



Rep. Patricia R. Bellock

Filed: 2/24/2006

09400HB4523ham002

LRB094 16427 RAS 56430 a

1 AMENDMENT TO HOUSE BILL 4523

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4523, AS AMENDED,  
3 with reference to page and line numbers of House Amendment No.  
4 1, on page 1, immediately below line 17, by inserting the  
5 following:

6 "Aseptic technique" means a practice that prevents and  
7 hinders the transmission of disease-producing microorganisms  
8 from one person or place to another."; and

9 on page 2, immediately below line 18, by inserting the  
10 following:

11 "Procedure area" means the immediate area where  
12 instruments and supplies are placed during a procedure."; and

13 on page 2, immediately below line 21, by inserting the  
14 following:

15 "Sanitation" means the effective bactericidal and  
16 veridical treatment of clean equipment surfaces by a process  
17 that effectively destroys pathogens."; and

18 on page 2, by replacing lines 24 through 27 with the following:

19 "Sterilize" means to destroy all living organisms  
20 including spores."; and

21 on page 4, by replacing lines 5 through 12 with the following:

22 "(1) An establishment must ensure that all body

1 piercing and tattooing procedures are performed in a clean  
2 and sanitary environment that is consistent with  
3 sanitation techniques established by the Department.

4 (2) An establishment must ensure that all body piercing  
5 and tattooing procedures are performed in a manner that is  
6 consistent with an aseptic technique established by the  
7 Department.

8 (3) An establishment must ensure that all equipment and  
9 instruments used in body piercing and tattooing procedures  
10 are either single use and pre-packaged instruments or in  
11 compliance with sterilization techniques established by  
12 the Department.

13 (4) An establishment must ensure that single use ink is  
14 used in all tattooing procedures."; and

15 on page 4, immediately below line 12, by inserting the  
16 following:

17 "Section 27. Prohibitions. Body piercing procedures must  
18 not be performed, without medical clearance, on skin surfaces  
19 where sunburn, rash, acne, infection, open lesions, or other  
20 questionable skin lesions exist and must not be performed on  
21 any person who is impaired by drugs or alcohol."; and

22 on page 4, line 19, by replacing "shall" with "may"; and

23 on page 6, line 3, by replacing "State certified local health"  
24 with "State-certified, local public health"; and

25 on page 6, immediately below line 5, by inserting the  
26 following:

27 "(c) The Department shall issue grants to State-certified,  
28 local public health departments acting as agents of the  
29 Department based on 75% of the total fees and fines collected

1 in the jurisdiction of the State-certified, local public health  
2 department for the enforcement and administration of this Act.

3 (d) The Department or a State-certified, local public  
4 health department acting as an agent of the Department in the  
5 administration and enforcement of this Act may use the local  
6 administrative review process of the State-certified, local  
7 public health department to resolve disputes."; and

8 on page 9, by replacing lines 24 and 25 with the following:

9 "Section 905. The State Finance Act is amended by adding  
10 Section 5.663 and by changing Section 8h as follows:"; and

11 on page 9, line 28, by replacing "Fund." with the following:

12 "Fund.

13 (30 ILCS 105/8h)

14 Sec. 8h. Transfers to General Revenue Fund.

15 (a) Except as provided in subsection (b), notwithstanding  
16 any other State law to the contrary, the Governor may, through  
17 June 30, 2007, from time to time direct the State Treasurer and  
18 Comptroller to transfer a specified sum from any fund held by  
19 the State Treasurer to the General Revenue Fund in order to  
20 help defray the State's operating costs for the fiscal year.  
21 The total transfer under this Section from any fund in any  
22 fiscal year shall not exceed the lesser of (i) 8% of the  
23 revenues to be deposited into the fund during that fiscal year  
24 or (ii) an amount that leaves a remaining fund balance of 25%  
25 of the July 1 fund balance of that fiscal year. In fiscal year  
26 2005 only, prior to calculating the July 1, 2004 final  
27 balances, the Governor may calculate and direct the State  
28 Treasurer with the Comptroller to transfer additional amounts  
29 determined by applying the formula authorized in Public Act  
30 93-839 to the funds balances on July 1, 2003. No transfer may  
31 be made from a fund under this Section that would have the

1 effect of reducing the available balance in the fund to an  
2 amount less than the amount remaining unexpended and unreserved  
3 from the total appropriation from that fund estimated to be  
4 expended for that fiscal year. This Section does not apply to  
5 any funds that are restricted by federal law to a specific use,  
6 to any funds in the Motor Fuel Tax Fund, the Intercity  
7 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid  
8 Provider Relief Fund, the Teacher Health Insurance Security  
9 Fund, the Reviewing Court Alternative Dispute Resolution Fund,  
10 ~~or~~ the Voters' Guide Fund, the Foreign Language Interpreter  
11 Fund, the Lawyers' Assistance Program Fund, the Supreme Court  
12 Federal Projects Fund, the Supreme Court Special State Projects  
13 Fund, ~~or~~ the Low-Level Radioactive Waste Facility Development  
14 and Operation Fund, ~~or~~ the Hospital Basic Services Preservation  
15 Fund, or the Tattoo and Body Piercing Establishment  
16 Registration Fund, or to any funds to which subsection (f) of  
17 Section 20-40 of the Nursing and Advanced Practice Nursing Act  
18 applies. No transfers may be made under this Section from the  
19 Pet Population Control Fund. Notwithstanding any other  
20 provision of this Section, for fiscal year 2004, the total  
21 transfer under this Section from the Road Fund or the State  
22 Construction Account Fund shall not exceed the lesser of (i) 5%  
23 of the revenues to be deposited into the fund during that  
24 fiscal year or (ii) 25% of the beginning balance in the fund.  
25 For fiscal year 2005 through fiscal year 2007, no amounts may  
26 be transferred under this Section from the Road Fund, the State  
27 Construction Account Fund, the Criminal Justice Information  
28 Systems Trust Fund, the Wireless Service Emergency Fund, or the  
29 Mandatory Arbitration Fund.

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

34 The State Treasurer and Comptroller shall transfer the

1 amounts designated under this Section as soon as may be  
2 practicable after receiving the direction to transfer from the  
3 Governor.

4 (b) This Section does not apply to: (i) the Ticket For The  
5 Cure Fund; (ii) ~~or to~~ any fund established under the Community  
6 Senior Services and Resources Act; or (iii) ~~(ii)~~ on or after  
7 January 1, 2006 (the effective date of Public Act 94-511) ~~this~~  
8 ~~amendatory Act of the 94th General Assembly~~, the Child Labor  
9 and Day and Temporary Labor Enforcement Fund.

10 (c) This Section does not apply to the Demutualization  
11 Trust Fund established under the Uniform Disposition of  
12 Unclaimed Property Act.

13 (d) ~~(e)~~ This Section does not apply to moneys set aside in  
14 the Illinois State Podiatric Disciplinary Fund for podiatric  
15 scholarships and residency programs under the Podiatric  
16 Scholarship and Residency Act.

17 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,  
18 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;  
19 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.  
20 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.  
21 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,  
22 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;  
23 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; revised  
24 1-23-06.)".