL NO. 2082
- A bill for AN ACT concerning criminal law.
SENATE BILL NO. 2084
- A bill for AN ACT concerning finance.
SENATE BILL NO. 2087
- A bill for AN ACT concerning State government.
SENATE BILL NO. 2088
- A bill for AN ACT concerning agriculture.
SENATE BILL NO. 2090
- A bill for AN ACT concerning criminal law.
SENATE BILL NO. 2091
- A bill for AN ACT concerning State government.
SENATE BILL NO. 2094
- A bill for AN ACT concerning child support.
SENATE BILL NO. 2103
- A bill for AN ACT in relation to immunity.
SENATE BILL NO. 2104
- A bill for AN ACT concerning criminal law.
SENATE BILL NO. 2116
- A bill for AN ACT concerning State government.
Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 7, 21, 23, 26, 27, 30, 41, 52, 57, 58, 59, 2015, 2030, 2038, 2040, 2054, 2060, 2062, 2078, 2082, 2084, 2087, 2088, 2090, 2091, 2094, 2103, 2104 and 2116 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Hawker, Secretary:
 Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 62
 A bill for AN ACT in relation to vehicles.
 SENATE BILL NO. 66
 A bill for AN ACT concerning transportation.
 SENATE BILL NO. 69
 A bill for AN ACT concerning education.
 SENATE BILL NO. 75
 A bill for AN ACT concerning housing.
 SENATE BILL NO. 94
 A bill for AN ACT concerning local government.
 SENATE BILL NO. 95
 A bill for AN ACT concerning family law.
 SENATE BILL NO. 101
 A bill for AN ACT to create the Assistive Technology Protection Act.
 SENATE BILL NO. 129
 A bill for AN ACT concerning service contracts.
 SENATE BILL NO. 139
 A bill for AN ACT concerning professional regulation.
 SENATE BILL NO. 143
 A bill for AN ACT concerning government.
 SENATE BILL NO. 157
 A bill for AN ACT concerning hospitals.
 SENATE BILL NO. 158
 A bill for AN ACT concerning regulation.
 SENATE BILL NO. 159
 A bill for AN ACT concerning business.
 SENATE BILL NO. 162
 A bill for AN ACT concerning schools.
 SENATE BILL NO. 184
 A bill for AN ACT concerning education.
 SENATE BILL NO. 193
 A bill for AN ACT concerning transportation.
 SENATE BILL NO. 204
 A bill for AN ACT concerning elections.
 SENATE BILL NO. 210
 A bill for AN ACT concerning transportation.
 SENATE BILL NO. 223
 A bill for AN ACT concerning education.
 SENATE BILL NO. 251
 A bill for AN ACT concerning civil law.
 SENATE BILL NO. 253
 A bill for AN ACT concerning public employee benefits.
 Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 62, 66, 69, 75, 94, 95, 101, 129, 139, 143, 157, 158, 159, 162, 184, 193, 204, 210, 223, 251 and 253 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 273
A bill for AN ACT concerning criminal law.
SENATE BILL NO. 274
A bill for AN ACT concerning government.
SENATE BILL NO. 287
A bill for AN ACT concerning criminal law.
SENATE BILL NO. 293
A bill for AN ACT concerning education.
SENATE BILL NO. 316
A bill for AN ACT concerning revenue.
SENATE BILL NO. 318
A bill for AN ACT concerning local government.
SENATE BILL NO. 323
A bill for AN ACT concerning State government.
SENATE BILL NO. 339
A bill for AN ACT concerning civil law.
SENATE BILL NO. 383
A bill for AN ACT concerning education.
Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 273, 274, 287, 293, 316, 318, 323, 339 and 383 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 343
A bill for AN ACT concerning local government.
SENATE BILL NO. 385
A bill for AN ACT concerning regulation.
SENATE BILL NO. 413
A bill for AN ACT concerning animals.
SENATE BILL NO. 452
A bill for AN ACT concerning civil law.
SENATE BILL NO. 458
A bill for AN ACT in relation to minors.
SENATE BILL NO. 482
A bill for AN ACT concerning regulation.
SENATE BILL NO. 485
A bill for AN ACT concerning revenue.
SENATE BILL NO. 489
A bill for AN ACT concerning government.
SENATE BILL NO. 501
A bill for AN ACT concerning transportation.
SENATE BILL NO. 505
A bill for AN ACT concerning regulation.
SENATE BILL NO. 506

A bill for AN ACT concerning children.
SENATE BILL NO. 508

A bill for AN ACT concerning transportation.
SENATE BILL NO. 518

A bill for AN ACT concerning procurement.
SENATE BILL NO. 519

A bill for AN ACT concerning public aid.
SENATE BILL NO. 521

A bill for AN ACT concerning insurance.
SENATE BILL NO. 526

A bill for AN ACT concerning safety.
SENATE BILL NO. 538

A bill for AN ACT in relation to fraud.
SENATE BILL NO. 553

A bill for AN ACT concerning mobile homes.
Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 343, 385, 413, 452, 458, 482, 485, 489, 501, 505, 506, 508, 518, 519, 521, 526, 538 and 553 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by
Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 15
A bill for AN ACT concerning State government.

SENATE BILL NO. 16
A bill for AN ACT concerning economic development.

SENATE BILL NO. 28
A bill for AN ACT concerning transportation.

SENATE BILL NO. 72
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 92
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 98
A bill for AN ACT concerning civil law.

SENATE BILL NO. 176
A bill for AN ACT concerning education.

SENATE BILL NO. 187
A bill for AN ACT concerning elections.

SENATE BILL NO. 189
A bill for AN ACT concerning law enforcement.

SENATE BILL NO. 198
A bill for AN ACT concerning the lottery.

SENATE BILL NO. 214
A bill for AN ACT concerning warehouses.

SENATE BILL NO. 226
A bill for AN ACT concerning government.

SENATE BILL NO. 241
A bill for AN ACT concerning safety.

SENATE BILL NO. 248
A bill for AN ACT concerning transportation.

SENATE BILL NO. 262
A bill for AN ACT concerning revenue.

SENATE BILL NO. 283
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 304
A bill for AN ACT concerning government.

SENATE BILL NO. 319
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 334
A bill for AN ACT concerning access to governmental services.

SENATE BILL NO. 406
A bill for AN ACT concerning liquor.

SENATE BILL NO. 409
A bill for AN ACT concerning education.

SENATE BILL NO. 411
A bill for AN ACT concerning employment.

SENATE BILL NO. 451
A bill for AN ACT concerning regulation.

SENATE BILL NO. 500
A bill for AN ACT concerning finance.

SENATE BILL NO. 502
A bill for AN ACT concerning local government.

SENATE BILL NO. 2049
A bill for AN ACT concerning local government.

SENATE BILL NO. 2053
A bill for AN ACT concerning revenue.

SENATE BILL NO. 2064
A bill for AN ACT concerning regulation.

SENATE BILL NO. 2071
A bill for AN ACT concerning finance.

SENATE BILL NO. 2072
A bill for AN ACT concerning business.

SENATE BILL NO. 2075
A bill for AN ACT concerning employment.

SENATE BILL NO. 2085
A bill for AN ACT concerning local government.

SENATE BILL NO. 2095
A bill for AN ACT concerning regulation.

SENATE BILL NO. 2111
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2112
A bill for AN ACT concerning education.

Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 15, 16, 28, 72, 92, 98, 176, 187, 189, 198, 214, 226, 241, 248, 262, 283, 304, 319, 334, 406, 409, 411, 451, 500, 502, 2049, 2053, 2064, 2071, 2072, 2075, 2085, 2095, 2111 and 2112 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 429
 A bill for AN ACT concerning safety.

SENATE BILL NO. 557
 A bill for AN ACT concerning revenue.

SENATE BILL NO. 564
 A bill for AN ACT concerning safety.

SENATE BILL NO. 569
 A bill for AN ACT in relation to health facilities.

SENATE BILL NO. 574
 A bill for AN ACT concerning education.

SENATE BILL NO. 575
 A bill for AN ACT concerning education.

SENATE BILL NO. 610
 A bill for AN ACT concerning liquor.

SENATE BILL NO. 613
 A bill for AN ACT concerning local government.

SENATE BILL NO. 658
 A bill for AN ACT concerning estates.

SENATE BILL NO. 760
 A bill for AN ACT concerning employee benefits.

SENATE BILL NO. 763
 A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 764
 A bill for AN ACT concerning property.
 Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 429, 557, 564, 569, 574, 575, 610, 613, 658, 760, 763 and 764 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by
 Ms. Hawker, Secretary:
 Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 780
 A bill for AN ACT concerning State government.

SENATE BILL NO. 966
 A bill for AN ACT concerning housing.

SENATE BILL NO. 1233
 A bill for AN ACT concerning revenue.

SENATE BILL NO. 1234
 A bill for AN ACT concerning sex offenders.

SENATE BILL NO. 1235
 A bill for AN ACT concerning transportation.
 Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 780, 966, 1233, 1234 and 1235 were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by
Ms. Hawker, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 556
A bill for AN ACT concerning revenue.
SENATE BILL NO. 558
A bill for AN ACT concerning revenue.
SENATE BILL NO. 568
A bill for AN ACT concerning health.
SENATE BILL NO. 581
A bill for AN ACT concerning transportation.
SENATE BILL NO. 600
A bill for AN ACT concerning elections.
SENATE BILL NO. 630
A bill for AN ACT concerning State government.
SENATE BILL NO. 635
A bill for AN ACT concerning State government.
SENATE BILL NO. 776
A bill for AN ACT concerning State government.
SENATE BILL NO. 834
A bill for AN ACT concerning local government.
SENATE BILL NO. 840
A bill for AN ACT concerning local government.
SENATE BILL NO. 1119
A bill for AN ACT concerning transportation.
SENATE BILL NO. 1120
A bill for AN ACT concerning transportation.
Passed by the Senate, April 14, 2005.

Linda Hawker, Secretary of the Senate

The foregoing SENATE BILLS 556, 558, 568, 581, 600, 630, 635, 776, 834, 840, 1119 and 1120 were ordered reproduced and placed on the order of Senate Bills - First Reading.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Watson was removed as principal sponsor, and Representative McAuliffe became the new principal sponsor of HOUSE BILL 866.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Lang became the new principal sponsor of HOUSE BILL 1916.

With the consent of the affected members, Representative Phelps was removed as principal sponsor, and Representative Granberg became the new principal sponsor of HOUSE BILL 3798.

With the consent of the affected members, Representative Nekritz was removed as principal sponsor, and Representative Winters became the new principal sponsor of HOUSE BILL 242.

With the consent of the affected members, Representative Phelps was removed as principal sponsor, and Representative Bost became the new principal sponsor of HOUSE BILL 1314.

With the consent of the affected members, Representative Hannig was removed as principal sponsor, and Representative Beaubien became the new principal sponsor of HOUSE BILL 2244.

With the consent of the affected members, Representative Hannig was removed as principal sponsor, and Representative Beaubien became the new principal sponsor of HOUSE BILL 2712.

With the consent of the affected members, Representative Saviano was removed as principal sponsor, and Representative McAuliffe became the new principal sponsor of HOUSE BILL 1178.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Monique Davis became the new principal sponsor of HOUSE BILL 1870.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Saviano became the new principal sponsor of HOUSE BILL 3066.

With the consent of the affected members, Representative Saviano was removed as principal sponsor, and Representative McAuliffe became the new principal sponsor of HOUSE BILL 3696.

With the consent of the affected members, Representative Saviano was removed as principal sponsor, and Representative McAuliffe became the new principal sponsor of HOUSE BILL 928.

With the consent of the affected members, Representative Saviano was removed as principal sponsor, and Representative Watson became the new principal sponsor of HOUSE BILL 866.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Turner became the new principal sponsor of HOUSE BILL 1662.

With the consent of the affected members, Representative McAuliffe was removed as principal sponsor, and Representative Watson became the new principal sponsor of HOUSE BILL 3696.

With the consent of the affected members, Representative Burke was removed as principal sponsor, and Representative Boland became the new principal sponsor of HOUSE BILL 542.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Colvin became the new principal sponsor of HOUSE BILL 2001.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 317

Offered by Representative Howard:
Mourns the death of Joan Carole Miller Wood.

HOUSE RESOLUTION 319

Offered by Representatives William Davis and Kelly:
Congratulates the City of Markham on the occasion of its 80th anniversary celebration.

HOUSE RESOLUTION 320

Offered by Representative Granberg:
Congratulates Philip "Mike" Beard on being named as the 2005 Citizen of the Year by the Jefferson County Chamber of Commerce.

HOUSE RESOLUTION 321

Offered by Representative Granberg:

Congratulates John Scrivner on being named the 2005 Small Business Person of the Year by the Jefferson County Chamber of Commerce.

HOUSE RESOLUTION 322

Offered by Representative Chapa LaVia:
Honors Mary Davenport for her many years of membership in the Friendly Center Club at the Fox Valley Park District.

HOUSE RESOLUTION 323

Offered by Representative Flowers:
Congratulates the Vernon Park Church of God on the occasion of its 50th anniversary and commends the founding pastors, Reverends Claude and Addie Wyatt.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Beiser, HOUSE BILL 2241 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; 0, 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 and ask their concurrence.

On motion of Representative John Bradley, HOUSE BILL 1592 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 3)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Richard Bradley, HOUSE BILL 805 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 4)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Brosnahan, HOUSE BILL 3596 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 5)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Brady, HOUSE BILL 914 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Coulson, HOUSE BILL 2453 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 7)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 315. Having been recalled on April 12, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Burke offered the following amendment and moved its adoption.

AMENDMENT NO. 3. Amend House Bill 315, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Public Health and Safety Animal Population Control Act.

Section 5. Findings. The General Assembly finds the following:

(1) Controlling the dog and cat population would have a significant benefit to the public health and safety by aiding in the prevention of dog attacks, reducing the number of dog and cat bite cases involving children, and decreasing the number of automobile accidents caused by stray dogs and cats.

(2) Increasing the number of rabies-vaccinated, owned pets in low-income areas will reduce potential threats to public health and safety from rabies.

(3) Controlling the dog and cat population will save taxpayer dollars by reducing the number of dogs and cats handled by county and municipal animal control agencies. Targeted low-cost spay or neuter programs for dogs and cats in select Illinois counties and other states have proven to save taxpayers money.

(4) This Act is established to provide a variety of means by which population control and rabies vaccinations may be financed.

Section 10. Definitions. As used in this Act:

"Director" means the Director of Public Health.

"Department" means the Department of Public Health.

"Companion animal" means any domestic dog (*canis lupus familiaris*) or domestic cat (*felis catus*).

"Fund" means the Pet Population Control Fund established in this Act.

Section 15. Income tax checkoff. Each individual income tax payer may contribute to the Pet Population Control Fund through the income tax checkoff described in Section 507EE of the Illinois Income Tax Act.

Section 20. Program established. The Department shall establish and implement an Illinois Public Health and Safety Animal Population Control Program by December 31, 2005. The purpose of this program is to reduce the population of unwanted and stray dogs and cats in Illinois by encouraging the owners of dogs and cats to have them permanently sexually sterilized and vaccinated, thereby reducing potential threats to

public health and safety. The program shall begin collecting funds on January 1, 2006 and shall begin distributing funds for vaccinations or spaying and neutering operations on January 1, 2007. No dog or cat imported from another state is eligible to be sterilized or vaccinated under this program. Beginning June 30, 2007, the Director must make an annual written report relative to the progress of the program to the President of the Senate, the Speaker of the House of Representatives, and the Governor.

Section 25. Eligibility to participate. A resident of the State who owns a dog or cat and who is eligible for the Food Stamp Program or the Disability Insurance Benefits Program shall be eligible to participate in the program at a reduced rate if the owner signs a consent form certifying that he or she is the owner of the dog or cat or is authorized by the eligible owner to present the dog or cat for the procedure. An owner must submit proof of eligibility to the Department. Upon approval, the Department shall furnish an eligible owner with an eligibility voucher to be presented to a participating veterinarian. A resident of this State who is managing a feral cat colony and who humanely traps feral cats for spaying or neutering and return is eligible to participate in the program provided the trap, sterilize, and return program is recognized by the municipality or by the county, if it is located in an unincorporated area. The sterilization shall be performed by a voluntarily participating veterinarian or veterinary student under the supervision of a veterinarian. The co-payment for the cat or dog sterilization procedure and vaccinations shall be \$15.

Section 30. Veterinarian participation. Any veterinarian may participate in the program established under this Act. A veterinarian shall file with the Director an application, on which the veterinarian must supply, in addition to any other information requested by the Director, a fee schedule listing the fees charged for dog and cat sterilization, examination, and the presurgical immunizations specified in this Act in the normal course of business. The dog or cat sterilization fee may vary with the animal's weight, sex, and species. The Director shall compile the fees and establish reasonable reimbursement rates for the State.

The Director shall reimburse, to the extent funds are available, participating veterinarians for each dog or cat sterilization procedure administered. To receive this reimbursement, the veterinarian must submit a certificate approved by the Department on a form approved by the Director that must be signed by the veterinarian and the owner of the dog or cat or the feral cat caretaker. At the same time, the veterinarian must submit the eligibility voucher provided by the Department to the eligible owner. The Director shall notify all participating veterinarians if the program must be suspended for any period due to a lack of revenue and shall also notify all participating veterinarians when the program will resume. Veterinarians who voluntarily participate in this sterilization and vaccination program may decline to treat feral cats if they choose.

For all dogs and cats sterilized under this Act, the Director shall also reimburse, to the extent funds are available, participating veterinarians for (1) an examination fee and the presurgical immunization of dogs against rabies and other diseases pursuant to Department rules or (2) examination fees and the presurgical immunizations of cats against rabies and other diseases pursuant to Department rules. Reimbursement for the full cost of the covered presurgical immunizations shall be made by the Director to the participating veterinarian upon the written certification, signed by the veterinarian and the owner of the companion animal or the feral cat caretaker, that the immunization has been administered. There shall be no additional charges to the owner of a dog or cat sterilized under this Act or feral cat caretaker for examination fees or the presurgical immunizations.

Section 35. Rulemaking. The Director shall adopt rules relative to:

- (1) Other immunizations covered.
- (2) Format and content of all forms required under this Act.
- (3) Proof of eligibility.
- (4) Administration of the Fund.
- (5) The percentage of fines to be allocated to education of the public concerning spaying and neutering of dogs and cats.
- (6) Any other matter necessary for the administration of this Act.

Section 40. Enforcement; administrative fine. Any person who knowingly falsifies proof of eligibility for or participation in any program under this Act, knowingly furnishes any licensed veterinarian with inaccurate information concerning the ownership of a dog or cat submitted for a sterilization procedure, or violates any provision of this Act may be subject to an administrative fine not to exceed \$500 for each violation.

Section 45. Pet Population Control Fund. The Pet Population Control Fund is established as a special fund in the State treasury. The moneys generated from the public safety fines collected as provided in the Animal Control Act, from Pet Friendly license plates under Section 3-653 of the Illinois Vehicle Code, from Section 507EE of the Illinois Income Tax Act, and from voluntary contributions must be kept in the

Fund and shall be used only to sterilize and vaccinate dogs and cats in this State pursuant to the program, to promote the sterilization program, to educate the public about the importance of spaying and neutering, and for reasonable administrative and personnel costs related to the Fund.

Section 905. The State Finance Act is amended by changing Sections 5.568 and 8h as follows:

(30 ILCS 105/5.568)

Sec. 5.568. The Pet ~~Overpopulation~~ Population Control Fund.

(Source: P.A. 92-520, eff. 6-1-02; 92-651, eff. 7-11-02.)

(30 ILCS 105/8h)

Sec. 8h. Transfers to General Revenue Fund.

(a) Except as provided in subsection (b), notwithstanding any other State law to the contrary, the Governor may, through June 30, 2007, from time to time direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. The total transfer under this Section from any fund in any fiscal year shall not exceed the lesser of (i) 8% of the revenues to be deposited into the fund during that fiscal year or (ii) an amount that leaves a remaining fund balance of 25% of the July 1 fund balance of that fiscal year. In fiscal year 2005 only, prior to calculating the July 1, 2004 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying the formula authorized in Public Act 93-839 to the funds balances on July 1, 2003. No transfer may be made from a fund under this Section that would have the effect of reducing the available balance in the fund to an amount less than the amount remaining unexpended and unreserved from the total appropriation from that fund estimated to be expended for that fiscal year. This Section does not apply to any funds that are restricted by federal law to a specific use, to any funds in the Motor Fuel Tax Fund, the Hospital Provider Fund, the Medicaid Provider Relief Fund, or the Reviewing Court Alternative Dispute Resolution Fund, or to any funds to which subsection (f) of Section 20-40 of the Nursing and Advanced Practice Nursing Act applies. No transfers may be made under this Section from the Pet Population Control Fund. Notwithstanding any other provision of this Section, for fiscal year 2004, the total transfer under this Section from the Road Fund or the State Construction Account Fund shall not exceed the lesser of (i) 5% of the revenues to be deposited into the fund during that fiscal year or (ii) 25% of the beginning balance in the fund. For fiscal year 2005 through fiscal year 2007, no amounts may be transferred under this Section from the Road Fund, the State Construction Account Fund, the Criminal Justice Information Systems Trust Fund, the Wireless Service Emergency Fund, or the Mandatory Arbitration Fund.

In determining the available balance in a fund, the Governor may include receipts, transfers into the fund, and other resources anticipated to be available in the fund in that fiscal year.

The State Treasurer and Comptroller shall transfer the amounts designated under this Section as soon as may be practicable after receiving the direction to transfer from the Governor.

(b) This Section does not apply to any fund established under the Community Senior Services and Resources Act.

(Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674, eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04; 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff. 1-15-05.)

Section 910. The Illinois Income Tax Act is amended by adding Section 507EE as follows:

(35 ILCS 5/507EE new)

Sec. 507EE. Pet Population Control Fund checkoff. The Department must print on its standard individual income tax form a provision indicating that if the taxpayer wishes to contribute to the Pet Population Control Fund, as established in the Illinois Public Health and Safety Animal Population Control Act, he or she may do so by stating the amount of the contribution (not less than \$1) on the return and that the contribution will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment reduces the contribution accordingly. This Section does not apply to any amended return.

The Department of Revenue shall determine annually the total amount contributed to the Fund pursuant to this Section and shall notify the State Comptroller and the State Treasurer of the amount to be transferred to the Pet Population Control Fund, and upon receipt of the notification the State Comptroller shall transfer the amount.

Section 915. The Animal Control Act is amended by changing Sections 2.04a, 2.05a, 2.11a, 2.11b, 2.16, 2.19a, 3, 5, 8, 9, 10, 11, 13, 15, 15.1, and 26 and by adding Sections 2.11c, 30, and 35 as follows:

(510 ILCS 5/2.04a)

Sec. 2.04a. "Cat" means Felis catus ~~all members of the family Felidae~~.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.05a)

Sec. 2.05a. "Dangerous dog" means (i) any individual dog anywhere other than upon the property of the owner or custodian of the dog and when unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal or (ii) a dog that, without justification, bites a person and does not cause serious physical injury in a public place.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.11a)

Sec. 2.11a. "Enclosure" means a fence or structure of at least 6 feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the vicious dog within the enclosure. The enclosure shall be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, it cannot have direct ingress from or egress to the outdoors unless it leads directly to an enclosed pen and the door must be locked. A vicious dog may be allowed to move about freely within the entire residence if it is muzzled at all times.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.11b)

Sec. 2.11b. "Feral cat" means a cat that (i) is born in the wild or is the offspring of an owned or feral cat and is not socialized, ~~or~~ (ii) is a formerly owned cat that has been abandoned and is no longer socialized, ~~or~~ (iii) lives on a farm.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.11c new)

Sec. 2.11c. Intact animal. "Intact animal" means an animal that has not been spayed or neutered.

(510 ILCS 5/2.16) (from Ch. 8, par. 352.16)

Sec. 2.16. "Owner" means any person having a right of property in an animal, or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits a dog to remain on any premises occupied by him or her. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.19a)

Sec. 2.19a. "Serious physical injury" means a physical injury that creates a substantial risk of death or that causes death, serious ~~or protracted~~ disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/3) (from Ch. 8, par. 353)

Sec. 3. The County Board Chairman with the consent of the County Board shall appoint an Administrator. Appointments shall be made as necessary to keep this position filled at all times. The Administrator may appoint as many Deputy Administrators and Animal Control Wardens to aid him or her as authorized by the Board. The compensation for the Administrator, Deputy Administrators, and Animal Control Wardens shall be fixed by the Board. The Administrator may be removed from office by the County Board Chairman, with the consent of the County Board.

The Board shall provide necessary personnel, training, equipment, supplies, and facilities, and shall operate pounds or contract for their operation as necessary to effectuate the program. The Board may enter into contracts or agreements with persons to assist in the operation of the program and may establish a county animal population control program.

The Board shall be empowered to utilize monies from their General Corporate Fund to effectuate the intent of this Act.

The Board is authorized by ordinance to require the registration and may require microchipping of dogs and cats, ~~and~~ The Board shall impose an individual dog or cat animal and litter registration fee with a minimum differential of \$15 for intact dogs or cats. Ten dollars of the differential shall be placed either in a county animal population control fund or in the State's Pet Population Control Fund. If the money is placed in the county animal population control fund it shall be used to (i) spay, neuter, or sterilize adopted dogs or cats or (ii) spay or neuter dogs or cats owned by low income county residents who are eligible for the Food Stamp Program. All persons selling dogs or cats or keeping registries of dogs or cats shall cooperate and provide information to the Administrator as required by Board ordinance, including sales, number of litters, and ownership of dogs and cats. If microchips are required, the microchip number may ~~shall~~ serve as the

county animal control registration number. ~~All microchips shall have an operating frequency of 125 kilohertz.~~

In obtaining information required to implement this Act, the Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law for civil cases in courts of this State.

The Director shall have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department.

This Section does not apply to feral cats.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/5) (from Ch. 8, par. 355)

Sec. 5. Duties and powers.

(a) It shall be the duty of the Administrator or the Deputy Administrator, through sterilization, humane education, rabies inoculation, stray control, impoundment, quarantine, and any other means deemed necessary, to control and prevent the spread of rabies and to exercise dog and cat overpopulation control. It shall also be the duty of the Administrator to investigate and substantiate all claims made under Section 19 of this Act.

(b) Counties may by ordinance determine the extent of the police powers that may be exercised by the Administrator, Deputy Administrators, and Animal Control Wardens, which powers shall pertain only to this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may issue and serve citations and orders for violations of this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may not carry weapons unless they have been specifically authorized to carry weapons by county ordinance. Animal Control Wardens, however, may use tranquilizer guns and other nonlethal weapons and equipment without specific weapons authorization.

A person authorized to carry firearms by county ordinance under this subsection must have completed the training course for peace officers prescribed in the Peace Officer Firearm Training Act. The cost of this training shall be paid by the county.

(c) The sheriff and all sheriff's deputies and municipal police officers shall cooperate with the Administrator and his or her representatives in carrying out the provisions of this Act.

(d) The Administrator and animal control wardens shall aid in the enforcement of the Humane Care for Animals Act and have the ability to impound animals and apply for security posting for violation of that Act.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/8) (from Ch. 8, par. 358)

Sec. 8. Every owner of a dog 4 months or more of age shall have each dog inoculated against rabies by a licensed veterinarian. Every dog shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used. Evidence of such rabies inoculation shall be entered on a certificate the form of which shall be approved by the Board and which shall contain the microchip number of the animal if it has one and which shall be signed by the licensed veterinarian administering the vaccine. Veterinarians who inoculate a dog shall procure from the County Animal Control in the county where their office is located serially numbered tags, one to be issued with each inoculation certificate. Only one dog shall be included on each certificate. The veterinarian immunizing or microchipping an animal shall provide the Administrator of the county in which the animal resides with a certificate of immunization and microchip number. The Board shall cause a rabies inoculation tag to be issued, at a fee established by the Board for each dog inoculated against rabies.

Rabies vaccine for use on animals shall be sold or distributed only to and used only by licensed veterinarians. Such rabies vaccine shall be licensed by the United States Department of Agriculture.

If a licensed veterinarian determines in writing that a rabies inoculation would compromise an animal's health, then the animal shall be exempt from the rabies shot requirement, but the owner must still be responsible for the fees.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/9) (from Ch. 8, par. 359)

Sec. 9. Any dog found running at large contrary to provisions of this Act may be apprehended and impounded. For this purpose, the Administrator shall utilize any existing or available animal control facility or licensed animal shelter. The dog's owner shall pay a \$25 public safety fine, \$20 of which shall be

deposited into the Pet Population Control Fund and \$5 of which shall be retained by the county or municipality. A dog found running at large contrary to the provisions of this Act a second or subsequent time must be spayed or neutered within 30 days after being reclaimed unless already spayed or neutered; failure to comply shall result in impoundment.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/10) (from Ch. 8, par. 360)

Sec. 10. Impoundment; redemption. When dogs or cats are apprehended and impounded ~~by the Administrator~~, they must be scanned for the presence of a microchip. The Administrator shall make every reasonable attempt to contact the owner as defined by Section 2.16 as soon as possible. The Administrator shall give notice of not less than 7 business days to the owner prior to disposal of the animal. Such notice shall be mailed to the last known address of the owner. Testimony of the Administrator, or his or her authorized agent, who mails such notice shall be evidence of the receipt of such notice by the owner of the animal.

In case the owner of any impounded dog or cat desires to make redemption thereof, he or she may do so by doing on the following conditions:

- a. Presenting present proof of current rabies inoculation; and registration, if applicable ~~;~~ ~~or~~
- b. Paying pay for the rabies inoculation of the dog or cat; and registration, if applicable ~~;~~ ~~and~~
- c. Paying pay the pound for the board of the dog or cat for the period it was impounded ~~;~~ ~~;~~
- d. Paying pay into the Animal Control Fund an additional impoundment fee as prescribed by the Board as a penalty for the first offense and for each subsequent offense ~~;~~ ~~and~~
- e. Paying a \$25 public safety fine to be deposited into the Pet Population Control Fund; the fine shall be waived if it is the dog's or cat's first impoundment and the owner has the animal spayed or neutered within 14 days.

~~f. e. Paying pay~~ for microchipping and registration if not already done.

~~Animal control facilities that are open to the public 7 days per week for animal reclamation are exempt from the business day requirement.~~

The payments required for redemption under this Section shall be in addition to any other penalties invoked under this Act and the Illinois Public Health and Safety Animal Population Control Act. An animal control agency shall assist and share information with the Director of Public Health in the collection of public safety fines.

(Source: P.A. 93-548, eff. 8-19-03; revised 10-9-03.)

(510 ILCS 5/11) (from Ch. 8, par. 361)

Sec. 11. When not redeemed by the owner, agent, or caretaker, a dog or cat must be scanned for a microchip. If a microchip is present, the registered owner must be notified. After contact has been made or attempted, dogs or cats deemed adoptable by the animal control facility shall be offered for adoption, or made available to a licensed humane society or rescue group. If no placement is available, it that has been impounded shall be humanely dispatched pursuant to the Humane Euthanasia in Animal Shelters Act or offered for adoption. An animal pound or animal shelter shall not release any dog or cat when not redeemed by the owner unless the animal has been surgically rendered incapable of reproduction ~~by spaying or neutering~~ and microchipped, or the person wishing to adopt an animal prior to the surgical procedures having been performed shall have executed a written agreement promising to have such service performed, including microchipping, within a specified period of time not to exceed 30 days. Failure to fulfill the terms of the agreement shall result in seizure and impoundment of the animal and any offspring by the animal pound or shelter, and any monies which have been deposited shall be forfeited and submitted to the Pet Population Control Fund on a yearly basis. This Act shall not prevent humane societies from engaging in activities set forth by their charters; provided, they are not inconsistent with provisions of this Act and other existing laws. No animal shelter or animal control facility shall release dogs or cats to an individual representing a rescue group, unless the group has been licensed or has a foster care permit issued by the Illinois Department of Agriculture or is a representative of incorporated as a not-for-profit out-of-state organization. The Department may suspend or revoke the license of any animal shelter or animal control facility that fails to comply with the requirements set forth in this Section or that fails to report its intake and euthanasia statistics each year.

(Source: P.A. 92-449, eff. 1-1-02; 93-548, eff. 8-19-03.)

(510 ILCS 5/13) (from Ch. 8, par. 363)

Sec. 13. Dog or other animal bites; observation of animal.

(a) Except as otherwise provided in subsection (b) of this Section, when the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator receives information that any person has been

bitten by an animal, the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or his or her authorized representative, shall have such dog or other animal confined under the observation of a licensed veterinarian for a period of 10 days. The Department may permit such confinement to be reduced to a period of less than 10 days. A veterinarian shall report the clinical condition of the animal immediately, with confirmation in writing to the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator within 24 hours after the animal is presented for examination, giving the owner's name, address, the date of confinement, the breed, description, age, and sex of the animal, and whether the animal has been spayed or neutered, on appropriate forms approved by the Department. The Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator shall notify the attending physician or responsible health agency. At the end of the confinement period, the veterinarian shall submit a written report to the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator advising him or her of the final disposition of the animal on appropriate forms approved by the Department. When evidence is presented that the animal was inoculated against rabies within the time prescribed by law, it shall be confined in a house, or in a manner which will prohibit it from biting any person for a period of 10 days, if a licensed veterinarian adjudges such confinement satisfactory. The Department may permit such confinement to be reduced to a period of less than 10 days. At the end of the confinement period, the animal shall be examined by a licensed veterinarian.

Any person having knowledge that any person has been bitten by an animal shall notify the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator promptly. It is unlawful for the owner of the animal to euthanize, sell, give away, or otherwise dispose of any animal known to have bitten a person, until it is released by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or his or her authorized representative. It is unlawful for the owner of the animal to refuse or fail to comply with the reasonable written or printed instructions made by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or his authorized representative. If such instructions cannot be delivered in person, they shall be mailed to the owner of the animal by regular mail. Any expense incurred in the handling of an animal under this Section and Section 12 shall be borne by the owner. The owner of a biting animal must also remit to the Department of Public Health, for deposit into the Pet Population Control Fund, a \$25 public safety fine within 30 days after notice.

(b) When a person has been bitten by a police dog that is currently vaccinated against rabies, the police dog may continue to perform its duties for the peace officer or law enforcement agency and any period of observation of the police dog may be under the supervision of a peace officer. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a police vehicle, or remaining under the constant supervision of its police handler.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/15) (from Ch. 8, par. 365)

Sec. 15. (a) In order to have a dog deemed "vicious", the Administrator, Deputy Administrator, ~~animal control warden~~, or law enforcement officer must give notice of the infraction that is the basis of the investigation to the owner, conduct a thorough investigation, interview any witnesses, including the owner, gather any existing medical records, veterinary medical records or behavioral evidence, and make a detailed report recommending a finding that the dog is a vicious dog and give the report to the State's Attorney's Office and the owner. The Administrator, State's Attorney, Director or any citizen of the county in which the dog exists may file a complaint in the circuit court in the name of the People of the State of Illinois to deem a dog to be a vicious dog. Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to the court's determination of whether the dog's behavior was justified. The petitioner must prove the dog is a vicious dog by clear and convincing evidence. The Administrator shall determine where the animal shall be confined during the pendency of the case.

A dog may ~~shall~~ not be declared vicious if the court determines the conduct of the dog was justified because:

(1) the threat, injury, or death was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog, or was committing a willful trespass or other tort upon the premises or property owned or occupied by the owner of the animal ~~upon the property of the owner or custodian of the dog;~~

(2) the injured, threatened, or killed person was ~~tormenting~~, abusing, assaulting, or physically threatening the dog or its offspring, or has in the past ~~tormented~~, abused, assaulted, or physically threatened the dog or its offspring; or

(3) the dog was responding to pain or injury, or was protecting itself, its owner, custodian, or member of its household, kennel, or offspring.

No dog shall be deemed "vicious" if it is a professionally trained dog for law enforcement or guard duties. Vicious dogs shall not be classified in a manner that is specific as to breed.

If the burden of proof has been met, the court shall deem the dog to be a vicious dog.

If a dog is found to be a vicious dog, the owner shall pay a \$100 public safety fine to be deposited into the Pet Population Control Fund, the dog shall be spayed or neutered within 10 days of the finding at the expense of its owner and microchipped, if not already, and the dog is subject to enclosure. If an owner fails to comply with these requirements, the animal control agency shall impound the dog and the owner shall pay a \$500 fine plus impoundment fees to the animal control agency impounding the dog. The judge has the discretion to order a vicious dog be euthanized. A dog found to be a vicious dog shall not be released to the owner until the Administrator, an Animal Control Warden, or the Director approves the enclosure. No owner or keeper of a vicious dog shall sell or give away the dog without ~~each~~ approval from the Administrator or court. Whenever an owner of a vicious dog relocates, he or she shall notify both the Administrator of County Animal Control where he or she has relocated and the Administrator of County Animal Control where he or she formerly resided.

(b) It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless the dog is kept in an enclosure. The only times that a vicious dog may be allowed out of the enclosure are (1) if it is necessary for the owner or keeper to obtain veterinary care for the dog, (2) in the case of an emergency or natural disaster where the dog's life is threatened, or (3) to comply with the order of a court of competent jurisdiction, provided that the dog is securely muzzled and restrained with a leash not exceeding 6 feet in length, and shall be under the direct control and supervision of the owner or keeper of the dog or muzzled in its residence.

Any dog which has been found to be a vicious dog and which is not confined to an enclosure shall be impounded by the Administrator, an Animal Control Warden, or the law enforcement authority having jurisdiction in such area.

If the owner of the dog has not appealed the impoundment order to the circuit court in the county in which the animal was impounded within 15 working days, the dog may be euthanized.

Upon filing a notice of appeal, the order of euthanasia shall be automatically stayed pending the outcome of the appeal. The owner shall bear the burden of timely notification to animal control in writing.

Guide dogs for the blind or hearing impaired, support dogs for the physically handicapped, and sentry, guard, or police-owned dogs are exempt from this Section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies in accordance with Section 8 of this Act. It shall be the duty of the owner of such exempted dog to notify the Administrator of changes of address. In the case of a sentry or guard dog, the owner shall keep the Administrator advised of the location where such dog will be stationed. The Administrator shall provide police and fire departments with a categorized list of such exempted dogs, and shall promptly notify such departments of any address changes reported to him.

(c) If the animal control agency has custody of the dog, the agency may file a petition with the court requesting that the owner be ordered to post security. The security must be in an amount sufficient to secure payment of all reasonable expenses expected to be incurred by the animal control agency or animal shelter in caring for and providing for the dog pending the determination. Reasonable expenses include, but are not limited to, estimated medical care and boarding of the animal for 30 days. If security has been posted in accordance with this Section, the animal control agency may draw from the security the actual costs incurred by the agency in caring for the dog.

(d) Upon receipt of a petition, the court must set a hearing on the petition, to be conducted within 5 business days after the petition is filed. The petitioner must serve a true copy of the petition upon the defendant.

(e) If the court orders the posting of security, the security must be posted with the clerk of the court within 5 business days after the hearing. If the person ordered to post security does not do so, the dog is forfeited by operation of law and the animal control agency must dispose of the animal through adoption or humane euthanization.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/15.1)

Sec. 15.1. Dangerous dog determination.

(a) After a thorough investigation including: sending, within 10 business ~~3~~ days of the Administrator or Director becoming aware of the alleged infraction, notifications to the owner of the alleged infractions, the

fact of the initiation of an investigation, and affording the owner an opportunity to meet with the Administrator or Director prior to the making of a determination; gathering of any medical or veterinary evidence; interviewing witnesses; and making a detailed written report, an animal control warden, deputy administrator, or law enforcement agent may ask the Administrator, or his or her designee, or the Director, to deem a dog to be "dangerous". No dog shall be deemed a "dangerous dog" unless shown to be a dangerous dog by a preponderance of evidence without clear and convincing evidence. The owner shall be sent immediate notification of the determination by registered or certified mail that includes a complete description of the appeal process.

(b) A dog shall not be declared dangerous if the Administrator, or his or her designee, or the Director determines the conduct of the dog was justified because:

(1) the threat was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog or was committing a willful trespass or other tort upon the premises or property occupied by the owner of the animal;

(2) the threatened person was ~~tormenting~~, abusing, assaulting, or physically threatening the dog or its offspring;

(3) the injured, threatened, or killed companion animal was attacking or threatening to attack the dog or its offspring; or

(4) the dog was responding to pain or injury or was protecting itself, its owner, custodian, or a member of its household, kennel, or offspring.

(c) Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to the determination of whether the dog's behavior was justified pursuant to the provisions of this Section.

(d) If deemed dangerous, the Administrator, or his or her designee, or the Director shall order (i) the dog's owner to pay a \$50 public safety fine to be deposited into the Pet Population Control Fund, (ii) the dog to be spayed or neutered within 14 days at the owner's expense and microchipped, if not already, and (iii) one or more of the following as deemed appropriate under the circumstances and necessary for the protection of the public:

(1) evaluation of the dog by a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert in the field and completion of training or other treatment as deemed appropriate by the expert. The owner of the dog shall be responsible for all costs associated with evaluations and training ordered under this subsection; or

(2) direct supervision by an adult 18 years of age or older whenever the animal is on public premises.

(e) The Administrator may order a dangerous dog to be muzzled whenever it is on public premises in a manner that will prevent it from biting any person or animal, but that shall not injure the dog or interfere with its vision or respiration.

(f) Guide dogs for the blind or hearing impaired, support dogs for the physically handicapped, and sentry, guard, or police-owned dogs are exempt from this Section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies in accordance with Section 8 of this Act and performing duties as expected. It shall be the duty of the owner of the exempted dog to notify the Administrator of changes of address. In the case of a sentry or guard dog, the owner shall keep the Administrator advised of the location where such dog will be stationed. The Administrator shall provide police and fire departments with a categorized list of the exempted dogs, and shall promptly notify the departments of any address changes reported to him or her.

(g) An animal control agency has the right to impound a dangerous dog if the owner fails to comply with the requirements of this Act.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/26) (from Ch. 8, par. 376)

Sec. 26. (a) Any person violating or aiding in or abetting the violation of any provision of this Act, or counterfeiting or forging any certificate, permit, or tag, or making any misrepresentation in regard to any matter prescribed by this Act, or resisting, obstructing, or impeding the Administrator or any authorized officer in enforcing this Act, or refusing to produce for inoculation any dog in his possession, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of a Class C misdemeanor for a first offense and for a subsequent offense, is guilty of a Class B misdemeanor.

Each day a person fails to comply constitutes a separate offense. Each State's Attorney to whom the Administrator reports any violation of this Act shall cause appropriate proceedings to be instituted in the

proper courts without delay and to be prosecuted in the manner provided by law.

(b) If the owner of a vicious dog subject to enclosure:

- (1) fails to maintain or keep the dog in an enclosure or fails to spay or neuter the dog within the time period prescribed; and
- (2) the dog inflicts serious physical injury upon any other person or causes the death of another person; and
- (3) the attack is unprovoked in a place where such person is peaceably conducting himself or herself and where such person may lawfully be;

the owner shall be guilty of a Class 4 felony, unless the owner knowingly allowed the dog to run at large or failed to take steps to keep the dog in an enclosure then the owner shall be guilty of a Class 3 felony. The penalty provided in this paragraph shall be in addition to any other criminal or civil sanction provided by law.

(c) If the owner of a dangerous dog knowingly fails to comply with any order ~~of the court~~ regarding the dog and the dog inflicts serious physical injury on a person or a companion animal, the owner shall be guilty of a Class A misdemeanor. If the owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog kills a person the owner shall be guilty of a Class 4 felony.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/30 new)

Sec. 30. Rules. The Department shall administer this Act and shall promulgate rules necessary to effectuate the purposes of this Act. The Director may, in formulating rules pursuant to this Act, seek the advice and recommendations of humane societies and societies for the protection of animals.

(510 ILCS 5/35 new)

Sec. 35. Liability.

(a) Any municipality or political subdivision allowing feral cat colonies and trap, sterilize, and return programs to help control cat overpopulation shall be immune from criminal liability and shall not be civilly liable, except for willful and wanton misconduct, for damages that may result from a feral cat. Any municipality or political subdivision allowing dog parks shall be immune from criminal liability and shall not be civilly liable, except for willful and wanton misconduct, for damages that may result from occurrences in the dog park.

(b) Any veterinarian or animal shelter who in good faith contacts the registered owner of a microchipped animal shall be immune from criminal liability and shall not, as a result of his or her acts or omissions, except for willful and wanton misconduct, be liable for civil damages.

(c) Any veterinarian who sterilizes feral cats and any feral cat caretaker who traps cats for a trap, sterilize, and return program shall be immune from criminal liability and shall not, as a result of his or her acts or omissions, except for willful and wanton misconduct, be liable for civil damages.

(d) Any animal shelter worker who microchips an animal shall be immune from criminal liability and shall not, as a result of his or her acts or omissions, except for willful and wanton misconduct, be liable for civil damages.

Section 920. The Illinois Vehicle Code is amended by changing Section 3-653 as follows:

(625 ILCS 5/3-653)

Sec. 3-653. Pet Friendly license plates.

(a) The Secretary, upon receipt of an application made in the form prescribed by the Secretary, may issue special registration plates designated as Pet Friendly license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, motor vehicles of the second division weighing not more than 8,000 pounds, and recreational vehicles as defined in Section 1-169 of this Code. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the plates is wholly within the discretion of the Secretary, except that the phrase "I am pet friendly" shall be on the plates. The Secretary may allow the plates to be issued as vanity plates or personalized plates under Section 3-405.1 of the Code. The Secretary shall prescribe stickers or decals as provided under Section 3-412 of this Code.

(c) An applicant for the special plate shall be charged a \$40 fee for original issuance in addition to the appropriate registration fee. Of this additional fee, \$25 shall be deposited into the Pet Population Overpopulation Control Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund, to be used by the Secretary to help defray the administrative processing costs.

For each registration renewal period, a \$27 fee, in addition to the appropriate registration fee, shall be charged. Of this additional fee, \$25 shall be deposited into the Pet Population Overpopulation Control Fund

and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

~~(d) The Pet Overpopulation Control Fund is created as a special fund in the State treasury. All moneys in the Pet Overpopulation Control Fund shall be paid, subject to appropriation by the General Assembly and approval by the Secretary, as grants to humane societies exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code to be used solely for the humane sterilization of dogs and cats in the State of Illinois. In approving grants under this subsection (d), the Secretary shall consider recommendations for grants made by a volunteer board appointed by the Secretary that shall consist of 5 Illinois residents who are officers or directors of humane societies operating in different regions in Illinois. (Source: P.A. 92-520, eff. 6-1-02; 92-651, eff. 7-11-02.)~~

Section 995. The State Mandates Act is amended by adding Section 8.29 as follows:
(30 ILCS 805/8.29 new)

Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Collins, HOUSE BILL 1397 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: 117, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 8)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 1535. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Monique Davis, HOUSE BILL 2408 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: 117, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 9)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 1450. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Daniels offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1450 by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by adding Section 18.6 as follows:

(20 ILCS 1705/18.6 new)

Sec. 18.6. Recovery-oriented services and treatment. The Department shall research and determine requirements for the development and transformation to a recovery-oriented system for delivering State-funded and State-operated services to persons with mental illness. The Department may convene an inter-agency, inter-disciplinary task force of experts in the mental health field, including consumers of services, mental health professionals, providers of State-operated and community-based services, advisory boards and councils, and organizations representing consumers to assist in this determination.

For the purpose of this Section, "recovery" refers to the process by which people are able to live, work, learn, and participate fully in their communities. A recovery-oriented system provides services and treatments that are consumer and family centered and geared to give consumers real and meaningful choices about treatment options and providers. Care must focus on increasing consumers' ability to successfully cope with life's challenges, on facilitating recovery, and on building resilience, not just on managing symptoms

By January 1, 2006, the Department shall prepare and submit a report to the Governor and to the General Assembly of findings and recommendations to transform the current system of care for persons with mental illness to a recovery-oriented system including a common definition of terms, the requirements of a recovery-oriented system, including a comparison of this recovery-oriented system with the current system, identification of the similarities and differences between the systems in terms of the services provided, a description of the protocols for assessment, case planning, and service delivery, and a comparison of the costs of the systems."

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Eddy, HOUSE BILL 690 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 10)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Eddy, HOUSE BILL 1475 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: 76, Yeas; 41, Nays; 0, Answering Present.

(ROLL CALL 11)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 2. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendments were offered in the Committee on Revenue, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 2 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 21-81 as follows:

(35 ILCS 200/21-81 new)

Sec. 21-81. Liability for waste.

(a) If a county or municipality acquires an interest in property by any method to which Section 21-95 applies, then that county or municipality may petition the circuit court for a determination of the following:

(1) that waste was committed or suffered on the property on or after the date that a notice was received by the proper party under subsection (c) but on or before the expiration of the period of redemption; and

(2) the extent to which the fair market value of the property has been diminished by the waste.

(b) If the court determines that, on or after the date that notice was received by the proper party under subsection (c) but on or before the expiration of the period of redemption: (i) waste was committed or suffered on the property; and (ii) the fair market value of the property was diminished, then each person whose acts or omissions caused the waste is jointly and severally liable to the county or municipality for the entire amount of any delinquent taxes owed on the property and the amount of the diminishment of the fair market value of the property. These amounts received by the county or municipality shall be distributed proportionally to each taxing district based upon the proportion of taxes owed to that taxing district. In addition, the county or municipality shall be awarded its costs and reasonable attorneys' fees and litigation expenses.

(c) If an interest in property is acquired by a county or municipality by any method to which Section 21-95 applies, then the governing body of that county or municipality may deliver to the county clerk a notice that the county or municipality has acquired an interest in the property. The notice shall include the location of the property, the legal description or permanent index number of the property, the county or municipality that acquired an interest in the property, and that if waste is committed or suffered, each person whose acts or omissions caused the waste is jointly and severally liable to the county or municipality for the entire amount of any delinquent taxes owed on the property and the amount of the diminishment of the fair market value of the property. Within 5 business days after receipt of the notice, the clerk shall mail the notice to the party in whose name taxes were last assessed, as shown by the most recent tax collector's warrant books. Notice shall be deemed to have been received by the proper party within 2 business days after it is mailed to the proper party by the clerk. In addition, upon receipt of the notice, the proper party must promptly post copies of the notice throughout the premises.

(d) The remedies provided under this Section are in addition to any remedies provided under Section 21-80.

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

AMENDMENT NO. 2. Amend House Bill 2, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 21-81 as follows:

(35 ILCS 200/21-81 new)

Sec. 21-81. Liability for waste.

(a) If a county or municipality could acquire an interest in property by any method to which Section 21-95 applies, then the governing body of that county or municipality may deliver to the county clerk a

notice that the county or municipality may acquire an interest in the property. The notice (i) shall include the location of the property and the legal description or permanent index number of the property and (ii) shall state that the county or municipality could acquire an interest in the property and that if waste is committed or suffered, each person whose acts or omissions caused the waste is jointly and severally liable to the county or municipality for the entire amount of the diminishment of the fair market value of the property. Within 5 business days after receipt of the notice, the clerk shall mail the notice to the party in whose name taxes were last assessed, as shown by the most recent tax collector's warrant books. Notice shall be deemed to have been received by the proper party within 3 business days after it is mailed to the proper party by the clerk. In addition, upon receipt of the notice, the proper party must promptly post copies of the notice throughout the premises and mail copies of the notice to all owners, occupants, and other interested persons; failure to do so shall be deemed suffering waste to be committed.

(b) If a county or municipality acquires an interest in property by any method to which Section 21-95 applies, then that county or municipality may petition the circuit court for a determination of the following:

(1) that waste was committed or suffered on the property on or after the date that a notice was received by the proper party under subsection (a) but on or before the date the county or municipality acquired title to the property by deed; and

(2) the extent to which the fair market value of the property has been diminished by the waste.

(c) If the court determines that, on or after the date that notice was received by the proper party under subsection (a) but on or before the date the county or municipality acquired title to the property by deed: (i) waste was committed or suffered on the property and (ii) the fair market value of the property was thereby diminished, then each person whose acts or omissions caused the waste is jointly and severally liable to the county or municipality for the entire amount of the diminishment of the fair market value of the property. If the property was acquired because taxes were delinquent on the property, the amount received by the county or municipality shall be distributed proportionally to each taxing district based upon the proportion of taxes owed to that taxing district. In addition, the county or municipality shall be awarded its costs and reasonable attorneys' fees and litigation expenses.

(d) The remedies provided under this Section are in addition to any remedies provided under Section 21-80.

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

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Feigenholtz, HOUSE BILL 3628 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 12)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 1870. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Monique Davis offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1870 by replacing everything after the enacting clause

with the following:

"Section 5. The Adoption Act is amended by changing Section 1 as follows:

(750 ILCS 50/1) (from Ch. 40, par. 1501)

Sec. 1. Definitions. When used in this Act, unless the context otherwise requires:

A. "Child" means a person under legal age subject to adoption under this Act.

B. "Related child" means a child subject to adoption where either or both of the adopting parents stands in any of the following relationships to the child by blood or marriage: parent, grand-parent, brother, sister, step-parent, step-grandparent, step-brother, step-sister, uncle, aunt, great-uncle, great-aunt, or cousin of first degree. A child whose parent has executed a final irrevocable consent to adoption or a final irrevocable surrender for purposes of adoption, or whose parent has had his or her parental rights terminated, is not a related child to that person, unless the consent is determined to be void or is void pursuant to subsection O of Section 10.

C. "Agency" for the purpose of this Act means a public child welfare agency or a licensed child welfare agency.

D. "Unfit person" means any person whom the court shall find to be unfit to have a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are any one or more of the following, except that a person shall not be considered an unfit person for the sole reason that the person has relinquished a child in accordance with the Abandoned Newborn Infant Protection Act:

(a) Abandonment of the child.

(a-1) Abandonment of a newborn infant in a hospital.

(a-2) Abandonment of a newborn infant in any setting where the evidence suggests that the parent intended to relinquish his or her parental rights.

(b) Failure to maintain a reasonable degree of interest, concern or responsibility as to the child's welfare.

(c) Desertion of the child for more than 3 months next preceding the commencement of the Adoption proceeding.

(d) Substantial neglect of the child if continuous or repeated.

(d-1) Substantial neglect, if continuous or repeated, of any child residing in the household which resulted in the death of that child.

(e) Extreme or repeated cruelty to the child.

(f) Two or more findings of physical abuse to any children under Section 4-8 of the Juvenile Court Act or Section 2-21 of the Juvenile Court Act of 1987, the most recent of which was determined by the juvenile court hearing the matter to be supported by clear and convincing evidence; a criminal conviction or a finding of not guilty by reason of insanity resulting from the death of any child by physical child abuse; or a finding of physical child abuse resulting from the death of any child under Section 4-8 of the Juvenile Court Act or Section 2-21 of the Juvenile Court Act of 1987.

(g) Failure to protect the child from conditions within his environment injurious to the child's welfare.

(h) Other neglect of, or misconduct toward the child; provided that in making a finding of unfitness the court hearing the adoption proceeding shall not be bound by any previous finding, order or judgment affecting or determining the rights of the parents toward the child sought to be adopted in any other proceeding except such proceedings terminating parental rights as shall be had under either this Act, the Juvenile Court Act or the Juvenile Court Act of 1987.

(i) Depravity. Conviction of any one of the following crimes shall create a presumption that a parent is depraved which can be overcome only by clear and convincing evidence: (1) first degree murder in violation of paragraph 1 or 2 of subsection (a) of Section 9-1 of the Criminal Code of 1961 or conviction of second degree murder in violation of subsection (a) of Section 9-2 of the Criminal Code of 1961 of a parent of the child to be adopted; (2) first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (3) attempt or conspiracy to commit first degree murder or second degree murder of any child in violation of the Criminal Code of 1961; (4) solicitation to commit murder of any child, solicitation to commit murder of any child for hire, or solicitation to commit second degree murder of any child in violation of the Criminal Code of 1961; or (5) aggravated criminal sexual assault in violation of Section 12-14(b)(1) of the Criminal Code of 1961.

There is a rebuttable presumption that a parent is depraved if the parent has been criminally convicted of at least 3 felonies under the laws of this State or any other state, or under federal law, or the criminal laws of any United States territory; and at least one of these convictions took place within 5 years of the filing of the petition or motion seeking termination of parental rights.

There is a rebuttable presumption that a parent is depraved if that parent has been criminally convicted of either first or second degree murder of any person as defined in the Criminal Code of 1961 within 10 years of the filing date of the petition or motion to terminate parental rights.

(j) Open and notorious adultery or fornication.

(j-1) (Blank).

(k) Habitual drunkenness or addiction to drugs, other than those prescribed by a physician, for at least one year immediately prior to the commencement of the unfitness proceeding.

There is a rebuttable presumption that a parent is unfit under this subsection with respect to any child to which that parent gives birth where there is a confirmed test result that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or metabolites of such substances, the presence of which in the newborn infant was not the result of medical treatment administered to the mother or the newborn infant; and the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987.

(l) Failure to demonstrate a reasonable degree of interest, concern or responsibility as to the welfare of a new born child during the first 30 days after its birth.

(m) Failure by a parent (i) to make reasonable efforts to correct the conditions that were the basis for the removal of the child from the parent, or (ii) to make reasonable progress toward the return of the child to the parent within 9 months after an adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act, or (iii) to make reasonable progress toward the return of the child to the parent during any 9-month period after the end of the initial 9-month period following the adjudication of neglected or abused minor under Section 2-3 of the Juvenile Court Act of 1987 or dependent minor under Section 2-4 of that Act. If a service plan has been established as required under Section 8.2 of the Abused and Neglected Child Reporting Act to correct the conditions that were the basis for the removal of the child from the parent and if those services were available, then, for purposes of this Act, "failure to make reasonable progress toward the return of the child to the parent" includes (I) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care within 9 months after the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987 and (II) the parent's failure to substantially fulfill his or her obligations under the service plan and correct the conditions that brought the child into care during any 9-month period after the end of the initial 9-month period following the adjudication under Section 2-3 or 2-4 of the Juvenile Court Act of 1987. Notwithstanding any other provision, a petition or motion seeking to terminate parental rights on the basis of this subsection (m) shall specify the 9-month period relied upon by the petitioner.

(m-1) Pursuant to the Juvenile Court Act of 1987, a child has been in foster care for 15 months out of any 22 month period which begins on or after the effective date of this amendatory Act of 1998 unless the child's parent can prove by a preponderance of the evidence that it is more likely than not that it will be in the best interests of the child to be returned to the parent within 6 months of the date on which a petition for termination of parental rights is filed under the Juvenile Court Act of 1987. The 15 month time limit is tolled during any period for which there is a court finding that the appointed custodian or guardian failed to make reasonable efforts to reunify the child with his or her family, provided that (i) the finding of no reasonable efforts is made within 60 days of the period when reasonable efforts were not made or (ii) the parent filed a motion requesting a finding of no reasonable efforts within 60 days of the period when reasonable efforts were not made. For purposes of this subdivision (m-1), the date of entering foster care is the earlier of: (i) the date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or (ii) 60 days after the date on which the child is removed from his or her parent, guardian, or legal custodian.

(n) Evidence of intent to forgo his or her parental rights, whether or not the child is a ward of the court, (1) as manifested by his or her failure for a period of 12 months: (i) to visit the child, (ii) to communicate with the child or agency, although able to do so and not prevented from doing so by an agency or by court order, or (iii) to maintain contact with or plan for the future of the child, although physically able to do so, or (2) as manifested by the father's failure, where he and the mother of the child were unmarried to each other at the time of the child's birth, (i) to commence legal proceedings to establish his paternity under the Illinois Parentage Act of 1984 or the law of the jurisdiction of the child's birth within 30 days of being informed, pursuant to Section 12a of this Act, that he is the father or the likely father of the child or, after being so informed where the child is not yet born, within 30 days of the

child's birth, or (ii) to make a good faith effort to pay a reasonable amount of the expenses related to the birth of the child and to provide a reasonable amount for the financial support of the child, the court to consider in its determination all relevant circumstances, including the financial condition of both parents; provided that the ground for termination provided in this subparagraph (n)(2)(ii) shall only be available where the petition is brought by the mother or the husband of the mother.

Contact or communication by a parent with his or her child that does not demonstrate affection and concern does not constitute reasonable contact and planning under subdivision (n). In the absence of evidence to the contrary, the ability to visit, communicate, maintain contact, pay expenses and plan for the future shall be presumed. The subjective intent of the parent, whether expressed or otherwise, unsupported by evidence of the foregoing parental acts manifesting that intent, shall not preclude a determination that the parent has intended to forgo his or her parental rights. In making this determination, the court may consider but shall not require a showing of diligent efforts by an authorized agency to encourage the parent to perform the acts specified in subdivision (n).

It shall be an affirmative defense to any allegation under paragraph (2) of this subsection that the father's failure was due to circumstances beyond his control or to impediments created by the mother or any other person having legal custody. Proof of that fact need only be by a preponderance of the evidence.

(o) Repeated or continuous failure by the parents, although physically and financially able, to provide the child with adequate food, clothing, or shelter.

(p) Inability to discharge parental responsibilities supported by competent evidence from a psychiatrist, licensed clinical social worker, or clinical psychologist of mental impairment, mental illness or mental retardation as defined in Section 1-116 of the Mental Health and Developmental Disabilities Code, or developmental disability as defined in Section 1-106 of that Code, and there is sufficient justification to believe that the inability to discharge parental responsibilities shall extend beyond a reasonable time period. However, this subdivision (p) shall not be construed so as to permit a licensed clinical social worker to conduct any medical diagnosis to determine mental illness or mental impairment.

(q) The parent has been criminally convicted of aggravated battery, heinous battery, or attempted murder of any child.

(r) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated as a result of criminal conviction at the time the petition or motion for termination of parental rights is filed, prior to incarceration the parent had little or no contact with the child or provided little or no support for the child, and the parent's incarceration will prevent the parent from discharging his or her parental responsibilities for the child for a period in excess of 2 years after the filing of the petition or motion for termination of parental rights.

(s) The child is in the temporary custody or guardianship of the Department of Children and Family Services, the parent is incarcerated at the time the petition or motion for termination of parental rights is filed, the parent has been repeatedly incarcerated as a result of criminal convictions, and the parent's repeated incarceration has prevented the parent from discharging his or her parental responsibilities for the child.

(t) A finding that at birth the child's blood, urine, or meconium contained any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act, or a metabolite of a controlled substance, with the exception of controlled substances or metabolites of such substances, the presence of which in the newborn infant was the result of medical treatment administered to the mother or the newborn infant, and that the biological mother of this child is the biological mother of at least one other child who was adjudicated a neglected minor under subsection (c) of Section 2-3 of the Juvenile Court Act of 1987, after which the biological mother had the opportunity to enroll in and participate in a clinically appropriate substance abuse counseling, treatment, and rehabilitation program.

E. "Parent" means the father or mother of a legitimate or illegitimate child. For the purpose of this Act, a person who has executed a final and irrevocable consent to adoption or a final and irrevocable surrender for purposes of adoption, or whose parental rights have been terminated by a court, is not a parent of the child who was the subject of the consent or surrender, unless the consent is void pursuant to subsection O of Section 10.

F. A person is available for adoption when the person is:

(a) a child who has been surrendered for adoption to an agency and to whose adoption the agency has thereafter consented;

- (b) a child to whose adoption a person authorized by law, other than his parents, has consented, or to whose adoption no consent is required pursuant to Section 8 of this Act;
- (c) a child who is in the custody of persons who intend to adopt him through placement made by his parents;
- (c-1) a child for whom a parent has signed a specific consent pursuant to subsection O of Section 10;
- (d) an adult who meets the conditions set forth in Section 3 of this Act; or
- (e) a child who has been relinquished as defined in Section 10 of the Abandoned Newborn Infant Protection Act.

A person who would otherwise be available for adoption shall not be deemed unavailable for adoption solely by reason of his or her death.

G. The singular includes the plural and the plural includes the singular and the "male" includes the "female", as the context of this Act may require.

H. "Adoption disruption" occurs when an adoptive placement does not prove successful and it becomes necessary for the child to be removed from placement before the adoption is finalized.

I. "Foreign placing agency" is an agency or individual operating in a country or territory outside the United States that is authorized by its country to place children for adoption either directly with families in the United States or through United States based international agencies.

J. "Immediate relatives" means the biological parents, the parents of the biological parents and siblings of the biological parents.

K. "Intercountry adoption" is a process by which a child from a country other than the United States is adopted.

L. "Intercountry Adoption Coordinator" is a staff person of the Department of Children and Family Services appointed by the Director to coordinate the provision of services by the public and private sector to prospective parents of foreign-born children.

M. "Interstate Compact on the Placement of Children" is a law enacted by most states for the purpose of establishing uniform procedures for handling the interstate placement of children in foster homes, adoptive homes, or other child care facilities.

N. "Non-Compact state" means a state that has not enacted the Interstate Compact on the Placement of Children.

O. "Preadoption requirements" are any conditions established by the laws or regulations of the Federal Government or of each state that must be met prior to the placement of a child in an adoptive home.

P. "Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

- (a) inflicts, causes to be inflicted, or allows to be inflicted upon the child physical injury, by other than accidental means, that causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
- (b) creates a substantial risk of physical injury to the child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
- (c) commits or allows to be committed any sex offense against the child, as sex offenses are defined in the Criminal Code of 1961 and extending those definitions of sex offenses to include children under 18 years of age;
- (d) commits or allows to be committed an act or acts of torture upon the child; or
- (e) inflicts excessive corporal punishment.

Q. "Neglected child" means any child whose parent or other person responsible for the child's welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare.

A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of the Abused and Neglected

Child Reporting Act. A child shall not be considered neglected or abused for the sole reason that the child's parent or other person responsible for the child's welfare failed to vaccinate, delayed vaccination, or refused vaccination for the child due to a waiver on religious or medical grounds as permitted by law.

R. "Putative father" means a man who may be a child's father, but who (1) is not married to the child's mother on or before the date that the child was or is to be born and (2) has not established paternity of the child in a court proceeding before the filing of a petition for the adoption of the child. The term includes a male who is less than 18 years of age. "Putative father" does not mean a man who is the child's father as a result of criminal sexual abuse or assault as defined under Article 12 of the Criminal Code of 1961.

S. "Standby adoption" means an adoption in which a parent consents to custody and termination of parental rights to become effective upon the occurrence of a future event, which is either the death of the parent or the request of the parent for the entry of a final judgment of adoption.

T. (Blank).

(Source: P.A. 92-16, eff. 6-28-01; 92-375, eff. 1-1-02; 92-408, eff. 8-17-01; 92-432, eff. 8-17-01; 92-651, eff. 7-11-02; 93-732, eff. 1-1-05.)".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Flider, HOUSE BILL 1463 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:

115, Yeas; 1, Nay; 1, Answering Present.

(ROLL CALL 13)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Fritchey, HOUSE BILL 1633 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:

96, Yeas; 12, Nays; 9, Answering Present.

(ROLL CALL 14)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Flowers, HOUSE BILL 2547 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:

62, Yeas; 51, Nays; 0, Answering Present.

(ROLL CALL 15)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Mathias, HOUSE BILL 3555 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: 110, Yeas; 5, Nays; 2, Answering Present.

(ROLL CALL 16)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 666. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Revenue, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 666 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 21-45 as follows:

(35 ILCS 200/21-45)

Sec. 21-45. Failure to issue tax bill in prior year. In ~~the~~ the event no tax bill was issued as provided in Section 21-30, on any property in any previous year for any reason, one tax bill shall be prepared and mailed by July 1 of the year subsequent to the year in which no tax bill was issued, and taxes on that property for that year only shall bear interest after the first day of August of that year at the rate of 1 1/2% per month or portion thereof until paid or forfeited.

(Source: P.A. 87-17; 88-455.)".

Representative Giles offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 666, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 21-250, 21-251, and 21-260 and by adding Section 21-253 as follows:

(35 ILCS 200/21-250)

Sec. 21-250. Certificate of purchase. The county clerk shall make out and deliver to the purchaser of any property sold under Section 21-205, a certificate of purchase countersigned by the collector, describing the property sold, the date of sale, the amount of taxes, special assessments, interest and cost for which they were sold and that payment of the sale price has been made. If any person becomes the purchaser of more than one property owned by one party or person, the purchaser may have the whole or one or more of them included in one certificate, but separate certificates shall be issued in all other cases. A certificate of purchase shall be assignable by endorsement, provided that any assignment of a certificate of purchase from a scavenger sale must be made in accordance with Sections 21-251 and 21-253. An assignment shall vest in the assignee or his or her legal representatives, all the right and title of the original purchaser. The changes made by this amendatory Act of the 94th General Assembly apply only to certificates originally purchased after the effective date of this amendatory Act of the 94th General Assembly.

If the tax certificate is lost or destroyed, the county clerk shall issue a duplicate certificate upon written request and a sworn affidavit by the tax sale purchaser, or his or her assignee, that the tax certificate is lost or destroyed. The county clerk shall cause a notation to be made in the tax sale and judgment book that a duplicate certificate has been issued, and redemption payments shall be made only to the holder of the duplicate certificate.

(Source: P.A. 88-455; 89-617, eff. 9-1-96.)

(35 ILCS 200/21-251)

Sec. 21-251. Registry of owners of certificates of purchase.

(a) The county clerk of each county shall create and maintain a registry system that permanently records the names, addresses, and telephone numbers of owners or assignees of certificates of purchase issued pursuant to any tax sale conducted under this Code. The registry may consist of a single record or a combination of records maintained in paper or electronic form and may include copies of records kept by the county treasurer for other purposes, all to be used as the county clerk deems appropriate to carry out the purposes of this Section. The information in the registry shall be made available to the public.

(b) The county clerk of each county is authorized to promulgate reasonable rules, procedures, and forms for purposes of creating and maintaining the registry and for access to the registry information by members of the public. In counties with 3,000,000 or more inhabitants, any owner of a certificate of purchase pursuant to assignment may elect whether to register that assignment as provided in this Section, but all owners of certificates of purchase shall be subject to the provisions of subsection (d) of this Section. The registration of assignments of certificates of purchase from a scavenger sale in counties of 3,000,000 or more inhabitants is mandatory, and any attempted assignment without registration as provided in this Section is null and void. In counties with less than 3,000,000 inhabitants, the county clerk shall provide by rule whether registration of assignments of certificates of purchase shall be elective or mandatory.

(c) The owner of a certificate of purchase pursuant to assignment, in order to register that assignment, shall submit to the county clerk the owner's name, address, and telephone number in accordance with any rules, procedures, and forms promulgated by the clerk. Any registered owner of a certificate of purchase may update the registration at any time without charge by submitting to the county clerk any lawful change of name, address, or telephone number.

(d) If notice is required to be given to the owner of the certificate of purchase in any proceeding, whether judicial or administrative, affecting a tax sale conducted under any provision of this Code, the notice may be directed to the most recent owner of the certificate of purchase appearing in the county clerk's registry under this Section. Any notice that has been directed as provided in this Section shall be conclusively presumed to be properly directed to the owner of the certificate of purchase for all purposes related to the proceeding in which the notice is given. No objection or assertion by any assignee of a certificate of purchase in any proceeding shall be heard on grounds that a notice to the tax purchaser was misdirected, unless that assignee's current and lawful name, address, and telephone number were submitted to the county clerk's registry at the time of the notice in question.

(e) The county clerk may assess an automation fee of no more than \$50 in counties of 3,000,000 or more inhabitants and no more than \$10 in all other counties to be paid by the owner of the certificate of purchase for each assignment of the certificate that is registered under this Section, unless the owner of the certificate is a governmental unit. The fee shall be collected in the same manner as other fees and costs and shall be held by the county clerk in a fund for purposes of automating his or her office. The fee provided for under this Section shall not be chargeable to the cost of redemption under Section 21-355 nor shall it be posted under Section 21-360 of this Code.

(f) The changes made by this amendatory Act of the 94th General Assembly apply only to certificates originally purchased after the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 92-729, eff. 7-25-02.)

(35 ILCS 200/21-253 new)

Sec. 21-253. Assignment or transfer of scavenger sale certificates of purchase.

(a) No owner of a certificate of purchase from a scavenger sale may assign, convey, or otherwise transfer or contract to transfer an ownership or other interest in the certificate to any other person except as provided in this Section, unless the assignment, conveyance, or transfer is made:

(1) by or to a unit of local government or other taxing district;

(2) to secure a debt or other obligation or to release the certificate from securing a debt or other obligation;

(3) pursuant to a merger, consolidation, or transfer or sale of substantially all of the assets of a corporation under plans of reorganization under the federal Internal Revenue Code of 1986 or the federal Bankruptcy Code;

(4) by a subsidiary corporation to its parent corporation for no consideration other than the cancellation or surrender of the subsidiary's stock; or

(5) in connection with the procedures provided by law for redemption or obtaining a tax deed.

(b) Any person, except a unit of local government or other taxing district, seeking to acquire an interest in a scavenger sale certificate of purchase under this Section is subject to the provisions of Sections 21-265, 21-275, 21-280, 21-285, and 21-290. Provided, that references in those provisions to bids at the sale conducted by the county collector and registration therefor shall, for purposes of this Section, be construed to refer to acquisition of scavenger sale certificates by assignment and registration of such assignments with the county clerk. No assignment may be completed or registered unless the person who will be the owner of the certificate pursuant to the assignment has first executed and delivered to the county clerk a true and complete application for certificate of purchase in a form prescribed by the clerk based on the form provided in Section 21-275.

(c) The county clerk is authorized to promulgate reasonable rules, procedures, and forms for purposes of

this Section. Nothing in this Section shall be construed to affect the rights and duties of persons redeeming from a scavenger sale.

(d) This Section applies only to certificates originally purchased after the effective date of this amendatory Act of the 94th General Assembly.

(35 ILCS 200/21-260)

Sec. 21-260. Collector's scavenger sale. Upon the county collector's application under Section 21-145, to be known as the Scavenger Sale Application, the Court shall enter judgment for the general taxes, special taxes, special assessments, interest, penalties and costs as are included in the advertisement and appear to be due thereon after allowing an opportunity to object and a hearing upon the objections as provided in Section 21-175, and order those properties sold by the County Collector at public sale to the highest bidder for cash, notwithstanding the bid may be less than the full amount of taxes, special taxes, special assessments, interest, penalties and costs for which judgment has been entered.

(a) Conducting the sale - Bidding. All properties shall be offered for sale in consecutive order as they appear in the delinquent list. The minimum bid for any property shall be \$500 ~~\$250~~ or one-half of the tax if the total liability is less than \$1,000 ~~\$500~~. The successful bidder shall immediately pay the amount of minimum bid to the County Collector in cash, by certified or cashier's check, by money order, or, if the successful bidder is a governmental unit, by a check issued by that governmental unit. If the bid exceeds the minimum bid, the successful bidder shall pay the balance of the bid to the county collector in cash, by certified or cashier's check, by money order, or, if the successful bidder is a governmental unit, by a check issued by that governmental unit by the close of the next business day. If the minimum bid is not paid at the time of sale or if the balance is not paid by the close of the next business day, then the sale is void and the minimum bid, if paid, is forfeited to the county general fund. In that event, the property shall be reoffered for sale within 30 days of the last offering of property in regular order. The collector shall make available to the public a list of all properties to be included in any reoffering due to the voiding of the original sale. The collector is not required to serve or publish any other notice of the reoffering of those properties. In the event that any of the properties are not sold upon reoffering, or are sold for less than the amount of the original voided sale, the original bidder who failed to pay the bid amount shall remain liable for the unpaid balance of the bid in an action under Section 21-240. Liability shall not be reduced where the bidder upon reoffering also fails to pay the bid amount, and in that event both bidders shall remain liable for the unpaid balance of their respective bids. A sale of properties under this Section shall not be final until confirmed by the court.

(b) Confirmation of sales. The county collector shall file his or her report of sale in the court within 30 days of the date of sale of each property. No notice of the county collector's application to confirm the sales shall be required except as prescribed by rule of the court. Upon confirmation, except in cases where the sale becomes void under Section 22-85, or in cases where the order of confirmation is vacated by the court, a sale under this Section shall extinguish the in rem lien of the general taxes, special taxes and special assessments for which judgment has been entered and a redemption shall not revive the lien. Confirmation of the sale shall in no event affect the owner's personal liability to pay the taxes, interest and penalties as provided in this Code or prevent institution of a proceeding under Section 21-440 to collect any amount that may remain due after the sale.

(c) Issuance of tax sale certificates. Upon confirmation of the sale the County Clerk and the County Collector shall issue to the purchaser a certificate of purchase in the form prescribed by Section 21-250 as near as may be. A certificate of purchase shall not be issued to any person who is ineligible to bid at the sale or to receive a certificate of purchase under Section 21-265. The certificate of purchase and the interest of the purchaser that it represents are subject to Sections 21-251 and 21-253.

(d) Scavenger Tax Judgment, Sale and Redemption Record - Sale of parcels not sold. The county collector shall prepare a Scavenger Tax Judgment, Sale and Redemption Record. The county clerk shall write or stamp on the scavenger tax judgment, sale, forfeiture and redemption record opposite the description of any property offered for sale and not sold, or not confirmed for any reason, the words "offered but not sold". The properties which are offered for sale under this Section and not sold or not confirmed shall be offered for sale annually thereafter in the manner provided in this Section until sold, except in the case of mineral rights, which after 10 consecutive years of being offered for sale under this Section and not sold or confirmed shall no longer be required to be offered for sale. At any time between annual sales the County Collector may advertise for sale any properties subject to sale under judgments for sale previously entered under this Section and not executed for any reason. The advertisement and sale shall be regulated by the provisions of this Code as far as applicable.

(e) Proceeding to tax deed. The owner of the certificate of purchase shall give notice as required by

Sections 22-5 through 22-30, and may extend the period of redemption as provided by Section 21-385. At any time within 5 months prior to expiration of the period of redemption from a sale under this Code, the owner of a certificate of purchase may file a petition and may obtain a tax deed under Sections 22-30 through 22-55. All proceedings for the issuance of a tax deed and all tax deeds for properties sold under this Section shall be subject to Sections 22-30 through 22-55. Deeds issued under this Section are subject to Section 22-70. This Section shall be liberally construed so that the deeds provided for in this Section convey merchantable title.

(f) Redemptions from scavenger sales. Redemptions may be made from sales under this Section in the same manner and upon the same terms and conditions as redemptions from sales made under the County Collector's annual application for judgment and order of sale, except that in lieu of penalty the person redeeming shall pay interest as follows if the sale occurs before September 9, 1993:

- (1) If redeemed within the first 2 months from the date of the sale, 3% per month or portion thereof upon the amount for which the property was sold;
- (2) If redeemed between 2 and 6 months from the date of the sale, 12% of the amount for which the property was sold;
- (3) If redeemed between 6 and 12 months from the date of the sale, 24% of the amount for which the property was sold;
- (4) If redeemed between 12 and 18 months from the date of the sale, 36% of the amount for which the property was sold;
- (5) If redeemed between 18 and 24 months from the date of the sale, 48% of the amount for which the property was sold;
- (6) If redeemed after 24 months from the date of sale, the 48% herein provided together with interest at 6% per year thereafter.

If the sale occurs on or after September 9, 1993, the person redeeming shall pay interest on that part of the amount for which the property was sold equal to or less than the full amount of delinquent taxes, special assessments, penalties, interest, and costs, included in the judgment and order of sale as follows:

- (1) If redeemed within the first 2 months from the date of the sale, 3% per month upon the amount of taxes, special assessments, penalties, interest, and costs due for each of the first 2 months, or fraction thereof.
- (2) If redeemed at any time between 2 and 6 months from the date of the sale, 12% of the amount of taxes, special assessments, penalties, interest, and costs due.
- (3) If redeemed at any time between 6 and 12 months from the date of the sale, 24% of the amount of taxes, special assessments, penalties, interest, and costs due.
- (4) If redeemed at any time between 12 and 18 months from the date of the sale, 36% of the amount of taxes, special assessments, penalties, interest, and costs due.
- (5) If redeemed at any time between 18 and 24 months from the date of the sale, 48% of the amount of taxes, special assessments, penalties, interest, and costs due.
- (6) If redeemed after 24 months from the date of sale, the 48% provided for the 24 months together with interest at 6% per annum thereafter on the amount of taxes, special assessments, penalties, interest, and costs due.

The person redeeming shall not be required to pay any interest on any part of the amount for which the property was sold that exceeds the full amount of delinquent taxes, special assessments, penalties, interest, and costs included in the judgment and order of sale.

Notwithstanding any other provision of this Section, except for owner-occupied single family residential units which are condominium units, cooperative units or dwellings, the amount required to be paid for redemption shall also include an amount equal to all delinquent taxes on the property which taxes were delinquent at the time of sale. The delinquent taxes shall be apportioned by the county collector among the taxing districts in which the property is situated in accordance with law. In the event that all moneys received from any sale held under this Section exceed an amount equal to all delinquent taxes on the property sold, which taxes were delinquent at the time of sale, together with all publication and other costs associated with the sale, then, upon redemption, the County Collector and the County Clerk shall apply the excess amount to the cost of redemption.

(g) Bidding by county or other taxing districts. Any taxing district may bid at a scavenger sale. The county board of the county in which properties offered for sale under this Section are located may bid as trustee for all taxing districts having an interest in the taxes for the nonpayment of which the parcels are offered. The County shall apply on the bid the unpaid taxes due upon the property and no cash need be paid. The County or other taxing district acquiring a tax sale certificate shall take all steps necessary to

acquire title to the property and may manage and operate the property so acquired.

When a county, or other taxing district within the county, is a petitioner for a tax deed, no filing fee shall be required on the petition. The county as a tax creditor and as trustee for other tax creditors, or other taxing district within the county shall not be required to allege and prove that all taxes and special assessments which become due and payable after the sale to the county have been paid. The county shall not be required to pay the subsequently accruing taxes or special assessments at any time. Upon the written request of the county board or its designee, the county collector shall not offer the property for sale at any tax sale subsequent to the sale of the property to the county under this Section. The lien of taxes and special assessments which become due and payable after a sale to a county shall merge in the fee title of the county, or other taxing district, on the issuance of a deed. The County may sell the properties so acquired, or the certificate of purchase thereto, and the proceeds of the sale shall be distributed to the taxing districts in proportion to their respective interests therein. The presiding officer of the county board, with the advice and consent of the County Board, may appoint some officer or person to attend scavenger sales and bid on its behalf.

(h) Miscellaneous provisions. In the event that the tract of land or lot sold at any such sale is not redeemed within the time permitted by law and a tax deed is issued, all moneys that may be received from the sale of properties in excess of the delinquent taxes, together with all publication and other costs associated with the sale, shall, upon petition of any interested party to the court that issued the tax deed, be distributed by the County Collector pursuant to order of the court among the persons having legal or equitable interests in the property according to the fair value of their interests in the tract or lot. Section 21-415 does not apply to properties sold under this Section. Appeals may be taken from the orders and judgments entered under this Section as in other civil cases. The remedy herein provided is in addition to other remedies for the collection of delinquent taxes.

(Source: P.A. 90-514, eff. 8-22-97; 90-655, eff. 7-30-98; 91-189, eff. 1-1-00.)

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Lindner, HOUSE BILL 756 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:

117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 17)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Mathias, HOUSE BILL 2461 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 18)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 44. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Human Services.

Representative Mathias offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 44 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.650 as follows:

(30 ILCS 105/5.650 new)

Sec. 5.650. The Home Care Services Agency Licensure Fund.

Section 10. The Home Health Agency Licensing Act is amended by changing the title of the Act and Sections 1, 1.01, 2, 4, 7, 8, 9.01, 9.02, 9.03, 9.04, 10.01, 12, and 14 and by adding Sections 2.03a, 2.08, 2.09, 2.10, 2.11, 2.12, 3.3, 3.7, 6.3, 6.7, and 10.05 as follows:

(210 ILCS 55/Act title)

An Act relating to the regulation of home health, home services, and home nursing agencies.

(210 ILCS 55/1) (from Ch. 111 1/2, par. 2801)

Sec. 1. This Act shall be known and may be cited as the Home Health, Home Services, and Home Nursing Agency Licensing Act.

(Source: P.A. 80-804.)

(210 ILCS 55/1.01) (from Ch. 111 1/2, par. 2801.01)

Sec. 1.01. It is declared to be the public policy that the State has a legitimate interest in assuring that all home health services, home nursing services, and in-home support services provided to a person at his residence are performed under circumstances that insure consumer protection and quality care. Therefore, the purpose of this Act is to provide for the better protection of the public health, well-being, and safety through the development, establishment, and enforcement of standards for services, as well as standards for the care of individuals receiving home health services and home nursing services, and in the light of advancing knowledge, will provide a viable alternative to the premature institutionalization of these individuals.

It is further declared that health care and support services are provided in the consumer's home by 3 basic types of agencies: home health care, home nursing care, and home support services. It is further understood that each type of agency delivers a different type and scope of care or service. Further, individuals providing the care or service require different levels of education, training, and supervision. Therefore, different types of regulatory oversight are required.

(Source: P.A. 81-490.)

(210 ILCS 55/2) (from Ch. 111 1/2, par. 2802)

Sec. 2. As used in this Act, unless the context requires otherwise, the terms defined in the following Sections proceeding Section 3 ~~2.01 through 2.07~~ have the meanings ascribed to them in those Sections.

(Source: P.A. 80-804.)

(210 ILCS 55/2.03a new)

Sec. 2.03a. "Agency" means a home health agency, home nursing agency, or home services agency unless specifically stated otherwise.

(210 ILCS 55/2.08 new)

Sec. 2.08. "Home services agency" means an agency that provides services directly, or acts as a placement agency, for the purpose of placing individuals as workers providing home services for consumers in their personal residences. "Home services agency" does not include agencies licensed under the Nurse Agency Licensing Act, the Nursing Home Care Act, or the Assisted Living and Shared Housing Act and does not include an agency that limits its business exclusively to providing housecleaning services. Programs providing services exclusively through the Community Care Program of the Illinois Department on Aging or the Department of Human Services Office of Rehabilitation Services are not considered to be a home services agency under this Act.

(210 ILCS 55/2.09 new)

Sec. 2.09. "Home services" or "in-home services" means assistance with activities of daily living, housekeeping, personal laundry, and companionship provided to an individual in his or her personal residence, which are intended to enable that individual to remain safely and comfortably in his or her own

personal residence. "Home services" or "in-home services" does not include services that would be required to be performed by an individual licensed under the Nursing and Advanced Practice Nursing Act.

(210 ILCS 55/2.10 new)

Sec. 2.10. "Home services worker" or "in-home services worker" means an individual who provides home services to a consumer in the consumer's personal residence.

(210 ILCS 55/2.11 new)

Sec. 2.11. "Home nursing agency" means an agency that provides services directly, or acts as a placement agency, in order to deliver skilled nursing services to persons in their personal residences. A home nursing agency provides services that would require a licensed nurse to perform. A home nursing agency does not qualify for licensure as a home health agency under this Act. "Home nursing agency" does not include an individually licensed nurse acting as a private contractor or a person that provides or procures temporary employment in health care facilities, as defined in the Nurse Agency Licensing Act.

(210 ILCS 55/2.12 new)

Sec. 2.12. "Placement agency" means any person engaged for gain or profit in the business of securing or attempting to secure (i) work for hire for persons seeking work or (ii) workers for employers. The term includes a private employment agency and any other entity that places a worker for private hire by a consumer in that consumer's residence for purposes of providing home services. The term does not include a person that provides or procures temporary employment in health care facilities, as defined in the Nurse Agency Licensing Act.

(210 ILCS 55/3.3 new)

Sec. 3.3. Home services agency; license required. On and after September 1, 2008, no person shall open, manage, conduct, or maintain a home services agency, or advertise himself or herself as a home services agency or as offering services that would be included in the definition of home services or a home services agency, without a license issued by the Department. The Department shall adopt rules as necessary to protect the health, safety, and well-being of clients through licensure of home services agencies. Rules adopted by the Department may include a system or schedule for graduated licensing of agencies under this Act that allows a home services agency to be licensed in conjunction with the licensure of a home health agency with continued compliance at the highest level of licensure and payment of the higher of the 2 licensure fees to the Department. Any licensure fee collected for such a graduated license shall be deposited into the Home Care Services Agency Licensure Fund.

(210 ILCS 55/3.7 new)

Sec. 3.7. Home nursing agency; license required. On and after September 1, 2008, no person shall open, manage, conduct, or maintain a home nursing agency, or advertise himself or herself as a home nursing agency or as offering services that would be included in the definition of a home nursing agency, without a license issued by the Department. The Department shall adopt rules as necessary to protect the health, safety, and well-being of clients through licensure of home nursing agencies. Rules adopted by the Department may include a system or schedule for graduated licensing of agencies under this Act that allows a home nursing agency to be licensed in conjunction with the licensure of a home health agency with continued compliance at the highest level of licensure and payment of the higher of the 2 licensure fees to the Department. Any licensure fee collected for such a graduated license shall be deposited into the Home Care Services Agency Licensure Fund.

(210 ILCS 55/4) (from Ch. 111 1/2, par. 2804)

Sec. 4. Types of licenses.

(a) If an applicant for licensure has not been previously licensed, or if the home health agency, home services agency, or home nursing agency is not in operation at the time application is made, the Department may issue a provisional license. A provisional license shall be valid for a period of 120 days unless sooner suspended or revoked pursuant to Section 9 of this Act. Within 30 days prior to the termination of a provisional license, the Department shall inspect the ~~home health~~ agency and, if the applicant substantially meets the requirements for licensure, it shall issue a license under this Section. If the Department finds that a holder of a provisional license does not substantially meet the requirements for licensure, but has made significant progress toward meeting those requirements, the Director may renew the provisional license once for a period not to exceed 120 days from the expiration date of the initial provisional license.

(b)(1) The Director may also issue a provisional license to any licensed ~~home health~~ agency which does not substantially comply with the provisions of this Act and the rules promulgated hereunder, provided he finds that the health, ~~and safety, and well-being~~ of the clients ~~patients~~ of the ~~home health~~ agency will be protected during the period for which such provisional license is issued. The term of such provisional license shall not exceed 120 days.

(2) The Director shall advise the licensee of the conditions under which such provisional license is issued, including the manner in which the licensee fails to comply with the provisions of the Act or rules, and the time within which the corrections necessary for the ~~home health~~ agency to substantially comply with the Act and rules shall be completed.

(3) The Director, at his discretion, may extend the term of such provisional license for an additional 120 days, if he finds that the ~~home health~~ agency has made substantial progress toward correcting the violations and bringing the ~~home health~~ agency into full compliance with this Act and the rules promulgated hereunder.

(c) An annual license shall be issued to any person conducting or maintaining a home health agency upon receipt of an application and payment of the licensure fee, and when the other requirements of this Act, and the standards, rules and regulations promulgated hereunder, are met. The fee for each license or any renewal shall be \$25.

(d) As provided in rules adopted by the Department under Sections 3.3 and 3.7 of this Act, a licensed home health agency that maintains a home services agency or home nursing agency may opt to maintain licensure under a graduated system. If that option is chosen, the agency shall pay the higher of the licensure fees for the overall license. Fees collected by the Department under such a graduated licensure system shall be deposited into the Home Care Services Agency Licensure Fund.

(Source: P.A. 86-130.)

(210 ILCS 55/6.3 new)

Sec. 6.3. Home services agencies; standards; fees.

(a) Before January 1, 2008, the Department shall adopt standards for the licensure and operation of home services agencies operated in this State. The structure of the standards shall be based on the concept of home services and its focus on assistance with activities of daily living, housekeeping, personal laundry, and companionship being provided to an individual intended to enable that individual to remain safely and comfortably in his or her own personal residence. As home services do not include services that would be required to be performed by an individual licensed under the Nursing and Advanced Practice Nursing Act, the standards shall be developed from a similar concept. After consideration and recommendations by the Home Health and Home Services Advisory Committee, the Department shall adopt such rules and regulations as are necessary for the proper regulation of home services agencies. Requirements for licensure as a home services agency shall include the following:

(1) Compliance with the requirements of the Health Care Worker Background Check Act.

(2) Notification, in a form and manner established by the Department by rule, to home services workers and consumers as to the party or parties responsible under State and federal laws for payment of employment taxes, social security taxes, and workers' compensation, liability, the day-to-day supervision of workers, and the hiring, firing, and discipline of workers with the placement arrangement for home services.

(3) Compliance with rules, as adopted by the Department, in regard to (i) reporting by the licensee of any known or suspected incidences of abuse, neglect, or financial exploitation of an eligible adult, as defined in the Elder Abuse and Neglect Act, by a home services worker employed by or placed by the licensee or (ii) reports to a law enforcement agency in connection with any other individual protected under the laws of the State of Illinois.

(4) Compliance with rules, as adopted by the Department, addressing the health, safety, and well-being of clients receiving home services.

(b) The Department may establish fees for home services agency licensure in rules in a manner that will make the program self-supporting. The amount of the licensure fees shall be based on the funding required for operation of the licensure program.

(210 ILCS 55/6.7 new)

Sec. 6.7. Home nursing agencies; standards; fees.

(a) Before January 1, 2008, the Department shall adopt standards for the licensure and operation of home nursing agencies operated in this State. After consideration and recommendations by the Home Health and Home Services Advisory Committee, the Department shall adopt such rules as are necessary for the proper regulation of home nursing agencies. Requirements for licensure as a home nursing agency shall include the following:

(1) Compliance with the requirements of the Health Care Worker Background Check Act.

(2) Notification, in a form and manner established by the Department by rule, to home nursing agency workers and consumers as to the party or parties responsible under State and federal laws for payment of employment taxes, social security taxes, and workers' compensation, liability, the day-to-day supervision of

workers, and the hiring, firing, and discipline of workers with the placement arrangement for home nursing services.

(3) Compliance with rules, as adopted by the Department, in regard to (i) reporting by the licensee of any known or suspected incidences of abuse, neglect, or financial exploitation of an eligible adult, as defined in the Elder Abuse and Neglect Act, by a home nursing care worker employed by or placed by the licensee or (ii) reports to a law enforcement agency in connection with for any other individual protected under the laws of the State of Illinois.

(4) Compliance with rules, as adopted by the Department, addressing the health, safety, and well-being of clients receiving home nursing services.

(b) The Department may establish fees for home nursing agency licensure in rules in a manner that will make the program self-supporting. The amount of the licensure fees shall be based on the funding required for the operation of the licensure program.

(210 ILCS 55/7) (from Ch. 111 1/2, par. 2807)

Sec. 7. (a) The Director shall appoint a Home Health and Home Services Advisory Committee composed of 15 ~~44~~ persons to advise and consult with the Director in the administration of this Act. Five of the appointed members shall represent the home health agency profession. Four of the appointed members shall represent the home services agency profession. Of these 5, one shall represent voluntary home health agencies, one shall represent for profit home health agencies, one shall represent private not for profit home health agencies, one shall represent institution based home health agencies, and one shall represent home health agencies operated by local health departments. Four of the appointed members shall represent the general public in the following categories: one individual who is a consumer of home health services or a family member of a consumer of home health services; one individual who is a consumer of home services or a family member of a consumer of home services; one individual who is a home services worker; and one individual who is a representative of an organization that advocates for consumers. One member shall be a practicing Illinois licensed physician; and one member shall be an Illinois registered professional nurse with home health agency experience. The recommendations of professional, ~~and~~ home health industry, and home services industry organizations may be considered in selecting individuals for appointment to the Home Health and Home Services Advisory Committee.

(b) Each member shall hold office for a term of 3 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first taking office shall expire, as designated at the time of appointment, one at the end of the first year, one at the end of the second year, and 3 at the end of the third year. The term of office of each of the original appointees shall commence on January 1, 1978.

(c) The term of office of each of the 6 members appointed to the Committee as a result of this amendatory Act of 1989 shall commence on January 1, 1990. The terms of office of the 6 members appointed as a result of this amendatory Act of 1989 shall expire, as designated at the time of appointment, 2 at the end of the first year, 2 at the end of the second year, and two at the end of the third year.

(d) The Committee shall meet as frequently as the Director deems necessary. Committee members, while serving on business of the Committee, shall receive actual and necessary travel and subsistence expenses while so serving away from their places of residence.

(e) The Committee shall provide input and recommendations to the Department on the development of rules for the licensure of home services agencies and home nursing agencies operating in this State. On or before July 1, 2007, the Committee shall issue an interim report to the General Assembly on the status of development and implementation of the rules for home services agency and home nursing agency licensure.

(Source: P.A. 86-130.)

(210 ILCS 55/8) (from Ch. 111 1/2, par. 2808)

Sec. 8. An application for a license may be denied for any of the following reasons:

(a) failure to meet the minimum standards prescribed by the Department pursuant to Section 6;

(b) satisfactory evidence that the moral character of the applicant or supervisor of the agency is not reputable. In determining moral character, the Department may take into consideration any convictions of the applicant or supervisor but such convictions shall not operate as a bar to licensing;

(c) lack of personnel qualified by training and experience to properly perform the function of a home health agency;

(d) insufficient financial or other resources to operate and conduct a home health, home services, or home nursing agency in accordance with the requirements of this Act and the minimum standards, rules and regulations promulgated thereunder.

(Source: P.A. 81-149.)

(210 ILCS 55/9.01) (from Ch. 111 1/2, par. 2809.01)

Sec. 9.01. The Department may conduct any such investigations and inspections as it deems necessary to assess compliance with this Act and the rules and regulations promulgated pursuant thereto. Investigations and inspections may include the direct observation of patient care or the provision of home services in the home, if consent is given by the consumer or patient under treatment. Agencies ~~Home health agencies~~ licensed under this Act shall make available to the Department all books, records, policies and procedures, or any other materials requested during the course of an investigation or inspection. Refusal to make such materials available to the Department shall be grounds for license revocation, or the imposition of any other penalty provided in this Act.

(Source: P.A. 86-130.)

(210 ILCS 55/9.02) (from Ch. 111 1/2, par. 2809.02)

Sec. 9.02. When the Department determines that an agency ~~a home health agency~~ is in violation of this Act or any rule promulgated hereunder, a notice of violation shall be served upon the licensee. Each notice of violation shall be prepared in writing and shall specify the nature of the violation and the statutory provision or rule alleged to have been violated. The notice shall inform the licensee of any action the Department may take under this Act, including the requirement of an ~~a home health~~ agency plan of correction under Section 9.03, assessment of a penalty under Section 9.04, or licensure action under Section 9. The Director or his designee shall also inform the licensee of rights to a hearing under Section 10.

(Source: P.A. 86-130.)

(210 ILCS 55/9.03) (from Ch. 111 1/2, par. 2809.03)

Sec. 9.03. (a) Each ~~home health~~ agency served with a notice of violation under Section 9.02 of this Act shall file with the Department a written plan of correction within 10 days of receipt of the notice. The plan of correction is subject to approval of the Department. The plan of correction shall state with particularity the method by which the ~~home health~~ agency intends to correct each violation and shall contain a stated date by which each violation shall be corrected.

(b) If the Department rejects a plan of correction, it shall send notice of the rejection and the reason for the rejection to the licensee. The ~~home health~~ agency shall have 10 days after receipt of the notice of rejection in which to submit a modified plan. If the modified plan is not submitted on time, or if the modified plan is rejected, the ~~home health~~ agency shall follow a plan of correction imposed by the Department.

(c) If an ~~a home health~~ agency desires to contest any Department action under this Section, it shall send a written request for a hearing under Section 10 to the Department within 10 days of receipt of notice of the contested action. The Department shall commence the hearing as provided under Section 10. Whenever possible, all action of the Department under this Section arising out of a violation shall be contested and determined at a single hearing. Issues decided at a hearing may not be reheard at subsequent hearings under this Section.

(Source: P.A. 86-130.)

(210 ILCS 55/9.04) (from Ch. 111 1/2, par. 2809.04)

Sec. 9.04. (a) The licensee of an ~~a home health~~ agency operating in violation of this Act or any rule adopted hereunder may be subject to the penalties or fines levied by the Department as specified in this Section.

(b) When the Director determines that an ~~a home health~~ agency has failed to comply with this Act or any rule adopted hereunder, the Department may issue a notice of fine assessment which shall specify the violations for which the fine is levied. The Department may impose a fine of \$100 per day commencing on the date the violation was identified and ending on the date the violation is corrected, or action is taken to suspend, revoke, or deny renewal of the license, whichever comes first.

(c) In determining whether a fine is to be imposed, the Director shall consider the following factors:

(1) the gravity of the violation, including the probability that death or serious physical or mental harm to a patient or consumer will result or has resulted, the severity of the actual or potential harm, and the extent to which the provisions of the applicable statutes or regulations were violated;

(2) the reasonable diligence exercised by the licensee and efforts to correct violations;

(3) any previous violations committed by the licensee; and

(4) the financial benefit to the ~~home health~~ agency of committing or continuing the violation.

(Source: P.A. 86-130.)

(210 ILCS 55/10.01) (from Ch. 111 1/2, par. 2810.01)

Sec. 10.01. All fines shall be paid to the Department within 10 days of the notice of assessment or, if the

fine is contested under Section 10 of this Act, within 10 days of the receipt of the final decision, unless the decision is appealed and the order is stayed by court order under Section 12 of this Act. A fine assessed under this Act shall be collected by the Department. If the licensee against whom the fine has been assessed does not comply with a written demand for payment within 30 days, the Director shall issue an order to do any of the following:

(a) certify to the Comptroller, as provided by rule of the Department of delinquent fines due and owing from the licensee or any amounts due and owing as a result of a civil action pursuant to subsection (d) of this Section. The purpose of certification shall be to intercept State income tax refunds and other payments due such licensee in order to satisfy, in whole or in part, any delinquent fines or amounts recoverable in a civil action brought pursuant to subsection (d) of this Section. The rule shall provide for notice to any such licensee or person affected. Any final administrative decision rendered by the Department with respect to any certification made pursuant to this subsection (a) shall be reviewed only under and in accordance with the Administrative Review Law.

(b) certify to the Social Security Administration, as provided by rule of the Department, of delinquent fines due and owing from the licensee or any amounts due and owing as a result of a civil action pursuant to subsection (d) of this Section. The purpose of certification shall be to request the Social Security Administration to intercept and remit to the Department Medicaid reimbursement payments due such licensee in order to satisfy, in whole or in part, any delinquent fines or amounts recoverable in a civil action brought pursuant to subsection (d) of this Section. The rules shall provide for notice to any such licensee or person affected. Any final administrative decision rendered by the Department with respect to any certification made pursuant to this subsection (b) shall be reviewed only under and in accordance with the Administrative Review Law.

(c) add the amount of the penalty to the ~~home health~~ agency's licensing fee; if the licensee refuses to make the payment at the time of application for renewal of its license, the license shall not be renewed; or

(d) bring an action in circuit court to recover the amount of the penalty.

(Source: P.A. 86-130.)

(210 ILCS 55/10.05 new)

Sec. 10.05. Home Care Services Agency Licensure Fund. The Department shall deposit all fees and fines collected in relation to the licensure of home services agencies and home nursing agencies into the Home Care Services Agency Licensure Fund, a special fund created in the State Treasury, for the purpose of providing funding for the administration of the program of home services agency and home nursing agency licensure.

(210 ILCS 55/12) (from Ch. 111 1/2, par. 2812)

Sec. 12. Whenever the Department refuses to grant, or revokes or suspends a license to open, conduct, operate, or maintain an a home health agency, the applicant or licensee may have such decision judicially reviewed. The provisions of the Administrative Review Law, as heretofore or hereafter amended, and the rules adopted pursuant thereto shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder. The term "administrative decisions" is defined as in Section 3-101 of the Code of Civil Procedure.

(Source: P.A. 82-783.)

(210 ILCS 55/14) (from Ch. 111 1/2, par. 2814)

Sec. 14. The operation or maintenance of an a home health agency in violation of this Act or of the Rules and Regulations promulgated by the Department is declared a public nuisance inimical to the public welfare. The Director of the Department in the name of the People of the State, through the Attorney General or the State's Attorney of the county in which the violation occurs, may in addition to other remedies herein provided, bring action for an injunction to restrain such violation or to enjoin the future operation or maintenance of any such ~~home health~~ agency.

(Source: P.A. 81-490.)

Section 15. The End Stage Renal Disease Facility Act is amended by changing Section 15 as follows:

(210 ILCS 62/15)

Sec. 15. Exemptions from licensing requirement. The following facilities are not required to be licensed under this Act:

(1) a home health agency licensed under the Home Health, Home Services, and Home Nursing Agency Licensing Act;

(2) a hospital licensed under the Hospital Licensing Act or the University of Illinois Hospital Act; and

(3) the office of a physician.

(Source: P.A. 92-794, eff. 7-1-03.)

Section 20. The Health Care Worker Background Check Act is amended by changing Section 15 as follows:

(225 ILCS 46/15)

Sec. 15. Definitions. For the purposes of this Act, the following definitions apply:

"Applicant" means an individual seeking employment with a health care employer who has received a bona fide conditional offer of employment.

"Conditional offer of employment" means a bona fide offer of employment by a health care employer to an applicant, which is contingent upon the receipt of a report from the Department of State Police indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in Section 25.

"Direct care" means the provision of nursing care or assistance with feeding, dressing, movement, bathing, toileting, or other personal needs, including home services as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act. The entity responsible for inspecting and licensing, certifying, or registering the health care employer may, by administrative rule, prescribe guidelines for interpreting this definition with regard to the health care employers that it licenses.

"Health care employer" means:

(1) the owner or licensee of any of the following:

- (i) a community living facility, as defined in the Community Living Facilities Act;
 - (ii) a life care facility, as defined in the Life Care Facilities Act;
 - (iii) a long-term care facility, as defined in the Nursing Home Care Act;
 - (iv) a home health agency, home services agency, or home nursing agency as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act;
 - (v) a full hospice, as defined in the Hospice Program Licensing Act;
 - (vi) a hospital, as defined in the Hospital Licensing Act;
 - (vii) a community residential alternative, as defined in the Community Residential Alternatives Licensing Act;
 - (viii) a nurse agency, as defined in the Nurse Agency Licensing Act;
 - (ix) a respite care provider, as defined in the Respite Program Act;
 - (ix-a) an establishment licensed under the Assisted Living and Shared Housing Act;
 - (x) a supportive living program, as defined in the Illinois Public Aid Code;
 - (xi) early childhood intervention programs as described in 59 Ill. Adm. Code 121;
 - (xii) the University of Illinois Hospital, Chicago;
 - (xiii) programs funded by the Department on Aging through the Community Care Program;
 - (xiv) programs certified to participate in the Supportive Living Program authorized pursuant to Section 5-5.01a of the Illinois Public Aid Code;
 - (xv) programs listed by the Emergency Medical Services (EMS) Systems Act as Freestanding Emergency Centers;
 - (xvi) locations licensed under the Alternative Health Care Delivery Act;
- (2) a day training program certified by the Department of Human Services;
- (3) a community integrated living arrangement operated by a community mental health and developmental service agency, as defined in the Community-Integrated Living Arrangements Licensing and Certification Act; or

(4) the State Long Term Care Ombudsman Program, including any regional long term care ombudsman programs under Section 4.04 of the Illinois Act on the Aging, only for the purpose of securing background checks.

"Initiate" means the obtaining of the authorization for a record check from a student, applicant, or employee. The educational entity or health care employer or its designee shall transmit all necessary information and fees to the Illinois State Police within 10 working days after receipt of the authorization.

(Source: P.A. 92-16, eff. 6-28-01; 93-878, eff. 1-1-05.)

Section 25. The Nurse Agency Licensing Act is amended by changing Sections 3 and 4 as follows:

(225 ILCS 510/3) (from Ch. 111, par. 953)

Sec. 3. Definitions. As used in this Act:

(a) "Certified nurse aide" means an individual certified as defined in Section 3-206 of the Nursing Home Care Act, as now or hereafter amended.

(b) "Department" means the Department of Labor.

(c) "Director" means the Director of Labor.

(d) "Health care facility" is defined as in Section 3 of the Illinois Health Facilities Planning Act, as now or hereafter amended.

(e) "Licensee" means any nursing agency which is properly licensed under this Act.

(f) "Nurse" means a registered nurse or a licensed practical nurse as defined in the Nursing and Advanced Practice Nursing Act.

(g) "Nurse agency" means any individual, firm, corporation, partnership or other legal entity that employs, assigns or refers nurses or certified nurse aides to a health care facility for a fee. The term "nurse agency" includes nurses registries. The term "nurse agency" does not include services provided by home health agencies licensed and operated under the Home Health, Home Services, and Home Nursing Agency Licensing Act or a licensed or certified individual who provides his or her own services as a regular employee of a health care facility, nor does it apply to a health care facility's organizing nonsalaried employees to provide services only in that facility.

(Source: P.A. 90-742, eff. 8-13-98.)

(225 ILCS 510/4) (from Ch. 111, par. 954)

Sec. 4. Licensing. The Department shall license nurse agencies in accordance with this Act for the protection of the health, welfare and safety of patients and residents. No person may establish, operate, maintain, or advertise as a nurse agency in the State of Illinois unless the person is licensed under this Act by the Department of Labor. Being licensed under the Home Health, Home Services, and Home Nursing Agency Licensing Act does not relieve home health agencies that provide nurse agency services from the requirement of obtaining licensure under this Act. No health care facility shall use the services of an unlicensed nurse agency.

(Source: P.A. 88-230.)

Section 30. The Community Services Act is amended by changing Section 4.3 as follows:

(405 ILCS 30/4.3)

Sec. 4.3. Family Support Services Voucher Pilot Program.

(a) In this Section:

"Family member" means a family member as defined by rules adopted by the Department of Human Services.

"Family support services" means the services and activities described in subsection (d).

(b) The Department of Human Services shall establish a Family Support Services Voucher Pilot Program which shall be a conversion of the program defined in Section 4.1. The Department may establish no more than 5 pilot programs.

(c) The purpose of the pilot program is to do the following:

(1) Increase the number of families who are able to access family support services.

(2) Provide families with greater control over family support services.

(3) Ensure that the diverse family support services needs of families can be accommodated.

(4) Encourage a family's contribution toward payment for the family support services they receive.

(5) Serve as a pilot program to evaluate the merits of a family support services voucher program in comparison to the traditional respite program.

(d) The Department shall contract with community agencies to issue vouchers to participating families, or to employ a voucher-like method that similarly makes services available based on the choice of families. A family may use the vouchers to purchase the following services and activities or to otherwise provide for those services and activities:

(1) Services of an in-home caregiver to supervise the family member with a developmental disability in the home or in the community or both when other family members are not present.

(2) Services of a person to accompany the family member with a developmental disability on outings, community activities, and similar activities.

(3) Registration of the family member with a developmental disability in park district programs, extracurricular school activities, community college classes, and other similar types of community-based programs.

(4) Services of home health care personnel if medical training or expertise is required to meet the needs of the family member with a developmental disability.

(e) Families may employ the following types of individuals to provide family support services:

(1) Related family members who do not reside in the same home as the family member with

- a developmental disability.
- (2) Friends or neighbors whom the family designates as capable of meeting the needs of the family member with a developmental disability.
 - (3) Individuals recruited from the community (for example, church members or college students).
 - (4) Individuals who work with the family member with a developmental disability in a different capacity (for example, classroom aide or day program staff).
 - (5) Persons whose services are contracted for through a home health agency licensed under the Home Health, Home Services, and Home Nursing Agency Licensing Act.
- (f) Family support services moneys under the pilot program may not be used to purchase or provide for any of the following services or activities:
- (1) Out-of-home medical services.
 - (2) Medical, therapeutic, or developmental evaluations.
 - (3) Any product or item (for example, sports equipment, therapeutic devices, or clothing).
 - (4) Family support services provided by a family member whose primary residence is the same as that of the family member with a developmental disability.
 - (5) Services of a person to accompany the family on an overnight trip.
 - (6) Any service or activity that should be provided by the school in which the family member with a developmental disability is enrolled or that occurs as part of that school's typical school routine.
 - (7) Child care services while the primary caretaker works.
- (g) The Department of Human Services shall submit a report to the General Assembly by March 1, 2000 evaluating the merits of the pilot program.
(Source: P.A. 90-804, eff. 1-1-99.)
Section 99. Effective date. This Act takes effect January 1, 2006."

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1679. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Holbrook offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1679 by replacing everything after the enacting clause with the following:

"Section 5. The Kaskaskia Regional Port District Act is amended by changing Section 20.2 as follows:
(70 ILCS 1830/20.2)

Sec. 20.2. Authorization to borrow moneys. The District's Board may borrow money from any bank or other financial institution, and may provide appropriate security for that borrowing, if the money is repaid within 3 years ~~one year~~ after the money is borrowed. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, and any federally chartered commercial bank or savings and loan association organized and operated in this State pursuant to the laws of the United States.

(Source: P.A. 92-389, eff. 1-1-02.)

Section 10. The Tri-City Regional Port District Act is amended by adding Section 7.5 as follows:

(70 ILCS 1860/7.5 new)

Sec. 7.5. Authorization to borrow moneys. The District's Board may borrow money from any bank or other financial institution and may provide appropriate security for that borrowing, if the money is repaid within 3 years after the money is borrowed. "Financial institution" means any bank subject to the Illinois Banking Act, any savings and loan association subject to the Illinois Savings and Loan Act of 1985, any savings bank subject to the Savings Bank Act, and any federally chartered commercial bank or savings and loan association organized and operated in this State pursuant to the laws of the United States."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Granberg, HOUSE BILL 2526 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: 106, Yeas; 11, Nays; 0, Answering Present.

(ROLL CALL 19)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Jenisch, HOUSE BILL 3819 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 20)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative McAuliffe, HOUSE BILL 3694 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: 108, Yeas; 9, Nays; 0, Answering Present.

(ROLL CALL 21)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Howard, HOUSE BILL 2578 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; 0, Answering Present.

(ROLL CALL 22)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 3650. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Computer Technology, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 3650 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Integrated Telecommunications Outreach, Outcomes Planning, and Digital Literacy Act.

Section 5. Findings. The General Assembly finds that the following needs are essential to statewide telecommunications technological infrastructure:

(1) The need for affordable telephone and Internet connections for all Illinoisans. The daily convenience and necessity of residents, businesses, community institutions, and enterprises calls for cooperation by all to facilitate a range of telephone and telecommunication services that enable all persons, enterprises, and institutions to connect with each other for the basic purposes of life, safety, health, and productive activity and for the purpose of getting Illinois online in convenient and affordable advanced communication and broadband as a linked, digitally literate set of regions that are competitive in our world today.

(2) The need for digital literacy and technological skills to use Internet tools and improve citizen productivity. The safety, health, and social cohesion of all individuals, families, and communities in Illinois, as well as the speed of expansion of voice, data, and visual communication services in many modes calls for multiyear cooperation for systematic outreach to all Illinois residents to understand their telephone and telecommunications options, availability, costs, guarantees, and qualities of service, including advertisement of choices and the availability of consumer protection, the development of means for systematic feedback about the quality of service and its impacts on many kinds of customers, and for the purpose of sustaining systematic means for user-friendly ways to continually advance digital literacy to use the increasingly complex electronic and telephone-linked tools that are new necessities of life not only for average residents who may be without the stability and resources of daily access to full phone service.

(3) The need for assistance in providing personal information management tools for average residents. The volume of telephone and telecommunications-based personal and mass communication calls for designing telephone and telecommunications choices to enable all residents, enterprises, and institutions to manage and have privacy in communication through consumer service tools provided by many public, private, and community providers, as they communicate with each other for basic purposes of life, liberty, and happiness; which include using telephone and telecommunications tools for more advanced purposes of connecting with the Internet online services for public services, schools and learning, health care, cultural and community arts, employment, economic opportunity, commercial and consumer purchasing, and transportation and local access places in their community dialogs and planning.

(4) The need for cooperative local, regional, and Statewide planning for basic telecommunications and broadband extension to all Illinois citizens. The many kinds and levels of basic and advanced services and the convergence of provision by converging modes of wireline, cable, wireless satellite, wireless towers, wireless locations, utility lines, and voice over Internet call for statewide cooperation in better data collection and sharing information about current and newly emerging availability, choices, and costs of basic and advanced telephone and telecommunications and evaluation of service quality and use.

(5) The need for assistance to residents with special basic telecommunication and assistive technology needs. There are social needs for better information by many kinds of consumers who have limited telephone and telecommunications choices, including needs to understand special programs for basic life connections and assistive services, as well as opportunities to benefit from stable telecommunications addresses and special service designated for universal service connectivity.

(6) The need for better public access to telecommunications services. There are needs for all consumers to better understand how to use public access information services, including call-in and call-out services of 911, use of 411 personal services and electronic directory assistance, 311 local government information, and new 211 public and community human services.

(7) The need for better cooperation among local, county, regional, and Statewide telecommunications planning and outcomes tracking. There are needs for local, county, and statewide public officials and planning bodies to have better information on telephone and telecommunications capacity and usage and digital and technological skills in order to undertake multi-year plans and public infrastructure investments, to communicate the telecommunications readiness of particular facilities or areas, and reduce the costs to local taxpayers for basic infrastructure, as well as for emergency safety and core health connections services, which often require advanced telecommunications for life supporting uses and greatest savings in public and resident costs and efficiencies in network usage

(8) The need for lesser connected residents to maintain access and technological skills at home, at work, and in public settings in order for Illinois to compete in the world marketplace. There are needs for all Illinois residents, and especially residents with less than average resources or in lesser connected

communities or with special needs, to gain and maintain technological and digital literacy skills to use basic and advanced telecommunications in homes, at work, in schools, libraries, community centers, and health care facilities, and in public agencies and in settings, including at public and commercial information kiosks or information ATM machines; including the need to systematically increase the telecommunications use capacity of the Illinois workforce to reduce unemployment and underemployment in Illinois, which continues at substantially higher levels than national averages and which lags in terms of hiring for professional, technical, and entry-level employment in the face of regional and worldwide employment.

(9) The need for cooperation among State agencies concerning telecommunications access and technological skills programs to increase stakeholder investments from public and private parties. There are needs for cooperation among many State agencies, including cooperation among the Department of Commerce and Economic Opportunity, the Illinois Commerce Commission, and the many programs that have responsibility for outreach concerning skill building, public benefit access, and community quality of life planning and implementation.

(10) The need for a public-private coordinating committee to work with the Department of Commerce and Economic Opportunity and its Advisory Committee on Elimination of the Digital Divide to integrate outreach and multi-year sustainable approaches. Coordinating and cooperating parties need to include telecommunications providers, telecommunications-related technology product and service providers, community technology providers, consumer interest and economic development and health and safety organizations, community service and research programs of institutions of higher education and community service and technological skills programs of elementary and secondary education, public agencies and local and regional planning bodies in all regions of the State, and other State and federal agencies and offices to assist in enabling all interested parties in participating in outreach, outcomes, planning, and digital literacy activities, in identifying appropriate sources of revenues for specific programs, and in developing new sources of endowment or program matching funds, including through programs and partnerships to share information about the synergies and shared data and outcomes information on Digital Literacy and Technology Access programs for underserved areas and populations in the State.

Section 10. Telecommunications outreach cooperation. Subject to appropriation, the Department of Commerce and Economic Opportunity, as part of the Director's responsibility for regional planning, technology, industrial competitiveness, and workforce skills, and for communication with telecommunications carriers and others in relation to the Eliminate the Digital Divide Law, shall establish a telecommunications outreach program within the Division of Technology and Industrial Competitiveness, in consultation with the Illinois Commerce Commission. The telecommunications outreach program shall do all of the following:

(1) Convene a working group of all public agencies, telecommunications providers, and community and consumer enterprises or institutions that have substantial outreach programs concerning educating residents, especially low-income, less connected, and special needs residents, to catalog telecommunications outreach and marketing programs, audiences, communication processes, and potential means of cooperation.

(2) Undertake an expanded outreach and marketing process among telecommunications providers and others to secure contributions to the Eliminate the Digital Divide Trust Program, in order to highlight the locations of public access community technology centers and services, linked with all State departments and offices, and to encourage the acquisition and maintenance of basic and more advanced technological and digital literacy skills linked with Internet and other telecommunications in underserved communities.

(3) Establish and undertake a program of outreach to implement a Good Samaritan Computer program to solicit voluntary contributions to assist low-income individuals and families in purchasing computers, coordinated with other outreach and solicitation programs for individual contributions.

(4) Establish among parties participating under this Section and other Sections established in this Act, a public-private coordinating committee with responsibility to help identify and secure multi-year investment or endowment funds and program funds, including through federal, national, and international programs, including through cooperative outreach programs and through matching, formal or informal partnerships or cooperation, including tracking outcomes and research data, through an annual review of achievements of programs of the Department and others, through opportunities for local access plans in all communities to participate, and other means to expand digital literacy and technology access through an Eliminate the Digital Divide Community Trust process or future structure as a local-State stakeholder community to assist in improving the quality of lives and

strengthening the family and social networks of low income and other lesser connected residents and entities.

Section 15. Telephone and telecommunications service outcomes, data sharing, and planning. Subject to appropriation, the Department of Commerce and Economic Opportunity, in cooperation with the Illinois Commerce Commission and the Illinois Attorney General, shall establish a Telecommunications Service Outcomes, Data Sharing, and Local Planning program. The program shall:

(1) Convene a local-State-federal telecommunications cooperative data collection and sharing working group to make recommendations on State-federal cooperation, including basic and broadband telecommunications data from FCC form 477, to assist decision-makers, planners, and consumer protection parties at the State and local levels to gain better data to make decisions concerning all modes of telecommunications and information infrastructure.

(2) Establish and undertake a regional-local telecommunications planning process in cooperation with 7 to 10 regional telecommunications service areas in Illinois, regional planning councils and their member public officials, other parties within multi-county areas, nonprofit community development, technology and media networks, and telecommunications consumer groups in these regions, along the lines of using an RFP process to provide grants to community telecommunications planning processes.

(3) Establish and undertake special community telecommunication local access planning for sustainability process for community-based collaboratives or consortia, with grant funding available from Department programs, from public-private partnerships, or from the Eliminate the Digital Divide Program or a combination of sources, and to plan for programs that assist low income families to secure loans and access to special discount programs of electronic product companies.

(4) Undertake demonstration telephone and telecommunications quality of service feedback assemblies in a number of local access places in areas of 5,000 up to 60,000 residents in each telecommunications service region, with an initial focus on low-income or otherwise lesser connected communities, with a purpose of bringing together a cross-section of consumers of all modes of telecommunications to provide systematic feedback on top priorities for telecommunications infrastructure or services to improve the quality of families and communities, and specific improvements in the quality, availability, costs, and information about each telecommunications provider or service. The assemblies shall be hosted by non-profit, educational, community, or public agencies or enterprises that are not substantial providers of telecommunications services and that shall work closely with regional planning councils and related community development and consumer services networks in the area.

Section 20. Technological literacy trust grants and outcome tracking initiative. Subject to appropriation, the Department of Commerce and Economic Opportunity shall establish an Eliminate the Digital Divide Community Trust Program as a continuation and expansion of the Eliminate the Digital Divide grant program, in cooperation with other State agencies, community technology networks, consumer representatives, education and higher education agencies and extension services, regional planning councils, local public agency officials, and public, nonprofit, and business institutions or enterprises that provide grants and other resources for telephone, telecommunications and related quality of life services, training, or infrastructure and in consultation with the advisory committee on elimination of the digital divide. The Trust Program may receive voluntary contributions directly from members of the public, including any entity, and from the voluntary contribution programs of telecommunications providers authorized under the Eliminate the Digital Divide Law.

The Department of Commerce and Economic Opportunity shall do all of the following:

(1) Provide "Train the Trainer" grants, other professional development grants, and evaluation-linked grants to determine the outcomes and the impacts of digital literacy and technology access programs of the Department of Commerce and Economic Opportunity and other State agencies and significant regional or statewide programs to entities or consortia that are region-based or statewide-based community technology centers or networks that participate in the broadly-based annual Telecommunications Conference on Economic Development and telehealth sponsored by the University of Illinois extension program and others.

(2) Provide "Community Innovation" grants of between \$5,000 to \$50,000 to nonprofit community-based organizations to demonstrate innovative means to host consumer and community feedback activities on the impact of telecommunication access and technological skills on quality of life, including assemblies in local access places, in low-income areas and other underserved populations and communities with special and assistive needs, and for purposes of developing community

telecommunication plans, or community technology center plans, to extend access and skills, including in homes, work locations, community technology centers, and public settings, including information kiosks, and including through innovative job-producing and revenue-generating community enterprises, including in the expanding areas of processing, demanufacturing and distribution of used technologies, undertaking electronic product recycling activities, and the development and distribution of personal information management tools and information ATM cards in the community, either directly or through statewide or regional circuit consortia with substantial experience in assisting such organizations.

(3) In consultation with the Advisory Committee on Elimination of the Digital Divide, provide "Family and Social Network Strengthening" grants of an amount to be determined to innovative organizations or enterprises that have the capacity to provide and sustain Personal Information Management tools and services, including assistive technologies, e-mail and e-personal applications, and information ATM cards, at low-cost or no-cost to low income and other underserved families and individuals to enable them to acquire skills and develop and strengthen links with ongoing consumer services and Community Technology Centers and other important work and family support networks and with special focus on regionwide and statewide sustainable networks and services.

(4) Co-sponsor an annual statewide community technology center professional development conference and any regional professional development online resources and calendar activities recommended by the advisory committee on elimination of the digital divide.

(5) Convene a stakeholder conference on resources to eliminate the digital divide.

(6) Administer the resources in the current Eliminate the Digital Divide grant program, with interest on funds in the program to be used by the program and with funds received by the program from contributions from residents and stakeholders in digital literacy, including from telecommunications formulaic or other contributions, not subject to reduction or use by the general treasury reduction or use by the general treasury and with authority to make grants of up to \$75,000 for technological skills and telecommunication and technology access to Community Technology Centers and to "Train the Trainer" grants provided for in this Section and to enable Community Technology Centers to assist participants in understanding and using Personal Information Management tools as part of regular training and access services and as a means to assist those Centers in developing on-going services to participants and sources of earned revenue.

(7) Prepare an annual report on Digital Literacy and Technology and Telecommunication Access and their impact on community and economic development in the State, including a summary of outcomes since the initial grants under the Eliminate the Digital Divide Law, by February 1 of each year.

(8) Propose a formal Eliminate the Digital Divide Community Trust structure or entity involving public-private-community partnership activity, in consultation with coordinating and cooperating parties involved with activities under this Act, that has the capacity to bring resources from State and local agencies, telecommunications providers, business and charitable entities, and cooperation among those parties, including opportunities to apply for federal and other public, business, or charitable grants, funds, or revenue sources and that may undertake activities on October 1, 2006 or January 1, 2007."

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Howard offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 3650, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Eliminate the Digital Divide Law is amended by changing Section 5-30 as follows:

(30 ILCS 780/5-30)

Sec. 5-30. Community Technology Grant Program.

(a) Subject to appropriation, the Department shall administer the Community Technology Center Grant Program under which the Department shall make grants in accordance with this Article for planning, establishment, administration, and expansion of Community Technology Centers and for assisting public hospitals, libraries, and park districts in eliminating the digital divide. The purposes of the grants shall include, but not be limited to, volunteer recruitment and management, training and instruction, infrastructure, and related goods and services for Community Technology Centers and public hospitals, libraries, and park districts. The total amount of grants under this Section in fiscal year 2001 shall not exceed \$2,000,000, except that this limit on grants shall not apply to grants funded by appropriations from

the Digital Divide Elimination Fund. No Community Technology Center may receive a grant of more than \$50,000 under this Section in a particular fiscal year.

(b) Public hospitals, libraries, park districts, and State educational agencies, local educational agencies, institutions of higher education, and other public and private nonprofit or for-profit agencies and organizations are eligible to receive grants under this Program, provided that a local educational agency or public or private educational agency or organization must, in order to be eligible to receive grants under this Program, provide computer access and educational services using information technology to the public at one or more of its educational buildings or facilities at least 12 hours each week. A group of eligible entities is also eligible to receive a grant if the group follows the procedures for group applications in 34 CFR 75.127-129 of the Education Department General Administrative Regulations.

To be eligible to apply for a grant, a Community Technology Center, public hospital, library, or park district must serve a community in which not less than 40% of the students are eligible for a free or reduced price lunch under the national school lunch program or in which not less than 30% of the students are eligible for a free lunch under the national school lunch program; however, if funding is insufficient to approve all grant applications for a particular fiscal year, the Department may impose a higher minimum percentage threshold for that fiscal year. Determinations of communities and determinations of the percentage of students in a community who are eligible for a free or reduced price lunch under the national school lunch program shall be in accordance with rules adopted by the Department.

Any entities that have received a Community Technology Center grant under the federal Community Technology Centers Program are also eligible to apply for grants under this Program.

The Department shall provide assistance to Community Technology Centers in making those determinations for purposes of applying for grants.

(c) Grant applications shall be submitted to the Department not later than March 15 for the next fiscal year.

(d) The Department shall adopt rules setting forth the required form and contents of grant applications.

(e) There is created the Digital Divide Elimination Advisory Committee. The advisory committee shall consist of 7 ~~5~~ members appointed one each by the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House, and the House Minority Leader, and 2 appointed by the Director of Commerce and Economic Opportunity, one of whom shall be a representative of the telecommunications industry and one of whom shall represent community technology centers. The members of the advisory committee shall receive no compensation for their services as members of the advisory committee but may be reimbursed for their actual expenses incurred in serving on the advisory committee. The Digital Divide Elimination Advisory Committee shall advise the Department in establishing criteria and priorities for identifying recipients of grants under this Act. The advisory committee shall obtain advice from the technology industry regarding current technological standards. The advisory committee shall seek any available federal funding.

(f) There is created the Digital Divide Elimination Working Group. The Working Group shall consist of the Director of Commerce and Economic Opportunity, or his or her designee, the Director of Central Management Services, or his or her designee, and the Executive Director of the Illinois Commerce Commission, or his or her designee. The Director of Commerce and Economic Opportunity, or his or her designee, shall serve as chair of the Working Group. The Working Group shall consult with the members of the Digital Divide Elimination Advisory Committee and may consult with various groups including, but not limited to, telecommunications providers, telecommunications-related technology producers and service providers, community technology providers, community and consumer organizations, businesses and business organizations, and federal government agencies.

(g) Duties of the Digital Divide Elimination Working Group include all of the following:

(1) Undertaking a thorough review of grant programs available through the federal government, local agencies, telecommunications providers, and business and charitable entities for the purpose of identifying appropriate sources of revenues for the Digital Divide Elimination Fund and attempting to update available grants on a regular basis.

(2) Researching and cataloging programs designed to advance digital literacy and computer access that are available through the federal government, local agencies, telecommunications providers, and business and charitable entities and attempting to update available programs on a regular basis.

(3) Presenting the information compiled from items (1) and (2) to the Department of Commerce and Economic Opportunity, which shall serve as a single point of contact for applying for funding for the Digital Divide Elimination Fund and for distributing information to the public regarding all programs designed to advance digital literacy and computer access.

(Source: P.A. 91-704, eff. 7-1-00; 92-22, eff. 6-30-01.)

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

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Bill Mitchell, HOUSE BILL 3523 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: 117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 23)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Jerry Mitchell, HOUSE BILL 2946 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: 108, Yeas; 5, Nays; 4, Answering Present.

(ROLL CALL 24)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Moffitt, HOUSE BILL 3532 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; 0, Answering Present.

(ROLL CALL 25)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 483. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Joyce offered and withdrew Amendments numbered 3 and 4.

Representative Joyce offered the following amendment and moved its adoption.

AMENDMENT NO. 5. Amend House Bill 483, AS AMENDED, with reference to the page and line numbers of House Amendment No. 1, on page 3, in line 19 by replacing "body" with the following: "body, provided that personal and identifying information, other than the identities of the parties, is not released"; and

on page 13, by deleting lines 9 through 13.

The foregoing motion prevailed and Amendment No. 5 was adopted.

There being no further amendments, the foregoing Amendment No. 5 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Kelly, HOUSE BILL 3800 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: 65, Yeas; 51, Nays; 0, Answering Present.
(ROLL CALL 26)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 2593. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Transportation and Motor Vehicles, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 2593 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.640 as follows:
(30 ILCS 105/5.640 new)

Sec. 5.640. The Traffic Control Signal Preemption Devices for Ambulances Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 12-601.2 as follows:
(625 ILCS 5/12-601.2 new)

Sec. 12-601.2. Traffic control signal preemption devices; ambulances.

(a) Any ambulance owned or operated by a municipality with a population of more than 50,000 must be equipped with a traffic control signal preemption device as defined in Section 12-601.1 of this Code, if any other vehicle owned or operated by the municipality is equipped with one of those devices.

(b) The Traffic Control Signal Preemption Devices for Ambulances Fund is created as a special fund in the State treasury. All moneys in the Traffic Control Signal Preemption Devices for Ambulances Fund shall, subject to appropriation by the General Assembly and approval by the Secretary, be paid as grants to municipalities subject to the requirements of this Section for the purpose of equipping their ambulances with traffic control signal preemption devices. The moneys in the Fund may not be used for any other purpose.

(c) This Section applies only in a county with a population of more than 2,000,000."

Representative Kelly offered and withdrew Amendment No. 2.

Representative Kelly offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 2593, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.640 as follows:
(30 ILCS 105/5.640 new)

Sec. 5.640. The Traffic Control Signal Preemption Devices for Ambulances Fund.

Section 10. The Illinois Vehicle Code is amended by adding Section 12-601.2 as follows:

(625 ILCS 5/12-601.2 new)

Sec. 12-601.2. Traffic control signal preemption devices; ambulances.

(a) In a county with a population of 2,000,000 or more, subject to appropriation, any ambulance owned or operated by a municipality with a population of less than 500,000 must be equipped with a traffic control signal preemption device as defined in Section 12-601.1 of this Code, if any route used by that ambulance includes any roadway that is equipped with traffic control signal preemption technology.

(b) In counties with a population of less than 2,000,000, subject to appropriation, any ambulance owned or operated by a municipality with a population of more than 50,000 must be equipped with a traffic control signal preemption device as defined in Section 12-601.1 of this Code, if any route used by that ambulance includes any roadway that is equipped with traffic control signal preemption technology.

(c) The Traffic Control Signal Preemption Devices for Ambulances Fund is created as a special fund in the State treasury. The Traffic Control Signal Preemption Devices for Ambulances Fund may receive private gifts and contributions. All moneys in the Traffic Control Signal Preemption Devices for Ambulances Fund shall, subject to appropriation by the General Assembly and approval by the Secretary, be paid as grants to municipalities subject to the requirements of this Section for the purpose of equipping their ambulances with traffic control signal preemption devices. The moneys in the Fund may not be used for any other purpose."

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Reis, HOUSE BILL 340 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:

73, Yeas; 42, Nays; 1, Answering Present.

(ROLL CALL 27)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 3022. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Sacia offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3022 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-15 as follows:

(235 ILCS 5/6-15) (from Ch. 43, par. 130)

Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the control of the State or any political subdivision thereof except as provided in this Act. The corporate authorities of any city, village, incorporated town or township may provide by ordinance, however, that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality or township, or in any building located on land under the control of the municipality; provided that such township complies with all applicable local ordinances in any incorporated

area of the township. Alcoholic liquor may be delivered to and sold under the authority of a special use permit on any property owned by a conservation district organized under the Conservation District Act, provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, (ii) the issuance of the special use permit is authorized by the local liquor control commissioner of the territory in which the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. Alcoholic liquors may be delivered to and sold at any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned by a forest preserve district organized under the Downstate Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 in Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in Loves Park, Illinois, or, in connection with the operation of an established food serving facility during times when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the Forest Preserve District of Cook County, or on any land used for a golf course or for recreational purposes owned by the Forest Preserve District of Cook County, subject to the control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago Park District if approved by the Park District Commissioners, or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by the District's governing board, or at any airport, golf course, faculty center, or facility in which conference and convention type activities take place belonging to or under control of any State university or public community college district, provided that with respect to a facility for conference and convention type activities alcoholic liquors shall be limited to the use of the convention or conference participants or participants in cultural, political or educational activities held in such facilities, and provided further that the faculty or staff of the State university or a public community college district, or members of an organization of students, alumni, faculty or staff of the State university or a public community college district are active participants in the conference or convention, or in Memorial Stadium on the campus of the University of Illinois at Urbana-Champaign during games in which the Chicago Bears professional football team is playing in that stadium during the renovation of Soldier Field, not more than one and a half hours before the start of the game and not after the end of the third quarter of the game, or by a catering establishment which has rented facilities from a board of trustees of a public community college district, or, if approved by the District board, on land owned by the Metropolitan Sanitary District of Greater Chicago and leased to others for a term of at least 20 years. Nothing in this Section precludes the sale or delivery of alcoholic liquor in the form of original packaged goods in premises located at 500 S. Racine in Chicago belonging to the University of Illinois and used primarily as a grocery store by a commercial tenant during the term of a lease that predates the University's acquisition of the premises; but the University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of alcoholic liquor; and the sale of alcoholic liquor shall be subject to all local laws and regulations. After the acquisition by Winnebago County of the property located at 404 Elm Street in Rockford, a commercial tenant who sold alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue to do so for so long as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the sale of alcoholic liquor. Each facility shall provide dram shop liability in maximum insurance coverage limits so as to save harmless the State, municipality, State university, airport, golf course, faculty center, facility in which conference and convention type activities take place, park district, Forest Preserve District, public community college district, aquarium, museum, or

sanitary district from all financial loss, damage or harm. Alcoholic liquors may be sold at retail in buildings of golf courses owned by municipalities in connection with the operation of an established food serving facility during times when food is dispensed for consumption upon the premises. Alcoholic liquors may be delivered to and sold at retail in any building owned by a fire protection district organized under the Fire Protection District Act, provided that such delivery and sale is approved by the board of trustees of the district, and provided further that such delivery and sale is limited to fundraising events and to a maximum of 6 events per year.

Alcoholic liquor may be delivered to and sold at retail in the Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial loss, damage and harm.

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

- (i) the Adjutant General's written consent to the issuance of a license to sell alcoholic liquor in such building is filed with the Commission;
- (ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;
- (iii) the organized function is one for which the planned attendance is 25 or more persons; and
- (iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or harm.

Alcoholic liquors may be delivered to and sold at retail in the Chicago Civic Center, provided that:

- (i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;
- (ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;
- (iii) the organized function is one for which the planned attendance is 25 or more persons;
- (iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and
- (v) all applicable local ordinances are complied with.

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. Alcoholic liquor may be sold in buildings under the control of the Department of Natural Resources when written consent to the issuance of a license to sell alcoholic liquor in such buildings is filed with the Commission by the Department of Natural Resources. Alcoholic liquor may be served or delivered in buildings and facilities under the control of the Department of Natural Resources upon the written approval of the Director of Natural Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that approval, including but not limited to requirements for insurance and hours of operation. Notwithstanding any other provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the Joliet Park District when written consent to the issuance of a license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to the issuance of a license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all financial loss, damage or harm. Such liquors may be delivered to and sold at any property owned or held under lease by a Metropolitan Pier and Exposition Authority or Metropolitan Exposition and Auditorium Authority.

Beer and wine may be sold and dispensed at professional sporting events and at professional concerts

and other entertainment events conducted on premises owned by the Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial loss, damage and harm.

Nothing in this Section shall preclude the sale or delivery of beer and wine at a State or county fair or the sale or delivery of beer or wine at a city fair in any otherwise lawful manner.

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural Resources, provided:

- a. the State park has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,
- b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Department of Natural Resources, and
- c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight. Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or restaurant concessionaire is not subject to the provisions of Articles IV and IX.

Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum provided:

- a. the property has overnight lodging facilities with some restaurant facilities or, not having overnight lodging facilities, has restaurant facilities which serve complete luncheon and dinner or supper meals,
- b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and
- c. the alcoholic liquors are sold by the lodge or restaurant concessionaire only during the hours from 11 o'clock a.m. until 12 o'clock midnight.

The sale of alcoholic liquors pursuant to this Section does not authorize the establishment and operation of facilities commonly called taverns, saloons, bars, cocktail lounges, and the like except as a part of lodge and restaurant facilities in State parks or golf courses owned by Forest Preserve Districts with a population of less than 3,000,000 or municipalities or park districts.

Alcoholic liquors may be sold at retail in the Springfield Administration Building of the Department of Transportation and the Illinois State Armory in Springfield; provided, that the controlling government authority may consent to such sales only if

- a. the request is from a not-for-profit organization;
- b. such sales would not impede normal operations of the departments involved;
- c. the not-for-profit organization provides dram shop liability in maximum insurance coverage limits and agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm;
- d. no such sale shall be made during normal working hours of the State of Illinois; and
- e. the consent is in writing.

Alcoholic liquors may be sold at retail in buildings in recreational areas of river conservancy districts under the control of, or leased from, the river conservancy districts. Such sales are subject to reasonable local regulations as provided in Article IV; however, no such regulations may prohibit or substantially impair the sale of alcoholic liquors on Sundays or Holidays.

Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the Illinois Department of Public Health, to residents of the facility who have had their consumption of the alcoholic liquors provided approved in writing by a physician licensed to practice medicine in all its branches.

Alcoholic liquors may be delivered to and dispensed in State housing assigned to employees of the Department of Corrections. No person shall furnish or allow to be furnished any alcoholic liquors to any prisoner confined in any jail, reformatory, prison or house of correction except upon a physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether

legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the controlling government authority, or by (2) a not-for-profit organization, provided that such organization:

- a. Obtains written consent from the controlling government authority;
- b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
- c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
- d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at authorized functions.

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the jurisdiction of the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) a not-for-profit organization provided that such organization:

- a. Obtains written consent from the controlling government authority;
- b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal workings of State offices or operations located at the facility, property or building;
- c. Sells or dispenses alcoholic liquors only in connection with an official activity of the not-for-profit organization in the facility, property or building;
- d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

The controlling government authority for the Historic Sites and Preservation Division of the Historic Preservation Agency shall be the Director of the Historic Sites and Preservation, and the controlling government authority for the Abraham Lincoln Presidential Library and Museum shall be the Director of the Abraham Lincoln Presidential Library and Museum.

Alcoholic liquors may be delivered to and sold at retail or dispensed for consumption at the Michael Bilandic Building at 160 North LaSalle Street, Chicago IL 60601, after the normal business hours of any day care or child care facility located in the building, by (1) a commercial tenant or subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who accepts delivery of, sells, or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial, or executive, provided that such agency first obtains written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

- a. obtains written consent from the Department of Central Management Services;
- b. accepts delivery of and sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
- c. accepts delivery of and sells or dispenses alcoholic liquors only in connection with an official activity in the building; and
- d. provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless, and indemnify the State of

Illinois from all financial loss, damage, or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or by (2) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization:

- a. Obtains written consent from the Department of Central Management Services;
- b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
- c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
- d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Director of Central Management Services.

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:

- a. Obtains written consent from the Department of Central Management Services;
- b. Sells or dispenses the alcoholic liquors in a manner that does not impair normal operations of State offices located in the building;
- c. Sells or dispenses alcoholic liquors only in connection with an official activity in the building;
- d. Provides, or its catering service provides, dram shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and indemnify the State of Illinois from all financial loss, damage or harm arising out of the selling or dispensing of alcoholic liquors.

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by the Department of Central Management Services.

Alcoholic liquors may be sold or delivered in a building that is owned by McLean County, situated on land owned by the county in the City of Bloomington, and used by the McLean County Historical Society if the sale or delivery is approved by an ordinance adopted by the county board, and the municipality in which the building is located may not prohibit that sale or delivery, notwithstanding any other provision of this Section. The regulation of the sale and delivery of alcoholic liquor in a building that is owned by McLean County, situated on land owned by the county, and used by the McLean County Historical Society as provided in this paragraph is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of the power of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on land held in trust for any school

district organized under Article 34 of the School Code, if the building is not used for school purposes and if the sale or delivery is approved by the board of education.

Alcoholic liquors may be sold or delivered in buildings owned by the Community Building Complex Committee of Boone County, Illinois if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance with coverage and in amounts that the Committee reasonably determines are necessary.

Alcoholic liquors may be sold or delivered in the building located at 1200 Centerville Avenue in Belleville, Illinois and occupied by either the Belleville Area Special Education District or the Belleville Area Special Services Cooperative.

Alcoholic liquors may be delivered to and sold at the Louis Joliet Renaissance Center, City Center Campus, located at 214 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts Department facilities, Main Campus, located at 1215 Houbolt Road, Joliet, owned by or under the control of Joliet Junior College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Apple River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm.

(Source: P.A. 92-512, eff. 1-1-02; 92-583, eff. 6-26-02; 92-600, eff. 7-1-02; 93-19, eff. 6-20-03; 93-103, eff. 1-1-04; 93-627, eff. 6-1-04; 93-844, eff. 7-30-04.)

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Pihos, HOUSE BILL 3816 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:

115, Yeas; 1, Nay; 0, Answering Present.

(ROLL CALL 28)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 3273. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Munson offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3273 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by adding Section 20-100 as follows:

(30 ILCS 500/20-100 new)

Sec. 20-100. Monetary incentives. No invitation to bid, bid request, request for proposals, or other

contract bid solicitation may request or require that a vendor provide or offer the State any form of monetary incentive in addition to the goods or services that are the subject of the contract. No bid or offer may be evaluated for acceptance that includes the provision or offer to the State of monetary incentives. No contract may be awarded to an entity whose bid or offer includes the provision or offer to the State of monetary incentives. Monetary incentives include, but are not limited to, cash payments, instant cash rebates, and contract signing bonuses."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 2712. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Hannig offered and withdrew Amendment No. 1.

Representative Hannig offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 2712 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-310 as follows:

(20 ILCS 2505/2505-310) (was 20 ILCS 2505/39b15.2)

Sec. 2505-310. Obtaining evidence. The Department has the power to expend sums that the Director deems necessary from contractual services appropriations for the purchase of evidence and for the employment of persons to obtain evidence. The sums shall be advanced to investigators authorized by the Director to expend funds, on vouchers signed by the Director.

In addition, the Director is authorized to maintain one or more commercial checking accounts with any State banking corporation or corporations organized under or subject to the Illinois Banking Act for the deposit and withdrawal of moneys to be used solely for the purchase of evidence and for the employment of persons to obtain evidence. No check may be written on nor any withdrawal made from such an account except on the written signature of 2 persons designated by the Director to write those checks and make those withdrawals. The balance of moneys on deposit in any such account shall not exceed ~~\$50,000~~ \$5,000 at any time, nor shall any one check written on or single withdrawal made from any such account exceed ~~\$50,000~~ \$5,000.

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 2244. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Hannig offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2244 by replacing everything after the enacting clause with the following:

"Section 5. The Voluntary Payroll Deductions Act of 1983 is amended by changing Section 3 as follows:

(5 ILCS 340/3) (from Ch. 15, par. 503)

Sec. 3. Definitions. As used in this Act unless the context otherwise requires:

(a) "Employee" means any regular officer or employee who receives salary or wages for personal services rendered to the State of Illinois, and includes an individual hired as an employee by contract with that individual.

(b) "Qualified organization" means an organization representing one or more benefiting agencies, which

organization is designated by the State Comptroller as qualified to receive payroll deductions under this Act. An organization desiring to be designated as a qualified organization shall:

(1) Submit written designations on forms approved by the State Comptroller by 4,000 or more employees or State annuitants, in which such employees or State annuitants indicate that the organization is one for which the employee or State annuitant intends to authorize withholding. The forms shall require the name, last 4 digits only of the social security number, and employing State agency for each employee. Upon notification by the Comptroller that such forms have been approved, the organization shall, within 30 days, notify in writing the Governor or his or her designee of its intention to obtain the required number of designations. Such organization shall have 12 months from that date to obtain the necessary designations and return to the State Comptroller's office the completed designations, which shall be subject to verification procedures established by the State Comptroller;

(2) Certify that all benefiting agencies are tax exempt under Section 501(c)(3) of the Internal Revenue Code;

(3) Certify that all benefiting agencies are in compliance with the Illinois Human Rights Act;

(4) Certify that all benefiting agencies are in compliance with the Charitable Trust Act and the Solicitation for Charity Act;

(5) Certify that all benefiting agencies actively conduct health or welfare programs and provide services to individuals directed at one or more of the following common human needs within a community: service, research, and education in the health fields; family and child care services; protective services for children and adults; services for children and adults in foster care; services related to the management and maintenance of the home; day care services for adults; transportation services; information, referral and counseling services; services to eliminate illiteracy; the preparation and delivery of meals; adoption services; emergency shelter care and relief services; disaster relief services; safety services; neighborhood and community organization services; recreation services; social adjustment and rehabilitation services; health support services; or a combination of such services designed to meet the special needs of specific groups, such as children and youth, the ill and infirm, and the physically handicapped; and that all such benefiting agencies provide the above described services to individuals and their families in the community and surrounding area in which the organization conducts its fund drive, or that such benefiting agencies provide relief to victims of natural disasters and other emergencies on a where and as needed basis;

(6) Certify that the organization has disclosed the percentage of the organization's total collected receipts from employees or State annuitants that are distributed to the benefiting agencies and the percentage of the organization's total collected receipts from employees or State annuitants that are expended for fund-raising and overhead costs. These percentages shall be the same percentage figures annually disclosed by the organization to the Attorney General. The disclosure shall be made to all solicited employees and State annuitants and shall be in the form of a factual statement on all petitions and in the campaign's brochures for employees and State annuitants;

(7) Certify that all benefiting agencies receiving funds which the employee or State annuitant has requested or designated for distribution to a particular community and surrounding area use a majority of such funds distributed for services in the actual provision of services in that community and surrounding area;

(8) Certify that neither it nor its member organizations will solicit State employees for contributions at their workplace, except pursuant to this Act and the rules promulgated thereunder. Each qualified organization, and each participating United Fund, is encouraged to cooperate with all others and with all State agencies and educational institutions so as to simplify procedures, to resolve differences and to minimize costs;

(9) Certify that it will pay its share of the campaign costs and will comply with the Code of Campaign Conduct as approved by the Governor or other agency as designated by the Governor; and

(10) Certify that it maintains a year-round office, the telephone number, and person responsible for the operations of the organization in Illinois. That information shall be provided to the State Comptroller at the time the organization is seeking participation under this Act.

Each qualified organization shall submit to the State Comptroller between January 1 and March 1 of each year, a statement that the organization is in compliance with all of the requirements set forth in paragraphs (2) through (10). The State Comptroller shall exclude any organization that fails to submit the statement from the next solicitation period.

In order to be designated as a qualified organization, the organization shall have existed at least 2 years prior to submitting the written designation forms required in paragraph (1) and shall certify to the State Comptroller that such organization has been providing services described in paragraph (5) in Illinois. If the organization seeking designation represents more than one benefiting agency, it need not have existed for 2 years but shall certify to the State Comptroller that each of its benefiting agencies has existed for at least 2 years prior to submitting the written designation forms required in paragraph (1) and that each has been providing services described in paragraph (5) in Illinois.

Organizations which have met the requirements of this Act shall be permitted to participate in the State and Universities Combined Appeal as of January 1st of the year immediately following their approval by the Comptroller.

Where the certifications described in paragraphs (2), (3), (4), (5), (6), (7), (8), (9), and (10) above are made by an organization representing more than one benefiting agency they shall be based upon the knowledge and belief of such qualified organization. Any qualified organization shall immediately notify the State Comptroller in writing if the qualified organization receives information or otherwise believes that a benefiting agency is no longer in compliance with the certification of the qualified organization. A qualified organization representing more than one benefiting agency shall thereafter withhold and refrain from distributing to such benefiting agency those funds received pursuant to this Act until the benefiting agency is again in compliance with the qualified organization's certification. The qualified organization shall immediately notify the State Comptroller of the benefiting agency's resumed compliance with the certification, based upon the qualified organization's knowledge and belief, and shall pay over to the benefiting agency those funds previously withheld.

The Comptroller shall, by February 1st of each year, so notify any qualified organization that failed to receive at least 250 500 payroll deduction pledges during each of the 3 immediately preceding solicitation periods period as set forth in Section 6. Organizations found qualified for the 2004 solicitation period are deemed to be qualified for the 2005 solicitation period if they have received at least 250 payroll deduction pledges in one of the 3 previous periods or if they have been qualified for fewer than 3 years.

The notification shall give such qualified organization until March 1st to provide the Comptroller with documentation that the minimum 500 deduction requirement has been met or that the organization has been qualified for fewer than 3 years. On the basis of all the documentation, the Comptroller shall, by March 30th 15th of each year, submit to the Governor or his or her designee, or such other agency as may be determined by the Governor, a list of all organizations which are qualified ~~have met the 500 payroll deduction requirement.~~

Only those organizations which have met such requirements, as well as the other requirements of this Section, shall be permitted to solicit State employees or State annuitants for voluntary contributions, and the Comptroller shall discontinue withholding for any such organization which fails to meet these requirements.

(c) "United Fund" means the organization conducting the single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public health, welfare and services purposes, which is commonly known as the United Fund, or the organization which serves in place of the United Fund organization in communities where an organization known as the United Fund is not organized.

In order for a United Fund to participate in the State and Universities Employees Combined Appeal, it shall comply with the provisions of paragraph (9) of subsection (b).

(d) "State and Universities Employees Combined Appeal", otherwise known as "SECA", means the State-directed joint effort of all of the qualified organizations, together with the United Funds, for the solicitation of voluntary contributions from State and University employees and State annuitants.

(e) "Retirement system" means any or all of the following: the General Assembly Retirement System, the State Employees' Retirement System of Illinois, the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, and the Judges Retirement System.

(f) "State annuitant" means a person receiving an annuity or disability benefit under Article 2, 14, 15, 16, or 18 of the Illinois Pension Code.

(Source: P.A. 91-357, eff. 7-29-99; 91-533, eff. 8-13-99; 91-896, eff. 7-6-00; 92-634, eff. 7-11-02.)

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 1916. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Lang offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1916 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-305 as follows:

(20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

Sec. 2505-305. Investigators.

(a) The Department has the power to appoint investigators to conduct all investigations, searches, seizures, arrests, and other duties imposed under the provisions of any law administered by the Department ~~or the Illinois Gaming Board. These Except as provided in subsection (e), these~~ investigators have and may exercise all the powers of peace officers solely for the purpose of enforcing taxing measures administered by the Department ~~or the Illinois Gaming Board.~~

(b) The Director must authorize to each investigator employed under this Section and to any other employee of the Department exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Department and (ii) contains a unique identifying number. No other badge shall be authorized by the Department.

(c) ~~(Blank). Investigators appointed under this Section who are assigned to the Illinois Gaming Board have and may exercise all the rights and powers of peace officers, provided that these powers shall be limited to offenses or violations occurring or committed on a riverboat or dock, as defined in subsections (d) and (f) of Section 4 of the Riverboat Gambling Act.~~

(Source: P.A. 91-239, eff. 1-1-00; 91-883, eff. 1-1-01; 92-493, eff. 1-1-02.)

Section 10. The Riverboat Gambling Act is amended by changing Sections 4, 5, 5.1, and 13 and by adding Sections 5.2 and 22.5 as follows:

(230 ILCS 10/4) (from Ch. 120, par. 2404)

Sec. 4. Definitions. As used in this Act:

(a) "Board" means the Illinois Gaming Board.

(b) "Occupational license" means a license issued by the Board to a person or entity to perform an occupation which the Board has identified as requiring a license to engage in riverboat gambling in Illinois.

(c) "Gambling game" includes, but is not limited to, baccarat, twenty-one, poker, craps, slot machine, video game of chance, roulette wheel, klondike table, punchboard, faro layout, keno layout, numbers ticket, push card, jar ticket, or pull tab which is authorized by the Board as a wagering device under this Act.

(d) "Riverboat" means a self-propelled excursion boat, a permanently moored barge, or permanently moored barges that are permanently fixed together to operate as one vessel, on which lawful gambling is authorized and licensed as provided in this Act.

(e) "Managers license" means a license issued by the Board to a person or entity to manage gambling operations conducted by the State pursuant to Section ~~7.3~~ ~~7.2~~.

(f) "Dock" means the location where a riverboat moors for the purpose of embarking passengers for and disembarking passengers from the riverboat.

(g) "Gross receipts" means the total amount of money exchanged for the purchase of chips, tokens or electronic cards by riverboat patrons.

(h) "Adjusted gross receipts" means the gross receipts less winnings paid to wagerers.

(i) "Cheat" means to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game.

(j) ~~(Blank). "Department" means the Department of Revenue.~~

(k) "Gambling operation" means the conduct of authorized gambling games upon a riverboat.

(l) "License bid" means the lump sum amount of money that an applicant bids and agrees to pay the State in return for an owners license that is re-issued on or after July 1, 2003.

(m) The terms "minority person" and "female" shall have the same meaning as defined in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

(Source: P.A. 92-600, eff. 6-28-02; 93-28, eff. 6-20-03; revisory 1-28-04.)

(230 ILCS 10/5) (from Ch. 120, par. 2405)

Sec. 5. Gaming Board.

(a) (1) There is hereby established ~~the within the Department of Revenue an~~ Illinois Gaming Board, which shall have the powers and duties specified in this Act, and all other powers necessary and proper to fully and effectively execute this Act for the purpose of administering, regulating, and enforcing the system of riverboat gambling established by this Act. Its jurisdiction shall extend under this Act to every person, association, corporation, partnership and trust involved in riverboat gambling operations in the State of Illinois.

(2) The Board shall consist of 5 members to be appointed by the Governor with the advice and consent of the Senate, one of whom shall be designated by the Governor to be chairman. Each member shall have a reasonable knowledge of the practice, procedure and principles of gambling operations. Each member shall either be a resident of Illinois or shall certify that he will become a resident of Illinois before taking office. At least one member shall be experienced in law enforcement and criminal investigation, at least one member shall be a certified public accountant experienced in accounting and auditing, and at least one member shall be a lawyer licensed to practice law in Illinois.

(3) The terms of office of the Board members shall be 3 years, except that the terms of office of the initial Board members appointed pursuant to this Act will commence from the effective date of this Act and run as follows: one for a term ending July 1, 1991, 2 for a term ending July 1, 1992, and 2 for a term ending July 1, 1993. Upon the expiration of the foregoing terms, the successors of such members shall serve a term for 3 years and until their successors are appointed and qualified for like terms. Vacancies in the Board shall be filled for the unexpired term in like manner as original appointments. Each member of the Board shall be eligible for reappointment at the discretion of the Governor with the advice and consent of the Senate.

(4) Each member of the Board shall receive \$300 for each day the Board meets and for each day the member conducts any hearing pursuant to this Act. Each member of the Board shall also be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of official duties.

(5) No person shall be appointed a member of the Board or continue to be a member of the Board who is, or whose spouse, child or parent is, a member of the board of directors of, or a person financially interested in, any gambling operation subject to the jurisdiction of this Board, or any race track, race meeting, racing association or the operations thereof subject to the jurisdiction of the Illinois Racing Board. No Board member shall hold any other public office for which he or she shall receive compensation in excess of \$10,000, other than necessary travel or other incidental expenses. No person shall be a member of the Board who is not of good moral character or who has been convicted of, or is under indictment for, a felony under the laws of Illinois or any other state, or the United States.

(6) Any member of the Board may be removed by the Governor for neglect of duty, misfeasance, malfeasance, or nonfeasance in office.

(7) Before entering upon the discharge of the duties of his office, each member of the Board shall take an oath that he will faithfully execute the duties of his office according to the laws of the State and the rules and regulations adopted therewith and shall give bond to the State of Illinois, approved by the Governor, in the sum of \$25,000. Every such bond, when duly executed and approved, shall be recorded in the office of the Secretary of State. Whenever the Governor determines that the bond of any member of the Board has become or is likely to become invalid or insufficient, he shall require such member forthwith to renew his bond, which is to be approved by the Governor. Any member of the Board who fails to take oath and give bond within 30 days from the date of his appointment, or who fails to renew his bond within 30 days after it is demanded by the Governor, shall be guilty of neglect of duty and may be removed by the Governor. The cost of any bond given by any member of the Board under this Section shall be taken to be a part of the necessary expenses of the Board.

(8) ~~The Upon the request of the Board, the Department~~ shall employ such personnel as may be necessary to carry out ~~its~~ the functions of the Board. No person shall be employed to serve the Board who is, or whose spouse, parent or child is, an official of, or has a financial interest in or financial relation with, any operator engaged in gambling operations within this State or any organization engaged in conducting horse racing within this State. Any employee violating these prohibitions shall be subject to termination of employment.

(9) An Administrator shall perform any and all duties that the Board shall assign him. The salary of the Administrator shall be determined by the Board ~~and approved by the Director of the Department~~ and, in addition, he shall be reimbursed for all actual and necessary expenses incurred by him in discharge of his official duties. The Administrator shall keep records of all proceedings of the Board and shall preserve all records, books, documents and other papers belonging to the Board or entrusted to its care. The Administrator shall devote his full time to the duties of the office and shall not hold any other office or

employment.

(b) The Board shall have general responsibility for the implementation of this Act. Its duties include, without limitation, the following:

(1) To decide promptly and in reasonable order all license applications. Any party aggrieved by an action of the Board denying, suspending, revoking, restricting or refusing to renew a license may request a hearing before the Board. A request for a hearing must be made to the Board in writing within 5 days after service of notice of the action of the Board. Notice of the action of the Board shall be served either by personal delivery or by certified mail, postage prepaid, to the aggrieved party. Notice served by certified mail shall be deemed complete on the business day following the date of such mailing. The Board shall conduct all requested hearings promptly and in reasonable order;

(2) To conduct all hearings pertaining to civil violations of this Act or rules and regulations promulgated hereunder;

(3) To promulgate such rules and regulations as in its judgment may be necessary to protect or enhance the credibility and integrity of gambling operations authorized by this Act and the regulatory process hereunder;

(4) To provide for the establishment and collection of all license and registration fees and taxes imposed by this Act and the rules and regulations issued pursuant hereto. All such fees and taxes shall be deposited into the State Gaming Fund;

(5) To provide for the levy and collection of penalties and fines for the violation of provisions of this Act and the rules and regulations promulgated hereunder. All such fines and penalties shall be deposited into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois;

(6) To be present through its inspectors and agents any time gambling operations are conducted on any riverboat for the purpose of certifying the revenue thereof, receiving complaints from the public, and conducting such other investigations into the conduct of the gambling games and the maintenance of the equipment as from time to time the Board may deem necessary and proper;

(7) To review and rule upon any complaint by a licensee regarding any investigative procedures of the State which are unnecessarily disruptive of gambling operations. The need to inspect and investigate shall be presumed at all times. The disruption of a licensee's operations shall be proved by clear and convincing evidence, and establish that: (A) the procedures had no reasonable law enforcement purposes, and (B) the procedures were so disruptive as to unreasonably inhibit gambling operations;

(8) To hold at least one meeting each quarter of the fiscal year. In addition, special meetings may be called by the Chairman or any 2 Board members upon 72 hours written notice to each member. All Board meetings shall be subject to the Open Meetings Act. Three members of the Board shall constitute a quorum, and 3 votes shall be required for any final determination by the Board. The Board shall keep a complete and accurate record of all its meetings. A majority of the members of the Board shall constitute a quorum for the transaction of any business, for the performance of any duty, or for the exercise of any power which this Act requires the Board members to transact, perform or exercise en banc, except that, upon order of the Board, one of the Board members or an administrative law judge designated by the Board may conduct any hearing provided for under this Act or by Board rule and may recommend findings and decisions to the Board. The Board member or administrative law judge conducting such hearing shall have all powers and rights granted to the Board in this Act. The record made at the time of the hearing shall be reviewed by the Board, or a majority thereof, and the findings and decision of the majority of the Board shall constitute the order of the Board in such case;

(9) To maintain records which are separate and distinct from the records of any other State board or commission. Such records shall be available for public inspection and shall accurately reflect all Board proceedings;

(10) To file a written annual report with the Governor on or before March 1 each year and such additional reports as the Governor may request. The annual report shall include a statement of receipts and disbursements by the Board, actions taken by the Board, and any additional information and recommendations which the Board may deem valuable or which the Governor may request;

(11) (Blank); and

(12) To assume responsibility for the administration and enforcement of the Bingo License and Tax Act, the Charitable Games Act, and the Pull Tabs and Jar Games Act if such responsibility is delegated to it by the Director of Revenue.

(c) The Board shall have jurisdiction over and shall supervise all gambling operations governed by this

Act. The Board shall have all powers necessary and proper to fully and effectively execute the provisions of this Act, including, but not limited to, the following:

(1) To investigate applicants and determine the eligibility of applicants for licenses and to select among competing applicants the applicants which best serve the interests of the citizens of Illinois.

(2) To have jurisdiction and supervision over all riverboat gambling operations in this State and all persons on riverboats where gambling operations are conducted.

(3) To promulgate rules and regulations for the purpose of administering the provisions of this Act and to prescribe rules, regulations and conditions under which all riverboat gambling in the State shall be conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the public interest and for the best interests of riverboat gambling, including rules and regulations regarding the inspection of such riverboats and the review of any permits or licenses necessary to operate a riverboat under any laws or regulations applicable to riverboats, and to impose penalties for violations thereof.

(4) To enter the office, riverboats, facilities, or other places of business of a licensee, where evidence of the compliance or noncompliance with the provisions of this Act is likely to be found.

(5) To investigate alleged violations of this Act or the rules of the Board and to take appropriate disciplinary action against a licensee or a holder of an occupational license for a violation, or institute appropriate legal action for enforcement, or both.

(6) To adopt standards for the licensing of all persons under this Act, as well as for electronic or mechanical gambling games, and to establish fees for such licenses.

(7) To adopt appropriate standards for all riverboats and facilities.

(8) To require that the records, including financial or other statements of any licensee under this Act, shall be kept in such manner as prescribed by the Board and that any such licensee involved in the ownership or management of gambling operations submit to the Board an annual balance sheet and profit and loss statement, list of the stockholders or other persons having ~~any a 1% or greater~~ any beneficial interest in the gambling activities of each licensee, and any other information the Board deems necessary in order to effectively administer this Act and all rules, regulations, orders and final decisions promulgated under this Act.

(9) To conduct hearings, issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records and other pertinent documents in accordance with the Illinois Administrative Procedure Act, and to administer oaths and affirmations to the witnesses, when, in the judgment of the Board, it is necessary to administer or enforce this Act or the Board rules.

(10) To prescribe a form to be used by any licensee involved in the ownership or management of gambling operations as an application for employment for their employees.

(11) To revoke or suspend licenses, as the Board may see fit and in compliance with applicable laws of the State regarding administrative procedures, and to review applications for the renewal of licenses. The Board may suspend an owners license, without notice or hearing upon a determination that the safety or health of patrons or employees is jeopardized by continuing a riverboat's operation. The suspension may remain in effect until the Board determines that the cause for suspension has been abated. The Board may revoke the owners license upon a determination that the owner has not made satisfactory progress toward abating the hazard.

(12) To eject or exclude or authorize the ejection or exclusion of, any person from riverboat gambling facilities where such person is in violation of this Act, rules and regulations thereunder, or final orders of the Board, or where such person's conduct or reputation is such that his presence within the riverboat gambling facilities may, in the opinion of the Board, call into question the honesty and integrity of the gambling operations or interfere with orderly conduct thereof; provided that the propriety of such ejection or exclusion is subject to subsequent hearing by the Board.

(13) To require all licensees of gambling operations to utilize a cashless wagering system whereby all players' money is converted to tokens, electronic cards, or chips which shall be used only for wagering in the gambling establishment.

(14) (Blank).

(15) To suspend, revoke or restrict licenses, to require the removal of a licensee or an employee of a licensee for a violation of this Act or a Board rule or for engaging in a fraudulent practice, and to impose civil penalties of up to \$5,000 against individuals and up to \$10,000 or an amount equal to the daily gross receipts, whichever is larger, against licensees for each violation of any

provision of the Act, any rules adopted by the Board, any order of the Board or any other action which, in the Board's discretion, is a detriment or impediment to riverboat gambling operations.

(16) To hire employees to gather information, conduct investigations and carry out any other tasks contemplated under this Act.

(17) To establish minimum levels of insurance to be maintained by licensees.

(18) To authorize a licensee to sell or serve alcoholic liquors, wine or beer as defined in the Liquor Control Act of 1934 on board a riverboat and to have exclusive authority to establish the hours for sale and consumption of alcoholic liquor on board a riverboat, notwithstanding any provision of the Liquor Control Act of 1934 or any local ordinance, and regardless of whether the riverboat makes excursions. The establishment of the hours for sale and consumption of alcoholic liquor on board a riverboat is an exclusive power and function of the State. A home rule unit may not establish the hours for sale and consumption of alcoholic liquor on board a riverboat. This amendatory Act of 1991 is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(19) After consultation with the U.S. Army Corps of Engineers, to establish binding emergency orders upon the concurrence of a majority of the members of the Board regarding the navigability of water, relative to excursions, in the event of extreme weather conditions, acts of God or other extreme circumstances.

(20) To delegate the execution of any of its powers under this Act for the purpose of administering and enforcing this Act and its rules and regulations hereunder.

(20.5) To approve any contract entered into on its behalf.

(20.6) To appoint investigators to conduct all investigations, searches, seizures, arrests, and other duties imposed under this Act. These investigators have and may exercise all the rights and powers of peace officers, provided that these powers shall be limited to offenses or violations occurring or committed on a riverboat or dock, as defined in subsections (d) and (f) of Section 4. The Board must issue to each investigator a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Board and (ii) contains a unique identifying number. No other badge shall be authorized by the Board.

(21) To take any other action as may be reasonable or appropriate to enforce this Act and rules and regulations hereunder.

(d) The Board may seek and shall receive the cooperation of the Department of State Police in conducting background investigations of applicants and in fulfilling its responsibilities under this Section. Costs incurred by the Department of State Police as a result of such cooperation shall be paid by the Board in conformance with the requirements of Section 2605-400 of the Department of State Police Law (20 ILCS 2605/2605-400).

(e) The Board must authorize to each investigator and to any other employee of the Board exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Board and (ii) contains a unique identifying number. No other badge shall be authorized by the Board. (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00; 91-883, eff. 1-1-01.)

(230 ILCS 10/5.1) (from Ch. 120, par. 2405.1)

Sec. 5.1. Disclosure of records.

(a) Notwithstanding any applicable statutory provision to the contrary, the Board shall, on written request from any person, provide information furnished by an applicant or licensee concerning the applicant or licensee, his products, services or gambling enterprises and his business holdings, as follows:

(1) The name, business address and business telephone number of any applicant or licensee.

(2) An identification of any applicant or licensee including, if an applicant or licensee is not an individual, the state of incorporation or registration, the corporate officers, and the identity of all shareholders or participants. If an applicant or licensee has a pending registration statement filed with the Securities and Exchange Commission, ~~only~~ the names of those persons or entities holding any interest of 5% or more must be provided. The information referenced in this paragraph (2) shall be posted on the Board's Internet website and updated annually.

(3) An identification of any business, including, if applicable, the state of incorporation or registration, in which an applicant or licensee or an applicant's or licensee's spouse or children has any an equity interest of more than 5%. If an applicant or licensee is a corporation, partnership or other business entity, the applicant or licensee shall identify any other corporation, partnership or business entity in which it has any an equity interest of 5% or more, including, if applicable, the state of incorporation or registration. This information need not be provided by a

corporation, partnership or other business entity that has a pending registration statement filed with the Securities and Exchange Commission. The information referenced in this paragraph (3) shall be posted on the Board's Internet website and updated annually.

(4) Whether an applicant or licensee has been indicted, convicted, pleaded guilty or nolo contendere, or forfeited bail concerning any criminal offense under the laws of any jurisdiction, either felony or misdemeanor (except for traffic violations), including the date, the name and location of the court, arresting agency and prosecuting agency, the case number, the offense, the disposition and the location and length of incarceration.

(5) Whether an applicant or licensee has had any license or certificate issued by a licensing authority in Illinois or any other jurisdiction denied, restricted, suspended, revoked or not renewed and a statement describing the facts and circumstances concerning the denial, restriction, suspension, revocation or non-renewal, including the licensing authority, the date each such action was taken, and the reason for each such action.

(6) Whether an applicant or licensee has ever filed or had filed against it a proceeding in bankruptcy or has ever been involved in any formal process to adjust, defer, suspend or otherwise work out the payment of any debt including the date of filing, the name and location of the court, the case and number of the disposition.

(7) Whether an applicant or licensee has filed, or been served with a complaint or other notice filed with any public body, regarding the delinquency in the payment of, or a dispute over the filings concerning the payment of, any tax required under federal, State or local law, including the amount, type of tax, the taxing agency and time periods involved.

(8) A statement listing the names and titles of all public officials or officers of any unit of government, and relatives of said public officials or officers who, directly or indirectly, own any financial interest in, have any beneficial interest in, are the creditors of or hold any debt instrument issued by, or hold or have any interest in any contractual or service relationship with, an applicant or licensee.

(9) Whether an applicant or licensee has made, directly or indirectly, any political contribution, or any loans, donations or other payments, to any candidate or office holder, within 5 years from the date of filing the application, including the amount and the method of payment.

(10) The name and business telephone number of the counsel representing an applicant or licensee in matters before the Board.

(11) A description of any proposed or approved riverboat gaming operation, including the type of boat, home dock location, expected economic benefit to the community, anticipated or actual number of employees, any statement from an applicant or licensee regarding compliance with federal and State affirmative action guidelines, projected or actual admissions and projected or actual adjusted gross gaming receipts.

(12) A description of the product or service to be supplied by an applicant for a supplier's license.

(b) Notwithstanding any applicable statutory provision to the contrary, the Board shall, on written request from any person, also provide the following information:

(1) The amount of the wagering tax and admission tax paid daily to the State of Illinois by the holder of an owner's license.

(2) Whenever the Board finds an applicant for an owner's license unsuitable for licensing, a copy of the written letter outlining the reasons for the denial.

(3) Whenever the Board has refused to grant leave for an applicant to withdraw his application, a copy of the letter outlining the reasons for the refusal.

(c) Subject to the above provisions, the Board shall not disclose any information which would be barred by:

(1) Section 7 of the Freedom of Information Act; or

(2) The statutes, rules, regulations or intergovernmental agreements of any jurisdiction.

(d) The Board may assess fees for the copying of information in accordance with Section 6 of the Freedom of Information Act.

(Source: P.A. 87-826.)

(230 ILCS 10/5.2 new)

Sec. 5.2. Separation from Department of Revenue. On the effective date of this amendatory Act of the 94th General Assembly, all of the powers, duties, assets, liabilities, employees, contracts, property, records,

pending business, and unexpended appropriations of the Department of Revenue related to the administration and enforcement of this Act are transferred to Illinois Gaming Board.

(230 ILCS 10/13) (from Ch. 120, par. 2413)

Sec. 13. Wagering tax; rate; distribution.

(a) Until January 1, 1998, a tax is imposed on the adjusted gross receipts received from gambling games authorized under this Act at the rate of 20%.

(a-1) From January 1, 1998 until July 1, 2002, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

20% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000;

25% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

30% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;

35% of annual adjusted gross receipts in excess of \$100,000,000.

(a-2) From July 1, 2002 until July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

22.5% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000;

27.5% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

32.5% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;

37.5% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding \$150,000,000;

45% of annual adjusted gross receipts in excess of \$150,000,000 but not exceeding \$200,000,000;

50% of annual adjusted gross receipts in excess of \$200,000,000.

(a-3) Beginning July 1, 2003, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

15% of annual adjusted gross receipts up to and including \$25,000,000;

27.5% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$37,500,000;

32.5% of annual adjusted gross receipts in excess of \$37,500,000 but not exceeding \$50,000,000;

37.5% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;

45% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;

50% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding \$250,000,000;

70% of annual adjusted gross receipts in excess of \$250,000,000.

An amount equal to the amount of wagering taxes collected under this subsection (a-3) that are in addition to the amount of wagering taxes that would have been collected if the wagering tax rates under subsection (a-2) were in effect shall be paid into the Common School Fund.

The privilege tax imposed under this subsection (a-3) shall no longer be imposed beginning on the earlier of (i) July 1, 2005; (ii) the first date after June 20, 2003 ~~the effective date of this amendatory Act of the 93rd General Assembly~~ that riverboat gambling operations are conducted pursuant to a dormant license; or (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under this Act. For the purposes of this

subsection (a-3), the term "dormant license" means an owners license that is authorized by this Act under which no riverboat gambling operations are being conducted on June 20, 2003 ~~the effective date of this amendatory Act of the 93rd General Assembly.~~

(a-4) Beginning on the first day on which the tax imposed under subsection (a-3) is no longer imposed, a privilege tax is imposed on persons engaged in the business of conducting riverboat gambling operations, other than licensed managers conducting riverboat gambling operations on behalf of the State, based on the adjusted gross receipts received by a licensed owner from gambling games authorized under this Act at the following rates:

- 15% of annual adjusted gross receipts up to and including \$25,000,000;
- 22.5% of annual adjusted gross receipts in excess of \$25,000,000 but not exceeding \$50,000,000;
- 27.5% of annual adjusted gross receipts in excess of \$50,000,000 but not exceeding \$75,000,000;
- 32.5% of annual adjusted gross receipts in excess of \$75,000,000 but not exceeding \$100,000,000;
- 37.5% of annual adjusted gross receipts in excess of \$100,000,000 but not exceeding \$150,000,000;
- 45% of annual adjusted gross receipts in excess of \$150,000,000 but not exceeding \$200,000,000;
- 50% of annual adjusted gross receipts in excess of \$200,000,000.

(a-8) Riverboat gambling operations conducted by a licensed manager on behalf of the State are not subject to the tax imposed under this Section.

(a-10) The taxes imposed by this Section shall be paid by the licensed owner to the Board not later than 3:00 o'clock p.m. of the day after the day when the wagers were made.

(b) Until January 1, 1998, 25% of the tax revenue deposited in the State Gaming Fund under this Section shall be paid, subject to appropriation by the General Assembly, to the unit of local government which is designated as the home dock of the riverboat. Beginning January 1, 1998, from the tax revenue deposited in the State Gaming Fund under this Section, an amount equal to 5% of adjusted gross receipts generated by a riverboat shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat. From the tax revenue deposited in the State Gaming Fund pursuant to riverboat gambling operations conducted by a licensed manager on behalf of the State, an amount equal to 5% of adjusted gross receipts generated pursuant to those riverboat gambling operations shall be paid monthly, subject to appropriation by the General Assembly, to the unit of local government that is designated as the home dock of the riverboat upon which those riverboat gambling operations are conducted.

(c) Appropriations, as approved by the General Assembly, may be made from the State Gaming Fund to the Board Department of Revenue and the Department of State Police for the administration and enforcement of this Act, or to the Department of Human Services for the administration of programs to treat problem gambling.

(c-5) After the payments required under subsections (b) and (c) have been made, an amount equal to 15% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee license conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3 7.2, whichever comes first, shall be paid from the State Gaming Fund into the Horse Racing Equity Fund.

(c-10) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid into the Horse Racing Equity Fund pursuant to subsection (c-5) in the prior calendar year.

(c-15) After the payments required under subsections (b), (c), and (c-5) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners licensee that relocates pursuant to Section 11.2, (2) an owners licensee conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section 7.3 7.2, whichever comes first, shall be paid, subject to appropriation from the General Assembly, from the State Gaming Fund to each home rule county with a population of over 3,000,000 inhabitants for the purpose of enhancing the county's criminal justice system.

(c-20) Each year the General Assembly shall appropriate from the General Revenue Fund to the Education Assistance Fund an amount equal to the amount paid to each home rule county with a population

of over 3,000,000 inhabitants pursuant to subsection (c-15) in the prior calendar year.

(c-25) After the payments required under subsections (b), (c), (c-5) and (c-15) have been made, an amount equal to 2% of the adjusted gross receipts of (1) an owners ~~licensee~~ ~~licensee~~ that relocates pursuant to Section 11.2, (2) an owners ~~licensee~~ ~~licensee~~ conducting riverboat gambling operations pursuant to an owners license that is initially issued after June 25, 1999, or (3) the first riverboat gambling operations conducted by a licensed manager on behalf of the State under Section ~~7.3~~ ~~7-2~~, whichever comes first, shall be paid from the State Gaming Fund to Chicago State University.

(d) From time to time, the Board shall transfer the remainder of the funds generated by this Act into the Education Assistance Fund, created by Public Act 86-0018, of the State of Illinois.

(e) Nothing in this Act shall prohibit the unit of local government designated as the home dock of the riverboat from entering into agreements with other units of local government in this State or in other states to share its portion of the tax revenue.

(f) To the extent practicable, the Board shall administer and collect the wagering taxes imposed by this Section in a manner consistent with the provisions of Sections 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act.

(Source: P.A. 92-595, eff. 6-28-02; 93-27, eff. 6-20-03; 93-28, eff. 6-20-03; revised 1-28-04.)

(230 ILCS 10/22.5 new)

Sec. 22.5. Gaming Code of Ethics.

(a) Board members and Board employees are prohibited from gambling at any gambling operation subject to the jurisdiction of the Board or any race track, race meeting, racing association, or the operations thereof subject to the jurisdiction of the Illinois Racing Board. Any person who violates this subsection (a) shall be guilty of a Class A misdemeanor, shall be subject to immediate removal by the Governor, and shall pay any and all winnings associated with the violation into the State Gaming Fund.

(b) No Board member or Board employee or spouse, parent, or child of such person shall be an official of or have a financial interest in any entity subject to the jurisdiction of the Board or any race track, race meeting, racing association, or the operations thereof subject to the jurisdiction of the Illinois Racing Board. Anyone violating these prohibitions shall be subject to removal or termination of employment.

(c) No former Board member or Board employee or spouse, parent, or child of such person shall, within a period of 5 years immediately after termination of service, have a financial interest in or accept employment or receive compensation or fees for services from a person or entity subject to the jurisdiction of the Board or any race track, race meeting, racing association, or the operations thereof subject to the jurisdiction of the Illinois Racing Board. Violation of this subsection (c) is a Class A misdemeanor. This subsection applies only to persons who terminate an affected position on or after the effective date of this amendatory Act of the 94th General Assembly.

(d) In addition to the requirements under the State Officials and Employees Ethics Act, ex parte communications made to a Board member or Board employee must be publicly disclosed and made part of the Board's official record on the next business day following the day on which the communications occurred. Failure to timely disclose an ex parte communication shall constitute cause for removal or termination. For the purposes of this subsection (d), "ex parte communication" has the same meaning as that set forth in subsection (b) of Section 5-50 of the State Officials and Employees Ethics Act.

Section 99. Effective date. This Act takes effect January 1, 2006."

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Millner, HOUSE BILL 341 was taken up and read by title a third time. A three-fifths vote is required.

The Chair placed this bill on standard debate.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Millner, further consideration of HOUSE BILL 341 was postponed.

HOUSE BILL ON SECOND READING

HOUSE BILL 45. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Housing and Urban Development, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 45 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Human Rights Act is amended by changing Sections 1-102, 1-103, 3-102, 8A-104, and 8B-104 as follows:

(775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

(Text of Section before amendment by P.A. 93-1078)

Sec. 1-102. Declaration of Policy. It is the public policy of this State:

(A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations.

(B) Freedom from Sexual Harassment-Employment and Higher Education. To prevent sexual harassment in employment and sexual harassment in higher education.

(C) Freedom from Discrimination Based on Citizenship Status-Employment. To prevent discrimination based on citizenship status in employment.

(D) Freedom from Discrimination Based on Familial Status-Real Estate Transactions. To prevent discrimination based on familial status in real estate transactions.

(E) Public Health, Welfare and Safety. To promote the public health, welfare and safety by protecting the interest of all people in Illinois in maintaining personal dignity, in realizing their full productive capacities, and in furthering their interests, rights and privileges as citizens of this State.

(F) Implementation of Constitutional Guarantees. To secure and guarantee the rights established by Sections 17, 18 and 19 of Article I of the Illinois Constitution of 1970.

(G) Equal Opportunity, Affirmative Action. To establish Equal Opportunity and Affirmative Action as the policies of this State in all of its decisions, programs and activities, and to assure that all State departments, boards, commissions and instrumentalities rigorously take affirmative action to provide equality of opportunity and eliminate the effects of past discrimination in the internal affairs of State government and in their relations with the public.

(H) Unfounded Charges. To protect citizens of this State against unfounded charges of unlawful discrimination, sexual harassment in employment and sexual harassment in higher education, and discrimination based on citizenship status in employment.

(Source: P.A. 87-579; 88-178.)

(Text of Section after amendment by P.A. 93-1078)

Sec. 1-102. Declaration of Policy. It is the public policy of this State:

(A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental handicap, military status, sexual orientation, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations.

(B) Freedom from Sexual Harassment-Employment and Higher Education. To prevent sexual harassment in employment and sexual harassment in higher education.

(C) Freedom from Discrimination Based on Citizenship Status-Employment. To prevent discrimination based on citizenship status in employment.

(D) Freedom from Discrimination Based on Familial Status-Real Estate Transactions. To prevent

discrimination based on familial status in real estate transactions.

(D-1) Freedom from Discrimination Based on Source of Income-Residential Rental Real Estate Transactions. To prevent discrimination based on source of income in residential rental real estate transactions.

(E) Public Health, Welfare and Safety. To promote the public health, welfare and safety by protecting the interest of all people in Illinois in maintaining personal dignity, in realizing their full productive capacities, and in furthering their interests, rights and privileges as citizens of this State.

(F) Implementation of Constitutional Guarantees. To secure and guarantee the rights established by Sections 17, 18 and 19 of Article I of the Illinois Constitution of 1970.

(G) Equal Opportunity, Affirmative Action. To establish Equal Opportunity and Affirmative Action as the policies of this State in all of its decisions, programs and activities, and to assure that all State departments, boards, commissions and instrumentalities rigorously take affirmative action to provide equality of opportunity and eliminate the effects of past discrimination in the internal affairs of State government and in their relations with the public.

(H) Unfounded Charges. To protect citizens of this State against unfounded charges of unlawful discrimination, sexual harassment in employment and sexual harassment in higher education, and discrimination based on citizenship status in employment.

(Source: P.A. 93-1078, eff. 1-1-06.)

(775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

(Text of Section before amendment by P.A. 93-1078)

Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section 2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this Act.

(E) Commission. "Commission" means the Human Rights Commission created by this Act.

(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Handicap. "Handicap" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

(1) For purposes of Article 2 is unrelated to the person's ability to perform the duties of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a handicap;

(2) For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;

(3) For purposes of Article 4, is unrelated to a person's ability to repay;

(4) For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

(J) Marital Status. "Marital status" means the legal status of being married, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in the armed forces of the United States, status as a current member of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy

Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member of the Illinois Army National Guard or Illinois Air National Guard.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, or unfavorable discharge from military service as those terms are defined in this Section.

(Source: P.A. 93-941, eff. 8-16-04.)

(Text of Section after amendment by P.A. 93-1078)

Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section 2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this Act.

(E) Commission. "Commission" means the Human Rights Commission created by this Act.

(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Handicap. "Handicap" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

(1) For purposes of Article 2 is unrelated to the person's ability to perform the duties of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a handicap;

(2) For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;

(3) For purposes of Article 4, is unrelated to a person's ability to repay;

(4) For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

(I-5) Housing authority. "Housing authority" means either a housing authority created under the Housing Authorities Act or other government agency that is authorized by the United States government under the

United States Housing Act of 1937 to administer a housing choice voucher program, or the authorized agent of such a housing authority that is authorized to act upon that authority's behalf.

(J) Marital Status. "Marital status" means the legal status of being married, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in the armed forces of the United States, status as a current member of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member of the Illinois Army National Guard or Illinois Air National Guard.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

(O-5) Source of Income. "Source of income" means any lawful income, subsidy, or benefit with which an individual supports himself or herself and his or her dependents, including, but not limited to, child support, maintenance, and any federal, State, or local public assistance, medical assistance, or rental assistance program.

(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, sexual orientation, or unfavorable discharge from military service as those terms are defined in this Section.

(Source: P.A. 93-941, eff. 8-16-04; 93-1078, eff. 1-1-06.)

(775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

Sec. 3-102. Civil Rights Violations; Real Estate Transactions) It is a civil rights violation for an owner or any other person engaging in a real estate transaction, or for a real estate broker or salesman, because of unlawful discrimination or familial status or source of income in connection with residential rental real estate transactions, to

(A) Transaction. Refuse to engage in a real estate transaction with a person or to discriminate in making available such a transaction;

(B) Terms. Alter the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith;

(C) Offer. Refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;

(D) Negotiation. Refuse to negotiate for a real estate transaction with a person;

(E) Representations. Represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his or her attention, or to refuse to permit him or her to inspect real property;

(F) Publication of Intent. Print, circulate, post, mail, publish or cause to be so published a written or oral statement, advertisement or sign, or to use a form of application for a real estate transaction, or to make a record or inquiry in connection with a prospective real estate transaction, which expresses any limitation founded upon, or indicates, directly or indirectly, an intent to engage in unlawful discrimination;

(G) Listings. Offer, solicit, accept, use or retain a listing of real property with knowledge that unlawful

discrimination or discrimination on the basis of familial status in a real estate transaction is intended.

Nothing in this Section 3-102 or in any municipal or county ordinance described in Section 7-108 of this Act shall require a housing authority, its designated property manager, or any other housing authority agents or assigns of any housing development project in which 25% or more of the units are owned by a housing authority or subject to a leasing agreement, regulatory and operating agreement, or other similar instrument with a housing authority to lease or rent another unit of that same housing development project to an existing or prospective tenant who is receiving subsidies, payment assistance, contributions, or vouchers under or in connection with the federal Housing Choice Voucher (also known as Section 8) program (42 U.S.C. 1437f) for payment of part or all of the rent for the unit.

Nothing in this Section 3-102, except with respect to written statements prohibited by subdivision (F) of this Section, shall require or prevent any person whose property is located in a municipality with fewer than 1,000,000 inhabitants, and is in a concentrated census tract where 3% of the total housing stock in that census tract is occupied by tenants relying on subsidies, payment assistance, contributions, or vouchers under or in connection with the federal Housing Choice Voucher (also known as Section 8) program (42 U.S.C. 1437f) for payment of part of the rent for the unit to lease or rent a unit to a prospective tenant who is relying on such a subsidy, payment assistance, contribution, or voucher for payment of part or all of the rent for the unit. The housing authority shall determine which census tracts within its service area meet the concentrated census tract exemption requirements and annually deliver that information to the municipalities within its jurisdiction.

Nothing in this Section 3-102 prevents an owner or agent from taking into consideration factors other than lawful source of income such as credit history, criminal history, or references.

Nothing in this Section 3-102 shall require or prevent any person whose property fails to meet federal Housing Quality Standards in connection with the federal Housing Choice Voucher (also known as Section 8) program (42 U.S.C. 1437f) to lease or rent a unit to a prospective tenant who is relying on such a subsidy, payment assistance, contribution, or voucher for payment of part or all of the rent for such unit.

(Source: P.A. 86-910.)

(775 ILCS 5/8A-104) (from Ch. 68, par. 8A-104)

Sec. 8A-104. Relief; Penalties. Upon finding a civil rights violation, a hearing officer may recommend and the Commission or any three-member panel thereof may provide for any relief or penalty identified in this Section, separately or in combination, by entering an order directing the respondent to:

(A) Cease and Desist Order. Cease and desist from any violation of this Act.

(B) Actual Damages. Pay actual damages, as reasonably determined by the Commission, for injury or loss suffered by the complainant.

(C) Hiring; Reinstatement; Promotion; Backpay; Fringe Benefits. Hire, reinstate or upgrade the complainant with or without back pay or provide such fringe benefits as the complainant may have been denied.

(D) Restoration of Membership; Admission To Programs. Admit or restore the complainant to labor organization membership, to a guidance program, apprenticeship training program, on the job training program, or other occupational training or retraining program.

(E) Public Accommodations. Admit the complainant to a public accommodation.

(F) Services. Extend to the complainant the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the respondent.

(G) Attorneys Fees; Costs. Pay to the complainant all or a portion of the costs of maintaining the action, including reasonable attorney fees and expert witness fees incurred in maintaining this action before the Department, the Commission and in any judicial review and judicial enforcement proceedings. Provided, however, that no award of attorney fees or costs shall be made pursuant to this amendatory Act of 1987 with respect to any charge for which the complaint before the Commission was filed prior to December 1, 1987. With respect to all charges for which complaints were filed with the Commission prior to December 1, 1987, attorney fees and costs shall be awarded pursuant to the terms of this subsection as it existed prior to revision by this amendatory Act of 1987.

(H) Compliance Report. Report as to the manner of compliance.

(I) Posting of Notices. Post notices in a conspicuous place which the Commission may publish or cause to be published setting forth requirements for compliance with this Act or other relevant information which the Commission determines necessary to explain this Act.

(I-1) Training. Participate in training by the Department or other such training as is necessary to prevent future civil rights violations.

(J) Make Complainant Whole. Take such action as may be necessary to make the individual complainant

whole, including, but not limited to, awards of interest on the complainant's actual damages and backpay from the date of the civil rights violation. Provided, however, that no award of prejudgment interest shall be made pursuant to this amendatory Act of 1987 with respect to any charge in which the complaint before the Commission was filed prior to December 1, 1987. With respect to all charges for which complaints were filed with the Commission prior to December 1, 1987, make whole relief shall be awarded pursuant to this subsection as it existed prior to revision by this amendatory Act of 1987.

There shall be no distinction made under this Section between complaints filed by the Department and those filed by the aggrieved party.

(Source: P.A. 86-910.)

(775 ILCS 5/8B-104) (from Ch. 68, par. 8B-104)

Sec. 8B-104. Relief; Penalties. Upon finding a civil rights violation, a hearing officer may recommend and the Commission or any three-member panel thereof may provide for any relief or penalty identified in this Section, separately or in combination, by entering an order directing the respondent to:

(A) Cease and Desist Order. Cease and desist from any violation of this Act.

(B) Actual Damages. Pay actual damages, as reasonably determined by the Commission, for injury or loss suffered by the complainant.

(C) Civil Penalty. Pay a civil penalty to vindicate the public interest:

(i) in an amount not exceeding \$10,000 if the respondent has not been adjudged to have committed any prior civil rights violation under Article 3;

(ii) in an amount not exceeding \$25,000 if the respondent has been adjudged to have committed one other civil rights violation under Article 3 during the 5-year period ending on the date of the filing of this charge; and

(iii) in an amount not exceeding \$50,000 if the respondent has been adjudged to have committed 2 or more civil rights violations under Article 3 during the 7-year period ending on the date of the filing of this charge; except that if the acts constituting the civil rights violation that is the object of the charge are committed by the same natural person who has been previously adjudged to have committed acts constituting a civil rights violation under Article 3, then the civil penalties set forth in subparagraphs (ii) and (iii) may be imposed without regard to the period of time within which any subsequent civil rights violation under Article 3 occurred.

(D) Attorney Fees; Costs. Pay to the complainant all or a portion of the costs of maintaining the action, including reasonable attorneys fees and expert witness fees incurred in maintaining this action before the Department, the Commission and in any judicial review and judicial enforcement proceedings.

(E) Compliance Report. Report as to the manner of compliance.

(F) Posting of Notices. Post notices in a conspicuous place which the Commission may publish or cause to be published setting forth requirements for compliance with this Act or other relevant information which the Commission determines necessary to explain this Act.

(F-1) Training. Participate in Fair Housing training by the Department or other such training as is necessary to prevent future civil rights violations.

(G) Make Complainant Whole. Take such action as may be necessary to make the individual complainant whole, including, but not limited to, awards of interest on the complainant's actual damages from the date of the civil rights violation.

(Source: P.A. 86-910.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect January 31, 2006."

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

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Osterman, HOUSE BILL 794 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: 63, Yeas; 51, Nays; 1, Answering Present.

(ROLL CALL 29)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Rose, HOUSE BILL 3528 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: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 30)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1197. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Developmental Disabilities and Mental Illness, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 1197 by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by adding Section 15f as follows:

(20 ILCS 1705/15f new)

Sec. 15f. Individualized behavioral support plan.

(a) As used in this Section:

"Behavioral challenges" means episodes of significant property destruction, self-injurious behavior, assaultive behavior, or any other behavior that prevents a person from successful participation in a community-based residential program.

(b) Each individual in a community-based residential program for persons with developmental disabilities who exhibits behavioral challenges shall have an individualized behavioral support plan. Each individualized support plan shall: (i) be designed to meet individual needs; (ii) be non-aversive; (iii) teach the individual new skills; (iv) provide alternatives to behavioral challenges; (v) offer opportunities for choice and social integration; and (vi) allow for environmental modifications. The plan must be based on a functional behavioral analysis conducted by a professional trained in professional best practices in behavioral analysis. The plan shall be implemented by staff who have been trained in and are qualified to effectively apply positive non-aversive intervention. All behavioral supports required by the plan shall be applied in a humane and caring manner that respects the dignity of the individual and shall be implemented in a positive and socially-supportive environment, including the home. The following techniques are prohibited:

(1) aversive behavioral support, such as painful or intrusive stimuli or activities applied in response to behavior and that result in physical or psychological pain, including, but not limited to, electric shock, ammonia spray, water spray to the face, pinching, and deep muscle squeezes;

(2) intervention that causes psychological pain, such as verbal abuse and threatening conduct; and

(3) deprivation techniques, including, but not limited to, (i) withholding, withdrawing, or delaying any of the following: visitation or communication with friends or family; sleep; shelter; bedding; bathroom facilities; medication; or food or drink; or (ii) subjecting the individual to prolonged periods of isolation and seclusion.

(c) To the extent this Section conflicts with Article I of Chapter II of the Mental Health and Developmental Disabilities Code, that Article controls.

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

Floor Amendment No. 2 remained in the Committee on Developmental Disabilities and Mental Illness.

Representative Lang offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 1197, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Administrative Act is amended by adding Section 15f as follows:

(20 ILCS 1705/15f new)

Sec. 15f. Individualized behavioral support plan.

(a) As used in this Section:

"Behavioral challenges" means episodes of significant property destruction, self-injurious behavior, assaultive behavior, or any other behavior that prevents a person from successful participation in a community-based residential program, as determined by the community support team.

"Community-based residential program" means one of a variety of living arrangements in which no more than 8 individuals reside together and the setting is designed to promote independence. This includes existing categories, such as community integrated living arrangements, community residential alternatives, assisted residential care, supported residential care, and adult foster care and may also include newly developed settings that are consistent with this definition.

(b) Each individual in a community-based residential program for persons with developmental disabilities who exhibits behavioral challenges shall have an individualized behavioral support plan. Each individualized support plan shall: (i) be designed to meet individual needs; (ii) be in the immediate and long-term best interests of the individual; (iii) be non-aversive; (iv) teach the individual new skills; (v) provide alternatives to behavioral challenges; (vi) offer opportunities for choice and social integration; and (vii) allow for environmental modifications. The plan must be based on a functional behavioral assessment conducted by a professional trained in its use. The plan shall be implemented by staff who have been trained in and are qualified to effectively apply positive non-aversive intervention. All behavioral supports required by the plan shall be applied in a humane and caring manner that respects the dignity of the individual and shall be implemented in a positive and socially-supportive environment, including the home.

Interventions must not: (1) include electric shock; (2) withhold essential food and drink; (3) cause physical or psychological pain; (4) use drugs as restraints; or (5) produce humiliation or discomfort.

Nothing in this subsection shall preclude, for therapeutic purposes, variant scheduling of food or drink or the application of safe and appropriate time-out procedures.

(c) The Department of Human Services shall be responsible for developing and promulgating rules to implement the provisions of this Section and to carryout the intent of this Section.

(d) To the extent this Section conflicts with Article I of Chapter II of the Mental Health and Developmental Disabilities Code, that Article controls.

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

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Saviano, HOUSE BILL 2577 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: 115, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 31)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Saviano, HOUSE BILL 1178 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: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 32)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Joseph Lyons, HOUSE BILL 3851 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: 115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 33)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 2612. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1. Amend House Bill 2612 by replacing everything after the enacting clause with the following:

"Section 5. The Sex Offender Management Board Act is amended by changing Section 19 as follows:
(20 ILCS 4026/19)

Sec. 19. Sex Offender Management Board Fund.

(a) Any and all practices endorsed or required under this Act, including but not limited to evaluation, treatment, or monitoring of programs that are or may be developed by the agency providing supervision or ; the Department of Corrections, ~~or the Department of Human Services~~ shall be at the expense of the person evaluated or treated, based upon the person's ability to pay. If it is determined by the agency providing supervision or ; the Department of Corrections, ~~or the Department of Human Services~~ that the person does not have the ability to pay for practices endorsed or required by this Act, the agency providing supervision of the sex offender shall request reimbursement for services required under this Act for which the agency has provided funding. ~~The Sex Offender Management Board shall provide the agency providing supervision or ; the Department of Corrections shall develop , or the Department of Human Services with~~ factors to be considered and criteria to determine a person's ability to pay. The Sex Offender Management Board shall coordinate the expenditures of moneys from the Sex Offender Management Board Fund ~~with any money expended by counties, the Department of Corrections or the Department of Human Services~~. The Board shall allocate ~~develop a plan for the allocation of~~ moneys deposited in this Fund among the agency providing supervision or ; the Department of Corrections, ~~or the Department of Human Services~~.

(b) Up to 20% of this Fund shall be retained by the Sex Offender Management Board for administrative costs, including staff, incurred pursuant to this Act.

(c) Monies expended for this Fund shall be used to supplement, not replace offenders' self-pay, or county appropriations for probation and court services.

(d) Interest earned on monies deposited in this Fund may be used by the Board for its administrative costs and expenses.

(e) In addition to the funds provided by the sex offender, counties, or Departments providing treatment,

the Board shall explore funding sources including but not limited to State, federal, and private funds. (Source: P.A. 93-616, eff. 1-1-04.)".

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

HOUSE BILL 1370. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Soto offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1370 on page 2, line 25 by changing "50% 20%" to "20%"; and

on page 2, line 27 by changing "5% 2%" to "2%"; and

on page 2, line 30 by inserting after the period the following:

"Where a second or subsequent action to recover underpayments is brought against a contractor or subcontractor and the contractor or subcontractor is found liable for underpayments to any laborer, worker, or mechanic, the contractor or subcontractor shall also be liable to the Department of Labor for 50% of the underpayments payable as a result of the second or subsequent action, and shall be additionally liable for 5% of the amount of any such penalty to the State for underpayments for each month following the date of payment during which the underpayments remain unpaid."; and

on page 3, line 32 by changing "5" to "4".

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL ON THIRD READING CONSIDERATION POSTPONED

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

HOUSE BILL 1284. Having been read by title a third time on April 5, 2005, and further consideration postponed, the same was again taken up.

Representative Molaro moved the passage of HOUSE BILL 1284.

And the question being, "Shall this bill pass?" it was decided in the negative by the following vote:

23, Yeas; 92, Nays; 0, Answering Present.

(ROLL CALL 34)

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Molaro, HOUSE BILL 2369 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:

115, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 35)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Nekritz, HOUSE BILL 2390 was taken up and read by title a third time.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative Nekritz, further consideration of HOUSE BILL 2390 was postponed.

On motion of Representative Jones, HOUSE BILL 3742 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:

113, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 36)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 9. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Human Services, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 9 as follows:

on page 1, line 11, by deleting "Department of Public Health" and replacing it with "Department of Human Services Division of Alcoholism and Substance Abuse"; and

on page 1, line 12, by deleting "Public Health" and replacing it with "Department of Human Services Division of Alcoholism and Substance Abuse".

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Miller offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 9, on page 3, by replacing lines 33 through 35 with the following:

"Section 25. Prescription; administration. A licensed health care professional that is permitted by law to prescribe an opioid antagonist may, in an emergency situation and without a fee, prescribe, dispense, distribute, or administer an opioid antagonist without being liable for damages in a professional or civil action or subject to criminal prosecution, except for willful and wanton misconduct."; and

on page 4, by deleting lines 1 through 3.

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Tryon, HOUSE BILL 2853 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: 113, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 37)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Sullivan, HOUSE BILL 782 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: 99, Yeas; 12, Nays; 1, Answering Present.

(ROLL CALL 38)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1074. Having been recalled on April 12, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Reitz offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1074, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 10. The Fish and Aquatic Life Code is amended by changing Section 1-75 as follows:

(515 ILCS 5/1-75) (from Ch. 56, par. 1-75)

Sec. 1-75. Resident. "Resident" means a person who in good faith makes application for any license or permit and verifies by statement that he or she has maintained his or her permanent abode in this State for a period of at least 30 consecutive days immediately preceding the person's application, and who does not maintain permanent abode or claim residency in another state for the purposes of obtaining any of the same or similar licenses or permits covered by this Code actually resided in this State for at least the 30 consecutive days before the date of application and that his or her residence or permanent abode is, at the time of making application, in this State. A person's permanent abode is his or her fixed and permanent dwelling place, as distinguished from a temporary or transient place of residence. Domiciliary intent is required to establish that the person is maintaining his or her permanent abode in this State. Evidence of domiciliary intent includes, but is not limited to, the location where the person votes, pays personal income tax, or obtains a drivers license. Except for the purposes of obtaining a Lifetime License, any person on active duty in the Armed Forces shall be considered a resident of Illinois during his or her period of military duty.

(Source: P.A. 87-833.)

Section 15. The Wildlife Code is amended by changing Sections 1.2m, 2.26, and 3.37 as follows:

(520 ILCS 5/1.2m) (from Ch. 61, par. 1.2m)

Sec. 1.2m. "Resident" means a person who in good faith makes application for any license or permit and verifies by statement that he or she has maintained his or her permanent abode in this State for a period of at least 30 consecutive days immediately preceding the person's application, and who does not maintain permanent abode or claim residency in another state for the purposes of obtaining any of the same or similar licenses or permits covered by this Code actually resided in this State at least 30 days consecutively preceding the date of his application and that his residence or permanent abode is, at the time of making application, in this State. A person's permanent abode is his or her fixed and permanent dwelling place, as distinguished from a temporary or transient place of residence. Domiciliary intent is required to establish that the person is maintaining his or her permanent abode in this State. Evidence of domiciliary intent includes, but is not limited to, the location where the person votes, pays personal income tax, or obtains a drivers license. Except for the purposes of obtaining a Lifetime License, any person on active duty in the Armed Forces shall be considered a resident of Illinois during his or her period of military duty.

(Source: P.A. 81-382.)

(520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

Sec. 2.26. Deer hunting permits. In this Section, "bona fide equity shareholder" means an individual who (1) purchased, for market price, publicly sold stock shares in a corporation, purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation, or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership and (2) intends to retain the ownership of the shares of stock for at least 5 years.

In this Section, "bona fide equity member" means an individual who (1) (i) became a member upon the formation of the limited liability company or (ii) has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the LLC assets represented by the distributional interest in the LLC and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act and who (2) intends to retain the membership for at least 5 years.

In this Section, "bona fide equity partner" means an individual who (1) (i) became a partner, either general or limited, upon the formation of a partnership or limited partnership, or (ii) has purchased, acquired, or been gifted a partnership interest accurately representing his or her percentage distributional interest in the profits, losses, and assets of a partnership or limited partnership, (2) intends to retain ownership of the partnership interest for at least 5 years, and (3) is a resident of Illinois.

Any person attempting to take deer shall first obtain a "Deer Hunting Permit" in accordance with prescribed regulations set forth in an Administrative Rule. Deer Hunting Permits shall be issued by the Department. The fee for a Deer Hunting Permit to take deer with either bow and arrow or gun shall not exceed \$15.00 for residents of the State. The Department may by administrative rule provide for non-resident deer hunting permits for which the fee will not exceed ~~\$410~~ ~~\$200~~ except as provided below for non-resident landowners and non-resident archery hunters. The Department may by administrative rule provide for a non-resident archery deer permit consisting of not more than 2 harvest tags at a total cost not to exceed ~~\$435~~ ~~\$225~~. Permits shall be issued without charge to:

(a) Illinois landowners residing in Illinois who own at least 40 acres of Illinois land and wish to hunt their land only,

(b) resident tenants of at least 40 acres of commercial agricultural land where they will hunt, and

(c) Bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns at least 40 acres of land in a county in Illinois who wish to hunt on the corporation's, company's, or partnership's land only. One permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership.

Bona fide landowners or tenants who do not wish to hunt only on the land they own, rent, or lease or bona fide equity shareholders, bona fide equity members, or bona fide equity partners who do not wish to hunt only on the land owned by the corporation, limited liability company, or partnership shall be charged the same fee as the applicant who is not a landowner, tenant, bona fide equity shareholder, bona fide equity member, or bona fide equity partner. Nonresidents of Illinois who own at least 40 acres of land and wish to hunt on their land only shall be charged a fee set by administrative rule. The method for obtaining these permits shall be prescribed by administrative rule.

The deer hunting permit issued without fee shall be valid on all farm lands which the person to whom it is issued owns, leases or rents, except that in the case of a permit issued to a bona fide equity shareholder, bona fide equity member, or bona fide equity partner, the permit shall be valid on all lands owned by the corporation, limited liability company, or partnership in the county.

The standards and specifications for use of guns and bow and arrow for deer hunting shall be established by administrative rule.

No person may have in his possession any firearm not authorized by administrative rule for a specific hunting season when taking deer.

Persons having a firearm deer hunting permit shall be permitted to take deer only during the period from 1/2 hour before sunrise to sunset, and only during those days for which an open season is established for the taking of deer by use of shotgun, handgun, or muzzle loading rifle.

Persons having an archery deer hunting permit shall be permitted to take deer only during the period

from 1/2 hour before sunrise to 1/2 hour after sunset, and only during those days for which an open season is established for the taking of deer by use of bow and arrow.

It shall be unlawful for any person to take deer by use of dogs, horses, automobiles, aircraft or other vehicles, or by the use of salt or bait of any kind. An area is considered as baited during the presence of and for 10 consecutive days following the removal of bait. Nothing in this Section shall prohibit the use of a dog to track wounded deer. Any person using a dog for tracking wounded deer must maintain physical control of the dog at all times by means of a maximum 50 foot lead attached to the dog's collar or harness. Tracking wounded deer is permissible at night, but at no time outside of legal deer hunting hours or seasons shall any person handling or accompanying a dog being used for tracking wounded deer be in possession of any firearm or archery device. Persons tracking wounded deer with a dog during the firearm deer seasons shall wear blaze orange as required. Dog handlers tracking wounded deer with a dog are exempt from hunting license and deer permit requirements so long as they are accompanied by the licensed deer hunter who wounded the deer.

It shall be unlawful to possess or transport any wild deer which has been injured or killed in any manner upon a public highway or public right-of-way of this State unless exempted by administrative rule.

Persons hunting deer must have gun unloaded and no bow and arrow device shall be carried with the arrow in the nocked position during hours when deer hunting is unlawful.

It shall be unlawful for any person, having taken the legal limit of deer by gun, to further participate with gun in any deer hunting party.

It shall be unlawful for any person, having taken the legal limit of deer by bow and arrow, to further participate with bow and arrow in any deer hunting party.

The Department may prohibit upland game hunting during the gun deer season by administrative rule.

The Department shall not limit the number of resident archery deer hunting permits. The Department shall not limit the number of non-resident archery deer hunting permits to less than 20,000.

It shall be legal for handicapped persons, as defined in Section 2.33, to utilize a crossbow device, as defined in Department rules, to take deer.

Any person who violates any of the provisions of this Section, including administrative rules, shall be guilty of a Class B misdemeanor.

(Source: P.A. 92-177, eff. 7-27-01; 92-261, eff. 8-7-01; 92-651, eff. 7-11-02; 93-554, eff. 8-20-03; 93-807, eff. 7-24-04; 93-823, eff. 1-1-05; revised 10-14-04.)

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 3066. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Cross offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3066 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3 as follows:

(65 ILCS 5/11-74.4-3) (from Ch. 24, par. 11-74.4-3)

Sec. 11-74.4-3. Definitions. The following terms, wherever used or referred to in this Division 74.4 shall have the following respective meanings, unless in any case a different meaning clearly appears from the context.

(a) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "blighted area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "blighted area" means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:

(1) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of 5 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so

that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the improved part of the redevelopment project area:

(A) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(B) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(C) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(D) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(E) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(F) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(G) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(H) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(I) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(J) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(K) Environmental clean-up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(L) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(M) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(2) If vacant, the sound growth of the redevelopment project area is impaired by a combination of 2 or more of the following factors, each of which is (i) present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities.

(B) Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development.

(C) Tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last 5 years.

(D) Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land.

(E) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(F) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years prior to the year in which the redevelopment project area is designated.

(3) If vacant, the sound growth of the redevelopment project area is impaired by one of the following factors that (i) is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the Act and (ii) is reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

(A) The area consists of one or more unused quarries, mines, or strip mine ponds.

(B) The area consists of unused rail yards, rail tracks, or railroad rights-of-way.

(C) The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding.

(D) The area consists of an unused or illegal disposal site containing earth, stone, building debris, or similar materials that were removed from construction, demolition, excavation, or dredge sites.

(E) Prior to November 1, 1999, the area is not less than 50 nor more than 100 acres and 75% of which is vacant (notwithstanding that the area has been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area), and the area meets at least one of the factors itemized in paragraph (1) of this subsection, the area has been designated as a town or village center by ordinance or comprehensive plan adopted prior to January 1, 1982, and the area has not been developed for that designated purpose.

(F) The area qualified as a blighted improved area immediately prior to becoming vacant, unless there has been substantial private investment in the immediately surrounding area.

(b) For any redevelopment project area that has been designated pursuant to this Section by an ordinance adopted prior to November 1, 1999 (the effective date of Public Act 91-478), "conservation area" shall have the meaning set forth in this Section prior to that date.

On and after November 1, 1999, "conservation area" means any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which 50% or more of the structures in the area have an age of 35 years or more. Such an area is not yet a blighted area but because of a combination of 3 or more of the following factors is detrimental to the public safety, health, morals or welfare and such an area may become a blighted area:

(1) Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

(2) Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

(3) Deterioration. With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration, including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

(4) Presence of structures below minimum code standards. All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

(5) Illegal use of individual structures. The use of structures in violation of applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

(6) Excessive vacancies. The presence of buildings that are unoccupied or under-utilized and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

(7) Lack of ventilation, light, or sanitary facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

(8) Inadequate utilities. Underground and overhead utilities such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

(9) Excessive land coverage and overcrowding of structures and community facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety and the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of

buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

(10) Deleterious land use or layout. The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

(11) Lack of community planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

(12) The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

(13) The total equalized assessed value of the proposed redevelopment project area has declined for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for 3 of the last 5 calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for 3 of the last 5 calendar years for which information is available.

(c) "Industrial park" means an area in a blighted or conservation area suitable for use by any manufacturing, industrial, research or transportation enterprise, of facilities to include but not be limited to factories, mills, processing plants, assembly plants, packing plants, fabricating plants, industrial distribution centers, warehouses, repair overhaul or service facilities, freight terminals, research facilities, test facilities or railroad facilities.

(d) "Industrial park conservation area" means an area within the boundaries of a redevelopment project area located within the territorial limits of a municipality that is a labor surplus municipality or within 1 1/2 miles of the territorial limits of a municipality that is a labor surplus municipality if the area is annexed to the municipality; which area is zoned as industrial no later than at the time the municipality by ordinance designates the redevelopment project area, and which area includes both vacant land suitable for use as an industrial park and a blighted area or conservation area contiguous to such vacant land.

(e) "Labor surplus municipality" means a municipality in which, at any time during the 6 months before the municipality by ordinance designates an industrial park conservation area, the unemployment rate was over 6% and was also 100% or more of the national average unemployment rate for that same time as published in the United States Department of Labor Bureau of Labor Statistics publication entitled "The Employment Situation" or its successor publication. For the purpose of this subsection, if unemployment rate statistics for the municipality are not available, the unemployment rate in the municipality shall be deemed to be the same as the unemployment rate in the principal county in which the municipality is located.

(f) "Municipality" shall mean a city, village, ~~or~~ incorporated town, ~~or~~ a township that is located in the unincorporated portion of a county with 3 million or more inhabitants, if the county adopted an ordinance that approved the township's redevelopment plan.

(g) "Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located in a State Sales Tax Boundary during the calendar year 1985.

(g-1) "Revised Initial Sales Tax Amounts" means the amount of taxes paid under the Retailers' Occupation Tax Act, Use Tax Act, Service Use Tax Act, the Service Occupation Tax Act, the Municipal Retailers' Occupation Tax Act, and the Municipal Service Occupation Tax Act by retailers and servicemen on transactions at places located within the State Sales Tax Boundary revised pursuant to Section 11-74.4-8a(9) of this Act.

(h) "Municipal Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid to a municipality from the Local Government Tax Fund arising from sales by retailers and

servicemen within the redevelopment project area or State Sales Tax Boundary, as the case may be, for as long as the redevelopment project area or State Sales Tax Boundary, as the case may be, exist over and above the aggregate amount of taxes as certified by the Illinois Department of Revenue and paid under the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act by retailers and servicemen, on transactions at places of business located in the redevelopment project area or State Sales Tax Boundary, as the case may be, during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall determine the Initial Sales Tax Amounts for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amounts". For purposes of determining the Municipal Sales Tax Increment, the Department of Revenue shall for each period subtract from the amount paid to the municipality from the Local Government Tax Fund arising from sales by retailers and servicemen on transactions located in the redevelopment project area or the State Sales Tax Boundary, as the case may be, the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for the Municipal Retailers' Occupation Tax Act and the Municipal Service Occupation Tax Act. For the State Fiscal Year 1989, this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, to June 30, 1989, to determine the tax amounts received from retailers and servicemen pursuant to the Municipal Retailers' Occupation Tax and the Municipal Service Occupation Tax Act which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending June 30 to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, the Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts, as the case may be.

(i) "Net State Sales Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary; and (c) 40% of all amounts in excess of \$500,000 of State Sales Tax Increment annually generated within a State Sales Tax Boundary. If, however, a municipality established a tax increment financing district in a county with a population in excess of 3,000,000 before January 1, 1986, and the municipality entered into a contract or issued bonds after January 1, 1986, but before December 31, 1986, to finance redevelopment project costs within a State Sales Tax Boundary, then the Net State Sales Tax Increment means, for the fiscal years beginning July 1, 1990, and July 1, 1991, 100% of the State Sales Tax Increment annually generated within a State Sales Tax Boundary; and notwithstanding any other provision of this Act, for those fiscal years the Department of Revenue shall distribute to those municipalities 100% of their Net State Sales Tax Increment before any distribution to any other municipality and regardless of whether or not those other municipalities will receive 100% of their Net State Sales Tax Increment. For Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a State Sales Tax Boundary, the Net State Sales Tax Increment shall be calculated as follows: By multiplying the Net State Sales Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter.

Municipalities that issued bonds in connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991, or that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988, shall continue to receive their proportional share of the Illinois Tax Increment Fund distribution until the date on which the redevelopment project is completed or terminated. If, however, a municipality that issued bonds in

connection with a redevelopment project in a redevelopment project area within the State Sales Tax Boundary prior to July 29, 1991 retires the bonds prior to June 30, 2007 or a municipality that entered into contracts in connection with a redevelopment project in a redevelopment project area before June 1, 1988 completes the contracts prior to June 30, 2007, then so long as the redevelopment project is not completed or is not terminated, the Net State Sales Tax Increment shall be calculated, beginning on the date on which the bonds are retired or the contracts are completed, as follows: By multiplying the Net State Sales Tax Increment by 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for State Fiscal Year 2008 and thereafter. Refunding of any bonds issued prior to July 29, 1991, shall not alter the Net State Sales Tax Increment.

(j) "State Utility Tax Increment Amount" means an amount equal to the aggregate increase in State electric and gas tax charges imposed on owners and tenants, other than residential customers, of properties located within the redevelopment project area under Section 9-222 of the Public Utilities Act, over and above the aggregate of such charges as certified by the Department of Revenue and paid by owners and tenants, other than residential customers, of properties within the redevelopment project area during the base year, which shall be the calendar year immediately prior to the year of the adoption of the ordinance authorizing tax increment allocation financing.

(k) "Net State Utility Tax Increment" means the sum of the following: (a) 80% of the first \$100,000 of State Utility Tax Increment annually generated by a redevelopment project area; (b) 60% of the amount in excess of \$100,000 but not exceeding \$500,000 of the State Utility Tax Increment annually generated by a redevelopment project area; and (c) 40% of all amounts in excess of \$500,000 of State Utility Tax Increment annually generated by a redevelopment project area. For the State Fiscal Year 1999, and every year thereafter until the year 2007, for any municipality that has not entered into a contract or has not issued bonds prior to June 1, 1988 to finance redevelopment project costs within a redevelopment project area, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in the State Fiscal Year 1999; 80% in the State Fiscal Year 2000; 70% in the State Fiscal Year 2001; 60% in the State Fiscal Year 2002; 50% in the State Fiscal Year 2003; 40% in the State Fiscal Year 2004; 30% in the State Fiscal Year 2005; 20% in the State Fiscal Year 2006; and 10% in the State Fiscal Year 2007. No payment shall be made for the State Fiscal Year 2008 and thereafter.

Municipalities that issue bonds in connection with the redevelopment project during the period from June 1, 1988 until 3 years after the effective date of this Amendatory Act of 1988 shall receive the Net State Utility Tax Increment, subject to appropriation, for 15 State Fiscal Years after the issuance of such bonds. For the 16th through the 20th State Fiscal Years after issuance of the bonds, the Net State Utility Tax Increment shall be calculated as follows: By multiplying the Net State Utility Tax Increment by 90% in year 16; 80% in year 17; 70% in year 18; 60% in year 19; and 50% in year 20. Refunding of any bonds issued prior to June 1, 1988, shall not alter the revised Net State Utility Tax Increment payments set forth above.

(l) "Obligations" mean bonds, loans, debentures, notes, special certificates or other evidence of indebtedness issued by the municipality to carry out a redevelopment project or to refund outstanding obligations.

(m) "Payment in lieu of taxes" means those estimated tax revenues from real property in a redevelopment project area derived from real property that has been acquired by a municipality which according to the redevelopment project or plan is to be used for a private use which taxing districts would have received had a municipality not acquired the real property and adopted tax increment allocation financing and which would result from levies made after the time of the adoption of tax increment allocation financing to the time the current equalized value of real property in the redevelopment project area exceeds the total initial equalized value of real property in said area.

(n) "Redevelopment plan" means the comprehensive program of the municipality for development or redevelopment intended by the payment of redevelopment project costs to reduce or eliminate those conditions the existence of which qualified the redevelopment project area as a "blighted area" or "conservation area" or combination thereof or "industrial park conservation area," and thereby to enhance the tax bases of the taxing districts which extend into the redevelopment project area. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to

mean camping and hunting. Each redevelopment plan shall set forth in writing the program to be undertaken to accomplish the objectives and shall include but not be limited to:

- (A) an itemized list of estimated redevelopment project costs;
- (B) evidence indicating that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise;
- (C) an assessment of any financial impact of the redevelopment project area on or any increased demand for services from any taxing district affected by the plan and any program to address such financial impact or increased demand;
- (D) the sources of funds to pay costs;
- (E) the nature and term of the obligations to be issued;
- (F) the most recent equalized assessed valuation of the redevelopment project area;
- (G) an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the redevelopment project area;
- (H) a commitment to fair employment practices and an affirmative action plan;
- (I) if it concerns an industrial park conservation area, the plan shall also include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed; and
- (J) if property is to be annexed to the municipality, the plan shall include the terms of the annexation agreement.

The provisions of items (B) and (C) of this subsection (n) shall not apply to a municipality that before March 14, 1994 (the effective date of Public Act 88-537) had fixed, either by its corporate authorities or by a commission designated under subsection (k) of Section 11-74.4-4, a time and place for a public hearing as required by subsection (a) of Section 11-74.4-5. No redevelopment plan shall be adopted unless a municipality complies with all of the following requirements:

(1) The municipality finds that the redevelopment project area on the whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the redevelopment plan.

(2) The municipality finds that the redevelopment plan and project conform to the comprehensive plan for the development of the municipality as a whole, or, for municipalities with a population of 100,000 or more, regardless of when the redevelopment plan and project was adopted, the redevelopment plan and project either: (i) conforms to the strategic economic development or redevelopment plan issued by the designated planning authority of the municipality, or (ii) includes land uses that have been approved by the planning commission of the municipality.

(3) The redevelopment plan establishes the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs. Those dates shall not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year after the year in which the ordinance approving the redevelopment project area is adopted if the ordinance was adopted on or after January 15, 1981, and not later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the thirty-fifth calendar year after the year in which the ordinance approving the redevelopment project area is adopted:

- (A) if the ordinance was adopted before January 15, 1981, or
- (B) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989, or
- (C) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport, or
- (D) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County, or
- (E) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law, or
- (F) if the ordinance was adopted in December 1984 by the Village of Rosemont, or
- (G) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of

less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or

(H) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis, or

(I) if the ordinance was adopted on November 12, 1991 by the Village of Sauget, or

(J) if the ordinance was adopted on February 11, 1985 by the City of Rock Island, or

(K) if the ordinance was adopted before December 18, 1986 by the City of Moline, or

(L) if the ordinance was adopted in September 1988 by Sauk Village, or

(M) if the ordinance was adopted in October 1993 by Sauk Village, or

(N) if the ordinance was adopted on December 29, 1986 by the City of Galva, or

(O) if the ordinance was adopted in March 1991 by the City of Centreville, or

(P) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis,

or

(Q) if the ordinance was adopted on December 22, 1986 by the City of Aledo, or

(R) if the ordinance was adopted on February 5, 1990 by the City of Clinton, or

(S) if the ordinance was adopted on September 6, 1994 by the City of Freeport, or

(T) if the ordinance was adopted on December 22, 1986 by the City of Tuscola, or

(U) if the ordinance was adopted on December 23, 1986 by the City of Sparta, or

(V) if the ordinance was adopted on December 23, 1986 by the City of Beardstown, or

(W) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville, or

(X) if the ordinance was adopted on December 29, 1986 by the City of Collinsville,

or

(Y) if the ordinance was adopted on September 14, 1994 by the City of Alton, or

(Z) if the ordinance was adopted on November 11, 1996 by the City of Lexington, or

(AA) if the ordinance was adopted on November 5, 1984 by the City of LeRoy, or

(BB) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham, or

(CC) if the ordinance was adopted on November 11, 1986 by the City of Pekin, or

~~(DD) (CC)~~ if the ordinance was adopted on December 15, 1981 by the City of Champaign, or

~~(EE) (CC)~~ if the ordinance was adopted on December 15, 1986 by the City of Urbana, or

~~(FF) (CC)~~ if the ordinance was adopted on December 15, 1986 by the Village of Heyworth, or

~~(GG) (CC)~~ if the ordinance was adopted on February 24, 1992 by the Village of Heyworth, or

~~(HH) (CC)~~ if the ordinance was adopted on March 16, 1995 by the Village of Heyworth, or

~~(II) (CC)~~ if the ordinance was adopted on December 23, 1986 by the Town of Cicero, or

~~(JJ) (CC)~~ if the ordinance was adopted on December 30, 1986 by the City of Effingham, or

~~(KK) (CC)~~ if the ordinance was adopted on May 9, 1991 by the Village of Tilton, or

~~(LL) (CC)~~ if the ordinance was adopted on October 20, 1986 by the City of Elmhurst, or

~~(MM) (CC)~~ if the ordinance was adopted on January 19, 1988 by the City of Waukegan, or

~~(NN) (DD)~~ if the ordinance was adopted on September 21, 1998 by the City of Waukegan.

However, for redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by this amendatory Act of 1993 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

A municipality may by municipal ordinance amend an existing redevelopment plan to conform to this paragraph (3) as amended by Public Act 91-478, which municipal ordinance may be adopted without further hearing or notice and without complying with the procedures provided in this Act pertaining to an amendment to or the initial approval of a redevelopment plan and project and designation of a redevelopment project area.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality

elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(3.5) The municipality finds, in the case of an industrial park conservation area, also that the municipality is a labor surplus municipality and that the implementation of the redevelopment plan will reduce unemployment, create new jobs and by the provision of new facilities enhance the tax base of the taxing districts that extend into the redevelopment project area.

(4) If any incremental revenues are being utilized under Section 8(a)(1) or 8(a)(2) of this Act in redevelopment project areas approved by ordinance after January 1, 1986, the municipality finds: (a) that the redevelopment project area would not reasonably be developed without the use of such incremental revenues, and (b) that such incremental revenues will be exclusively utilized for the development of the redevelopment project area.

(5) If the redevelopment plan will not result in displacement of residents from 10 or more inhabited residential units, and the municipality certifies in the plan that such displacement will not result from the plan, a housing impact study need not be performed. If, however, the redevelopment plan would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and no certification is made, then the municipality shall prepare, as part of the separate feasibility report required by subsection (a) of Section 11-74.4-5, a housing impact study.

Part I of the housing impact study shall include (i) data as to whether the residential units are single family or multi-family units, (ii) the number and type of rooms within the units, if that information is available, (iii) whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 is passed, and (iv) data as to the racial and ethnic composition of the residents in the inhabited residential units. The data requirement as to the racial and ethnic composition of the residents in the inhabited residential units shall be deemed to be fully satisfied by data from the most recent federal census.

Part II of the housing impact study shall identify the inhabited residential units in the proposed redevelopment project area that are to be or may be removed. If inhabited residential units are to be removed, then the housing impact study shall identify (i) the number and location of those units that will or may be removed, (ii) the municipality's plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed, (iii) the availability of replacement housing for those residents whose residences are to be removed, and shall identify the type, location, and cost of the housing, and (iv) the type and extent of relocation assistance to be provided.

(6) On and after November 1, 1999, the housing impact study required by paragraph (5) shall be incorporated in the redevelopment plan for the redevelopment project area.

(7) On and after November 1, 1999, no redevelopment plan shall be adopted, nor an existing plan amended, nor shall residential housing that is occupied by households of low-income and very low-income persons in currently existing redevelopment project areas be removed after November 1, 1999 unless the redevelopment plan provides, with respect to inhabited housing units that are to be removed for households of low-income and very low-income persons, affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations under that Act, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. For purposes of this paragraph (7), "low-income households", "very low-income households", and "affordable housing" have the meanings set forth in the Illinois Affordable Housing Act. The municipality shall make a good faith effort to ensure that this affordable housing is located in or near the redevelopment project area within the municipality.

(8) On and after November 1, 1999, if, after the adoption of the redevelopment plan for

the redevelopment project area, any municipality desires to amend its redevelopment plan to remove more inhabited residential units than specified in its original redevelopment plan, that change shall be made in accordance with the procedures in subsection (c) of Section 11-74.4-5.

(9) For redevelopment project areas designated prior to November 1, 1999, the redevelopment plan may be amended without further joint review board meeting or hearing, provided that the municipality shall give notice of any such changes by mail to each affected taxing district and registrant on the interested party registry, to authorize the municipality to expend tax increment revenues for redevelopment project costs defined by paragraphs (5) and (7.5), subparagraphs (E) and (F) of paragraph (11), and paragraph (11.5) of subsection (q) of Section 11-74.4-3, so long as the changes do not increase the total estimated redevelopment project costs set out in the redevelopment plan by more than 5% after adjustment for inflation from the date the plan was adopted.

(o) "Redevelopment project" means any public and private development project in furtherance of the objectives of a redevelopment plan. On and after November 1, 1999 (the effective date of Public Act 91-478), no redevelopment plan may be approved or amended that includes the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by federal, State, county, or municipal government as public land for outdoor recreational activities or for nature preserves and used for that purpose within 5 years prior to the adoption of the redevelopment plan. For the purpose of this subsection, "recreational activities" is limited to mean camping and hunting.

(p) "Redevelopment project area" means an area designated by the municipality, which is not less in the aggregate than 1 1/2 acres and in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as an industrial park conservation area or a blighted area or a conservation area, or a combination of both blighted areas and conservation areas.

(q) "Redevelopment project costs" mean and include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan and a redevelopment project. Such costs include, without limitation, the following:

(1) Costs of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan including but not limited to staff and professional service costs for architectural, engineering, legal, financial, planning or other services, provided however that no charges for professional services may be based on a percentage of the tax increment collected; except that on and after November 1, 1999 (the effective date of Public Act 91-478), no contracts for professional services, excluding architectural and engineering services, may be entered into if the terms of the contract extend beyond a period of 3 years. In addition, "redevelopment project costs" shall not include lobbying expenses. After consultation with the municipality, each tax increment consultant or advisor to a municipality that plans to designate or has designated a redevelopment project area shall inform the municipality in writing of any contracts that the consultant or advisor has entered into with entities or individuals that have received, or are receiving, payments financed by tax increment revenues produced by the redevelopment project area with respect to which the consultant or advisor has performed, or will be performing, service for the municipality. This requirement shall be satisfied by the consultant or advisor before the commencement of services for the municipality and thereafter whenever any other contracts with those individuals or entities are executed by the consultant or advisor;

(1.5) After July 1, 1999, annual administrative costs shall not include general overhead or administrative costs of the municipality that would still have been incurred by the municipality if the municipality had not designated a redevelopment project area or approved a redevelopment plan;

(1.6) The cost of marketing sites within the redevelopment project area to prospective businesses, developers, and investors;

(2) Property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground level or below ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land;

(3) Costs of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements; and the cost of replacing an existing public building if pursuant to the implementation of a redevelopment project the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;

(4) Costs of the construction of public works or improvements, except that on and after

November 1, 1999, redevelopment project costs shall not include the cost of constructing a new municipal public building principally used to provide offices, storage space, or conference facilities or vehicle storage, maintenance, or repair for administrative, public safety, or public works personnel and that is not intended to replace an existing public building as provided under paragraph (3) of subsection (q) of Section 11-74.4-3 unless either (i) the construction of the new municipal building implements a redevelopment project that was included in a redevelopment plan that was adopted by the municipality prior to November 1, 1999 or (ii) the municipality makes a reasonable determination in the redevelopment plan, supported by information that provides the basis for that determination, that the new municipal building is required to meet an increase in the need for public safety purposes anticipated to result from the implementation of the redevelopment plan;

(5) Costs of job training and retraining projects, including the cost of "welfare to work" programs implemented by businesses located within the redevelopment project area;

(6) Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto;

(7) To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project.

(7.5) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after November 1, 1999, an elementary, secondary, or unit school district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act, and which costs shall be paid by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units and shall be calculated annually as follows:

(A) for foundation districts, excluding any school district in a municipality with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general State aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 25% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 17% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts with a district average 1995-96 Per Capita

Tuition Charge of less than \$5,900, no more than 8% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(B) For alternate method districts, flat grant districts, and foundation districts with a district average 1995-96 Per Capita Tuition Charge equal to or more than \$5,900, excluding any school district with a population in excess of 1,000,000, by multiplying the district's increase in attendance resulting from the net increase in new students enrolled in that school district who reside in housing units within the redevelopment project area that have received financial assistance through an

agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by the most recently available per capita tuition cost as defined in Section 10-20.12a of the School Code less any increase in general state aid as defined in Section 18-8.05 of the School Code attributable to these added new students subject to the following annual limitations:

(i) for unit school districts, no more than 40% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act;

(ii) for elementary school districts, no more than 27% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act; and

(iii) for secondary school districts, no more than 13% of the total amount of property tax increment revenue produced by those housing units that have received tax increment finance assistance under this Act.

(C) For any school district in a municipality with a population in excess of 1,000,000, the following restrictions shall apply to the reimbursement of increased costs under this paragraph (7.5):

(i) no increased costs shall be reimbursed unless the school district certifies that each of the schools affected by the assisted housing project is at or over its student capacity;

(ii) the amount reimbursable shall be reduced by the value of any land donated to the school district by the municipality or developer, and by the value of any physical improvements made to the schools by the municipality or developer; and

(iii) the amount reimbursed may not affect amounts otherwise obligated by the terms of any bonds, notes, or other funding instruments, or the terms of any redevelopment agreement.

Any school district seeking payment under this paragraph (7.5) shall, after July 1 and before September 30 of each year, provide the municipality with reasonable evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the school district. If the school district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. School districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.5). By acceptance of this reimbursement the school district waives the right to directly or indirectly set aside, modify, or contest in any manner the establishment of the redevelopment project area or projects;

(7.7) For redevelopment project areas designated (or redevelopment project areas amended to add or increase the number of tax-increment-financing assisted housing units) on or after January 1, 2005 (the effective date of Public Act 93-961) ~~this amendatory Act of the 93rd General Assembly~~, a public library district's increased costs attributable to assisted housing units located within the redevelopment project area for which the developer or redeveloper receives financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the assisted housing sites necessary for the completion of that housing as authorized by this Act shall be paid to the library district by the municipality from the Special Tax Allocation Fund when the tax increment revenue is received as a result of the assisted housing units. This paragraph (7.7) applies only if (i) the library district is located in a county that is subject to the Property Tax Extension Limitation Law or (ii) the library district is not located in a county that is subject to the Property Tax Extension Limitation Law but the district is prohibited by any other law from increasing its tax levy rate without a prior voter referendum.

The amount paid to a library district under this paragraph (7.7) shall be calculated by multiplying (i) the net increase in the number of persons eligible to obtain a library card in that district who reside in housing units within the redevelopment project area that have received financial assistance through an agreement with the municipality or because the municipality incurs the cost of necessary infrastructure improvements within the boundaries of the housing sites necessary for the completion of that housing as authorized by this Act since the designation of the redevelopment project area by (ii) the per-patron cost of providing library services so long as it does not exceed \$120. The per-patron cost shall be the Total Operating Expenditures Per Capita as stated in the most recent Illinois Public Library Statistics produced by the Library Research Center at the University of Illinois. The municipality may

deduct from the amount that it must pay to a library district under this paragraph any amount that it has voluntarily paid to the library district from the tax increment revenue. The amount paid to a library district under this paragraph (7.7) shall be no more than 2% of the amount produced by the assisted housing units and deposited into the Special Tax Allocation Fund.

A library district is not eligible for any payment under this paragraph (7.7) unless the library district has experienced an increase in the number of patrons from the municipality that created the tax-increment-financing district since the designation of the redevelopment project area.

Any library district seeking payment under this paragraph (7.7) shall, after July 1 and before September 30 of each year, provide the municipality with convincing evidence to support its claim for reimbursement before the municipality shall be required to approve or make the payment to the library district. If the library district fails to provide the information during this period in any year, it shall forfeit any claim to reimbursement for that year. Library districts may adopt a resolution waiving the right to all or a portion of the reimbursement otherwise required by this paragraph (7.7). By acceptance of such reimbursement, the library district shall forfeit any right to directly or indirectly set aside, modify, or contest in any manner whatsoever the establishment of the redevelopment project area or projects;

(8) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or State law or in order to satisfy subparagraph (7) of subsection (n);

(9) Payment in lieu of taxes;

(10) Costs of job training, retraining, advanced vocational education or career education, including but not limited to courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in a redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and the taxing district or taxing districts, which agreement describes the program to be undertaken, including but not limited to the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by community college districts of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public Community College Act and by school districts of costs pursuant to Sections 10-22.20a and 10-23.3a of The School Code;

(11) Interest cost incurred by a redeveloper related to the construction, renovation or rehabilitation of a redevelopment project provided that:

(A) such costs are to be paid directly from the special tax allocation fund established pursuant to this Act;

(B) such payments in any one year may not exceed 30% of the annual interest costs incurred by the redeveloper with regard to the redevelopment project during that year;

(C) if there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (11) then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

(D) the total of such interest payments paid pursuant to this Act may not exceed 30% of the total (i) cost paid or incurred by the redeveloper for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to this Act; and

(E) the cost limits set forth in subparagraphs (B) and (D) of paragraph (11) shall be modified for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act. The percentage of 75% shall be substituted for 30% in subparagraphs (B) and (D) of paragraph (11).

(F) Instead of the eligible costs provided by subparagraphs (B) and (D) of paragraph (11), as modified by this subparagraph, and notwithstanding any other provisions of this Act to the contrary, the municipality may pay from tax increment revenues up to 50% of the cost of construction of new housing units to be occupied by low-income households and very low-income households as defined in Section 3 of the Illinois Affordable Housing Act. The cost of construction of those units may be derived from the proceeds of bonds issued by the municipality under this Act or other constitutional or statutory authority or from other sources of municipal revenue that may be

reimbursed from tax increment revenues or the proceeds of bonds issued to finance the construction of that housing.

The eligible costs provided under this subparagraph (F) of paragraph (11) shall be an eligible cost for the construction, renovation, and rehabilitation of all low and very low-income housing units, as defined in Section 3 of the Illinois Affordable Housing Act, within the redevelopment project area. If the low and very low-income units are part of a residential redevelopment project that includes units not affordable to low and very low-income households, only the low and very low-income units shall be eligible for benefits under subparagraph (F) of paragraph (11). The standards for maintaining the occupancy by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, of those units constructed with eligible costs made available under the provisions of this subparagraph (F) of paragraph (11) shall be established by guidelines adopted by the municipality. The responsibility for annually documenting the initial occupancy of the units by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, shall be that of the then current owner of the property. For ownership units, the guidelines will provide, at a minimum, for a reasonable recapture of funds, or other appropriate methods designed to preserve the original affordability of the ownership units. For rental units, the guidelines will provide, at a minimum, for the affordability of rent to low and very low-income households. As units become available, they shall be rented to income-eligible tenants. The municipality may modify these guidelines from time to time; the guidelines, however, shall be in effect for as long as tax increment revenue is being used to pay for costs associated with the units or for the retirement of bonds issued to finance the units or for the life of the redevelopment project area, whichever is later.

(11.5) If the redevelopment project area is located within a municipality with a population of more than 100,000, the cost of day care services for children of employees from low-income families working for businesses located within the redevelopment project area and all or a portion of the cost of operation of day care centers established by redevelopment project area businesses to serve employees from low-income families working in businesses located in the redevelopment project area. For the purposes of this paragraph, "low-income families" means families whose annual income does not exceed 80% of the municipal, county, or regional median income, adjusted for family size, as the annual income and municipal, county, or regional median income are determined from time to time by the United States Department of Housing and Urban Development.

(12) Unless explicitly stated herein the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

(13) After November 1, 1999 (the effective date of Public Act 91-478), none of the redevelopment project costs enumerated in this subsection shall be eligible redevelopment project costs if those costs would provide direct financial support to a retail entity initiating operations in the redevelopment project area while terminating operations at another Illinois location within 10 miles of the redevelopment project area but outside the boundaries of the redevelopment project area municipality. For purposes of this paragraph, termination means a closing of a retail operation that is directly related to the opening of the same operation or like retail entity owned or operated by more than 50% of the original ownership in a redevelopment project area, but it does not mean closing an operation for reasons beyond the control of the retail entity, as documented by the retail entity, subject to a reasonable finding by the municipality that the current location contained inadequate space, had become economically obsolete, or was no longer a viable location for the retailer or serviceman.

If a special service area has been established pursuant to the Special Service Area Tax Act or Special Service Area Tax Law, then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act or Special Service Area Tax Law may be used within the redevelopment project area for the purposes permitted by that Act or Law as well as the purposes permitted by this Act.

(r) "State Sales Tax Boundary" means the redevelopment project area or the amended redevelopment project area boundaries which are determined pursuant to subsection (9) of Section 11-74.4-8a of this Act. The Department of Revenue shall certify pursuant to subsection (9) of Section 11-74.4-8a the appropriate boundaries eligible for the determination of State Sales Tax Increment.

(s) "State Sales Tax Increment" means an amount equal to the increase in the aggregate amount of taxes paid by retailers and servicemen, other than retailers and servicemen subject to the Public Utilities Act, on transactions at places of business located within a State Sales Tax Boundary pursuant to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act, except such portion of such increase that is paid into the State and Local Sales Tax Reform Fund, the Local

Government Distributive Fund, the Local Government Tax Fund and the County and Mass Transit District Fund, for as long as State participation exists, over and above the Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts for such taxes as certified by the Department of Revenue and paid under those Acts by retailers and servicemen on transactions at places of business located within the State Sales Tax Boundary during the base year which shall be the calendar year immediately prior to the year in which the municipality adopted tax increment allocation financing, less 3.0% of such amounts generated under the Retailers' Occupation Tax Act, Use Tax Act and Service Use Tax Act and the Service Occupation Tax Act, which sum shall be appropriated to the Department of Revenue to cover its costs of administering and enforcing this Section. For purposes of computing the aggregate amount of such taxes for base years occurring prior to 1985, the Department of Revenue shall compute the Initial Sales Tax Amount for such taxes and deduct therefrom an amount equal to 4% of the aggregate amount of taxes per year for each year the base year is prior to 1985, but not to exceed a total deduction of 12%. The amount so determined shall be known as the "Adjusted Initial Sales Tax Amount". For purposes of determining the State Sales Tax Increment the Department of Revenue shall for each period subtract from the tax amounts received from retailers and servicemen on transactions located in the State Sales Tax Boundary, the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or Revised Initial Sales Tax Amounts for the Retailers' Occupation Tax Act, the Use Tax Act, the Service Use Tax Act and the Service Occupation Tax Act. For the State Fiscal Year 1989 this calculation shall be made by utilizing the calendar year 1987 to determine the tax amounts received. For the State Fiscal Year 1990, this calculation shall be made by utilizing the period from January 1, 1988, until September 30, 1988, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For the State Fiscal Year 1991, this calculation shall be made by utilizing the period from October 1, 1988, until June 30, 1989, to determine the tax amounts received from retailers and servicemen, which shall have deducted therefrom nine-twelfths of the certified Initial State Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts as appropriate. For every State Fiscal Year thereafter, the applicable period shall be the 12 months beginning July 1 and ending on June 30, to determine the tax amounts received which shall have deducted therefrom the certified Initial Sales Tax Amounts, Adjusted Initial Sales Tax Amounts or the Revised Initial Sales Tax Amounts. Municipalities intending to receive a distribution of State Sales Tax Increment must report a list of retailers to the Department of Revenue by October 31, 1988 and by July 31, of each year thereafter.

(t) "Taxing districts" means counties, townships, cities and incorporated towns and villages, school, road, park, sanitary, mosquito abatement, forest preserve, public health, fire protection, river conservancy, tuberculosis sanitarium and any other municipal corporations or districts with the power to levy taxes.

(u) "Taxing districts' capital costs" means those costs of taxing districts for capital improvements that are found by the municipal corporate authorities to be necessary and directly result from the redevelopment project.

(v) As used in subsection (a) of Section 11-74.4-3 of this Act, "vacant land" means any parcel or combination of parcels of real property without industrial, commercial, and residential buildings which has not been used for commercial agricultural purposes within 5 years prior to the designation of the redevelopment project area, unless the parcel is included in an industrial park conservation area or the parcel has been subdivided; provided that if the parcel was part of a larger tract that has been divided into 3 or more smaller tracts that were accepted for recording during the period from 1950 to 1990, then the parcel shall be deemed to have been subdivided, and all proceedings and actions of the municipality taken in that connection with respect to any previously approved or designated redevelopment project area or amended redevelopment project area are hereby validated and hereby declared to be legally sufficient for all purposes of this Act. For purposes of this Section and only for land subject to the subdivision requirements of the Plat Act, land is subdivided when the original plat of the proposed Redevelopment Project Area or relevant portion thereof has been properly certified, acknowledged, approved, and recorded or filed in accordance with the Plat Act and a preliminary plat, if any, for any subsequent phases of the proposed Redevelopment Project Area or relevant portion thereof has been properly approved and filed in accordance with the applicable ordinance of the municipality.

(w) "Annual Total Increment" means the sum of each municipality's annual Net Sales Tax Increment and each municipality's annual Net Utility Tax Increment. The ratio of the Annual Total Increment of each municipality to the Annual Total Increment for all municipalities, as most recently calculated by the Department, shall determine the proportional shares of the Illinois Tax Increment Fund to be distributed to each municipality.

(Source: P.A. 92-263, eff. 8-7-01; 92-406, eff. 1-1-02; 92-624, eff. 7-11-02; 92-651, eff. 7-11-02; 93-298, eff. 7-23-03; 93-708, eff. 1-1-05; 93-747, eff. 7-15-04; 93-924, eff. 8-12-04; 93-961, eff. 1-1-05; 93-983, eff. 8-23-04; 93-984, eff. 8-23-04; 93-985, eff. 8-23-04; 93-986, eff. 8-23-04; 93-987, eff. 8-23-04; 93-995, eff. 8-23-04; 93-1024, eff. 8-25-04; 93-1076, eff. 1-18-05; revised 1-25-05.)

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 873. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Consumer Protection, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 873 by replacing everything after the enacting clause with the following:

"Section 5. The Ticket Scalping Act is amended by changing Sections 0.01, 1, and 1.5 as follows:

(720 ILCS 375/0.01) (from Ch. 121 1/2, par. 157.30)

Sec. 0.01. Short title. This Act may be cited as the Ticket ~~Sale and Resale Scalping~~ Act.

(Source: P.A. 86-1324.)

(720 ILCS 375/1) (from Ch. 121 1/2, par. 157.31)

Sec. 1. ~~Sale of tickets other than at box office prohibited; exceptions.~~

(a) It is unlawful for any person, firm or corporation, owner, lessee, manager, trustee, or any of their employees or agents, owning, conducting, managing or operating any theater, circus, baseball park, place of public entertainment or amusement where tickets of admission are sold for any such places of amusement or public entertainment to sell or permit the sale, barter or exchange of such admission tickets at any other place than in the box office or on the premises of such theater, circus, baseball park, place of public entertainment or amusement, but nothing herein prevents such theater, circus, baseball park, place of public entertainment or amusement from placing any of its admission tickets for sale at any other place at the same price such admission tickets are sold by such theater, circus, baseball park or other place of public entertainment or amusement at its box office or on the premises of such places, at the same advertised price or printed rate thereof.

(b) Any term or condition of the original sale of a ticket to any theater, circus, baseball park, or place of public entertainment or amusement where tickets of admission are sold that purports to limit the terms or conditions of resale of the ticket (including but not limited to the resale price of the ticket) shall be unenforceable, null, and void, if the resale transaction is carried out by any of the means set forth in subsections (b), (c), (d), and (e) of Section 1.5 of this Act.

(Source: Laws 1923, p. 322.)

(720 ILCS 375/1.5) (from Ch. 121 1/2, par. 157.32)

Sec. 1.5. ~~Sale of tickets at more than face value prohibited; exceptions.~~

(a) Except as otherwise provided in subsections (b), (c), (d), and (e) ~~subsection (b)~~ of this Section and in Section 4, it is unlawful for any person, persons, firm or corporation to sell tickets for baseball games, football games, hockey games, theatre entertainments, or any other amusement for a price more than the price printed upon the face of said ticket, and the price of said ticket shall correspond with the same price shown at the box office or the office of original distribution.

(b) This Act does not apply to the sale of tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind for a price in excess of the printed box office ticket price by a ticket broker who meets all of the following requirements:

(1) The ticket broker is duly registered with the Office of the Secretary of State on a registration form provided by that Office. The registration must contain a certification that the ticket broker:

(A) engages in the resale of tickets on a regular and ongoing basis from one or more permanent or fixed locations located within this State;

(B) maintains as the principal business activity at those locations the resale of

tickets;

- (C) displays at those locations the ticket broker's registration;
- (D) maintains at those locations a listing of the names and addresses of all persons employed by the ticket broker;
- (E) is in compliance with all applicable federal, State, and local laws relating to its ticket selling activities, and that neither the ticket broker nor any of its employees within the preceding 12 months have been convicted of a violation of this Act; and
- (F) that the ticket broker meets the following requirements:
 - (i) maintains a statewide toll free number for consumer complaints and inquiries;
 - (ii) has adopted a code that advocates consumer protection that includes, at a minimum:
 - (a-1) consumer protection guidelines;
 - (b-1) a standard refund policy; and
 - (c-1) standards of professional conduct;
 - (iii) has adopted a procedure for the binding resolution of consumer complaints by an independent, disinterested third party; and
 - (iv) has established and maintains a consumer protection rebate fund in an amount in excess of \$100,000, at least 50% of which must be cash available for immediate disbursement for satisfaction of valid consumer complaints.

Alternatively, the ticket broker may fulfill the requirements of subparagraph (F) of this subsection (b) if the ticket broker certifies that he or she belongs to a professional association organized under the laws of this State, or organized under the laws of any other state and authorized to conduct business in Illinois, that has been in existence for at least 3 years prior to the date of that broker's registration with the Office of the Secretary of State, and is specifically dedicated, for and on behalf of its members, to provide and maintain the consumer protection requirements of subparagraph (F) of subsection (b) to maintain the integrity of the ticket brokerage industry.

(2) (Blank).

(3) The ticket broker and his employees must not engage in the practice of selling, or attempting to sell, tickets for any event while sitting or standing near the facility at which the event is to be held or is being held.

(4) The ticket broker must comply with all requirements of the Retailers' Occupation Tax Act and all other applicable federal, State and local laws in connection with his ticket selling activities.

(5) Beginning January 1, 1996, no ticket broker shall advertise for resale any tickets within this State unless the advertisement contains the name of the ticket broker and the Illinois registration number issued by the Office of the Secretary of State under this Section.

(6) Each ticket broker registered under this Act shall pay an annual registration fee of \$100.

(c) This Act does not apply to the sale of tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind for a price in excess of the printed box office ticket price by a seller engaged in interstate or intrastate commerce on an Internet auction listing service duly registered with the Department of Financial and Professional Regulation under the Auction License Act. This subsection (c) applies to both sales through an online bid submission process and to sales at a fixed price on the same website or interactive computer service as an Internet auction listing service registered with the Department of Financial and Professional Regulation.

This subsection (c) applies to sales described in this subsection so long as the operator of the Internet auction listing service duly registered with the Department of Financial and Professional Regulation under the Auction License Act:

(1) Guarantees to all purchasers that it will provide and in fact provides a full refund of the amount paid by the purchaser (including, but not limited to, all fees, regardless of how characterized) if any of the following occurs:

(A) the ticketed event is cancelled; provided, that if the event is cancelled then reasonable handling and delivery fees need not be refunded as long as such previously disclosed guarantee specifies that such fees will not be refunded, and also provided that the purchaser returns the tickets to the seller or Internet auction listing service;

(B) the ticket received by the purchaser does not allow the purchaser to enter the ticketed event for

reasons that may include, without limitation, that the ticket is counterfeit or that the ticket has been cancelled by the issuer due to non-payment, unless the ticket is cancelled due to an act or omission by such purchaser; or

(C) the ticket fails to conform to its description on the Internet auction listing service.

(2) Publishes a written notice on the Internet Auction listing service after the sale of one or more tickets that automatically informs the ticket seller of their potential legal obligation to comply with any applicable local amusement tax in connection with the seller's sale of tickets.

(d) This Act does not apply to the sale of tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind for a price in excess of the printed box office ticket price conducted at an auction at solely by or for a not-for-profit organization for charitable purposes under clause (a)(1) of Section 10-1 of the Auction License Act.

(e) This Act does not prohibit the resale of a ticket for admission to a baseball game, football game, hockey game, theatre entertainment, or any other amusement for a price more than the price printed on the face of the ticket and for more than the price of the ticket at the box office if the resale is made through an Internet website:

(1) whose operator has a business presence and physical street address in the State of Illinois and clearly and conspicuously posts that address on the website; and

(2) whose operator guarantees to all purchasers that it will provide and in fact provides a full refund of the amount paid by the purchaser (including, but not limited to, all fees, regardless of how characterized) if any of the following occurs:

(A) the ticketed event is cancelled; provided, that if the event is cancelled then reasonable handling and delivery fees need not be refunded as long as such previously disclosed guarantee specifies that such fees will not be refunded, and also provided that the purchaser returns the tickets to the website operator;

(B) the ticket received by the purchaser does not allow the purchaser to enter the ticketed event for reasons that may include, without limitation, that the ticket is counterfeit or that the ticket has been cancelled by the issuer due to non-payment, unless the ticket is cancelled due to an act or omission by such purchaser; or

(C) the ticket fails to conform to its description on the website.

Nothing in this subsection (e) shall be deemed to imply any limitation on ticket sales made pursuant and in accordance with subsections (b), (c), and (d) of this Section and any limitation on sales made pursuant to and in accordance with Section 4.

The provisions of Public Act 89-406 ~~this amendatory Act of 1995~~ are severable under Section 1.31 of the Statute on Statutes.

(Source: P.A. 89-406, eff. 11-15-95.)

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

Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 873, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Ticket Scalping Act is amended by changing Sections 0.01, 1, and 1.5 as follows:

(720 ILCS 375/0.01) (from Ch. 121 1/2, par. 157.30)

Sec. 0.01. Short title. This Act may be cited as the Ticket Sale and Resale ~~Scalping~~ Act.

(Source: P.A. 86-1324.)

(720 ILCS 375/1) (from Ch. 121 1/2, par. 157.31)

Sec. 1. Sale of tickets other than at box office prohibited; exceptions.

(a) It is unlawful for any person, firm or corporation, owner, lessee, manager, trustee, or any of their employees or agents, owning, conducting, managing or operating any theater, circus, baseball park, place of public entertainment or amusement where tickets of admission are sold for any such places of amusement or public entertainment to sell or permit the sale, barter or exchange of such admission tickets at any other place than in the box office or on the premises of such theater, circus, baseball park, place of public entertainment or amusement, but nothing herein prevents such theater, circus, baseball park, place of public entertainment or amusement from placing any of its admission tickets for sale at any other place at the same price such admission tickets are sold by such theater, circus, baseball park or other place of public entertainment or amusement at its box office or on the premises of such places, at the same advertised price or printed rate thereof.

(b) Any term or condition of the original sale of a ticket to any theater, circus, baseball park, or place of

public entertainment or amusement where tickets of admission are sold that purports to limit the terms or conditions of resale of the ticket (including but not limited to the resale price of the ticket) is unenforceable, null, and void if the resale transaction is carried out by any of the means set forth in subsections (b), (c), (d), and (e) of Section 1.5 of this Act. This subsection shall not apply to a term or condition of the original sale of a ticket to any theater, circus, baseball park, or place of public entertainment or amusement where tickets of admission are sold that purports to limit the terms or conditions of resale of a ticket specifically designated as seating in a special section for a person with a physical disability.

(Source: Laws 1923, p. 322.)

(720 ILCS 375/1.5) (from Ch. 121 1/2, par. 157.32)

Sec. 1.5. Sale of tickets at more than face value prohibited; exceptions.

(a) Except as otherwise provided in subsections (b), (c), (d), and (e) ~~subsection (b)~~ of this Section and in Section 4, it is unlawful for any person, persons, firm or corporation to sell tickets for baseball games, football games, hockey games, theatre entertainments, or any other amusement for a price more than the price printed upon the face of said ticket, and the price of said ticket shall correspond with the same price shown at the box office or the office of original distribution.

(b) This Act does not apply to the resale sale of tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind for a price in excess of the printed box office ticket price by a ticket broker who meets all of the following requirements:

(1) The ticket broker is duly registered with the Office of the Secretary of State on a registration form provided by that Office. The registration must contain a certification that the ticket broker:

(A) engages in the resale of tickets on a regular and ongoing basis from one or more permanent or fixed locations located within this State;

(B) maintains as the principal business activity at those locations the resale of tickets;

(C) displays at those locations the ticket broker's registration;

(D) maintains at those locations a listing of the names and addresses of all persons employed by the ticket broker;

(E) is in compliance with all applicable federal, State, and local laws relating to its ticket selling activities, and that neither the ticket broker nor any of its employees within the preceding 12 months have been convicted of a violation of this Act; and

(F) ~~that the ticket broker~~ meets the following requirements:

(i) the ticket broker maintains a statewide toll free number specifically dedicated for Illinois for consumer complaints and inquiries concerning ticket sales;

(ii) the ticket broker has adopted a code that advocates consumer protection that includes, at a minimum:

(a-1) consumer protection guidelines;

(b-1) a standard refund policy. In the event a refund is due, the ticket broker shall provide that refund without charge other than for reasonable delivery fees for the return of the tickets; and

(c-1) standards of professional conduct;

(iii) the ticket broker has adopted a procedure for the binding resolution of consumer complaints by an independent, disinterested third party and thereby submits to the jurisdiction of the State of Illinois; and

(iv) the ticket broker has established and maintains a consumer protection rebate fund in Illinois in an

amount in excess of \$100,000, ~~at least 50% of~~ which must be cash available for immediate disbursement for satisfaction of valid consumer complaints.

Alternatively, the ticket broker may fulfill the requirements of subparagraph (F) of this paragraph (1) subsection (b) if the ticket broker certifies that he or she belongs to a professional association organized under the laws of this State, or organized under the laws of any other state and authorized to conduct business in Illinois, that has been in existence for at least 3 years prior to the date of that broker's registration with the Office of the Secretary of State, and is specifically dedicated, for and on behalf of its members, to provide and maintain the consumer protection requirements of subparagraph (F) of this paragraph (1) subsection (b) to maintain the integrity of the ticket brokerage industry.

(2) (Blank).

(3) The ticket broker and his employees must not engage in the practice of selling, or attempting to sell, tickets for any event while sitting or standing near the facility at which the event is to

be held or is being held unless the ticket broker or his or her employees are on property they own, lease, or have permission to occupy.

(4) The ticket broker must comply with all requirements of the Retailers' Occupation Tax Act and collect and remit all other applicable federal, State and local taxes laws in connection with the ticket broker's ~~his~~ ticket selling activities.

(5) Beginning January 1, 1996, no ticket broker shall advertise for resale any tickets within this State unless the advertisement contains the name of the ticket broker and the Illinois registration number issued by the Office of the Secretary of State under this Section.

(6) Each ticket broker registered under this Act shall pay an annual registration fee of \$100.

(c) This Act does not apply to the sale of tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind for a price in excess of the printed box office ticket price by a reseller engaged in interstate or intrastate commerce on an Internet auction listing service duly registered with the Department of Financial and Professional Regulation under the Auction License Act and with the Office of the Secretary of State on a registration form provided by that Office. This subsection (c) applies to both sales through an online bid submission process and sales at a fixed price on the same website or interactive computer service as an Internet auction listing service registered with the Department of Financial and Professional Regulation.

This subsection (c) applies to resales described in this subsection only if the operator of the Internet auction listing service meets the following requirements:

(1) the operator maintains a listing of the names and addresses of its corporate officers;

(2) the operator is in compliance with all applicable federal, State, and local laws relating to ticket selling activities, and the operator's officers and directors have not been convicted of a violation of this Act within the preceding 12 months;

(3) the operator maintains, either itself or through an affiliate, a toll free number dedicated for consumer complaints;

(4) the operator provides consumer protections that include at a minimum:

(A) consumer protection guidelines;

(B) a standard refund policy that guarantees to all purchasers that it will provide and in fact provides a full refund of the amount paid by the purchaser (including, but not limited to, all fees, regardless of how characterized) if the following occurs:

(i) the ticketed event is cancelled and the purchaser returns the tickets to the seller or Internet auction listing service; however, reasonable delivery fees need not be refunded if the previously disclosed guarantee specifies that the fees will not be refunded if the event is cancelled;

(ii) the ticket received by the purchaser does not allow the purchaser to enter the ticketed event for reasons that may include, without limitation, that the ticket is counterfeit or that the ticket has been cancelled by the issuer due to non-payment, unless the ticket is cancelled due to an act or omission by such purchaser;

(iii) the ticket fails to conform to its description on the Internet auction listing service; or

(iv) the ticket seller willfully fails to send the ticket or tickets to the purchaser, or the ticket seller attempted to deliver the ticket or tickets to the purchaser in the manner required by the Internet auction listing service and the purchaser failed to receive the ticket or tickets; and

(C) standards of professional conduct;

(5) the operator has adopted an independent and disinterested dispute resolution procedure that allows resellers or purchasers to file complaints against the other and have those complaints mediated or resolved by a third party, and requires the resellers or purchasers to submit to the jurisdiction of the State of Illinois for complaints involving a ticketed event held in Illinois;

(6) the operator either:

(A) complies with all applicable requirements of the Retailers' Occupation Tax Act and collects and remits all applicable federal, State, and local taxes; or

(B) publishes a written notice on the website after the sale of one or more tickets that automatically informs the ticket reseller of the ticket reseller's potential legal obligation to pay any applicable local amusement tax in connection with the reseller's sale of tickets, and discloses to law enforcement or other government tax officials, without subpoena, the name, city, state, telephone number, e-mail address, user ID history, fraud complaints, and bidding and listing history of any specifically identified reseller or purchaser upon the receipt of a verified request from law enforcement or other government tax officials relating to a criminal investigation or alleged illegal activity; and

(7) the operator either:

(A) has established and maintains a consumer protection rebate fund in Illinois in an amount in excess of \$100,000, which must be cash available for immediate disbursement for satisfaction of valid consumer complaints; or

(B) has obtained and maintains in force an errors and omissions insurance policy that provides at least \$100,000 in coverage and proof that the policy has been filed with the Department of Financial and Professional Regulation.

(d) This Act does not apply to the resale of tickets of admission to a sporting event, theater, musical performance, or place of public entertainment or amusement of any kind for a price in excess of the printed box office ticket price conducted at an auction solely by or for a not-for-profit organization for charitable purposes under clause (a)(1) of Section 10-1 of the Auction License Act.

(e) This Act does not apply to the resale of a ticket for admission to a baseball game, football game, hockey game, theatre entertainment, or any other amusement for a price more than the price printed on the face of the ticket and for more than the price of the ticket at the box office if the resale is made through an Internet website whose operator meets the following requirements:

(1) the operator has a business presence and physical street address in the State of Illinois and clearly and conspicuously posts that address on the website;

(2) the operator maintains a listing of the names of the operator's directors and officers, and is duly registered with the Office of the Secretary of State on a registration form provided by that Office;

(3) the operator is in compliance with all applicable federal, State, and local laws relating to its ticket reselling activities regulated under this Act, and the operator's officers and directors have not been convicted of a violation of this Act within the preceding 12 months;

(4) the operator maintains a toll free number specifically dedicated for consumer complaints and inquiries regarding ticket resales made through the website;

(5) the operator either:

(A) has established and maintains a consumer protection rebate fund in Illinois in an amount in excess of \$100,000, which must be cash available for immediate disbursement for satisfaction of valid consumer complaints; or

(B) has obtained and maintains in force an errors and omissions policy of insurance in the minimum amount of \$100,000 for the satisfaction of valid consumer complaints;

(6) the operator has adopted an independent and disinterested dispute resolution procedure that allows resellers or purchasers to file complaints against the other and have those complaints mediated or resolved by a third party, and requires the resellers or purchasers to submit to the jurisdiction of the State of Illinois for complaints involving a ticketed event held in Illinois;

(7) the operator either:

(A) complies with all applicable requirements of the Retailers' Occupation Tax Act and collects and remits all applicable federal, State, and local taxes; or

(B) publishes a written notice on the website after the sale of one or more tickets that automatically informs the ticket reseller of the ticket reseller's potential legal obligation to pay any applicable local amusement tax in connection with the reseller's sale of tickets, and discloses to law enforcement or other government tax officials, without subpoena, the name, city, state, telephone number, e-mail address, user ID history, fraud complaints, and bidding and listing history of any specifically identified reseller or purchaser upon the receipt of a verified request from law enforcement or other government tax officials relating to a criminal investigation or alleged illegal activity; and

(8) the operator guarantees to all purchasers that it will provide and in fact provides a full refund of the amount paid by the purchaser (including, but not limited to, all fees, regardless of how characterized) if any of the following occurs:

(A) the ticketed event is cancelled and the purchaser returns the tickets to the website operator; however, reasonable delivery fees need not be refunded if the previously disclosed guarantee specifies that the fees will not be refunded if the event is cancelled;

(B) the ticket received by the purchaser does not allow the purchaser to enter the ticketed event for reasons that may include, without limitation, that the ticket is counterfeit or that the ticket has been cancelled by the issuer due to non-payment, unless the ticket is cancelled due to an act or omission by the purchaser;

(C) the ticket fails to conform to its description on the website; or

(D) the ticket seller willfully fails to send the ticket or tickets to the purchaser, or the ticket seller attempted to deliver the ticket or tickets to the purchaser in the manner required by the website operator and

the purchaser failed to receive the ticket or tickets.

Nothing in this subsection (e) shall be deemed to imply any limitation on ticket sales made in accordance with subsections (b), (c), and (d) of this Section or any limitation on sales made in accordance with Section 4.

(f) The provisions of subsections (b), (c), (d), and (e) of this Section apply only to the resale of a ticket after the initial sale of that ticket. No reseller of a ticket may refuse to sell tickets to another ticket reseller solely on the basis that the purchaser is a ticket reseller or ticket broker authorized to resell tickets pursuant to this Act.

(g) The provisions of ~~Public Act 89-406 this amendatory Act of 1995~~ are severable under Section 1.31 of the Statute on Statutes.

(h) The provisions of this amendatory Act of the 94th General Assembly are severable under Section 1.31 of the Statute on Statutes.

(Source: P.A. 89-406, eff. 11-15-95.)

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 934. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 3767. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Ryg offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3767 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Business Location Efficiency Incentive Act.

Section 5. Definitions. In this Act:

"Location efficient" means a project that maximizes the use of existing investments in infrastructure, avoids or minimizes additional government expenditures for new infrastructure, and has nearby housing affordable to the permanent workforce of the project or has accessible and affordable mass transit or its equivalent or some combination of both.

"Location efficiency report" means a report that is prepared by an applicant for increased State economic development assistance under Section 10 and follows this Act and any related Department guidelines, and that describes the existence of (i) affordable workforce housing or (ii) accessible and affordable mass transit or its equivalent.

"Employee housing or transportation remediation plan" means a plan to increase affordable housing or transportation options, or both, for employees earning up to the median annual salary of the workforce at the project. The plan may include, but is not limited to, an employer-financed or assisted housing program that can be supplemented by State or federal grants, shuttle services between the place of employment and existing transit stops or other reasonably accessible places, facilitation of employee carpooling, or similar services.

"Accessible and affordable mass transit" means access to transit stops with regular and frequent service within one mile from the project site and pedestrian access to transit stops.

"Affordable workforce housing" means owner-occupied or rental housing that costs, based on current census data for the municipality where the project is located or any municipality within 3 miles of the municipality where the project is located, no more than 35% of the median salary at the project site, exclusive of the highest 10% of the site's salaries. If the project is located in an unincorporated area, "affordable workforce housing" means no more than 35% of the median salary at the project site, excluding the highest 10% of the site's salaries, based on the median cost of rental or of owner-occupied housing in the county where the unincorporated area is located.

"Department" means the Department of Commerce and Economic Opportunity (DCEO) or its

successor agency.

"Applicant" means a company or its representative that negotiates or applies for economic development assistance from DCEO.

"Economic development assistance" means State tax credits and tax exemptions given as an incentive to an eligible company after certification by DCEO under the Economic Development for a Growing Economy Tax Credit Act (EDGE).

"Existence of infrastructure" means the existence within 1,500 feet of the proposed site of roads, sewers, sidewalks, and other utilities and a description of the investments or improvements, if any, that an applicant expects State or local government to make to that infrastructure.

Section 10. Economic development assistance awards.

(a) An applicant that also wants to be considered for increased economic development assistance under this Act shall submit a location efficiency report.

(b) DCEO shall give an applicant an increased tax credit or extension if the applicant's location efficiency report demonstrates that the applicant is seeking assistance for a project to be located in an area that satisfies this Act's standards for affordable workforce housing or affordable and accessible mass transit. If the Department determines from the location efficiency report that the applicant is seeking assistance in an area that is not location efficient, the Department shall award an increase in State economic development assistance if an applicant (i) submits, and the Department accepts, an applicant's employee housing and transportation remediation plan or (ii) creates jobs in a labor surplus area as defined by the Department of Employment Security at the end of each calendar year.

(c) Applicants locating or expanding at location-efficient sites, with approved location efficiency plans, or creating jobs in labor surplus areas can receive (i) up to 10% more than the maximum allowable tax credits for which they are eligible under the Economic Development for a Growing Economy Tax Credit Act (EDGE), but not to equal or exceed 100% of the applicant's tax liability, or (ii) such other adjustment of those tax credits, including but not limited to extensions, as the Department deems appropriate.

(d) The Department may provide technical assistance to employers requesting assistance in developing an appropriate employee housing or transportation plan.

Section 15. Summaries; progress reports.

(a) DCEO shall include summaries of the initial employee housing or transportation plans for each assisted project in the annual compilation and publication of project progress reports required under subsection (d) of Section 20 of the Corporate Accountability for Tax Expenditures Act. Companies that fail to do so or that make inadequate progress shall have their increased tax credit or extension eliminated. Applicants and submitted data are subject to all disclosure, reporting, and recapture provisions set forth in Public Act 93-552.

(b) By June 1, 2007 and by June 1 of each year thereafter through 2010, the Department shall include, when appropriate, data on the outcomes or status of approved employee housing or transportation plans in the project progress reports required under the Corporate Accountability for Tax Expenditure Act.

Section 20. Duration of incentives; report to General Assembly.

(a) Any multi-year incentive awarded under this Act shall continue for the time period called for in the agreement with the Department and shall not be altered by the repeal of this Act.

(b) By January 1, 2010, the Department shall submit to the Speaker of the House of Representatives and the President of the Senate, for assignment to the appropriate committees, a report on the incentives awarded under this Act and the Department's activities, findings, and recommendations with respect to this Act and its extension, amendment, or repeal. The report, when acted upon by those committees, shall be distributed to each member of the General Assembly.

Section 25. Repeal. This Act is repealed on December 31, 2010.

Section 99. Effective date. This Act takes effect January 1, 2006."

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Ryg, HOUSE BILL 834 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: 113, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 39)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Soto, HOUSE BILL 3471 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: 76, Yeas; 37, Nays; 0, Answering Present.
(ROLL CALL 40)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 1133. Having been recalled on April 11, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Soto offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1133, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, by replacing line 7 with the following:

"Sec. 5-25. Pediatric asthma initiative.

(a) During fiscal year"; and

on page 1, after line 22, by inserting the following:

"(b) After completing the review under subsection (a), the Department of Public Aid shall develop a pilot asthma disease management program. The pilot program shall be targeted to an area or areas with the highest prevalence of asthma. The Department shall consult with the Department of Public Health and other State agencies, federal health agencies, experts in asthma and immunology, providers, and consumers in developing the pilot program. The pilot program shall also seek to maximize collaborations between existing asthma programs in the State of Illinois. The pilot program shall be subject to specific appropriations or budget savings derived from the program due to reduced asthma-related hospitalizations or emergency room visits."

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

RECALL

At the request of the principal sponsor, Representative Smith, HOUSE BILL 3687 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILL ON SECOND READING

HOUSE BILL 822. Having been read by title a second time on April 5, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Washington offered the following amendments and moved their adoption.

AMENDMENT NO. 1. Amend House Bill 822 by replacing everything after the enacting clause with the following:

"Section 5. The Assisted Living and Shared Housing Act is amended by changing Section 70 as follows:
(210 ILCS 9/70)

Sec. 70. Service requirements. An establishment must provide all mandatory services and may provide optional services, including medication reminders, supervision of self-administered medication and medication administration as defined by this Section and nonmedical services defined by rule, whether provided directly by the establishment or by another entity arranged for by the establishment with the consent of the resident or the resident's representative.

For the purposes of this Section, "medication reminders" means reminding residents to take pre-dispensed, self-administered medication, observing the resident, and documenting whether or not the resident took the medication.

For the purposes of this Section, "supervision of self-administered medication" means assisting the resident with self-administered medication using any combination of the following: reminding residents to take medication, reading the medication label to residents, checking the self-administered medication dosage against the label of the medication, confirming that residents have obtained and are taking the dosage as prescribed, and documenting in writing that the resident has taken (or refused to take) the medication. If residents are physically unable to open the container, the container may be opened for them. Supervision of self-administered medication shall be under the direction of a licensed health care professional.

For the purposes of this Section, "medication administration" refers to a licensed health care professional employed by an establishment engaging in administering routine insulin and vitamin B-12 injections, oral medications, topical treatments, eye and ear drops, or nitroglycerin patches. Non-licensed staff may not administer any medication, except that a certified medication aide may administer all medications allowed under Department of Public Health rules adopted to implement Section 3-206.05 of the Nursing Home Care Act. A certified medication aide is prohibited from administering medication to a resident until the required comprehensive assessment by a physician is completed. A certified medication aide is prohibited from administering medication to a resident whose medical condition is determined to be unstable.

The Department shall specify by rule procedures for medication reminders, supervision of self-administered medication, and medication administration.

Nothing in this Act shall preclude a physician licensed to practice medicine in all its branches from providing services to any resident.

(Source: P.A. 91-656, eff. 1-1-01.)

Section 10. The Nursing Home Care Act is amended by adding Section 3-206.05 as follows:
(210 ILCS 45/3-206.05 new)

Sec. 3-206.05. Certified medication aide.

(a) The General Assembly finds that 30 other states have had successful medication aide programs for many years. Further, the addition of certified medication aides would increase the amount of skilled nursing care available by enabling licensed nurses to devote even more time to the assessment and monitoring of patient conditions. The certified medication aide will assist a licensed nurse in the administration of routine medications.

(b) The Director shall appoint a Planning and Certification Committee to develop the training curriculum, certification test, certification requirements, continuing education standards, regulations, and ongoing evaluation process for medication aides. The committee shall review any reports of gross negligence on the part of any medication aide and shall monitor the overall effectiveness of the medication aide program. The committee shall be composed of one representative from a nursing association, one representative from a nursing school, one representative from the community colleges, one representative from an organization advocating for seniors, and 3 representatives from associations representing long-term care providers. The committee shall submit an annual progress report to the General Assembly beginning July 1, 2006. The report shall include a progress report on medication aide program implementation and recommendations for legislative changes necessary for program improvement.

(c) Based on the recommendations of the Planning and Certification Committee, the Department shall adopt and implement rules for the training, certification, and employment of certified medication aides in

facilities licensed under this Act. Certified medication aides shall be allowed to administer medications to facility residents under the supervision of a duly licensed health care professional in accordance with rules adopted by the Department under this Section.

(d) Unless an individual is certified under this Section:

(1) The individual may not practice as a certified medication aide.

(2) A facility may not employ the individual as a certified medication aide.

(e) A certified medication aide must comply with all of the following:

(1) He or she must be a duly certified nursing assistant under this Act for at least one year.

(2) He or she must satisfactorily complete the medication aide training program involving at least 60 hours of classroom training and 40 hours of clinical training prescribed by the Department.

(3) He or she must satisfactorily meet all continuing education and recertification requirements prescribed by the Department.

(4) He or she may not administer any schedule II controlled substances, any medication by sub-cutaneous, intramuscular, intradermal, or intravenous route, or any medications injected into a tube.

(5) He or she may not pass medications in a sub-acute section of a nursing home.

(6) He or she is prohibited from administering medication to a resident of a long-term care facility until the initial comprehensive assessment is completed and reviewed by a licensed health care professional.

(7) He or she is prohibited from administering medication to a resident whose comprehensive assessment indicated an unstable medical condition.

(f) A facility must comply with the following staffing requirements:

(1) Only a certified medication aide may be employed in the capacity of a medication aide.

(2) A certified medication aide may not be assigned other duties when employed in the capacity of a medication aide.

(3) A certified medication aide may not be used to achieve minimum staffing requirements under this Act.

(g) The Department shall do all of the following:

(1) Prescribe education and training programs for certified medication aides.

(2) Prescribe requirements for re-certification, including continuing education and in-service requirements.

(3) Develop standards concerning the functions that may be performed by certified medication aides, including standards for oversight by a licensed healthcare professional.

Section 15. The Nursing and Advanced Practice Nursing Act is amended by changing Section 5-15 as follows:

(225 ILCS 65/5-15)

(Section scheduled to be repealed on January 1, 2008)

Sec. 5-15. Policy; application of Act. For the protection of life and the promotion of health, and the prevention of illness and communicable diseases, any person practicing or offering to practice professional and practical nursing in Illinois shall submit evidence that he or she is qualified to practice, and shall be licensed as provided under this Act. No person shall practice or offer to practice professional or practical nursing in Illinois or use any title, sign, card or device to indicate that such a person is practicing professional or practical nursing unless such person has been licensed under the provisions of this Act.

This Act does not prohibit the following:

(a) The practice of nursing in Federal employment in the discharge of the employee's duties by a person who is employed by the United States government or any bureau, division or agency thereof and is a legally qualified and licensed nurse of another state or territory and not in conflict with Sections 10-5, 10-30, and 10-45 of this Act.

(b) Nursing that is included in their program of study by students enrolled in programs of nursing or in current nurse practice update courses approved by the Department.

(c) The furnishing of nursing assistance in an emergency.

(d) The practice of nursing by a nurse who holds an active license in another state when providing services to patients in Illinois during a bonafide emergency or in immediate preparation for or during interstate transit.

(e) The incidental care of the sick by members of the family, domestic servants or housekeepers, or care of the sick where treatment is by prayer or spiritual means.

(f) Persons from being employed as nursing aides, attendants, orderlies, and other auxiliary workers in private homes, long term care facilities, nurseries, hospitals or other institutions.

(g) The practice of practical nursing by one who has applied in writing to the Department in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who has complied with all the provisions under Section 10-30, except the passing of an examination to be eligible to receive such license, until: the decision of the Department that the applicant has failed to pass the next available examination authorized by the Department or has failed, without an approved excuse, to take the next available examination authorized by the Department or until the withdrawal of the application, but not to exceed 3 months. An applicant practicing practical nursing under this Section who passes the examination, however, may continue to practice under this Section until such time as he or she receives his or her license to practice or until the Department notifies him or her that the license has been denied. No applicant for licensure practicing under the provisions of this paragraph shall practice practical nursing except under the direct supervision of a registered professional nurse licensed under this Act or a licensed physician, dentist or podiatrist. In no instance shall any such applicant practice or be employed in any supervisory capacity.

(h) The practice of practical nursing by one who is a licensed practical nurse under the laws of another U.S. jurisdiction and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who is qualified to receive such license under Section 10-30, until (1) the expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(i) The practice of professional nursing by one who has applied in writing to the Department in form and substance satisfactory to the Department for a license as a registered professional nurse and has complied with all the provisions under Section 10-30 except the passing of an examination to be eligible to receive such license, until the decision of the Department that the applicant has failed to pass the next available examination authorized by the Department or has failed, without an approved excuse, to take the next available examination authorized by the Department or until the withdrawal of the application, but not to exceed 3 months. An applicant practicing professional nursing under this Section who passes the examination, however, may continue to practice under this Section until such time as he or she receives his or her license to practice or until the Department notifies him or her that the license has been denied. No applicant for licensure practicing under the provisions of this paragraph shall practice professional nursing except under the direct supervision of a registered professional nurse licensed under this Act. In no instance shall any such applicant practice or be employed in any supervisory capacity.

(j) The practice of professional nursing by one who is a registered professional nurse under the laws of another state, territory of the United States or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a registered professional nurse and who is qualified to receive such license under Section 10-30, until (1) the expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(k) The practice of professional nursing that is included in a program of study by one who is a registered professional nurse under the laws of another state or territory of the United States or foreign country, territory or province and who is enrolled in a graduate nursing education program or a program for the completion of a baccalaureate nursing degree in this State, which includes clinical supervision by faculty as determined by the educational institution offering the program and the health care organization where the practice of nursing occurs. The educational institution will file with the Department each academic term a list of the names and origin of license of all professional nurses practicing nursing as part of their programs under this provision.

(l) Any person licensed in this State under any other Act from engaging in the practice for which she or he is licensed.

(m) Delegation to authorized direct care staff trained under Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act.

(n) Administration of medications by a certified medication aide certified under Section 3-206.05 of the Nursing Home Care Act. Any nurse providing supervision to a certified medication aide is not liable under this Act for the actions of the medication aide.

An applicant for license practicing under the exceptions set forth in subparagraphs (g), (h), (i), and (j) of this Section shall use the title R.N. Lic. Pend. or L.P.N. Lic. Pend. respectively and no other.

(Source: P.A. 93-265, eff. 7-22-03.)"

AMENDMENT NO. 2. Amend House Bill 822, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 9, line 8, after the period, by inserting the following: "Nothing in this Section shall be construed to grant a facility immunity from liability based upon the actions of the medication aide.".

The foregoing motion prevailed and Amendments numbered 1 and 2 were adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Nekritz, HOUSE BILL 242 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the negative by the following vote: 46, Yeas; 63, Nays; 3, Answering Present.

(ROLL CALL 41)

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

HOUSE BILL ON SECOND READING

HOUSE BILL 866. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Saviano, HOUSE BILL 3696 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: 113, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 42)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1031. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 remained in the Committee on Rules.

Representative Saviano offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1031 by replacing everything after the enacting clause with the following:

"Section 5. The Pharmacy Practice Act of 1987 is amended by changing Sections 14, 15, and 18 as follows:

(225 ILCS 85/14) (from Ch. 111, par. 4134)

(Section scheduled to be repealed on January 1, 2008)

Sec. 14. Structural and equipment requirements. No person shall establish or move to a new location any pharmacy unless the pharmacy is licensed with the Department and has on file with the Department a verified statement that:

(1) such pharmacy is or will be engaged in the practice of pharmacy; and

(2) other than a Division VI pharmacy, such pharmacy will have in stock and shall maintain sufficient drugs and materials

as to protect the public it serves within 30 days after the issuance of the registration of the pharmacy.

Division I, II, III, IV, or V pharmacies shall be in a suitable, well-lighted and well-ventilated area with at least 300 square feet of clean and sanitary contiguous space and shall be suitably equipped for compounding prescriptions, storage of drugs and sale of drugs and to otherwise conduct the practice of pharmacy. The space occupied shall be equipped with a sink with hot and cold water or facilities for heating water, proper sewage outlet, refrigeration storage equipment, and such fixtures, facilities, drugs, equipment and material, which shall include the current editions of the United States Pharmacopoeia/DI, Facts and Comparisons, or any other current compendium approved by the Department, and other such reference works, as will enable a pharmacist to practice pharmacy, including this Act and the rules promulgated under this Act. Such pharmacy shall have the following items: accurate weights of 0.5 gr. to 4 oz. and 20 mg to 100 Gm; and a prescription balance equipped with balance indicator and with mechanical means of arresting the oscillations of the mechanism and which balance shall be sensitive to 0.5 grain (32 mg) or less or an alternative weighing device as approved by the Department, and such other measuring devices as may be necessary for the conduct of the practice of pharmacy.

The provisions of this Section with regard to 300 square feet of space shall apply to any pharmacy which is opened after the effective date of this Act. Nothing shall require a pharmacy in existence on the effective date of this Act which is comprised of less than 300 square feet to provide additional space to meet these requirements.

Any structural and equipment requirements for a Division VI pharmacy shall be set by rule.

(Source: P.A. 92-880, eff. 1-1-04.)

(225 ILCS 85/15) (from Ch. 111, par. 4135)

(Section scheduled to be repealed on January 1, 2008)

Sec. 15. Pharmacy requirements. It shall be unlawful for the owner of any pharmacy, as defined in this Act, to operate or conduct the same, or to allow the same to be operated or conducted, unless:

(a) It has a licensed pharmacist, authorized to practice pharmacy in this State under the provisions of this Act, on duty whenever the practice of pharmacy is conducted;

(b) Security provisions for all drugs and devices, as determined by rule of the Department, are provided during the absence from the licensed pharmacy of all licensed pharmacists. Maintenance of security provisions is the responsibility of the licensed registered pharmacist in charge; and

(c) The pharmacy is licensed under this Act to do business.

The Department shall, by rule, provide requirements for each division of pharmacy license and shall, as well provide guidelines for the designation of a registered pharmacist in charge for each division.

Division I. Retail Licenses for pharmacies which are open to, or offer pharmacy services to, the general public.

Division II. Licenses for pharmacies whose primary pharmacy service is provided to patients or residents of facilities licensed under the Nursing Home Care Act or the Hospital Licensing Act, or "An Act in relation to the founding and operation of the University of Illinois Hospital and the conduct of University of Illinois health care programs", approved July 3, 1931, as amended, and which are not located in the facilities they serve.

Division III. Licenses for pharmacies which are located in a facility licensed under the Nursing Home Care Act or the Hospital Licensing Act, or "An Act in relation to the founding and operation of the University of Illinois Hospital and the conduct of University of Illinois health care programs", approved July 3, 1931, as amended, or a facility which is operated by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) or the Department of Corrections, and which provide pharmacy services to residents or patients of the facility, as well as employees, prescribers and students of the facility.

Division IV. Licenses for pharmacies which provide or offer for sale radioactive materials.

Division V. Licenses for pharmacies which hold licenses in Division II or Division III which also provide pharmacy services to the general public, or pharmacies which are located in or whose primary pharmacy service is to ambulatory care facilities or schools of veterinary medicine or other such institution or facility.

Division VI. Licenses for pharmacies that provide pharmacy services to patients of institutions serviced by pharmacies with a Division II or Division III license, without using their own supply of drugs. Division VI pharmacies may provide pharmacy services only in cooperation with an institution's pharmacy or pharmacy provider. Nothing in this paragraph shall constitute a change to the practice of pharmacy as defined in Section 3 of this Act. Nothing in this amendatory Act of the 94th General Assembly shall in any way alter the definition or operation of any other division of pharmacy as provided in this Act.

The Director may waive the requirement for a pharmacist to be on duty at all times for State facilities not treating human ailments.

It shall be unlawful for any person, who is not a licensed pharmacy or health care facility, to purport to be such or to use in name, title, or sign designating, or in connection with that place of business, any of the words: "pharmacy", "pharmacist", "pharmacy department", "apothecary", "druggist", "drug", "drugs", "medicines", "medicine store", "drug sundries", "prescriptions filled", or any list of words indicating that drugs are compounded or sold to the lay public, or prescriptions are dispensed therein. Each day during which, or a part which, such representation is made or appears or such a sign is allowed to remain upon or in such a place of business shall constitute a separate offense under this Act.

The holder of any license or certificate of registration shall conspicuously display it in the pharmacy in which he is engaged in the practice of pharmacy. The registered pharmacist in charge shall conspicuously display his name in such pharmacy. The pharmacy license shall also be conspicuously displayed.

(Source: P.A. 92-880, eff. 1-1-04.)

(225 ILCS 85/18) (from Ch. 111, par. 4138)

(Section scheduled to be repealed on January 1, 2008)

Sec. 18. Record retention.

(a) Except as provided in subsection (b), there ~~There~~ shall be kept in every drugstore or pharmacy a suitable book, file, or electronic record keeping system in which shall be preserved for a period of not less than 5 years the original of every written prescription and the original transcript or copy of every verbal prescription filled, compounded, or dispensed, in such pharmacy; and such book or file of prescriptions shall at all reasonable times be open to inspection to the pharmacy coordinator and the duly authorized agents or employees of the Department.

Every prescription filled or refilled shall contain the unique identifier of the person authorized to practice pharmacy under the provision of this Act who fills or refills the prescription.

Records kept pursuant to this Section may be maintained in an alternative data retention system, such as a direct digital imaging system, provided that:

(1) the records maintained in the alternative data retention system contain all of the information required in a manual record;

(2) the data processing system is capable of producing a hard copy of the electronic record on the request of the Board, its representative, or other authorized local, State, or federal law enforcement or regulatory agency; and

(3) the digital images are recorded and stored only by means of a technology that does not allow subsequent revision or replacement of the images.

As used in this Section, "digital imaging system" means a system, including people, machines, methods of organization, and procedures, that provides input, storage, processing, communications, output, and control functions for digitized representations of original prescription records.

Inpatient drug orders may be maintained within an institution in a manner approved by the Department.

(b) The record retention requirements for a Division VI pharmacy shall be set by rule.

(Source: P.A. 92-880, eff. 1-1-04.)

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3045. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Saviano offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 3045 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Plumbing License Law is amended by changing Sections 2, 2.5, and 29.5 as follows:

(225 ILCS 320/2) (from Ch. 111, par. 1102)

Sec. 2. When used in this Act:

"Agent" means a person designated by a sponsor as responsible for supervision of an apprentice plumber and who is also an Illinois licensed plumber.

"Apprentice plumber" means any licensed person who is learning and performing plumbing under the supervision of a sponsor or his agent in accordance with the provisions of this Act.

"Approved apprenticeship program" means an apprenticeship program approved by the U.S. Department of Labor's Bureau of Apprenticeship and Training and the Department under rules.

"Board" means the Illinois State Board of Plumbing Examiners.

"Building drain" means that part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of a building and conveys it to 5 feet beyond the foundation walls where it is connected to the building sewer.

"Building sewer" means that part of the horizontal piping of a drainage system that extends from the end of the building drain, receives the discharge of the building drain and conveys it to a public sewer or private sewage disposal system.

"Department" means the Illinois Department of Public Health.

"Director" means the Director of the Illinois Department of Public Health.

"Governmental unit" means a city, village, incorporated town, county, or sanitary or water district.

"Irrigation contractor" means a person who installs or supervises the installation of lawn sprinkler systems subject to Section 2.5 of this Act, other than a licensed plumber or a licensed apprentice plumber.

"Irrigation employee" means a person who is employed by a registered irrigation contractor or a licensed plumber, and who designs, repairs, alters, maintains, or installs lawn sprinkler systems that are subject to Section 2.5 of this Law.

"Lawn sprinkler system" means any underground irrigation system of lawn, shrubbery and other vegetation from any potable water sources; and from any water sources, whether or not potable, ~~in: (i) any county with a population of 3,000,000 or more; (ii) any county with a population of 275,000 or more which is contiguous in whole or in part to a county with a population of 3,000,000 or more; and (iii) any county with a population of 37,000 or more but less than 150,000 which is contiguous to 2 or more counties with respective populations in excess of 275,000.~~ "Lawn sprinkler system" includes without limitation the water supply piping, valves, control systems, low voltage wiring, and sprinkler heads or other irrigation outlets, and moisture or rainfall sensing equipment, but does not include the backflow prevention device. "Lawn sprinkler system" does not include an irrigation system used primarily for agricultural purposes.

"Person" means any natural person, firm, corporation, partnership, or association.

"Plumber" means any licensed person authorized to perform plumbing as defined in this Act, but does not include retired plumbers as defined in this Act.

"Plumbing" means the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person.

"Plumbing" includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems and backflow prevention devices connected to lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley or at the curb to, within and about any building or buildings where a person or persons live, work or assemble.

"Plumbing" includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems.

"Plumbing" includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system 5 feet beyond the foundation walls.

"Plumbing" does not mean or include the trade of drain-laying, the trade of drilling water wells which

constitute the sources of private water supplies, and of making connections between such wells and pumping units in the water supply systems of buildings served by such private water supplies, or the business of installing water softening equipment and of maintaining and servicing the same, or the business of manufacturing or selling plumbing fixtures, appliances, equipment or hardware, or to the installation and servicing of electrical equipment sold by a not-for-profit corporation providing electrification on a cooperative basis, that either on or before January 1, 1971, is or has been financed in whole or in part under the federal Rural Electrification Act of 1936 and the Acts amendatory thereof and supplementary thereto, to its members for use on farms owned by individuals or operated by individuals, nor does it mean or include minor repairs which do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or re-installation of any pipe or plumbing fixtures. Plumbing does not include the installation, repair, maintenance, alteration or extension of building sewers.

"Plumbing contractor" means any person who performs plumbing, as defined in this Act, for another person. "Plumbing contractor" shall not include licensed plumbers and licensed apprentice plumbers who either are employed by persons engaged in the plumbing business or are employed by another person for the performance of plumbing solely for that other person, including, but not limited to, a hospital, university, or business maintenance staff.

"Plumbing fixtures" means installed receptacles, devices or appliances that are supplied with water or that receive or discharge liquids or liquid borne wastes, with or without discharge into the drainage system with which they may be directly or indirectly connected.

"Plumbing system" means the water service, water supply and distribution pipes; plumbing fixtures and traps; soil, waste and vent pipes; building drains; including their respective connections, devices and appurtenances.

"Plumbing system" does not include building sewers as defined in this Act.

"Retired plumber" means any licensed plumber in good standing who meets the requirements of this Act and the requirements prescribed by Department rule to be licensed as a retired plumber and voluntarily surrenders his plumber's license to the Department, in exchange for a retired plumber's license. Retired plumbers cannot perform plumbing as defined in this Act, cannot sponsor or supervise apprentice plumbers, and cannot inspect plumbing under this Act. A retired plumber cannot fulfill the requirements of subsection (3) of Section 3 of this Act.

"Supervision" with respect to first and second year licensed apprentice plumbers means that such apprentices must perform all designing and planning of plumbing systems and all plumbing as defined in this Act under the direct personal supervision of the sponsor or his or her agent who must also be an Illinois licensed plumber, except for maintenance and repair work on existing plumbing systems done by second year apprentice plumbers; provided that before performing any maintenance and repair work without such supervision, such apprentice has received the minimum number of hours of annual classroom instruction recommended by the United States Department of Labor's Bureau of Apprenticeship and Training for apprentice plumbers in a Bureau of Apprenticeship and Training approved plumber apprenticeship program or its equivalent. "Supervision" with respect to all other apprentice plumbers means that, except for maintenance and repair work on existing plumbing systems, any plumbing done by such apprentices must be inspected daily, after initial rough-in and after completion by the sponsor or his or her agent who is also an Illinois licensed plumber. In addition, all repair and maintenance work done by a licensed apprentice plumber on an existing plumbing system must be approved by the sponsor or his or her agent who is also an Illinois licensed plumber.

"Sponsor" is an Illinois licensed plumber or an approved apprenticeship program that has accepted an individual as an Illinois licensed apprentice plumber for education and training in the field of plumbing and whose name and license number or apprenticeship program number shall appear on the individual's application for an apprentice plumber's license.

"Sponsored" means that each Illinois licensed apprentice plumber has been accepted by an Illinois licensed plumber or an approved apprenticeship program for apprenticeship training.

"Telecommunications carrier" means a telecommunications carrier as defined in the Public Utilities Act. (Source: P.A. 91-184, eff. 1-1-00; 91-678, eff. 1-26-00; 92-338, eff. 8-10-01.)

(225 ILCS 320/2.5)

(Section scheduled to be repealed on January 1, 2013)

Sec. 2.5. Irrigation contractors; lawn sprinkler systems.

(a) Every irrigation contractor doing business in this State shall annually register with the Department. Every irrigation contractor shall provide to the Department his or her business name and address, telephone number, name of principal, ~~and~~ FEIN number, and an original certificate of insurance documenting that the

irrigation contractor carries general liability insurance with a minimum of \$100,000 per occurrence, bodily injury insurance with a minimum of \$300,000 per occurrence, property damage insurance with a minimum of \$50,000, and worker's compensation insurance with a minimum of \$500,000. No registration may be issued in the absence of the certificate of insurance. The certificate must be in force at all times for registration to remain valid.

On a form provided by the Department, every irrigation contractor must provide to the Department an indemnification bond in the amount of \$20,000 or an irrevocable letter of credit from a financial institution guaranteeing that funds shall be available only to the Department and shall be released upon written notification by the Department in the same amount for any work on lawn sprinkler systems performed by the registered irrigation contractor. The letter of credit shall be printed on the letterhead of the issuing financial institution, be signed by an officer of the same financial institution, name the Department as the sole beneficiary, and expire on February 28 of each year.

Every irrigation contractor doing business in this State shall also register with the Department each and every employee who installs or supervises the installation of lawn sprinkler systems. The registration shall include the employee's name, home address, and telephone number. The Department may provide by rule for the administration of registrations under this subsection. The annual registration fee shall be set by the Department pursuant to Section 30 of this Act. Each registered irrigation contractor must provide proof that he or she employs at least one irrigation employee who has completed and passed an approved class in the design and installation of lawn sprinkler systems.

(b) A licensed plumber or licensed apprentice plumber may install a lawn sprinkler system connected to any water source without registration under this Section.

(c) A licensed plumber shall inspect every sprinkler system installed by an irrigation contractor to ensure the provisions of this Section have been met and that the system works mechanically. A licensed plumber shall make the physical connection between a lawn sprinkler system and the backflow prevention device.

Upon the installation of every lawn sprinkler system in this State from the effective date of this amendatory Act of the 91st General Assembly forward, a licensed plumber shall affix to the backflow prevention device a tag certifying that the installation of that system has been completed in compliance with the minimum code of plumbing standards promulgated under this Act. The Department shall provide by rule for the registration of every lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly, including the means by which the Department shall be able to identify by registration number the identity of the responsible irrigation contractor and by license number the identity of the responsible licensed plumber. No lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly may be operated without the certification tag required under this Section.

The registered irrigation contractor and the licensed plumber whose identifying information is contained on the certification tag shall both be subject to the penalty provisions of this Act for violations for improper installation of a lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly.

(d) An irrigation contractor who ~~that~~ has registered with the Department 7 or fewer persons who are authorized to install or supervise the installation of lawn sprinkler systems shall either employ or contract with at least one licensed plumber who shall install or be responsible for the installation of every lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly. The licensed plumber shall inspect the risers and sprinkler heads before backfilling.

An irrigation contractor who ~~that~~ has registered with the Department 8 to 12 persons who are authorized to install or supervise the installation of lawn sprinkler systems shall either employ or contract with at least 2 licensed plumbers who shall install or be responsible for the installation of every lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly. A licensed plumber shall inspect the risers and sprinkler heads before backfilling.

An irrigation contractor who ~~that~~ has registered with the Department 13 to 20 persons who are authorized to install or supervise the installation of lawn sprinkler systems shall either employ or contract with at least 3 licensed plumbers who shall install or be responsible for the installation of every lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly. A licensed plumber shall inspect the risers and sprinkler heads before backfilling.

An irrigation contractor who ~~that~~ has registered with the Department 21 to 28 persons who are authorized to install or supervise the installation of lawn sprinkler systems shall either employ or contract with at least 4 licensed plumbers who shall install or be responsible for the installation of every lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly. A

licensed plumber shall inspect the risers and sprinkler heads before backfilling.

An irrigation contractor who ~~that~~ has registered with the Department 29 to 35 persons who are authorized to install or supervise the installation of lawn sprinkler systems shall either employ or contract with at least 5 licensed plumbers who shall install or be responsible for the installation of every lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly. A licensed plumber shall inspect the risers and sprinkler heads before backfilling.

An irrigation contractor who ~~that~~ has registered with the Department 36 or more persons who are authorized to install or supervise the installation of lawn sprinkler systems shall either employ or contract with at least 6 licensed plumbers who shall install or be responsible for the installation of every lawn sprinkler system installed after the effective date of this amendatory Act of the 91st General Assembly. A licensed plumber shall inspect the risers and sprinkler heads before backfilling.

The Department may provide by rule for the temporary waiver process for registered irrigation contractors who are unable to comply with the requirements of this subsection. When a temporary waiver is granted, it shall not be for a duration of more than 3 consecutive months. Upon the expiration of a temporary waiver issued by the Department, the registered irrigation contractor shall demonstrate that justifiable reasons exist why he or she is still unable to comply with the requirements of this subsection, despite good faith efforts to comply with the requirements. In no case shall a temporary waiver be granted for an irrigation contractor for more than a total of 6 months in a two-year period. In no case shall an irrigation contractor be relieved of the requirement that a licensed plumber shall inspect every sprinkler system installed by an irrigation contractor to ensure the provisions of this Section have been met and that the system works mechanically and make the physical connection between a sprinkler system and the backflow prevention device.

(e) No person shall attach to a lawn sprinkler system any fixture intended to supply water for human consumption.

No person shall attach to a lawn sprinkler system any fixture other than the backflow prevention device, sprinkler heads, valves, and other parts integral to the operation of the system, unless the fixture is clearly marked as being for non-potable uses only.

(f) A college, university, trade school, vocational school, or association that has established a program providing a course of instruction in lawn sprinkler design and installation may submit a letter to the Department requesting approval of its program or course of instruction.

The request for approval shall include information on the curriculum offered by the program and the qualifications of the organization. The course shall consist of a minimum of 2 days of classroom education and an exam and shall include a provision for continuing education.

The Department shall evaluate the curriculum and organization before making a determination to approve or deny a request for approval.

In addition to providing to the Department the names of licensed plumbers who are employed by or contract with an irrigation contractor, an irrigation contractor must also provide to the Department the names of employees who have successfully completed an approved course on the installation of lawn sprinkler systems and proof that the course was successfully completed and that continuing education is also being completed.

(Source: P.A. 91-678, eff. 1-26-00; 92-778, eff. 8-6-02.)

(225 ILCS 320/29.5)

Sec. 29.5. Unlicensed and unregistered practice; violation; civil ~~penalties~~ penalty.

(a) A person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice as a plumber or plumbing contractor without being licensed or registered under this Act, ~~or as an irrigation contractor without being registered under this Act~~, shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee or registrant.

(b) The Department has the authority and power to investigate any person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice as a plumber or plumbing contractor without being licensed or registered under this Act, or as an irrigation contractor without being registered under this Act.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had on the judgment in the same manner as a judgment from a court of record. All fines and penalties collected by the Department

under this Section of the Act and accrued interest shall be deposited into the Plumbing Licensure and Program Fund for use by the Department in performing activities relating to the administration and enforcement of this Act.

(d) A person who practices, offers to practice, or holds himself or herself out to practice as an irrigation contractor without being registered under this Act shall be subject to the following:

(1) For a first offense:

(A) Where no violations of the Illinois Plumbing Code are found, the person shall pay a civil penalty of \$1,000 and may be referred to the State's Attorney or the Attorney General for prosecution under Section 29 of this Act.

(B) Where violations of the Illinois Plumbing Code are found, the person shall pay a civil penalty of \$3,000 (the amount of \$3,000 may be reduced to \$1,000 upon the condition that the unregistered person pays for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct the violations of the Illinois Plumbing Code) and may be referred to the State's Attorney or the Attorney General for prosecution under Section 29 of this Act.

(2) For a second offense:

(A) Where no violations of the Illinois Plumbing Code are found, the person shall pay a civil penalty of \$3,000 and may be referred to the State's Attorney or the Attorney General for prosecution under Section 29 of the Act.

(B) Where violations of the Illinois Plumbing Code are found, the person shall pay a civil penalty of \$5,000 (the amount of \$5,000 may be reduced to \$3,000 upon the condition that the unregistered person pays for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct the violations of the Illinois Plumbing Code) and may be referred to the State's Attorney or the Attorney General for prosecution under Section 29 of this Act.

(3) For a third or subsequent offense, the person shall pay a civil penalty of \$5,000 and be referred to the State's Attorney or the Attorney General for prosecution under Section 29 of this Act.

(e) A registered irrigation contractor, firm, corporation, partnership, or association that directs, authorizes, or allows a person to practice, offer to practice, attempt to practice, or hold himself or herself out to practice as an irrigation employee without being registered under the provisions of this Act, shall be subject to the following:

(1) For a first offense, the registrant:

(A) shall pay a civil penalty of \$5,000;

(B) shall be required to pay for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct any violations of the Illinois Plumbing Code;

(C) shall have his, her, or its plumbing license suspended; and

(D) may be referred to the State's Attorney or the Attorney General for prosecution under Section 29 of this Act.

(2) For a second offense, the registrant:

(A) shall pay a civil penalty of \$5,000;

(B) shall be required to pay for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct any violations of the Illinois Plumbing Code;

(C) shall have his, her, or its registration revoked; and

(D) shall be referred to the State's Attorney or the Attorney General for prosecution under Section 29 of this Act.

(Source: P.A. 91-678, eff. 1-26-00; 92-338, eff. 8-10-01.)

Section 99. Effective date. This Act takes effect January 1, 2008."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 1320. Having been recalled on April 6, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 542. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Younge, HOUSE BILL 962 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: 112, Yeas; 0, Nays; 1, Answering Present.
(ROLL CALL 43)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1662. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Turner offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1662 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1095 as follows:
(55 ILCS 5/5-1095) (from Ch. 34, par. 5-1095)

Sec. 5-1095. Community antenna television systems; satellite transmitted television programming.

(a) The County Board may license, tax or franchise the business of operating a community antenna television system or systems within the County and outside of a municipality, as defined in Section 1-1-2 of the Illinois Municipal Code.

When an area is annexed to a municipality, the annexing municipality shall thereby become the franchising authority with respect to that portion of any community antenna television system that, immediately before annexation, had provided cable television services within the annexed area under a franchise granted by the county, and the owner of that community antenna television system shall thereby be authorized to provide cable television services within the annexed area under the terms and provisions of the existing franchise. In that instance, the franchise shall remain in effect until, by its terms, it expires, except that any franchise fees payable under the franchise shall be payable only to the county for a period of 5 years or until, by its terms, the franchise expires, whichever occurs first. After the 5 year period, any franchise fees payable under the franchise shall be paid to the annexing municipality. In any instance in which a duly franchised community antenna television system is providing cable television services within the annexing municipality at the time of annexation, the annexing municipality may permit that franchisee to extend its community antenna television system to the annexed area under terms and conditions that are no more burdensome nor less favorable to that franchisee than those imposed under any community antenna television franchise applicable to the annexed area at the time of annexation. The authorization to extend cable television service to the annexed area and any community antenna television system authorized to provide cable television services within the annexed area at the time of annexation shall not be subject to the provisions of subsection (e) of this Section.

(b) "Community antenna television system" as used in this Section, means any facility which is constructed in whole or in part in, on, under or over any highway or other public place and which is operated to perform for hire the service of receiving and amplifying the signals broadcast by one or more television stations and redistributing such signals by wire, cable or other means to members of the public who subscribe to such service except that such term does not include (i) any system which serves fewer than 50 subscribers or (ii) any system which serves only the residents of one or more apartment dwellings under common ownership, control or management, and commercial establishments located on the premises

of such dwellings.

(c) The authority hereby granted does not include the authority to license or franchise telephone companies subject to the jurisdiction of the Illinois Commerce Commission or the Federal Communications Commission in connection with furnishing circuits, wires, cables or other facilities to the operator of a community antenna television system.

The County Board may, in the course of franchising such community antenna television system, grant to such franchisee the authority and the right and permission to use all public streets, rights of way, alleys, ways for public service facilities, parks, playgrounds, school grounds, or other public grounds, in which such county may have an interest, for the construction, installation, operation, maintenance, alteration, addition, extension or improvement of a community antenna television system.

Any charge imposed by a community antenna television system franchised pursuant to this Section for the raising or removal of cables or lines to permit passage on, to or from a street shall not exceed the reasonable costs of work reasonably necessary to safely permit such passage. Pursuant to subsections (h) and (i) of Section 6 of Article VII of the Constitution of the State of Illinois, the General Assembly declares the regulation of charges which may be imposed by community antenna television systems for the raising or removal of cables or lines to permit passage on, to or from streets is a power or function to be exercised exclusively by the State and not to be exercised or performed concurrently with the State by any unit of local government, including any home rule unit.

The County Board may, upon written request by the franchisee of a community antenna television system, exercise its right of eminent domain solely for the purpose of granting an easement right no greater than 8 feet in width, extending no greater than 8 feet from any lot line for the purpose of extending cable across any parcel of property in the manner provided for by the law of eminent domain, provided, however, such franchisee deposits with the county sufficient security to pay all costs incurred by the county in the exercise of its right of eminent domain.

Except as specifically provided otherwise in this Section, this Section is not a limitation on any home rule county.

(d) The General Assembly finds and declares that satellite-transmitted television programming should be available to those who desire to subscribe to such programming and that decoding devices should be obtainable at reasonable prices by those who are unable to obtain satellite-transmitted television programming through duly franchised community antenna television systems.

In any instance in which a person is unable to obtain satellite-transmitted television programming through a duly franchised community antenna television system either because the municipality and county in which such person resides has not granted a franchise to operate and maintain a community antenna television system, or because the duly franchised community antenna television system operator does not make cable television services available to such person, any programming company that delivers satellite-transmitted television programming in scrambled or encrypted form shall ensure that devices for decryption of such programming are made available to such person, through the local community antenna television operator or directly, for purchase or lease at prices reasonably related to the cost of manufacture and distribution of such devices.

A programming company that directly delivers satellite-transmitted television programming in scrambled or encrypted form through devices for decryption of that programming or that delivers this programming through a local community antenna television operator shall not charge a customer who purchased or leased devices for reception or decryption of satellite television programming a fee in conjunction with the disconnection or removal of the devices. A programming company or community antenna television operator shall not charge a customer a fee for any devices for reception or decryption after disconnection. A programming company or community antenna television operator that installed devices for reception or encryption must remove without any charge, at a reasonable time and in a workman-like manner, any devices for reception or decryption that it installed or caused to be installed at the premises of the customer.

(e) The General Assembly finds and declares that, in order to ensure that community antenna television services are provided in an orderly, competitive and economically sound manner, the best interests of the public will be served by the establishment of certain minimum standards and procedures for the granting of additional cable television franchises.

Subject to the provisions of this subsection, the authority granted under subsection (a) hereof shall include the authority to license, franchise and tax more than one cable operator to provide community antenna television services within the territorial limits of a single franchising authority. For purposes of this subsection (e), the term:

(i) "Existing cable television franchise" means a community antenna television franchise granted by a county which is in use at the time such county receives an application or request by another cable operator for a franchise to provide cable antenna television services within all or any portion of the territorial area which is or may be served under the existing cable television franchise.

(ii) "Additional cable television franchise" means a franchise pursuant to which community antenna television services may be provided within the territorial areas, or any portion thereof, which may be served under an existing cable television franchise.

(iii) "Franchising Authority" is defined as that term is defined under Section 602(9) of the Cable Communications Policy Act of 1984, Public Law 98-549.

(iv) "Cable operator" is defined as that term is defined under Section 602(4) of the Cable Communications Policy Act of 1984, Public Law 98-549.

Before granting an additional cable television franchise, the franchising authority shall:

(1) Give written notice to the owner or operator of any other community antenna television system franchised to serve all or any portion of the territorial area to be served by such additional cable television franchise, identifying the applicant for such additional franchise and specifying the date, time and place at which the franchising authority shall conduct public hearings to consider and determine whether such additional cable television franchise should be granted.

(2) Conduct a public hearing to determine the public need for such additional cable television franchise, the capacity of public rights-of-way to accommodate such additional community antenna television services, the potential disruption to existing users of public rights-of-way to be used by such additional franchise applicant to complete construction and to provide cable television services within the proposed franchise area, the long term economic impact of such additional cable television system within the community, and such other factors as the franchising authority shall deem appropriate.

(3) Determine, based upon the foregoing factors, whether it is in the best interest of the county to grant such additional cable television franchise.

(4) If the franchising authority shall determine that it is in the best interest of the county to do so, it may grant the additional cable television franchise. Except as provided in paragraph (5) of this subsection (e), no such additional cable television franchise shall be granted under terms or conditions more favorable or less burdensome to the applicant than those required under the existing cable television franchise, including but not limited to terms and conditions pertaining to the territorial extent of the franchise, system design, technical performance standards, construction schedules, performance bonds, standards for construction and installation of cable television facilities, service to subscribers, public educational and governmental access channels and programming, production assistance, liability and indemnification, and franchise fees.

(5) Unless the existing cable television franchise provides that any additional cable television franchise shall be subject to the same terms or substantially equivalent terms and conditions as those of the existing cable television franchise, the franchising authority may grant an additional cable television franchise under different terms and conditions than those of the existing franchise, in which event the franchising authority shall enter into good faith negotiations with the existing franchisee and shall, within 120 days after the effective date of the additional cable television franchise, modify the existing cable television franchise in a manner and to the extent necessary to ensure that neither the existing cable television franchise nor the additional cable television franchise, each considered in its entirety, provides a competitive advantage over the other, provided that prior to modifying the existing cable television franchise, the franchising authority shall have conducted a public hearing to consider the proposed modification. No modification in the terms and conditions of the existing cable television franchise shall oblige the existing cable television franchisee (1) to make any additional payment to the franchising authority, including the payment of any additional franchise fee, (2) to engage in any additional construction of the existing cable television system or, (3) to modify the specifications or design of the existing cable television system; and the inclusion of the factors identified in items (2) and (3) shall not be considered in determining whether either franchise considered in its entirety, has a competitive advantage over the other except to the extent that the additional franchisee provides additional video or data services or the equipment or facilities necessary to generate and or carry such service. No modification in the terms and conditions of the existing cable television franchise shall be made if the existing cable television franchisee elects to continue to operate under all terms and conditions of the existing franchise.

If within the 120 day period the franchising authority and the existing cable television franchisee are unable to reach agreement on modifications to the existing cable television

franchise, then the franchising authority shall modify the existing cable television franchise, effective 45 days thereafter, in a manner, and only to the extent, that the terms and conditions of the existing cable television franchise shall no longer impose any duty or obligation on the existing franchisee which is not also imposed under the additional cable television franchise; however, if by the modification the existing cable television franchisee is relieved of duties or obligations not imposed under the additional cable television franchise, then within the same 45 days and following a public hearing concerning modification of the additional cable television franchise within that 45 day period, the franchising authority shall modify the additional cable television franchise to the extent necessary to insure that neither the existing cable television franchise nor the additional cable television franchise, each considered in its entirety, shall have a competitive advantage over the other.

No county shall be subject to suit for damages based upon the county's determination to grant or its refusal to grant an additional cable television franchise, provided that a public hearing as herein provided has been held and the franchising authority has determined that it is in the best interest of the county to grant or refuse to grant such additional franchise, as the case may be.

It is declared to be the law of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, that the establishment of minimum standards and procedures for the granting of additional cable television franchises as provided in this subsection (e) is an exclusive State power and function that may not be exercised concurrently by a home rule unit.

(Source: P.A. 90-14, eff. 7-1-97; 90-285, eff. 7-31-97.)

Section 10. The Illinois Municipal Code is amended by changing Section 11-42-11 as follows:

(65 ILCS 5/11-42-11) (from Ch. 24, par. 11-42-11)

Sec. 11-42-11. Community antenna television systems; satellite transmitted television programming.

(a) The corporate authorities of each municipality may license, franchise and tax the business of operating a community antenna television system as hereinafter defined. In municipalities with less than 2,000,000 inhabitants, the corporate authorities may, under the limited circumstances set forth in this Section, own (or lease as lessee) and operate a community antenna television system; provided that a municipality may not acquire, construct, own, or operate a community antenna television system for the use or benefit of private consumers or users, and may not charge a fee for that consumption or use, unless the proposition to acquire, construct, own, or operate a cable antenna television system has been submitted to and approved by the electors of the municipality in accordance with subsection (f). Before acquiring, constructing, or commencing operation of a community antenna television system, the municipality shall comply with the following:

(1) Give written notice to the owner or operator of any other community antenna television system franchised to serve all or any portion of the territorial area to be served by the municipality's community antenna television system, specifying the date, time, and place at which the municipality shall conduct public hearings to consider and determine whether the municipality should acquire, construct, or commence operation of a community antenna television system. The public hearings shall be conducted at least 14 days after this notice is given.

(2) Publish a notice of the hearing in 2 or more newspapers published in the county, city, village, incorporated town, or town, as the case may be. If there is no such newspaper, then notice shall be published in any 2 or more newspapers published in the county and having a general circulation throughout the community. The public hearings shall be conducted at least 14 days after this notice is given.

(3) Conduct a public hearing to determine the means by which construction, maintenance, and operation of the system will be financed, including whether the use of tax revenues or other fees will be required.

(b) The words "community antenna television system" shall mean any facility which is constructed in whole or in part in, on, under or over any highway or other public place and which is operated to perform for hire the service of receiving and amplifying the signals broadcast by one or more television stations and redistributing such signals by wire, cable or other means to members of the public who subscribe to such service; except that such definition shall not include (i) any system which serves fewer than fifty subscribers, or (ii) any system which serves only the residents of one or more apartment dwellings under common ownership, control or management, and commercial establishments located on the premises of such dwellings.

(c) The authority hereby granted does not include authority to license, franchise or tax telephone companies subject to jurisdiction of the Illinois Commerce Commission or the Federal Communications Commission in connection with the furnishing of circuits, wires, cables, and other facilities to the operator

of a community antenna television system.

The corporate authorities of each municipality may, in the course of franchising such community antenna television system, grant to such franchisee the authority and the right and permission to use all public streets, rights of way, alleys, ways for public service facilities, parks, playgrounds, school grounds, or other public grounds, in which such municipality may have an interest, for the construction, installation, operation, maintenance, alteration, addition, extension or improvement of a community antenna television system.

Any charge imposed by a community antenna television system franchised pursuant to this Section for the raising or removal of cables or lines to permit passage on, to or from a street shall not exceed the reasonable costs of work reasonably necessary to safely permit such passage. Pursuant to subsections (h) and (i) of Section 6 of Article VII of the Constitution of the State of Illinois, the General Assembly declares the regulation of charges which may be imposed by community antenna television systems for the raising or removal of cables or lines to permit passage on, to or from streets is a power or function to be exercised exclusively by the State and not to be exercised or performed concurrently with the State by any unit of local government, including any home rule unit.

The municipality may, upon written request by the franchisee of a community antenna television system, exercise its right of eminent domain solely for the purpose of granting an easement right no greater than 8 feet in width, extending no greater than 8 feet from any lot line for the purpose of extending cable across any parcel of property in the manner provided by the law of eminent domain, provided, however, such franchisee deposits with the municipality sufficient security to pay all costs incurred by the municipality in the exercise of its right of eminent domain.

(d) The General Assembly finds and declares that satellite-transmitted television programming should be available to those who desire to subscribe to such programming and that decoding devices should be obtainable at reasonable prices by those who are unable to obtain satellite-transmitted television programming through duly franchised community antenna television systems.

In any instance in which a person is unable to obtain satellite-transmitted television programming through a duly franchised community antenna television system either because the municipality and county in which such person resides has not granted a franchise to operate and maintain a community antenna television system, or because the duly franchised community antenna television system operator does not make cable television services available to such person, any programming company that delivers satellite-transmitted television programming in scrambled or encrypted form shall ensure that devices for ~~decryption~~ ~~description~~ of such programming are made available to such person, through the local community antenna television operator or directly, for purchase or lease at prices reasonably related to the cost of manufacture and distribution of such devices.

A programming company that directly delivers satellite-transmitted television programming in scrambled or encrypted form through devices for decryption of that programming or that delivers this programming through a local community antenna television operator shall not charge a customer who purchased or leased devices for reception or decryption of satellite television programming a fee in conjunction with the disconnection or removal of the devices. A programming company or community antenna television operator shall not charge a customer a fee for any devices for reception or decryption after disconnection. A programming company or community antenna television operator that installed devices for reception or encryption must remove without any charge, at a reasonable time and in a workman-like manner, any devices for reception or decryption that it installed or caused to be installed at the premises of the customer.

(e) The General Assembly finds and declares that, in order to ensure that community antenna television services are provided in an orderly, competitive and economically sound manner, the best interests of the public will be served by the establishment of certain minimum standards and procedures for the granting of additional cable television franchises.

Subject to the provisions of this subsection, the authority granted under subsection (a) hereof shall include the authority to license, franchise and tax more than one cable operator to provide community antenna television services within the corporate limits of a single franchising authority. For purposes of this subsection (e), the term:

- (i) "Existing cable television franchise" means a community antenna television franchise granted by a municipality which is in use at the time such municipality receives an application or request by another cable operator for a franchise to provide cable antenna television services within all or any portion of the territorial area which is or may be served under the existing cable television franchise.

(ii) "Additional cable television franchise" means a franchise pursuant to which community antenna television services may be provided within the territorial areas, or any portion thereof, which may be served under an existing cable television franchise.

(iii) "Franchising Authority" is defined as that term is defined under Section 602(9) of the Cable Communications Policy Act of 1984, Public Law 98-549, but does not include any municipality with a population of 1,000,000 or more.

(iv) "Cable operator" is defined as that term is defined under Section 602(4) of the Cable Communications Policy Act of 1984, Public Law 98-549.

Before granting an additional cable television franchise, the franchising authority shall:

(1) Give written notice to the owner or operator of any other community antenna television system franchised to serve all or any portion of the territorial area to be served by such additional cable television franchise, identifying the applicant for such additional franchise and specifying the date, time and place at which the franchising authority shall conduct public hearings to consider and determine whether such additional cable television franchise should be granted.

(2) Conduct a public hearing to determine the public need for such additional cable television franchise, the capacity of public rights-of-way to accommodate such additional community antenna television services, the potential disruption to existing users of public rights-of-way to be used by such additional franchise applicant to complete construction and to provide cable television services within the proposed franchise area, the long term economic impact of such additional cable television system within the community, and such other factors as the franchising authority shall deem appropriate.

(3) Determine, based upon the foregoing factors, whether it is in the best interest of the municipality to grant such additional cable television franchise.

(4) If the franchising authority shall determine that it is in the best interest of the municipality to do so, it may grant the additional cable television franchise. Except as provided in paragraph (5) of this subsection (e), no such additional cable television franchise shall be granted under terms or conditions more favorable or less burdensome to the applicant than those required under the existing cable television franchise, including but not limited to terms and conditions pertaining to the territorial extent of the franchise, system design, technical performance standards, construction schedules, performance bonds, standards for construction and installation of cable television facilities, service to subscribers, public educational and governmental access channels and programming, production assistance, liability and indemnification, and franchise fees.

(5) Unless the existing cable television franchise provides that any additional cable television franchise shall be subject to the same terms or substantially equivalent terms and conditions as those of the existing cable television franchise, the franchising authority may grant an additional cable television franchise under different terms and conditions than those of the existing franchise, in which event the franchising authority shall enter into good faith negotiations with the existing franchisee and shall, within 120 days after the effective date of the additional cable television franchise, modify the existing cable television franchise in a manner and to the extent necessary to ensure that neither the existing cable television franchise nor the additional cable television franchise, each considered in its entirety, provides a competitive advantage over the other, provided that prior to modifying the existing cable television franchise, the franchising authority shall have conducted a public hearing to consider the proposed modification. No modification in the terms and conditions of the existing cable television franchise shall oblige the existing cable television franchisee (1) to make any additional payment to the franchising authority, including the payment of any additional franchise fee, (2) to engage in any additional construction of the existing cable television system or, (3) to modify the specifications or design of the existing cable television system; and the inclusion of the factors identified in items (2) and (3) shall not be considered in determining whether either franchise considered in its entirety, has a competitive advantage over the other except to the extent that the additional franchisee provides additional video or data services or the equipment or facilities necessary to generate and or carry such service. No modification in the terms and conditions of the existing cable television franchise shall be made if the existing cable television franchisee elects to continue to operate under all terms and conditions of the existing franchise.

If within the 120 day period the franchising authority and the existing cable television franchisee are unable to reach agreement on modifications to the existing cable television franchise, then the franchising authority shall modify the existing cable television franchise, effective 45 days thereafter, in a manner, and only to the extent, that the terms and conditions of the existing cable television franchise shall no longer impose any duty or obligation on the existing franchisee which is not

also imposed under the additional cable television franchise; however, if by the modification the existing cable television franchisee is relieved of duties or obligations not imposed under the additional cable television franchise, then within the same 45 days and following a public hearing concerning modification of the additional cable television franchise within that 45 day period, the franchising authority shall modify the additional cable television franchise to the extent necessary to insure that neither the existing cable television franchise nor the additional cable television franchise, each considered in its entirety, shall have a competitive advantage over the other.

No municipality shall be subject to suit for damages based upon the municipality's determination to grant or its refusal to grant an additional cable television franchise, provided that a public hearing as herein provided has been held and the franchising authority has determined that it is in the best interest of the municipality to grant or refuse to grant such additional franchise, as the case may be.

It is declared to be the law of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, that the establishment of minimum standards and procedures for the granting of additional cable television franchises by municipalities with a population less than 1,000,000 as provided in this subsection (e) is an exclusive State power and function that may not be exercised concurrently by a home rule unit.

(f) No municipality may acquire, construct, own, or operate a community antenna television system unless the corporate authorities adopt an ordinance. The ordinance must set forth the action proposed; describe the plant, equipment, and property to be acquired or constructed; and specifically describe the manner in which the construction, acquisition, and operation of the system will be financed.

The ordinance may not take effect until the question of acquiring, construction, owning, or operating a community antenna television system has been submitted to the electors of the municipality at a regular election and approved by a majority of the electors voting on the question. The corporate authorities must certify the question to the proper election authority, which must submit the question at an election in accordance with the Election Code.

The question must be submitted in substantially the following form:

Shall the ordinance authorizing the municipality to (insert action authorized by ordinance) take effect?

The votes must be recorded as "Yes" or "No".

If a majority of electors voting on the question vote in the affirmative, the ordinance shall take effect.

Not more than 30 or less than 15 days before the date of the referendum, the municipal clerk must publish the ordinance at least once in one or more newspapers published in the municipality or, if no newspaper is published in the municipality, in one or more newspapers of general circulation within the municipality.

(Source: P.A. 90-285, eff. 7-31-97; 91-648, eff. 1-1-00.)"

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 2260. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Soto, HOUSE BILL 2260 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: 112, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 44)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative McCarthy, HOUSE BILL 3488 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: 113, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 45)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 1314. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING CONSIDERATION POSTPONED

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

HOUSE BILL 1285. Having been read by title a third time on April 11, 2005, and further consideration postponed, the same was again taken up.

Representative Burke moved the passage of HOUSE BILL 1285.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 79, Yeas; 34, Nays; 0, Answering Present.

(ROLL CALL 46)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 2137. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Executive, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 2137 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Truth in Employment Act.

Section 3. Purpose. This Act is intended to address the practice of misclassifying employees as independent contractors.

Section 5. Definition. As used in this Act:

"Contractor" means any person who, in any capacity other than as the employee of another for wages as the sole compensation, undertakes to construct, alter, repair, move, wreck, or demolish any fixture or structure. "Contractor" includes a general contractor and a subcontractor, but does not include a person who furnishes only materials or supplies.

"Department" means the Department of Revenue.

Section 10. Filing by contractors.

(a) A contractor for whom a person is performing work on a construction project and is classified as an independent contractor with respect to that work must file with the Department a statement regarding that person. The Department shall adopt rules concerning the form, contents, and filing of the statement. The statement shall be available in English and Spanish and shall include: the name and address of the contractor and the person performing the work; the name and address of the general contractor (if the general contractor is not the contractor for whom the person is performing the work); and any other information required by the Department. A separate statement shall be filed by the contractor for each calendar year during which the worker performs work for the contractor. The statement shall be filed no later than 3 days after the first date of the calendar year on which the worker performs work for the contractor. The information obtained by the Department through the statement is confidential and shall be used solely for the purposes of this Act.

(b) A contractor that is required to file a statement under subsection (a) and does not timely file that statement shall pay, when it files the statement, a \$10 late-filing penalty to the Department.

Section 15. Notice.

(a) The Department shall post a summary of the requirements of this Act in English and Spanish on its web site and on bulletin boards in each of its offices.

(b) A contractor for whom one or more persons classified as independent contractors are performing work shall post and keep posted, in conspicuous places on each job site where those persons work and in each of its offices, a notice in English and Spanish, prepared by the Department, summarizing the requirements of this Act. The Department shall furnish copies of summaries to contractors upon request without charge.

Section 20. Investigations.

(a) The Department shall commence an investigation if a report is not timely filed under subsection (a) of Section 10 or if the Department finds, based on statements filed under this Act or other information supplied to the Department or otherwise obtained by the Department, that there is reason to suspect that a contractor has misclassified one or more employees as independent contractors.

(b) A final determination by the United States Internal Revenue Service or a federal court that a person is an employee is deemed correct for all purposes under this Act.

(c) The Department shall hire as many investigators as may be necessary to carry out the purposes of this Act.

Section 25. Misclassification of employees as independent contractors.

(a) If, upon completion of an investigation commenced pursuant to subsection (a) of Section 20 of this Act, the Department determines that a contractor has misclassified one or more employees as independent contractors on a construction project, that contractor is subject to penalties and interest as provided in subsections (c) and (d) of Section 1002 of the Illinois Income Tax Act. Procedures for notice, protest, and hearings shall be in accordance with the Illinois Income Tax Act and the rules adopted under that Act.

(b) If, upon completion of an investigation commenced pursuant to subsection (a) of Section 20 of this Act, the Department determines that a contractor has knowingly or intentionally misclassified one or more employees as independent contractors on a construction project, the Department may: (i) direct the employer to cease its operations on that project; (ii) direct the employer to pay \$200 to the Department for each day during which the violation continues; (iii) direct the employer to pay \$400 to the Department for each day during which a second or subsequent violation occurs that involves different employees than those involved in an earlier violation by that employer; and (iv) require the employer to continue to pay, for 5 days, employees affected by the determination. The Department shall adopt rules governing notice and protest and establishing procedures for hearings in accordance with Article 10 of the Illinois Administrative Procedure Act.

(c) A contractor that knowingly or intentionally misclassifies one or more of its employees as independent contractors on a construction project commits a Class C misdemeanor. A contractor that commits a second or subsequent violation commits a Class 4 felony if the second or subsequent violation involves different employees than those involved in an earlier violation.

Section 30. Attorney General; State's Attorneys. Criminal violations of this Act shall be prosecuted by the Attorney General or the appropriate State's Attorney. The Department shall refer matters to the Attorney General and the appropriate State's Attorney upon determining that a criminal violation may have occurred.

Section 35. Truth in Employment Fund. The Truth in Employment Fund is created as a special fund in the State treasury. All moneys received by the Department under this Act shall be deposited into the Fund. Moneys in the Fund shall be used, subject to appropriation by the General Assembly, by the Department for

administration, investigation, and other expenses incurred in carrying out its powers and duties under this Act. Any moneys in the Fund at the end of a fiscal year in excess of those moneys necessary for the Department to carry out its powers and duties under this Act shall be transferred to the General Revenue Fund.

Section 40. Rulemaking. In addition to any rulemaking required by any other provision of this Act, the Department may adopt reasonable rules to implement and administer this Act.

Section 45. Judicial review. A final administrative decision of the Department under this Act is subject to judicial review under the Administrative Review Law.

Section 50. No waivers.

(a) There shall be no waiver of any provision of this Act.

(b) It is a Class C misdemeanor for a contractor to attempt to induce any individual to waive any provision of this Act.

Section 85. The Department of Employment Security Law of the Civil Administrative Code of Illinois is amended by adding Section 1005-160 as follows:

(20 ILCS 1005/1005-160 new)

Sec. 1005-160. Misclassification of employees as independent contractors. The Department shall cooperate with the Department of Revenue under the Truth in Employment Act by providing information to the Department of Revenue concerning any suspected misclassification by a contractor of one or more of its employees as independent contractors.

Section 90. The State Finance Act is amended by adding Section 5.641 as follows:

(30 ILCS 105/5.641 new)

Sec. 5.641. The Truth in Employment Fund.

Section 92. The Illinois Income Tax Act is amended by changing Section 917 as follows:

(35 ILCS 5/917) (from Ch. 120, par. 9-917)

Sec. 917. Confidentiality and information sharing.

(a) Confidentiality. Except as provided in this Section, all information received by the Department from returns filed under this Act, or from any investigation conducted under the provisions of this Act, shall be confidential, except for official purposes within the Department or pursuant to official procedures for collection of any State tax or pursuant to an investigation or audit by the Illinois State Scholarship Commission of a delinquent student loan or monetary award or enforcement of any civil or criminal penalty or sanction imposed by this Act or by another statute imposing a State tax, and any person who divulges any such information in any manner, except for such purposes and pursuant to order of the Director or in accordance with a proper judicial order, shall be guilty of a Class A misdemeanor. However, the provisions of this paragraph are not applicable to information furnished to (i) the Department of Public Aid, State's Attorneys, and the Attorney General for child support enforcement purposes and (ii) a licensed attorney representing the taxpayer where an appeal or a protest has been filed on behalf of the taxpayer. If it is necessary to file information obtained pursuant to this Act in a child support enforcement proceeding, the information shall be filed under seal.

(b) Public information. Nothing contained in this Act shall prevent the Director from publishing or making available to the public the names and addresses of persons filing returns under this Act, or from publishing or making available reasonable statistics concerning the operation of the tax wherein the contents of returns are grouped into aggregates in such a way that the information contained in any individual return shall not be disclosed.

(c) Governmental agencies. The Director may make available to the Secretary of the Treasury of the United States or his delegate, or the proper officer or his delegate of any other state imposing a tax upon or measured by income, for exclusively official purposes, information received by the Department in the administration of this Act, but such permission shall be granted only if the United States or such other state, as the case may be, grants the Department substantially similar privileges. The Director may exchange information with the Illinois Department of Public Aid and the Department of Human Services (acting as successor to the Department of Public Aid under the Department of Human Services Act) for the purpose of verifying sources and amounts of income and for other purposes directly connected with the administration of this Act and the Illinois Public Aid Code. The Director may exchange information with the Director of the Department of Employment Security for the purpose of verifying sources and amounts of income and for other purposes directly connected with the administration of this Act and Acts administered by the Department of Employment Security. The Director may make available to the Illinois Workers' Compensation Commission information regarding employers for the purpose of verifying the insurance coverage required under the Workers' Compensation Act and Workers' Occupational Diseases

Act. The Director may exchange information with the Illinois Department on Aging for the purpose of verifying sources and amounts of income for purposes directly related to confirming eligibility for participation in the programs of benefits authorized by the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act.

The Director may make available to any State agency, including the Illinois Supreme Court, which licenses persons to engage in any occupation, information that a person licensed by such agency has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. The Director may make available to any State agency, including the Illinois Supreme Court, information regarding whether a bidder, contractor, or an affiliate of a bidder or contractor has failed to file returns under this Act or pay the tax, penalty, and interest shown therein, or has failed to pay any final assessment of tax, penalty, or interest due under this Act, for the limited purpose of enforcing bidder and contractor certifications. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (a), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (a), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

The Director may make available to any State agency, including the Illinois Supreme Court, units of local government, and school districts, information regarding whether a bidder or contractor is an affiliate of a person who is not collecting and remitting Illinois Use taxes, for the limited purpose of enforcing bidder and contractor certifications.

The Director may make any information concerning a criminal violation that may have occurred under the Truth in Employment Act available to the Attorney General or the appropriate State's Attorney when the Department refers a matter under Section 30 of the Truth in Employment Act.

The Director may also make available to the Secretary of State information that a corporation which has been issued a certificate of incorporation by the Secretary of State has failed to file returns under this Act or pay the tax, penalty and interest shown therein, or has failed to pay any final assessment of tax, penalty or interest due under this Act. An assessment is final when all proceedings in court for review of such assessment have terminated or the time for the taking thereof has expired without such proceedings being instituted. For taxable years ending on or after December 31, 1987, the Director may make available to the Director or principal officer of any Department of the State of Illinois, information that a person employed by such Department has failed to file returns under this Act or pay the tax, penalty and interest shown therein. For purposes of this paragraph, the word "Department" shall have the same meaning as provided in Section 3 of the State Employees Group Insurance Act of 1971.

(d) The Director shall make available for public inspection in the Department's principal office and for publication, at cost, administrative decisions issued on or after January 1, 1995. These decisions are to be made available in a manner so that the following taxpayer information is not disclosed:

(1) The names, addresses, and identification numbers of the taxpayer, related entities, and employees.

(2) At the sole discretion of the Director, trade secrets or other confidential information identified as such by the taxpayer, no later than 30 days after receipt of an administrative decision, by such means as the Department shall provide by rule.

The Director shall determine the appropriate extent of the deletions allowed in paragraph (2). In the event the taxpayer does not submit deletions, the Director shall make only the deletions specified in paragraph (1).

The Director shall make available for public inspection and publication an administrative decision within 180 days after the issuance of the administrative decision. The term "administrative decision" has the same meaning as defined in Section 3-101 of Article III of the Code of Civil Procedure. Costs collected under this Section shall be paid into the Tax Compliance and Administration Fund.

(e) Nothing contained in this Act shall prevent the Director from divulging information to any person pursuant to a request or authorization made by the taxpayer, by an authorized representative of the taxpayer, or, in the case of information related to a joint return, by the spouse filing the joint return with the taxpayer.

(Source: P.A. 93-25, eff. 6-20-03; 93-721, eff. 1-1-05; 93-835, eff. 7-29-04; 93-841, eff. 7-30-04; revised

10-25-04.)

Section 95. The Workers' Compensation Act is amended by adding Section 26.1 as follows:

(820 ILCS 305/26.1 new)

Sec. 26.1. Misclassification of employees as independent contractors. The Commission shall cooperate with the Department of Revenue under the Truth in Employment Act by providing information to the Department of Revenue concerning any suspected misclassification by a contractor of one or more of its employees as independent contractors.

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

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

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Saviano, HOUSE BILL 875 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: 88, Yeas; 25, Nays; 0, Answering Present.

(ROLL CALL 47)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON THIRD READING CONSIDERATION POSTPONED

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

HOUSE BILL 3802. Having been read by title a third time on April 5, 2005, and further consideration postponed, the same was again taken up.

Representative Monique Davis moved the passage of HOUSE BILL 3802.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: 63, Yeas; 48, Nays; 0, Answering Present.

(ROLL CALL 1)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

HOUSE BILL 2572. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Environmental Health, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 2572 on page 2, after line 15, by inserting the following:

"(c) Subsections (a) and (b) of this Section do not apply to the following:

(1) The sale by a business, charity, or private party of any used product containing

PBDE.

(2) The manufacture, processing, or distribution in commerce of any new product or product component containing recycled or used materials with decaBDE. Products containing any new PBDEs do not qualify for an exemption under this paragraph (2)."; and on page 2, after line 19, by inserting the following:

"Section 25. Exemption for specific use of decaBDE. A manufacturer or user of decaBDE may apply for an exemption for a specific use of decaBDE by filing a written petition with the Illinois Environmental Protection Agency. An exemption may be granted for a term not to exceed 3 years and may be renewed for one additional 3-year term upon written application if the Illinois Environmental Protection Agency finds that the specific use of decaBDE continues to meet the criteria set forth in paragraphs (1) and (2) of this Section and the manufacturer or other persons continue to comply with the conditions of its original approval. The Illinois Environmental Protection Agency may grant an exemption for a specified use of decaBDE with or without conditions upon a finding that the petitioner has demonstrated that:

(1) a technically feasible alternative to the use of decaBDE is not available at reasonable cost; or

(2) the potential harm to public health and the environment directly posed by a technically feasible and available alternative is greater than the potential harm posed by decaBDE.

Section 30. Transportation of products containing PBDEs. Nothing in this Act restricts a manufacturer, importer, or distributor from transporting products containing PBDEs through this State or storing PBDEs in this State for further distribution."

Representative Nekritz offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 2572, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Brominated Fire Retardant Prevention Act.

Section 5. Legislative findings.

(a) Chemicals known as brominated flame retardants (BFR's) are widely used in the United States. To meet stringent fire standards, manufacturers add BFR's to a multitude of products, including plastic housing of electronics and computers, circuit boards, and the foam and textiles used in furniture.

(b) Polybrominated diphenyl ether (PBDE), which is a subcategory of BFR's, has increased forty-fold in human breast milk since the 1970s.

(c) PBDE has the potential to disrupt thyroid hormone balance and contribute to a variety of developmental deficits, including low intelligence and learning disabilities. PBDE may also have the potential to cause cancer.

(d) Substantial efforts to eliminate BFR's from products have been made throughout the world, including private and public sectors. These efforts have made available numerous alternatives safe to human health while meeting stringent fire standards. To meet market demand, it is in the interest of State manufacturers to eliminate the use of BFR's.

(e) In order to protect the public health and the environment, the General Assembly believes it is necessary for the State to develop a precautionary approach regarding the production, use, storage, and disposal of products containing brominated fire retardants.

Section 10. Definitions. In this Act:

"DecaBDE" means decabromodiphenyl ether.

"OctaBDE" means octabromodiphenyl ether.

"PBDE" means polybrominated diphenyl ether.

"PentaBDE" means pentabromodiphenyl ether.

Section 15. Regulation of brominated flame retardant.

(a) Effective January 1, 2006, a person may not manufacture, process, or distribute in commerce a product or a flame-retarded part of a product containing more than one-tenth of 1% of pentaBDE or octaBDE.

(b) Subsection (a) of this Section does not apply to the following:

(1) The sale by a business, charity, or private party of any used product containing PBDE.

(2) The distribution in commerce of original equipment manufacturer replacement service parts manufactured prior to the effective date of this Act.

(3) The processing of recycled material containing pentaBDE or octaBDE in compliance

with applicable State and federal laws.

Section 20. Penalty. A person who violates Section 15 of this Act is guilty of a business offense and upon conviction shall be subject to a fine of not less than \$10,000 and not more than \$25,000 for each violation.

Section 25. DecaBDE Study. By January 2, 2006, the Illinois Environmental Protection Agency, shall submit to the General Assembly and the Governor a report that reviews the latest available scientific research to address the following issues:

- (1) whether decaBDE is bio-accumulating in humans and the environment, and if so, whether the levels of decaBDE are increasing, decreasing, or staying the same;
- (2) how are humans exposed to decaBDE;
- (3) what health effects could result from exposure to decaBDE, and are current levels of exposure at levels that could produce these effects;
- (4) whether decaBDE breaks down into more harmful chemicals that could damage public health; and
- (5) whether effective flame retardants are available for decaBDE uses, and whether the use of available alternatives reduce health risks while still maintaining an adequate level of flame retardant performance.

Section 30. Review of decaBDE study. By February 28, 2006, the Illinois Department of Public Health, shall submit to the General Assembly and the Governor a report that reviews the Illinois Environmental Protection Agency's decaBDE study. In addition to a review of any public health implications the Department of Public Health believes would result from exposure to decaBDE, it shall also comment on the following:

- (1) the known exposure pathways for humans to decaBDE;
- (2) what scientific evidence exists to demonstrate that decaBDE breaks down into other chemicals that could pose public health concerns; and
- (3) what research and analysis exists on the potential human health effects of flame retardants that could be used as alternatives to decaBDE.

Section 35. Transportation of products containing PBDEs. Nothing in this Act restricts a manufacturer, importer, or distributor from transporting products containing PBDEs through this State or storing PBDEs in this State for further distribution.

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 2004. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Acevedo offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2004 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 34-18.32 as follows:

(105 ILCS 5/34-18.32 new)

Sec. 34-18.32. Healthy Kids - Healthy Minds Expanded Vision Program. Because 80% of a child's learning is felt to be through the visual system, the board shall establish a program to identify students who are in need of basic health care, yet are not covered by insurance or public assistance or do not have the financial ability to pay for services and therefore are not receiving appropriate health care, to be known as the Healthy Kids - Healthy Minds Expanded Vision Program. Through this program, the district, in cooperation with health care providers, shall serve students at a minimum or no cost to the students. The program may provide, but is not limited to, vision examinations and glasses, dental care, hearing examinations and hearing aids, and counseling services. Eligibility for services must be determined by prioritization of students based on both physical and financial need."

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 2001. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Yarbrough offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 2001 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.640 as follows:

(30 ILCS 105/5.640 new)

Sec. 5.640. The Financial Literacy Fund.

Section 10. The School Code is amended by adding Section 27-12.5 as follows:

(105 ILCS 5/27-12.5 new)

Sec. 27-12.5. Financial literacy instruction.

(a) The State Board of Education shall develop and adopt curricula, materials, and guidelines for school boards to use in implementing a program of instruction on financial literacy within courses currently offered in public high schools in this State.

(b) The financial literacy program shall include, but not be limited to, instruction in all of the following areas:

(1) Opening a deposit account and assessing the quality of a depository institution's services.

(2) Balancing a check book.

(3) Spending, credit, credit scoring, and managing debt, including retail and credit card debt.

(4) Completing a loan application.

(5) The implications of an inheritance.

(6) The basic principles of personal insurance policies.

(7) Computing State and federal income taxes.

(8) Local tax assessments.

(9) Computing interest rates by various mechanisms.

(10) Understanding simple contracts.

(11) Contesting an incorrect billing statement.

(12) Savings and investing.

(13) State and federal laws concerning finance.

(c) The Financial Literacy Fund is created as a special fund in the State treasury. State funds and private contributions for the promotion of financial literacy shall be deposited into the Financial Literacy Fund. All money in the Financial Literacy Fund shall be used, subject to appropriation, by the State Board of Education to award grants to school districts for the following:

(1) Defraying the costs of financial literacy training for teachers.

(2) Rewarding a school or teacher who wins or achieves results at a certain level of success in a financial literacy competition.

(3) Rewarding a student who wins or achieves results at a certain level of success in a financial literacy competition.

(4) Funding activities, including books, games, field trips, computers, and other activities, related to financial literacy education.

In awarding grants, every effort must be made to ensure that all geographic areas of the State are represented.

(d) A school board may establish a special fund in which to receive public funds and private contributions for the promotion of financial literacy. Money in the fund shall be used for the following:

(1) Defraying the costs of financial literacy training for teachers.

(2) Rewarding a school or teacher who wins or achieves results at a certain level of success in a financial literacy competition.

(3) Rewarding a student who wins or achieves results at a certain level of success in a financial literacy competition.

(4) Funding activities, including books, games, field trips, computers, and other activities, related to financial literacy education.

(e) The State Board of Education shall incorporate the elements of the financial literacy program into Illinois learning standards.

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

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Stephens, HOUSE BILL 2941 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: 113, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 49)

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

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILL ON SECOND READING

HOUSE BILL 1428. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Yarbrough offered the following amendments and moved their adoption.

AMENDMENT NO. 3. Amend House Bill 1428, AS AMENDED, by replacing the title with the following:

"AN ACT concerning property."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Mortgage Escrow Account Act is amended by changing Sections 2 and 4 and by adding Section 15 as follows:

(765 ILCS 910/2) (from Ch. 17, par. 4902)

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

(a) "Escrow Account" means any account established by the mortgage lender in conjunction with a mortgage loan on a residence, into which the borrower is required to make regular periodic payments and out of which the lender pays the taxes on the property covered by the mortgage.

(b) "Borrower" means the person obligated under the mortgage loan.

(c) "Mortgage Lender" means any bank, savings bank, savings and loan association, credit union, mortgage banker, ~~building and loan association~~ or other institution, association, partnership, corporation or person who extends the loan of monies for the purpose of enabling another to purchase a residence or who services the loan, including successors in interest of the foregoing.

(d) "Escrow-like Arrangement" means any arrangement the intent of which is to serve the same purposes as an escrow account but which does not require the formal establishment of an account.

(Source: P.A. 79-625.)

(765 ILCS 910/4) (from Ch. 17, par. 4904)

Sec. 4. On or after the effective date of this Act, each mortgage lender in conjunction with the granting or servicing of a mortgage on a single-family owner occupied residential property, shall comply with the provisions of this Act.

(Source: P.A. 79-625.)

(765 ILCS 910/15 new)

Sec. 15. Notice of tax payments.

(a) When any mortgage lender pays the property tax from an escrow account, the mortgage lender must give the borrower written notice of the following, within 45 business days after the tax payment:

- (1) the date the taxes were paid;
- (2) the amount of taxes paid;
- (3) the installment that was paid; and

(4) the permanent index number, mortgage account number, address of the property, or other property description that is used for assessment and taxation purposes under the Property Tax Code.

(b) The notice required in subsection (a) may be included on or with other documents, notices, or statements provided to the borrower. If more than one borrower is obligated on the loan, only one borrower who is primarily liable on the loan need be given notice. Notice may be delivered, mailed, or transmitted by any usual means of communication.

(c) Notwithstanding the requirements in subsection (a), a mortgage lender that provides notice to a borrower in the manner provided in subsection (b) of a means of communication for the borrower to access the information set forth in subsection (a) by telephone, facsimile, e-mail, Internet access, or other means of communication, is deemed to be in compliance with subsection (a).

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

AMENDMENT NO. 4. Amend House Bill 1428, AS AMENDED, with reference to page and line numbers of House Amendment No. 3, as follows:

on page 2, by replacing lines 21 through 23 with the following:

"(2) the amount of taxes paid; and

(3) the permanent index number, mortgage account"; and

on page 3, by deleting lines 8 through 9.

The foregoing motion prevailed and Amendments numbered 3 and 4 were adopted.

There being no further amendments, the foregoing Amendments numbered 3 and 4 were ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

RECALL

At the request of the principal sponsor, Representative Cultra, HOUSE BILL 2521 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILLS ON SECOND READING

HOUSE BILL 2521. Having been recalled on April 14, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Cultra offered the following amendment and moved its adoption.

AMENDMENT NO. 4. Amend House Bill 2521, AS AMENDED, with reference to page and line numbers of House Amendment No. 3, as follows:

on page 4, line 15, by replacing "anterless" with "antlerless".

The foregoing motion prevailed and Amendment No. 4 was adopted.

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 712. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

The following amendments were offered in the Committee on Judiciary I - Civil Law, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 712 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by adding Section 609.5 as follows:

(750 ILCS 5/609.5 new)

Sec. 609.5. Notification of remarriage or residency with a sex offender. A parent who intends to marry or reside with a sex offender, and knows or should know that the person with whom he or she intends to marry or reside is a sex offender, shall provide reasonable notice to the other parent with whom he or she has a minor child prior to the marriage or the commencement of the residency."

AMENDMENT NO. 2. Amend House Bill 712, AS AMENDED, in the introductory clause of Section 5, after "is amended by", by inserting "changing Section 602 and"; and in Section 5, immediately above Sec. 609.5, by inserting the following:

"(750 ILCS 5/602) (from Ch. 40, par. 602)

Sec. 602. Best Interest of Child.

(a) The court shall determine custody in accordance with the best interest of the child. The court shall consider all relevant factors including:

- (1) the wishes of the child's parent or parents as to his custody;
- (2) the wishes of the child as to his custodian;
- (3) the interaction and interrelationship of the child with his parent or parents, his siblings and any other person who may significantly affect the child's best interest;
- (4) the child's adjustment to his home, school and community;
- (5) the mental and physical health of all individuals involved;
- (6) the physical violence or threat of physical violence by the child's potential custodian, whether directed against the child or directed against another person;
- (7) the occurrence of ongoing abuse as defined in Section 103 of the Illinois Domestic Violence Act of 1986, whether directed against the child or directed against another person; ~~and~~
- (8) the willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child; and -
- (9) whether one of the parents is a sex offender.

In the case of a custody proceeding in which a stepparent has standing under Section 601, it is presumed to be in the best interest of the minor child that the natural parent have the custody of the minor child unless the presumption is rebutted by the stepparent.

(b) The court shall not consider conduct of a present or proposed custodian that does not affect his relationship to the child.

(c) Unless the court finds the occurrence of ongoing abuse as defined in Section 103 of the Illinois Domestic Violence Act of 1986, the court shall presume that the maximum involvement and cooperation of both parents regarding the physical, mental, moral, and emotional well-being of their child is in the best interest of the child. There shall be no presumption in favor of or against joint custody.

(Source: P.A. 90-782, eff. 8-14-98.)"

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 481. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

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

AMENDMENT NO. 1. Amend House Bill 481 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Section 12-10.3 as follows:

(720 ILCS 5/12-10.3 new)

Sec. 12-10.3. Jewelry eye implants prohibited.

(a) A person may not implant pieces of jewelry into the mucous membrane of the eye.

(b) Sentence. A violation of this Section is a Class 4 felony.

(c) The clerk of the court shall forward a copy of the judgment of conviction of any person who violates this Section to the Department of Financial and Professional Regulation for appropriate disciplinary action under any appropriate licensure Act."

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

HOUSE BILL 1604. Having been read by title a second time on April 7, 2005, and held on the order of Second Reading, the same was again taken up.

Representative Washington offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1604 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-600 as follows:

(20 ILCS 2310/2310-600)

Sec. 2310-600. Advance directive information.

(a) The Department of Public Health shall prepare and publish the summary of advance directives law in Illinois that is required by the federal Patient Self-Determination Act. ~~Publication may be limited to the World Wide Web.~~

(b) The Department of Public Health shall adopt, by rule, and publish Spanish language versions of the following:

- (1) The statutory Living Will Declaration form.
- (2) The Illinois Statutory Short Form Power of Attorney for Health Care.
- (3) The statutory Declaration of Mental Health Treatment Form.
- (4) The summary of advance directives law in Illinois.
- (5) Any statewide uniform Do Not Resuscitate forms.

~~Publication may be limited to the World Wide Web.~~

(b-5) In consultation with a statewide professional organization representing physicians licensed to practice medicine in all its branches, statewide organizations representing nursing homes, and a statewide organization representing hospitals, the Department of Public Health shall develop and publish a uniform form for physician do-not-resuscitate orders that may be utilized in all settings. The form may be referred to as the Department of Public Health Uniform DNR Order form.

(c) The Department of Public Health may contract with statewide professional organizations representing physicians licensed to practice medicine in all its branches to prepare and publish materials required by this Section. The Department of Public Health may consult with a statewide organization representing registered professional nurses on preparing materials required by this Section.

(d) The Department shall conduct a public information campaign to disseminate the information contained in the summary of advance directives law in Illinois provided for under this Section and to further educate the public about available advanced directive options. This campaign shall include information about advanced directives, health care decision-making, and end-of-life determinations. Additionally, the campaign must include information concerning living wills, do-not-resuscitate orders, powers of attorney for health care, and guardianship proceedings. The dissemination of this information shall occur on a periodic basis and shall include the production and distribution of brochures, advertisements, website information, and other educational materials in cooperation and coordination with hospitals, physicians, attorneys, and other public entities in the development and implementation of the campaign. The campaign shall also include training for hospital, nursing home, home health, and hospice personnel and other health professionals whose duties may include informing and counseling patients about their options in making health care decisions.

(Source: P.A. 91-789, eff. 1-1-01; 92-356, eff. 10-1-01.)"

The foregoing motion prevailed and Amendment No. 1 was adopted.

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

HOUSE BILL 1044. Having been read by title a second time on April 8, 2005, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 1 lost in the Committee on Human Services.

Representative Flowers offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1044 by replacing lines 21 through 30 on page 1 and all of page 2 with the following:

"Section 15. Reporting of employer-provided health insurance information.

(a) Notwithstanding any other law to the contrary, the Department of Public Aid or its successor agency, in collaboration with the Department of Human Services and the Department of Financial and Professional Regulation, shall annually prepare a public health access program beneficiary employer report to be submitted to the General Assembly. For the purposes of this Section, a "public health access program beneficiary" means a person who receives medical assistance under Title XIX or XXI of the federal Social Security Act.

Subject to federal approval, the report shall provide the following information for each employer who has more than 100 employees and 50 or more public health access beneficiaries:

- (1) The name and address of the qualified employer.
- (2) The number of public health access program beneficiaries.
- (3) The number of public health access program beneficiaries who are spouses or dependents of employees of the employer.
- (4) Information on whether the employer offers health insurance benefits to employees and their dependents.
- (5) Information on whether the employer receives health insurance benefits through the company.
- (6) Whether an employer offers health insurance benefits, and, if so, information on the level of premium subsidies for such health insurance.
- (7) The cost to the State of Illinois of providing public health access program benefits for the employer's employees and enrolled dependents.

(b) The report shall not include the names of any individual public health access program beneficiary and shall be subject to privacy standard both in the Health Insurance Portability and Accountability Act of 1996 and in Title XIX of the federal Social Security Act.

(c) The first report shall be submitted on or before October 1, 2006, and subsequent reports shall be submitted on or before that date each year thereafter."

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 2001. Having been read by title a second time on April 14, 2005, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 319, 320, 321, 322 and 323 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 7:30 o'clock p.m., Representative Currie moved that the House do now adjourn until Friday, April 15, 2005, at 9:30 o'clock a.m., allowing perfunctory time for the Clerk.

[April 14, 2005]

160

The motion prevailed.
And the House stood adjourned.

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 QUORUM ROLL CALL FOR ATTENDANCE

April 14, 2005

0 YEAS

0 NAYS

117 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2241
STATE GOVERNMENT-TECH
THIRD READING
PASSED

April 14, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1592
 JUV CT-CHRON TRUANT-DETENTION
 THIRD READING
 PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 805
 COPPER PUR REGTR LAW-REPEAL
 THIRD READING
 PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3596
 MEDICAID-HOME CARE-AGE 21
 THIRD READING
 PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 914
CORONER DNA STATE POLICE
THIRD READING
PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2453
 HOSPITAL-DISCHARGE NOTICE
 THIRD READING
 PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1397
DCFS ACT-ALTERNATIVE CARE PLAN
THIRD READING
PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2408
 ELIM DIG DIV LAW-COMP INVEST
 THIRD READING
 PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 690
EASTERN IL ECON DEV AUTHORITY
THIRD READING
PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1475
 SCH CD-CONTRACTS
 THIRD READING
 PASSED

April 14, 2005

76 YEAS

41 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3628
CHILD CARE-TAX EXEMPT-ADOPTION
THIRD READING
PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1463
 VEH CD & SCHL CD-ATTEND SCHOOL
 THIRD READING
 PASSED

April 14, 2005

115 YEAS

1 NAY

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1633
BUSINESS-TECH
THIRD READING
PASSED

April 14, 2005

96 YEAS

12 NAYS

9 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2547
 HUMAN RIGHTS-CREDIBILITY
 THIRD READING
 PASSED

April 14, 2005

62 YEAS

51 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3555
 SCH CD-4 DAY SCH WEEK
 THIRD READING
 PASSED

April 14, 2005

110 YEAS

5 NAYS

2 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 756
 VETERANS - MEMORIAL COMMISSION
 THIRD READING
 PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2461
FAMILY CAREGIVER-DISABLD ADULT
THIRD READING
PASSED

April 14, 2005

116 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2526
BENEFIT PROTECTION ACT
THIRD READING
PASSED

April 14, 2005

106 YEAS

11 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3819
IDPH-HEALTH CARE PROF REGSTRY
THIRD READING
PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3694
MUNI CD SEWER EXTENSION ANNEX
THIRD READING
PASSED

April 14, 2005

108 YEAS

9 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2578
AFR-AMERICAN HIV/AIDS RESPONSE
THIRD READING
PASSED

April 14, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3523
 CIV ADM CD-METH HOTLINE
 THIRD READING
 PASSED

April 14, 2005

117 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2946
CRIMINAL LAW-TECH
THIRD READING
PASSED

April 14, 2005

108 YEAS

5 NAYS

4 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3532
 METH LAB CLEANUP PROTOCOL
 THIRD READING
 PASSED

April 14, 2005

116 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3800
MWRD-ANNEXATION TO DISTRICT
THIRD READING
PASSED

April 14, 2005

65 YEAS

51 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 340
 CRIM CD-FIREARMS WAITING
 THIRD READING
 PASSED

April 14, 2005

73 YEAS

42 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3816
 VEH CD-DUI-3RD 4TH & 5TH TIMES
 THIRD READING
 PASSED

April 14, 2005

115 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 794
 FIREARM SELLERS BACKGROUND CK
 THIRD READING
 PASSED

April 14, 2005

63 YEAS

51 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3528
DEPT AG-METH ENCOUNTER
THIRD READING
PASSED

April 14, 2005

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2577
 DPT PROF REG - COST ASSESSMENT
 THIRD READING
 PASSED

April 14, 2005

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1178
HEARING CONSUMER-SUNSET EXTEND
THIRD READING
PASSED

April 14, 2005

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3851
 COMM CARE ADVISORY COMMITTEE
 THIRD READING
 PASSED

April 14, 2005

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1284
MUNI CD-USE & OCC TAX
THIRD READING
LOST

April 14, 2005

23 YEAS

92 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2369
CHILD ABUSE-UNREPORTED-PENALTY
THIRD READING
PASSED

April 14, 2005

115 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3742
GOVT-CERT PUB ACCT
THIRD READING
PASSED

April 14, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2853
 BUSINESS-TECH
 THIRD READING
 PASSED

April 14, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 782
LOGGOV-IDOT LEASE-VACANT LAND
THIRD READING
PASSED

April 14, 2005

99 YEAS

12 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 834
RESTROOM ACCESS ACT
THIRD READING
PASSED

April 14, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3471
 DAY & TEMP LABOR SVC-VARIOUS
 THIRD READING
 PASSED

April 14, 2005

76 YEAS

37 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 242
 MOTOR FUEL TAX-DISTRIBUTION
 THIRD READING
 LOST

April 14, 2005

46 YEAS

63 NAYS

3 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3696
 DENTAL PRACTICE-EXTEND SUNSET
 THIRD READING
 PASSED

April 14, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 962
 FOREIGN TRADE ZONES-E ST LOUIS
 THIRD READING
 PASSED

April 14, 2005

112 YEAS

0 NAYS

1 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2260
 GOVERNMENT-TECH
 THIRD READING
 PASSED

April 14, 2005

112 YEAS

1 NAY

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 3488
 HEALTH ED-GRANT CONSIDERATIONS
 THIRD READING
 PASSED

April 14, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1285
 LIQUOR-PUB OFFICE LICENSE HLDR
 THIRD READING
 PASSED

April 14, 2005

79 YEAS

34 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 875
 DENTAL PRACTICE-SUNSET-LICENSE
 THIRD READING
 PASSED

April 14, 2005

88 YEAS

25 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-FOURTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3802
ISAC-SCHOLARSHIPS-DRUG OFFENSE
THIRD READING
PASSED

April 14, 2005

63 YEAS

48 NAYS

0 PRESENT

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

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-FOURTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 2941
 CRIMINAL LAW-TECH
 THIRD READING
 PASSED

April 14, 2005

113 YEAS

0 NAYS

0 PRESENT

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

E - Denotes Excused Absence

40TH LEGISLATIVE DAY

Perfunctory Session

THURSDAY, APRIL 14, 2005

At the hour of 7:39 o'clock p.m., the House convened perfunctory session.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 15 (Flider), 21 (Bradley, R), 23 (Jones), 26 (Bassi), 27 (Molaro), 41 (Gordon), 52 (Granberg), 57 (Miller), 62 (Lyons, J), 66 (Black), 69 (Froehlich), 75 (Hamos), 92 (Joyce), 94 (Mathias), 98 (Mathias), 101 (Feigenholtz), 143 (Osterman), 157 (Currie), 159 (Mathias), 176 (Schock), 187 (Feigenholtz), 189 (Moffitt), 198 (Lang), 223 (Mathias), 226 (Froehlich), 241 (Holbrook), 251 (Black), 262 (Washington), 274 (McKeon), 293 (Parke), 304 (Brosnahan), 318 (Washington), 319 (Froehlich), 323 (Jakobsson), 383 (Mathias), 406 (Lang), 409 (Acevedo), 411 (Hoffman), 413 (Molaro), 458 (Colvin), 482 (Davis, W), 489 (Mathias), 505 (Mautino), 506 (Hoffman), 508 (Hoffman), 518 (Saviano), 519 (Delgado), 521 (Osterman), 526 (Osterman), 553 (Acevedo), 1767 (Madigan), 1826 (Burke), 1894 (Madigan), 1898 (Gordon), 1908 (Madigan), 1932 (Black), 1960 (Coulson), 1966 (Hamos), 1967 (Flider), 1968 (Madigan), 1989 (Madigan), 2015 (Boland), 2030 (Colvin), 2060 (Chapa LaVia), 2062 (Lyons, J), 2064 (Mendoza), 2072 (Saviano), 2075 (Hoffman), 2078 (Burke), 2082 (Granberg), 2087 (Saviano), 2090 (Yarbrough), 2091 (May), 2094 (Soto), 2104 (Phelps), 2111 (Acevedo), 2112 (Froehlich) and 2116 (Schock).

RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 318

Offered by Representative Mautino:

WHEREAS, The United States continues to be engaged in an ongoing war against international terrorists and the threat of future attacks inside this country remains high; and

WHEREAS, Future attacks could include the use of nuclear, biological, chemical, or radiological weapons that could result in a large number of casualties; and

WHEREAS, The Terrorism Risk Insurance Program, created through the enactment of the Terrorism Risk Insurance Act of 2002 (TRIA), has provided a viable terrorism risk insurance market for property and commercial losses; and

WHEREAS, Failure by Congress to extend TRIA would likely result in the inability of insurers to offer coverage for future catastrophes resulting from terrorism; and

WHEREAS, Without adequate terrorism insurance coverage, banks may be unwilling to extend loans for commercial transactions, such as mortgages, construction projects, and other capital-intensive initiatives; and

WHEREAS, The lack of private terrorism insurance to cover losses from future terrorist attacks may require the federal government to cover the losses; and

WHEREAS, A federal backstop assures an available and affordable insurance market for America's consumers and businesses; and

WHEREAS, Without a backstop, the limited availability of insurance against terrorism would have a severe adverse effect on our country's economy as financiers would be reluctant to lend, businesses would be reluctant to invest, and consumers would be unable to afford insurance; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support the extension of the Terrorism Risk Insurance Act of 2002; and be it further

RESOLVED, That we support the inclusion of group life insurance in any extension legislation; and be it

further

RESOLVED, That we urge the President of the United States and the Congress of the United States to take action as soon as possible to extend the Terrorism Risk Insurance Act of 2002; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to the President pro tempore of the Senate of the Congress of the United States, and to each Senator and Representative from the State of Illinois in the Congress of the United States.

HOUSE JOINT RESOLUTION 44

Offered by Representative Coulson:

WHEREAS, Illinois has the second largest number of highway grade crossings in the United States: 8,524 public grade level crossings; 2,733 grade-separated crossings; 281 pedestrian grade crossings; and 76 pedestrian grade separated crossings; and

WHEREAS, In the United States, approximately every 2 hours a collision occurs between a train and a vehicle, train and a bicyclist, or a train and a pedestrian; and

WHEREAS, Each year in Illinois, approximately 50 people are killed and another 50 are injured in grade crossing collisions or while trespassing on railroad property; and

WHEREAS, In 2004 alone, there were 58 fatalities at railroad grade crossings in Illinois; and

WHEREAS, A person is 40 times more likely to die in a collision with a train than in a collision involving another motor vehicle; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Railroad Crossing Safety Task Force, consisting of thirteen members appointed as follows: the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate shall each appoint one member of the General Assembly and two members of the general public; in addition, the Chairman of the Illinois Commerce Commission or his or her designee shall be a member of the Task Force; and be it further

RESOLVED, That after the members are appointed, the Task Force shall meet and select a member of the Task Force as Chairperson; and be it further

RESOLVED, That the members of the general public shall represent the following associations, organizations, and interests: educational institutions, engineering consultants, insurance industry, municipal corporations, non-profit rail safety organizations, federal and local governmental entities, and the railroad industry; and be it further

RESOLVED, That the Task Force shall meet as necessary to review and evaluate the complex issues involving rail grade crossing safety, especially for pedestrians and bicyclists in Illinois; and be it further

RESOLVED, That the Task Force shall study and evaluate the following: advanced rail safety technology, warning devices and guided transportation systems, the Federal Railroad Administration's Interim Final Rule regarding sounding train horns at rail grade crossings, ambiguity over jurisdiction of pedestrian right of way, utilization of State and federal funds for crossing protection, and to what extent pedestrian and bicyclist safety at rail grade crossings is addressed in the current educational materials and programming regarding rail safety in Illinois; and be it further

RESOLVED, That the Task Force shall report its findings and recommendations to the General Assembly by July 1, 2006; and be it further

RESOLVED, That a suitable copy of this resolution be sent to the Chairman of the Illinois Commerce Commission.

At the hour of 7:45 o'clock p.m., the House Perfunctory Session adjourned.