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HB1871	Third Reading	16
HB2415	Third Reading	22
SB0072	Concurrence	26
SB0168	Concurrence	40
SB0700	Second Reading	47
SB0701	Second Reading	47
SB0702	Second Reading	47
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SB0705	Second Reading	48
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SB1123	Second Reading	76
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SB1125	Second Reading	76
SB1126	Second Reading	77
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SB1128	Second Reading	77
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PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senate will come to order. Members will be at their seats. We will pause for -- in -- in place of the invocation, we will pause for a moment of silence in memory of all those who have lost their lives to COVID. (Moment of silence observed) Senator Bennett, will you lead us in the Pledge, please?

SENATOR BENNETT:

(Pledge of Allegiance, led by Senator Bennett)

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

James Carder from Blueroomstream seeks leave to videotape the proceedings. Seeing no objection, leave is granted. Senator Hunter, for what purpose do you rise? Oh! Pardon me. Just a moment. Mr. Secretary, Reading and Approval of the Journal. SECRETARY ANDERSON:

Senate Journal of March 24th, 2021.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Hunter, for what purpose do you rise? SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the

printed transcripts.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 186, offered by Senator Collins and all Members.

It's a celebration of life resolution, Mr. President.

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PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Resolutions Consent Calendar.

SECRETARY ANDERSON:

Senate Resolution 185, offered by Senator Bailey.

It is substantive.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Joyce, Chair of the Committee on Agriculture, reports Senate Bills 1658, 1693, 1878, 1879, and 2012 Do Pass.

Senator Glowiak Hilton, Chair of the Committee on Commerce, reports Senate Bills 134, 252, 294, 632, and 640 Do Pass.

And Senator Villanueva, Chair of the Committee on Human Rights, reports Senate Bill 506 Do Pass.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Mr. Secretary, are there any Appointment Messages?

SECRETARY ANDERSON:

Appointment Message 1020108

Governor's non-salaried appointment

To be a Member of the Illinois Housing Development -Development Authority, Sonia Berg

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Mr. Secretary... The Committee on Assignments will meet immediately in the Well of the Chamber. All members of the Committee on Assignments please assemble in the Well of the Chamber immediately. Mr. Secretary, Committee Reports.

#### SECRETARY ANDERSON:

Senator Cunningham, (Vice) Chairperson of the Committee on Assignments, reports the following Legislative Measures have been

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assigned: Refer to Agriculture Committee - Committee Amendment 2 to Senate Bill 1673; refer to Behavioral and Mental Health Committee - Senate Floor Amendment 2 to Senate Bill 331, Floor Amendment 2 to Senate Bill 1970; refer to Criminal Law Committee - Committee Amendment 1 to Senate Bill 1596 and Committee Amendment 1 to Senate Bill 2374; refer to Energy and Public Utilities Committee - Committee Amendment 1 to Senate Bill 1557 and Committee Amendment 1 to Senate Bill 1820; refer to Executive Committee -Senate Bills 185 and 568, Committee Amendment 1 to Senate Bill 228, Committee Amendment 2 to Senate Bill 647, and Floor Amendment 1 to Senate Bill 536; refer to Health Committee - Committee Amendment 1 to Senate Bill 2392; refer to Higher Education Committee - Committee Amendment 1 to Senate Bill 2291; refer to Insurance Committee - Committee Amendment 1 to Senate Bill 2409 and Committee Amendment 1 to Senate Bill 2411; refer to Judiciary Committee - Committee Amendment 1 to Senate Bill 227, Committee Amendment 1 to Senate Bill 338, Committee Amendment 1 to Senate Bill 2176, Floor Amendment 2 to Senate Bill 500, Floor Amendment 1 to Senate Bill 1655, Floor Amendment 2 to Senate Bill 1780; refer to Licensed Activities Committee - Committee Amendment 1 to Senate Bill 677, Committee Amendment 1 to Senate Bill 1930; refer to Local Government Committee - Committee Amendment 1 to Senate Bill 665 and Committee Amendment 1 to Senate Bill 2506; refer to Pensions Committee - Committee Amendment 1 to Senate Bill 167, Committee Amendment 1 to Senate Bill 2107, and Floor Amendment 1 to Senate Bill 1796; refer to Public Safety Committee - Committee Amendment 1 to Senate Bill 2226; refer to Revenue Committee - Committee Amendment 1 to Senate Bill 279, Committee Amendment 1 to Senate Bill 664, Committee Amendment 1 to Senate Bill 1721, Committee

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Amendment 1 to Senate Bill 2358; refer to State Government Committee - Committee Amendment 2 to Senate Bill 1714; refer to Transportation Committee - Committee Amendment 1 to Senate Bill 1808.

Signed, Senator Bill Cunningham, (Vice) Chairperson.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Holmes, for what purpose do you seek recognition? SENATOR HOLMES:

Thank you, Mr. President. Pursuant to Senate Rule 4-1(e), I move that Senators Aquino, Castro, Feigenholtz, Johnson, Jones, Lightford, Plummer, Stewart, Turner - Doris Turner, Van Pelt, and Villanueva be allowed to participate and vote remotely for today's Session.

#### PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? Seeing none, the question is, shall Senators Aquino, Plummer, Castro, Feigenholtz, Johnson, Jones, Lightford, Plummer, Stewart, Doris Johnson {sic}, Van Pelt, and Villanueva be allowed to participate and vote remotely for the March 25th, 2021 Session Day pursuant to Senate Rule 4-1(e). All those in favor, say Aye. Those opposed, say Nay. In the opinion of the Chair, the Ayes have it. The motion carries, and Senators Aquino, Castro, Feigenholtz, Johnson, Jones, Lightford, Plummer, Stewart, Doris Johnson, Van -- I'm sorry, Doris Turner, and Van Pelt, and Villanueva are allowed to participate and vote remotely for the March 25th, 2021 Session Day. Just to correct the record, that was Senator Doris Turner. Senators, for those of you participating remotely today or in the future, we'd like to share a few tips to make this process more efficient and transparent. When you are speaking or voting, you must have your camera on so

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that the Senate and those watching can verify your identity and vote intention. The Senate will not record a Member's vote if the Member's identity and intention has not been verified. When voting, please wait until your video comes up, then clearly, and with sufficient volume, state your name and your vote. The Chair will then state your vote for the record. Thank you. Ladies and Gentlemen of the Senate, we will now be moving to the Order of House Bills on 3rd Reading. This is final action. House Bills on 3rd Reading on page 52 of your printed Calendar. We will start with House Bill 158. Senator Hunter. She indicates she wishes to proceed. Mr. Secretary, please read the bill.

#### SECRETARY ANDERSON:

House Bill 158.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Hunter, on House Bill 158.

#### SENATOR HUNTER:

Thank you very much, Mr. President and Members of the Senate. House Bill 158 is the lame-duck version that came to the House from the Senate for concurrence. Every item that has an associated cost, except for the dementia program, is subject to appropriation. This Act intends to improve the health outcomes of Black residents in Illinois by radically reforming the State's health and human services system. Numerous studies have shown racism is the root of various health inequities experienced by Black Americans. Today, the Illinois health and human services system continues to perpetrate {sic} these health inequities. Black Americans suffer at higher rates of chronic diseases, including diabetes,

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hypertension, heart disease, asthma, and many cancers. experience more negative health outcomes as a result of implicit biases among medical professionals. A Black person's life expectancy on average is less -- is less when compared to a white person's life expectancy. In Chicago's Austin neighborhood to the Chicago Loop, there is a difference of eleven years between Black life expectancy, seventy-one years, and white life expectancy, eighty-two years. There is a prevalence of health deserts in Black communities. The health care providers that are located within these neighborhoods tend to offer lower-quality care. Worse than that, essential safety nets, such as Mercy Hospital in my district, were facing closure in the midst of a global pandemic. Although, the above-mentioned only begins to capture a portion of a larger system of racial inequities and injustices. It is imperative that the General Assembly and the people of Illinois recognize racism as a core fault of the current health and human services system so that we can begin to repair it. Therefore, the Illinois Legislative Black Caucus, as informed by the joint Health and Human Services pillar, seeks to remedy a fraction of this broken system by addressing the following areas in this package: access to health care, hospital closures, managed care organization reform, community health worker certification...

#### PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Hunter, can I ask you to pause for just a second? Ladies and Gentlemen of the Senate, can we please try to keep the discussion to a minimum? I think many Senators are having difficulty hearing the debate due to the fact that Members are wearing masks, so we're going to have to ask everyone to hold the conversation down. Sorry, Senator Hunter. Please continue.

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#### SENATOR HUNTER:

...you -- thank you, Mr. President. Community health worker certification, maternal and infant mortality, mental and substance abuse treatment, hospital reform, and medical implicit bias. Addressing these areas will dramatically alter the structure of our health care system for the better. For Black lives truly matter, their right to quality health care must {sic} be inhibited. It is our responsibility as elected officials to create laws that create an enriched, lasting impact on the communities we represent. This legislation does just that, and there is no better time to enact than now. Thank you. Now some of the changes to House Bill 158 is -- I mentioned earlier, during my introduction, the dementia-training program. It replaces the language provided by the original sponsor. The -- the change removes the cost to the State and onto the Alzheimer's Association. The Child Care Assistance Program: Removes Article 75 due to the provision passing in the -- the Black Caucus' economic pillar. In terms of -- Sickle Cell Prevention, Care, and Treatment Program, this was an ask from the Comptroller's Office. Similar to Article 185, the Comptroller states that this language helps clarify -- helps to clarify that an agency must be appropriated funds from the General Assembly in order to access the fund. Article 155, Managed Care Oversight Commission: It adds a dental association member to the MCO Oversight Commission, and it specifies that there shall be a group representing pharmacies and a group representing pharmacists. The current language implied that there shall be one group representing both organizations. In addition, the bill removes the following requirement that was negotiated out during lame duck and left in the -- 101st General Assembly version...

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Community Health Worker Certification and Reimbursement Act: Community Health Worker Certification the Reimbursement Act to establish a mechanism for the certification of community health workers. Subject to appropriation, the safety net psychiatric services payment: Subject to appropriation, it provides that starting January 1 of this year, the inpatient, per diem rate for inpatient psychiatric services to all safety net hospitals must be at least six hundred and thirty dollars. Underlining Cause {sic} (Underlying Causes) of Crime and Violence Study Act: It creates the Underlining {sic} Causes of Crime and Violence Study Act, which requires DPH and DHS to study how to create a process to identify high violence communities known as R3, which is restore, reinvest, and renew areas, and prioritize State dollars to go to these communities to fund programs. Testing for Legionella disease bacteria: It requires hospitals and nursing home facilities to develop a policy for testing its water supply for Legionella bacteria that includes frequency with which testing is conducted. It amends the Public Aid Code by creating Medicaid Managed Care Oversight Commission to evaluate the effectiveness of the Illinois managed care program. And so, Mr. -- Mr. President, I think that I'll pause at this particular moment and take some questions, if you may.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? Senator Koehler, for what purpose do you seek recognition?

#### SENATOR KOEHLER:

I just want to thank the sponsor and really the entire Legislative Black Caucus for bringing this really important piece of legislation forward. We -- we voted on this in -- in lame duck

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Session and I'm proud to stand up and support it again. We -- we need to do the right thing and get this done.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator McClure, for what purpose do you seek recognition? SENATOR McCLURE:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

To the bill.

#### SENATOR McCLURE:

Thank you. First of all, I just want to thank Senator Hunter for all the hard work that she's done. And she's brought to the attention of the whole State many issues that are extremely important and -- she's brought to the attention to {sic} the whole State many issues that are extremely important and need to be addressed. My concern with this legislation though - whoop, that's a bit too close - is the -- is the fiscal impact. Twelve billion dollars would represent almost thirty percent of the Governor's proposed fiscal year 2022 general funds budget, which is 41.6 billion dollars. We just can't afford it, and that's really what it comes down to. And, you know, the 7.5 billion dollars from the recent stimulus is going to help us quite a bit, but we're still in very rough financial shape right now. And, as I said, there are some very good things in this bill, but unfortunately I would urge a No vote because we can't afford it. Thank you.

#### PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Collins, for what purpose do you seek recognition? SENATOR COLLINS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to say, we cannot not afford it. How do you

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put a price tag on somebody's life and the quality of life that many people have suffered under? And I stand in strong support of this legislation. I stand in support of it because in particular it measures how to address maternal mortality by increasing access to doulas and home visiting programs. When we took up the issue of maternal and infant mortality in 2019, we found much evidence to support what Black mothers have been telling us for years that women's concerns over their bodies and their children's wellbeing are too often diminished or ignored, and usually in ways that can be deadly for women of color in particular. Studies show -- and this is -- I want you to listen to this. Studies show a college-educated Black woman in a high-paying career, much like Serena Williams, is more likely to die as a consequence of childbirth than a white woman without a high school diploma. What we know, without needing any study to tell us, is that we must do everything we can to protect the life of every mother and their child. I would ask my colleagues to please stand in support with this initiative. I thank Senator -- Leader Hunter for this legislation and I look forward to passage. Thank you.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator DeWitte, for what purpose do you seek recognition? SENATOR DeWITTE:

Thank you, Mr. President. Quick question of the sponsor, please.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

She indicates she will yield. Please state your question. SENATOR DeWITTE:

Thank you, Mr. President. Thank you, Senator. I know we had a conversation about a couple of these issues in committee

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yesterday. I just wanted to clarify for the record particularly with regards to Medicaid -- Medicaid coverage being proposed for portions of this legislation. Can you explain for the Body, please, what type of certifications or licensing requirements will be required for community health workers, who are proposed to absorb between one and three billion dollars, which may not necessarily be available for Medicaid reimbursement?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Hunter.

### SENATOR HUNTER:

Thank you very much, Mr. President. Senator, as we indicated in committee yesterday -- first of all, I don't know where you get that number from. That's first of all. Second of all, the community health worker certification does no -- does not exist at this particular time. We're looking forward to working with the Department of Public Health to develop the certification process. And -- and also, Senator, the MCOs are currently using the community health workers in their system, and those -- that program is being funded through their own dollars, their own dollars - not State dollars, but their own dollars.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator DeWitte.

#### SENATOR DeWITTE:

Thank you. Senator, to answer your question, that 1. -- one to three billion dollars was provided by HFS. My second question: With regards to doula services, can you please inform the Body of the licensing or certification requirements for doulas, who potentially could be absorbing up to fifty-five million dollars of this proposed legislation?

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PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Hunter.

#### SENATOR HUNTER:

As far as I know, Senator, doulas are not required to be certified. However, they are required to work with the Department to develop the -- the certification for doulas.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator DeWitte.

#### SENATOR DeWITTE:

So will they be required to be certified in order to be reimbursed by Medicaid coverage?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Hunter.

### SENATOR HUNTER:

Not for the certification, but for the requirements. They will -- they will be required to work with the Department to develop their qualifications to become doula -- become a doula.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator DeWitte.

### SENATOR DeWITTE:

Senator, I have no further questions.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any further discussion? Seeing none, Senator Hunter, do you wish to close?

#### SENATOR HUNTER:

I'd like to thank all of the different agencies: Department of Healthcare and Family Services, the Governor's Office, Public Health, Human Services, the Hospital Association, our community providers, who has worked with us diligently over the past nine

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months to advise us and to recommend different areas and to identify other delinquent areas in our system. You know, we have not reformed the health care system in this State in about eleven years, okay? There have been a number of changes that has occurred during that period. So this is a beginning. We realize that -since lame duck, myself and -- and Representative Lilly, who is the House sponsor of this measure, we have worked with and met with over twenty to thirty different groups or the same groups because everyone wanted to assist us in reforming the system. And we had come up with a -- with trailer items to add to this and we realized how complicated that was. So we decided not to adopt those measures, but we decided to, perhaps, take a look at them at a later date, okay? So I know that there are so many people who are disappointed that their recommended language did not get into this particular measure, but we decided to go ahead and -- and put this together. This is the best thing that's going on. nobody in the State -- in this whole country that has transformed and reformed the health and human services system. trailblazers here in the State of Illinois. We have also been invited to go and speak at different conferences to -- to show and to advise other states on how to reform their system to address the disparities as well as to have better outcomes. So I would ask for an Aye vote. And I really appreciate everyone -- and -and I can't forget the staff. We have the best staff and the best cooperating entities in -- I think in the country. Patricia, I'd like to thank you so much. We've been -- we've been meeting to midnight -- midnight. We've been meeting on weekends and Sundays through Zoom meetings. And I know she was so tired of me calling her, saying, "We got to get on another call." But she never said

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no. She said, "Let's do it. Let's roll up our sleeves." And I'd like to thank my -- President Harmon for supporting this measure. Thank you, colleagues. I really appreciate you all. Let's vote green.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

The question is, shall House Bill 158 pass. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? We will now proceed with Senators who are voting remotely, starting with Senator Aguino.

SENATOR AQUINO:

Aquino votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Aquino votes Aye. Senator Castro. (Remote audio bleed-through)

SENATOR CASTRO:

Yes. (Remote audio bleed-through) Castro votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Castro votes Yes. Senator Feigenholtz.

SENATOR FEIGENHOLTZ:

Senator Feigenholtz votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Feigenholtz votes Aye. Senator Johnson.

SENATOR JOHNSON:

Senator Johnson votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Johnson votes Aye. Senator Jones.

SENATOR JONES:

Senator Jones votes Aye.

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Senator Jones votes Aye. Senator Lightford.

SENATOR LIGHTFORD:

Lightford votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Lightford votes Aye. Senator Plummer.

SENATOR PLUMMER:

Senator Plummer votes No.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Plummer votes No. Senator Stewart.

SENATOR STEWART:

Stewart votes No.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Stewart votes No. Senator Doris Turner.

SENATOR D. TURNER:

Senator Doris Turner votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Doris Turner votes Yes. Senator Van Pelt.

SENATOR VAN PELT:

Senator Van Pelt votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Van Pelt votes Yes. Senator Villanueva.

SENATOR VILLANUEVA:

Senator Villanueva votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Villanueva votes Yes. Have all voted who wish? Have all voted who wish? Take the record. With 41 voter -- 41 Senators voting in the affirmative, 16 voting No, House Bill 58 {sic} has achieved the constitutional majority and is declared passed. Remaining on House Bills on 3rd Reading, we will move to House

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Bill 1871. Senator Morrison. She indicates she wishes to proceed. Mr. Secretary, please read the bill.

### SECRETARY ANDERSON:

House Bill 1871.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Morrison, on House Bill 1871.

### SENATOR MORRISON:

Thank you, Mr. President. Senate {sic} Bill 1871 extends three vote-by-mail opportunities which were used during the 2020 General Election. It -- the election authorities are allowed to use ballot drop boxes. Ballots will be returned -- election authorities must accept vote-by-mail ballots regardless of postage paid by the voter, and provisions for curbside voting are allowed. The Illinois Association of County Clerks and Recorders is in support of this legislation. And I ask for an Aye vote.

### PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? Senator Hastings, for what purpose do you seek recognition?

### SENATOR HASTINGS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

To the bill.

#### SENATOR HASTINGS:

You know, voting is the cornerstone of our democracy upon which all of our civil liberties rest. And you look around the country today and there are states that are trying to limit one {sic} ability vote. Let's take a look at Georgia - trying to limit

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drop box access or make it a crime to give food or drinks to those waiting in line to vote. Coming off of COVID, some people still just don't feel comfortable voting, and that's why we should focus on expanding one's ability to vote and the security of that vote. So whether it's expanding drop boxes or curbside voting or making sure their ballot makes it to the appropriate -- appropriate election authority, this is the right thing to do on behalf of all Illinois residents. And I want to say thank you to Senator Morrison for bringing this forward. And I urge an Aye vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator McClure, for what purpose do you seek recognition? SENATOR McCLURE:

Mr. President, will the sponsor yield for a question? PRESIDING OFFICER: (SENATOR CUNNINGHAM)

She indicates she will yield. Senator McClure.

#### SENATOR McCLURE:

Senator Morrison, generally speaking, I've got good reviews over the drop boxes in my district. I do have a question though about page 6 of the bill. It talks about "Ballots returned to such collection sites after the {sic} close of business shall be dated as delivered the next day, with the exception of ballots delivered on election day, which shall be dated as received on election day." So I just would like some clarification, if you can please give me that, as far as basically what I just discussed on page 6.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Morrison.

SENATOR MORRISON:

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Senator McClure, yesterday in Executive - I'm not sure if you were in committee or not - there - okay - there was a question about this and Tom Bride, who is the Executive Director of the Peoria County Election Authority (sic) (Commission), gave some onthe-ground testimony as to what it's really like to be that election authority and -- and the closing of the drop box and the collection. They had absolutely no trouble with it. This doesn't say 7 p.m. This says at the close of polls. Let's say, for example, there was some kind of emergency situation which extended the polling hours, right, that legally the -- there was a requirement, that is also the close of polling. Anything that is after 7 p.m. will not be considered a valid vote and will not be collected and will not be counted. It doesn't seem to have been a problem for anybody, and we did this in 2020, where it was very -- the -- incredible number of vote-by-mail ballots were -- were cast, and in fact, about a third of the State's ballots were voteby-mail, and many of those came into drop boxes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator McClure.

### SENATOR McCLURE:

Senator Morrison, is there any study as far as, you know, what -- again, I -- I can only speak to what happened in my counties, and I know that they were overall happy with the drop boxes. But has there been any study to ensure that -- you know, in all the counties of our State that they're all -- the election boxes were closed when they were supposed to be closed to make sure that there were no ballots that were submitted after the close of the polls?

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Senator Morrison.

#### SENATOR MORRISON:

Senator, I have not heard of a study, nor have I heard of any concerns or problems that came out of the 2020 election. And I think the fact that the Illinois Association of Clerks and Recorders supports and is a proponent of this legislation speaks volumes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator McClure.

### SENATOR McCLURE:

SENATOR COLLINS:

Thank you -- thank you, Senator Morrison.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any further discussion? Senator Collins. Senator Collins, for what purpose do you seek recognition?

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. This is another great bill for today and I stand in support, strong support, of House Bill 1871, as I stand in support of any measure which ensures that we protect and expand voting rights here in Illinois. The late Congressman John Lewis once said, "The right to vote is precious, almost sacred. It is the most powerful nonviolent tool or instrument we have in a democratic society." He called on Americans to use that power together to work toward a more perfect union. When we protect voting rights, all voices are made more powerful: Republican and Democrat votes, the young and the old, the Black and brown and white. All voices are heard. In last year's elections, in which more mail-in and drop box votes were cast than ever before, we saw both Presidential

candidates receive the most votes a candidate from their parties

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had ever received in history. As the pandemic finally comes to an end, measures such as drop boxes and curbside voting can still mean the difference between a working person or a person with disabilities, or an elderly person, being able to cast their ballot. For them, and for all Illinoisans, I urge an Aye vote.

Is there any further discussion? Seeing none, Senator Morrison, do you wish to close?

SENATOR MORRISON:

Mr. President, I simply ask my colleagues in the Senate to join with those folks that actually administer the vote in our local communities to support House Bill 1871.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

The question is, shall House Bill 1871 pass. All those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? We will proceed with Senators approved to participate remotely now, starting with Senator Aquino.

SENATOR AQUINO:

Aquino votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Aquino votes Aye. Senator Castro.

SENATOR CASTRO:

Castro votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Castro votes Yes. Senator Feigenholtz. Senator Feigenholtz. We will move to Senator Johnson. Senator Johnson. SENATOR JOHNSON:

Senator Johnson votes Yes.

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PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Johnson votes Yes. Senator Jones.

SENATOR JONES:

Senator Jones votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Jones votes Yes. Senator Lightford.

SENATOR LIGHTFORD:

Lightford votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Lightford votes Aye. Senator Plummer.

SENATOR PLUMMER:

Senator Plummer votes No.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Plummer votes No. Senator Stewart.

SENATOR STEWART:

Stewart votes No.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Stewart votes No. Senator Doris Turner.

SENATOR D. TURNER:

Senator Doris Turner votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Doris Turner votes Yes. Senator Van Pelt.

SENATOR VAN PELT:

Senator Patricia Van Pelt votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Van Pelt votes Yes. Senator Villanueva.

SENATOR VILLANUEVA:

Senator Villanueva votes Yes.

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Senator Villanueva votes Yes. We'll move back in the order now to Senator Feigenholtz. Senator Feigenholtz.

SENATOR FEIGENHOLTZ:

Senator Feigenholtz votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Feigenholtz votes Aye. Have all voted who wish? Have all voted who wish? Take the record. With 48 Senators voting Yes, 7 voting No, and 1 voting Present, House Bill 1871 has received the required constitutional majority and is declared passed. Moving now to Senate {sic} Bill 2415. Senator Castro, with Senate {sic} Bill 2415.

SENATOR CASTRO:

Thank you, Mr. President. House Bill 2415 would allow a county that submitted its county cannabis tax paperwork by November 2020 to begin collecting the tax in May 2021. The issue at hand is Kane County originally passed its ordinance authorizing a county sales tax of 2.5...

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Castro. Senator Castro, can you pause for just a second? I'm sorry. Mr. Secretary, can you please read the bill? SECRETARY ANDERSON:

House Bill 2415.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Sorry, Senator Castro. Please proceed.

SENATOR CASTRO:

No problem, Mr. President. Kane County originally passed its ordinance authorizing a county sales tax of 2.5 percent in October

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2019, which would have allowed them to begin taxing the sale in 20 -- July 2020. However, after not having any evidence of cannabis tax dollars coming in from the State, Kane County reached out to the Department of Revenue in October 2020 and learned the county never filed paperwork with the State after approving the sales tax. Neither the county's development department, nor the County Clerk's Office had any record of notifying the State and local cannabis businesses start -- to start collecting the tax in July. By missing the October 1st, 2020 deadline, the county would not be able to begin collecting the tax until July 1st, 2021. Kane County Chairman Chris Lauzen has asserted that is will cost the county a million in tax revenue, calculating from January 1st to September 30th, 2020, and October 1st from 2020 to July -- June 30th, 2021. The former Kane County Chairman and Kane County State's Attorney each blame each other's offices. You know, this is a quick fix for a -- a problem that was created by the previous Chairman. This passed unanimously out of committee. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? Senator DeWitte, for what purpose do you seek recognition?

SENATOR DeWITTE:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

To the bill.

SENATOR DeWITTE:

Thank you, Mr. President. Just for folks on our side of the aisle, I want to let everybody know that because this was an unfortunate oversight by the previous Chairman, the taxpayers in

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Kane County are in fact entitled to these tax revenues. And I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any further discussion? Seeing none, Senator Castro, do you wish to close?

SENATOR CASTRO:

Thank you, Senator DeWitte. And, Members, I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

The question is, shall House Bill 2415 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? We'll proceed with Senators approved to participate remotely, starting with Senator Aquino. Senator Aquino.

SENATOR AOUINO:

Aquino is an Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Aquino votes Aye. Senator Castro.

SENATOR CASTRO:

Senator Castro is a Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Castro votes Yes. Senator Feigenholtz.

SENATOR FEIGENHOLTZ:

Senator Feigenholtz votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Feigenholtz votes Yes. Senator Johnson.

SENATOR JOHNSON:

Senator Johnson votes Yes.

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Senator Johnson votes Yes. Senator Jones.

SENATOR JONES:

Jones votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Jones votes Yes. Senator Lightford.

SENATOR LIGHTFORD:

Lightford votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Lightford votes Aye. Senator Plummer. Senator Plummer. Senator Stewart. Senator Stewart. Senator Doris Turner.

SENATOR D. TURNER:

Senator Doris Turner votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Doris Turner votes Yes. Senator Van Pelt.

SENATOR VAN PELT:

Senator Van Pelt votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Van Pelt votes Yes. Senator Villanueva.

SENATOR VILLANUEVA:

Senator Villanueva votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Villanueva votes Yes. Senator Jones, we're going to return back to you because we did not see your video on the screen. So, Senator Jones.

SENATOR JONES:

Senator Jones votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Jones votes Yes. Returning back to Senator Stewart. Senator Stewart. Have all voted who wish? Have all voted who

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wish? Take the record. On that question, there are 54 Senators voting Yes, 0 voting No. House Bill 2415, having received the required constitutional majority, is declared passed. We'll now move to the bottom of page 52 on your written Calendar, Secretary's Desk. We have concurrence motions, starting with Senate Bill 72. President Harmon. Indicates he wishes to proceed. Mr. Secretary, please read the bill.

### SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 72.

Signed by President Harmon.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon, on your motion.

### SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In the waning days of the last General Assembly, we passed a bill relating to prejudgment interest on personal injury lawsuits. The Governor has expressed an interest in signing a negotiated prejudgment interest bill instead, and this House amendment to Senate Bill 72 reflects that negotiated...

### PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? I'm sorry. President Harmon, please proceed.

#### SENATOR HARMON:

I've been told I -- am inaudible, so let me try this again. So in the final days of the last General Assembly, we passed a bill on prejudgment interest. The Governor has expressed a desire to sign a negotiated bill instead. This bill reflects those negotiations and has come over from the House. It still provides

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for prejudgment interest in cases of personal injury, but it does several things that are -- reflect compromise. It reduces the prejudgment interest rate to six percent. It delays the application of prejudgment interest until the lawsuit is filed. It provides for a delayed effective date. It also offers some accommodations to defendants in terms of tolling the accumulation of interest in certain circumstances, as well as an offset for a good faith settlement offer made by the defendant. It is not without opposition, but we have brought representatives of the Hospital Association and the nursing home industry to a neutral posture. I am happy to try to answer any questions you may have. PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? Leader McConchie, for what purpose do you seek recognition?

#### SENATOR McCONCHIE:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

He indicates he will yield. Leader McConchie.

### SENATOR McCONCHIE:

Thank you, Mr. President. Thank you, Mr. President, for presenting this today. First, you know, we are in the business of solving problems here in the General Assembly, and I was hoping that you'd be able to outline for the Body what is the problem here in Illinois that we are attempting to solve with this legislation?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

#### SENATOR HARMON:

Thank you, Mr. President. Thank you for the question. The

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-- the problem is relatively simply. In a typical personal injury case, there is an economic imbalance. The defendant is most often insured and the defense is mounted by the insurance company. The plaintiff is not. The plaintiff is awaiting the verdict to pay for his or her damages, which often include lost income. This simply tilts the scale a little bit in favor of a prompt settlement of a meritorious claim. It -- it -- it encourages the settlement and it eliminates just a small portion of that economic imbalance that otherwise tilts towards the defendant in most cases. We would be the -- the forty-seventh state to adopt prejudgment interest. We are not an outlier by any stretch. And with the negotiated compromises made in the House, we have moved much closer to the center of the bell curve in terms of the -- the state models.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie.

### SENATOR McCONCHIE:

Thank you for that. So -- so can you -- I mean, obviously we -- we do have other protections and things that are in place for many defendants. You know, we have the -- yeah, there's insurance and -- and various things. So it's -- they're not completely left on their own. So how -- the proponents have said this applies to about three percent of cases and that ninety-seven percent are settled. And so, isn't this a relatively expensive and expansive solution for a small number of cases?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

### SENATOR HARMON:

Thank you, Mr. President. I -- I think your -- your numbers are correct, but misleading. So it applies to all cases, but the

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prejudgment interest attaches only to those cases that go to verdict, which is roughly three percent of the cases. So, no, it is not. It -- it is a change in the ground rules. And let's be very honest, the entire collection of ground rules applies to all cases and creates a series of strategic advantages for one side or the other. In our view, the lack of prejudgment interest tilts the scale in favor of the economically superior defendant nine times out of ten.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie.

#### SENATOR McCONCHIE:

In the earlier bill that you passed back during lame duck Session, the Hospital Association, when they were talking about the earlier prejudgment interest, released a study from the Milliman actuarial group, saying that the impact of that bill would have increased the cost of claims by seventy-two percent in Cook County and fifty-three percent elsewhere in Illinois. Now I understand you've -- you've described the fact that we've made changes in this legislation that -- you know, such as reducing the interest rate and such. Do -- do we know what the rate of impact is under the -- this regime that you -- that this would establish? PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

#### SENATOR HARMON:

Thank you, Mr. President. I -- I do not have that study in front of me, nor -- nor do I have any updated study. I do know that the Hospital Association is now neutral on this bill as it has been amended.

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Leader McConchie.

#### SENATOR McCONCHIE:

...right. Thank you for that. I -- I understand that the Hospital Association is neutral, though we have -- we know that there's a lot of individual hospitals as well as State Medical Society and others that continue to be opposed. Very, very concerned about the increased cost associated with this. One thing I would also want to point out is you've talked about the fact that forty-seven states have this in some capacity. One of the things that I would note is that there is -- this is not an applesto-apples comparison in the vast majority of those states. fact, compared to -- you know, in our research, we only see three states which have a similar interest rate amount and that it is applied to -- towards personal injury and such. The vast majority of states, it -- the interest rate is tied to the federal rate or it is set by the legislature on an annual basis to reflect the, you know, economic situation at the time and it is applied only in kind of contracts, not in this wide range of tort claims that would be in this case. But let's say that in your bill where it's going to have, you know, twenty-five percent costs of increase -- there -- there will be some increase, I -- I would assume, and, if so, who's going to be responsible for the increased costs?

President Harmon.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

#### SENATOR HARMON:

Thank you, Mr. President. Let's be clear, the increased cost, if any, is a six percent interest rate on verdicts that have gone to jury, essentially. Not on settlements. Not on other claims. I -- I don't know where these numbers are coming from, but it would

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be part of the settlement. So the defendant and the defendant's insurance company would include this as a part of the cost of -- of paying the verdict.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie.

#### SENATOR McCONCHIE:

So, you are indicating there will be increased costs, and -- and we -- we have heard from the insurance industry that this is going -- definitely going to be driving up rates. In this, does your bill allow for retroactivity?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

#### SENATOR HARMON:

To your earlier point, I have not heard from the insurance industry on -- on rates. Again, the -- I am -- I am answering your question, saying if there is an increase in cost, it is -- it is a six percent assessment on the verdict, not on a settlement, or this might actually reduce costs if it encourages prompt settlements of meritorious claims. But -- what was your -- second part of your question? I'm sorry, Senator.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie.

#### SENATOR McCONCHIE:

Actually, let's go to that point here for a moment. Let --let's talk about the fact that it does not apply to settlements if they're done in less than a year. And... I'm sorry. You're disputing that?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

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#### SENATOR HARMON:

It does not apply to settlements at all. If a settlement, however, is made in good faith in the first year and the case still goes to verdict, then the -- the amount of the settlement is deducted from the amount subject to prejudgment interest. But it applies to all settlements, anything that doesn't go to a verdict. PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie.

### SENATOR McCONCHIE:

All right, we'll -- all right, I have somebody checking into that. So -- so in -- in regards to the question about retroactivity, you know, does this apply to cases that are currently in the system? And part of the reason I ask this is because, right now, there are -- you know, we -- we -- obviously COVID has put the brakes on our legal system right now. I understand that there's eighteen thousand jury trials that are currently pending in the State of Illinois, the backup due to COVID. And this is going to affect all of those that are currently in the system under insurance claims and things like that that were priced without this -- potentially increased cost in place. PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

### SENATOR HARMON:

It applies upon the effective date of the law, which has been delayed until June of '21, but then it would apply prospectively to new cases and to pending cases.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie.

### SENATOR McCONCHIE:

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So, in -- in -- okay. Thank you for that. And so, in regards to other states, I mentioned earlier that we -- we were only able to find three states that have an approximately similar interest rate and that it is as broad or covers as many topics as what your bill will do. None of those are around us. So these are -- the states that we have found: California, Colorado, Hawaii. states that are around us, while they do have prejudgment trial interest, many of them have caps. Damages caps of 1.25 million, a interest rate that's tied to market conditions - things that are not in your bill and does not create an apples-to-apples comparison with these other states. And we have an issue, not only with the costs associated with this, but also with the other kind of costs of doing business that are in the State. And so I -- I would just like to point out the fact that, you know, the -- the forty-seven states, while, yes, they do have that, it is a -- a little bit misleading just given how much more limited the vast majority of states are than what this legislation will do. Lastly, I'd like to ask about -- you -- you mentioned that the bill was negotiated, and you indicated the Hospital Association. Were -- there's a long list of opponents to this, which include - I'll just read through them real quick - the American Petroleum Institute, American Property Casualty Insurance Association, Chemical Industry Council, Chicagoland Chamber of Commerce, Civil Justice League, Health Care Association, Fuel and Retail Association, Illinois Chamber of Commerce, Illinois College of Emergency Physicians, the Illinois Defense Council, Illinois Manufacturers' Association, National Association of Mutual Insurance Companies, the Retail Merchants Association, Road and Transportation Builders Association, State Medical Society, as well as various hospital

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systems. Were -- were -- in -- in the negotiations, were these entities invited to sit down and discuss this and try to figure out a compromise that would make this competitive and something that they could accept?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

#### SENATOR HARMON:

We heard from the State Medical Society, the Hospital Association, and the Nursing Home Association, to my knowledge, when the bill was going through the process in January. I know that those three had been consulted. I do not know the status of conversations with the other folks that you listed. You -- we seem to have united a lot of our friends. I did not hear from any of them personally in terms of that. I do not know what role they took in conversations.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie, do you have another question?

### SENATOR McCONCHIE:

Thank you, Mr. President. Thank you for your indulgence. I just want to go back real briefly to the -- the question, and maybe I'm not understanding here, in regards to the settlement amounts and whether it applies to them in this. So, at the bottom of page 3, it talks about if a judgment is greater than the amount of the highest written settlement offer made by the defendant within twelve months after the latter {sic} (later) of the effective date of this amendatory Act and -- and then it goes on further. So am I to -- my understanding from you is that it does not apply to settlements at all?

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President Harmon.

#### SENATOR HARMON:

Thank you, Mr. President. That is correct. If the parties settle the case, prejudgment interest does not attach. If the case goes to verdict and it comes back in favor of the plaintiff, but the defendant had tendered a good faith settlement offer in the first twelve months that the plaintiff refused, then that amount is deducted from the amount of the verdict that is subject to prejudgment interest. But if the parties settle the case at any point in time, prejudgment interest does not attach.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Leader McConchie.

SENATOR McCONCHIE:

To the bill.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

To the bill.

#### SENATOR McCONCHIE:

Thank you, Mr. President, for the robust discussion. I appreciate that. I -- let me just talk real kind of top line in regards to this bill. You know, I mentioned a few minutes ago that, yeah, the -- the -- the President talked about the fact that forty-seven states have some form of prejudgment interest, and that is true. That is definitely the case. But in the vast majority of those cases, the interest is severely limited. It is tied to market rates. It is lower than what it is that we are talking about even in this bill, and it is much more constrained to the types of cases that it can apply to. As a result, I mean, this bill is going to hurt some of those people who definitely need a leg up right now, especially in the current environment

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under COVID. Let's just take our health care workers and small businesses, who have suffered tremendously in the past year. This is going to create a circumstance in which we have had health care workers who tried to respond under the COVID environment to try to save lives, maybe made some mistakes along the way, is now going to open them up to the possibility of frivolous lawsuits that will dramatically increase rates and maybe even force individuals out of State. This is opposed by nearly every health care group. It is opposed by virtually every business group. And there is a lot of entities who are going to be suffering under this who were willing to sit down and negotiate something that would absolutely work for everyone, who, it appears, was not invited to the table in order to do that. My concern with this is not the fact that we don't create this type of regime, but instead is the specifics in regards to this and the necessity to bring everybody to the table to actually get justice done in an appropriate manner. I'm afraid this is going to work to the contrary of that goal for both justice and for jobs. As a result, I would ask for a No vote. Thank you. PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any further discussion? Senator Rezin, for what purpose do you seek recognition?

### SENATOR REZIN:

Thank you, Mr. President. To the bill, please.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

To the motion.

#### SENATOR REZIN:

Thank you. Judging by all of the business groups who oppose this bill, it is fair to say that Senate Bill 72 is a bill that will hurt our small businesses and expose our health care workers

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who have been working long hours during the pandemic. Make no mistake, Illinois is known -- Illinois is a state that favors trial attorneys over businesses, and this bill drives up rates at the expense of hurting our businesses and challenging our small businesses who are trying to survive during a pandemic. I ask for a No vote.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any further discussion? Seeing none, President Harmon, to close.

### SENATOR HARMON:

Thank you, Mr. President. And thank you for the robust debate. As I said, forty-six other states already have some form of prejudgment interest. There is no apples-to-apples comparison across states. Everyone -- every state has its own civil code and different models. Some do use prejudgment interest as a premium on Treasury rates. In some of those states, the premium is high enough that it would be in excess of our rate today. In others, when the Treasury rate goes up, those will float up above our rate as well. But it's not the math. It's not the rules. This is a fundamental question of fairness. And a small business owner who is injured at her hospital and loses her business because she can't run it and has sued for redress of her injuries is at a disadvantage, because the way the system is structured today, the defendant has every incentive to delay, to delay, to delay, and hope that the plaintiff goes away, hope that the plaintiff settles, hope that the plaintiff dies. The rules are structured in a way that encourages delay. This is a small adjustment to those rules to encourage a prompt settlement of a meritorious claim. know it's -- the -- the opponents are making it sound like the sky

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is falling - it's not. We're joining the vast majority of other states in tweaking our rules to make it a little more fair for the injured plaintiff and to put the burden on the insured defendant to settle a meritorious case promptly. I ask for your Aye votes. PRESIDING OFFICER: (SENATOR CUNNINGHAM)

The question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 72. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? We will proceed with Senators approved to participate remotely, starting with Senator Aquino. Senator Aquino.

SENATOR AQUINO:

Aquino's a Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Aquino votes Yes. Senator Castro.

SENATOR CASTRO:

Castro votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Castro votes Yes. Senator Feigenholtz.

SENATOR FEIGENHOLTZ:

Feigenholtz votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Feigenholtz votes Yes. Senator Johnson.

SENATOR JOHNSON:

Senator Johnson votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Johnson votes Yes. Senator Jones.

SENATOR JONES:

Senator Jones votes Yes.

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Senator Jones votes Yes. Senator Lightford.

SENATOR LIGHTFORD:

Lightford votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Lightford votes Aye. Senator Plummer.

SENATOR PLUMMER:

Senator Plummer votes No.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Plummer votes No. Senator Stewart.

SENATOR STEWART:

Stewart votes No.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Stewart votes No. Senator Doris Turner.

SENATOR D. TURNER:

Senator Doris Turner votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Doris Turner votes Yes. Senator Van Pelt.

SENATOR VAN PELT:

Senator -- Senator Van Pelt votes -- votes Present.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Van Pelt votes Present. Senator Villanueva.

SENATOR VILLANUEVA:

Senator Villanueva votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Villanueva votes Yes. Have all voted who wish? Have all voted who wish? Take the record. On that question, 37 Senators having voted Yes, 17 voting No, 3 voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 72, and the bill is declared passed. Ladies and Gentlemen of the Senate, we

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will now move to the top of page 53 on your printed Calendar, where President Harmon brings Senate Bill 168. President Harmon. Mr. -- Mr. Secretary, read the motion.

#### SECRETARY ANDERSON:

I move to concur with the House in the adoption of their Amendments 1, 2, and 3 to Senate Bill 168.

Signed by President Harmon.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon, on your motion.

### SENATOR HARMON:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I hope this one will be a little less interesting to -- to you all. In the fall of 2019, Westlake Hospital in my district closed. There is a new buyer who is prepared to reopen the hospital after a brief closure. This would allow that owner group to avail itself of the certificate of exemption process at the Health Facilities Planning Board rather than the certificate of need process. It's equivalent to a change of ownership rather than establishing a new hospital, which I think in this case is appropriate since the hospital has only been closed for a very short period of time and there is no material change in the -- the needs of the community. So, happy to try to answer your questions, but ask for your Aye votes.

### PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? Senator Rezin, for what purpose do you seek recognition?

### SENATOR REZIN:

Thank you, Mr. President. Question for the speaker.

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He indicates he will yield. Senator Rezin. SENATOR REZIN:

Thank you. President Harmon, can you -- so, typically, can you run through the process for a health care industry, you know, using the CON process and why it's important, in this particular bill, you're eliminating or you're skipping the CON process?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

### SENATOR HARMON:

Thank you, Mr. President. Thank you for the question, Senator. I hope I can acquit myself fairly on this one. I am not an expert in the process. But if you or I wanted to open up a brand-new hospital, we would go to the Health Facilities Planning Board and -- and apply for a certificate of need to demonstrate that the market can bear the -- the additional hospital without dissipating the quality of service in the surrounding area, to prove up in fact that the hospital makes sense. If there were a change of ownership on a hospital, they would get the certificate And in this case, even though the hospital of exemption. technically closed for a brief period of time, it did not -- it was not deemed unnecessary by the Health Facilities Planning Board when it closed, and in fact, the Board could not stop the closure, which was a point of some contention. But because this is -- it is simply reopening a hospital that very recently existed and there is no indication that the needs of the community have changed, it -- it seems like a -- a logical way to streamline the process.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Rezin.

SENATOR REZIN:

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Thank you, Mr. -- thank you, President Harmon. Do you feel this bill -- that we'll be setting a precedent by eliminating the CON process for this particular hospital to reopen?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

#### SENATOR HARMON:

Thank you, Senator. No, because we're not eliminating the process. The process still exists. We're allowing this hospital group in this circumstance to avail itself of a parallel process that is easier, but appropriate in this circumstance. If someone wanted to open up a new hospital in my district or yours, they would still have to go through the CON process. If another hospital closed and within a matter of months wanted to reopen under new ownership, it may be a perfectly appropriate way to process it, and we're -- we're happy to look at that and make it more consistent. But, in this case, we have the opportunity to reopen a recently closed hospital, provided that we can allow the owners to avail themselves of this streamlined process.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Rezin.

#### SENATOR REZIN:

...President. My last question for the sponsor. Could you tell me what the plans of the new owners -- what plans do the new owners have for this hospital?

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

President Harmon.

### SENATOR HARMON:

Thank you -- thank you, Mr. President. Thank you for the -- the question. As I understand it, from the -- the new ownership

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group, they would have eighty inpatient or outpatient psychiatric beds, sixty long-term care skilled beds, and fifty long-term care acute beds, as well as forty comprehensive rehab beds. So, a slightly different mix of services, but all services that are needed in the community.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Rezin.

SENATOR REZIN:

Mr. President, to the bill. Thank you...

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

To the motion.

### SENATOR REZIN:

Thank you, President Harmon, for this. I do believe that this is a unique situation for a hospital in an area that truly needs services, especially these particular services. So, again, I appreciate the sponsor bringing this bill to us and I encourage an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any further discussion? Seeing none, President Harmon, do you wish to close? He does not. The question is, shall the Senate concur in House Amendments No. 1, 2, and 3 to Senate Bill 168. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? We will proceed with Senators approved to participate remotely, starting with Senator Aquino. Senator Aquino.

SENATOR AQUINO:

Aquino votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Aquino votes Yes. Senator Castro.

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SENATOR CASTRO:

Senator Castro votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Castro votes Yes. Senator Feigenholtz.

SENATOR FEIGENHOLTZ:

Senator Feigenholtz votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Feigenholtz votes Yes. Senator Johnson.

SENATOR JOHNSON:

Senator Johnson votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Johnson votes Yes. Senator Jones.

SENATOR JONES:

Senator Jones votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Jones votes Yes. Senator Lightford.

SENATOR LIGHTFORD:

Lightford votes Aye.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Lightford votes Aye. Senator Plummer.

SENATOR PLUMMER:

Senator Plummer votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Plummer votes Yes. Senator Stewart.

SENATOR STEWART:

Stewart votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Stewart votes Yes. Senator Doris Turner.

SENATOR D. TURNER:

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Senator Doris Turner votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Doris Turner votes Yes. Senator Van Pelt.

SENATOR VAN PELT:

Senator Van Pelt votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Van Pelt votes Yes. Senator Villanueva.

SENATOR VILLANUEVA:

Senator Villanueva votes Yes.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Senator Villanueva votes Yes. Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 Senators voting the Affirmative, 0 voting No. Having received the constitutional majority, the Senate does concur in House Amendments No. 1, 2, and 3 to Senate Bill 168, and the bill is declared passed. Senator Villivalam, for what purpose do you seek recognition?

### SENATOR VILLIVALAM:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

State -- state your point.

### SENATOR VILLIVALAM:

Thank you, Mr. President. Last week's attack in Atlanta, Georgia, was a horrific display of violence, but is hardly a lone incident. I want to thank Representatives Mah, Gong-Gershowitz, Stoneback, and Yang Rohr for leading the effort in the House to address the discrimination and violence that has been inflicted on the Asian American community. I also want to thank my colleagues in this Chamber for reaching out to me as this happened. According

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to Stop AAPI Hate, a non-profit that tracks and responds to anti-Asian American hate crimes, over -- approximately thirty-eight hundred incidents were reported between March 19th, 2020 and February 28th, 2021. Asian American women are more than twice as likely to be targeted in these attacks. We lost eight people in Atlanta; seven were women, six of whom were Asian American, and one man, who was an Army veteran. I would like to read their names: Xiaojie Tan, Delania Yaun, Daoyou Feng, Yue Yong Ae, Grant Hyun Jung, Park Soon Chung, Kim Sooncha, Paul Andre Michels. This hate crime, this tragedy was a direct result of our rhetoric -the rhetoric that took place at the national level that has painted China and Chinese Americans as a direct threat to our country both in terms of foreign policy and public health. We must honor the victims with action, not just words. We must act before the next tragedy can take place. We must combat the threat of racism and white supremacy in all of its forms. As we all know, there have been additional mass tragedies this last week. And with that, Mr. President, I would like to ask for a moment of silence to recognize those lives that we have lost.

### PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Please rise for a moment of silence. (Moment of silence observed) Committee on Assignments will meet immediately in the Well of the Chamber. All members of the Committee on Assignments please meet in the Well of the Chamber. Mr. Secretary, Committee Reports.

#### SECRETARY ANDERSON:

Senator Cunningham, (Vice) Chairperson of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Committee Amendment 1 to

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Senate Bill 568 and Floor Amendment 1 to Senate Bill 1165. Signed, Senator Bill Cunningham, (Vice) Chairperson. PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Ladies and Gentlemen of the Senate, we are now going to move a number of shell bills for both President Harmon and Leader Following that, the Subcommittee on Redistricting dealing with South Chicago will meet virtually at 3 o'clock. Subcommittee for Redistricting on South Chicago will meet at 3 o'clock. Ladies and Gentlemen of the Senate, as I said, we have a large number of bills sponsored by President Harmon and Leader McConchie that they wish to move from 2nd to 3rd Reading. We will be moving these bills today in the same manner we have used for the past several years. President Harmon, do you wish to have the following bills that appear on today's regular Calendar on the Order of 2nd Reading read for a second time? The bills are Senate Bills 700 through 721, 723 through 1249, Senate Bills 2022 through 2032, and Senate Bills 2661 through Senate Bills {sic} 2780. President Harmon indicates that he wishes to proceed. Secretary, please read the bills.

## SECRETARY ANDERSON:

Senate Bill 700.

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Senate Bill 701.

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Senate Bill 702.

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Senate Bill 703.

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Senate Bill 704.

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Senate Bill 705.

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Senate Bill 719.

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Senate Bill 981.

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21st Legislative Day

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Senate Bill 996.

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21st Legislative Day

3/25/2021

Senate Bill 1010.

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Senate Bill 1024.

21st Legislative Day

3/25/2021

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Senate Bill 1025.

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21st Legislative Day

3/25/2021

Senate Bill 1039.

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21st Legislative Day

3/25/2021

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21st Legislative Day

3/25/2021

Senate Bill 1068.

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Senate Bill 1069.

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Senate Bill 1070.

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Senate Bill 1080.

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Senate Bill 1081.

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Senate Bill 1082.

21st Legislative Day

3/25/2021

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Senate Bill 1083.

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Senate Bill 1096.

21st Legislative Day

3/25/2021

Senate Bill 1097.

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Senate Bill 1098.

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Senate Bill 1099.

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Senate Bill 1100.

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Senate Bill 1101.

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Senate Bill 1102.

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Senate Bill 1110.

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Senate Bill 1111.

21st Legislative Day

3/25/2021

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Senate Bill 1112.

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Senate Bill 1113.

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Senate Bill 1114.

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Senate Bill 1115.

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Senate Bill 1119.

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Senate Bill 1120.

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Senate Bill 1121.

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Senate Bill 1122.

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Senate Bill 1123.

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Senate Bill 1124.

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Senate Bill 1125.

21st Legislative Day

3/25/2021

Senate Bill 1126.

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Senate Bill 1127.

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Senate Bill 1128.

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Senate Bill 1129.

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Senate Bill 1130.

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Senate Bill 1131.

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Senate Bill 1138.

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Senate -- Senate Bill 1139.

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Senate Bill 1140.

21st Legislative Day

3/25/2021

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Senate Bill 1141.

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Senate Bill 1142.

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Senate Bill 1149.

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Senate Bill 1150.

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Senate Bill 1151.

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Senate Bill 1152.

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Senate Bill 1153.

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Senate Bill 1154.

21st Legislative Day

3/25/2021

Senate Bill 1155.

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Senate Bill 1156.

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Senate Bill 1157.

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Senate Bill 1158.

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Senate Bill 1159.

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Senate Bill 1160.

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Senate Bill 1161.

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Senate Bill 1169.

21st Legislative Day

3/25/2021

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Senate Bill 1170.

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Senate Bill 1171.

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Senate Bill 1172.

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Senate Bill 1179.

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Senate Bill 1180.

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Senate Bill 1181.

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Senate Bill 1182.

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Senate Bill 1183.

21st Legislative Day

3/25/2021

Senate Bill 1184.

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Senate Bill 1185.

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Senate Bill 1198.

21st Legislative Day

3/25/2021

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Senate Bill 1199.

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Senate Bill 11 -- excuse me, Senate Bill 1200.

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Senate Bill 1201.

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Senate Bill 1202.

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Senate Bill 1211.

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Senate Bill 1212.

21st Legislative Day

3/25/2021

Senate Bill 1213.

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Senate Bill 1214.

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Senate Bill 1227.

21st Legislative Day

3/25/2021

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Senate Bill 1228.

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Senate Bill 1241.

21st Legislative Day

3/25/2021

Senate Bill 1242.

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Senate Bill 1243.

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Senate Bill 2022.

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Senate Bill 2023.

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Senate Bill 2024.

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Senate Bill 2025.

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Senate Bill 2026.

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Senate Bill 2027.

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Senate Bill 2028.

21st Legislative Day

3/25/2021

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Senate Bill 2029.

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Senate Bill 2030.

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Senate Bill 2031.

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Senate -- Senate Bill 2032.

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Senate Bill 2661.

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Senate Bill 2662.

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Senate Bill 2663.

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Senate Bill 2664.

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Senate Bill -- 2665.

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Senate Bill 2666.

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Senate Bill 2667.

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Senate Bill 2668.

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Senate Bill 2669.

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Senate Bill 2670.

21st Legislative Day

3/25/2021

Senate Bill 2671.

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Senate Bill 2672.

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Senate Bill 2673.

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Senate Bill 2674.

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Senate Bill 2675.

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Senate Bill 2676.

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Senate Bill 2677.

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Senate Bill 2678.

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Senate Bill 2679.

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Senate Bill 2680.

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Senate Bill 2681.

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Senate Bill 2683.

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Senate Bill 2684.

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Senate Bill 2685.

21st Legislative Day

3/25/2021

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Senate Bill 2686.

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Senate Bill 2687.

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Senate Bill 2688.

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Senate Bill 2689.

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Senate Bill 2690.

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Senate Bill 2695.

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Senate Bill 2696.

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Senate Bill 2697.

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Senate Bill 2698.

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Senate Bill 2699.

21st Legislative Day

3/25/2021

Senate Bill 2700.

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Senate Bill 2701.

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Senate Bill 2702.

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Senate Bill 2703.

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Senate Bill 2705.

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Senate Bill 2712.

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Senate Bill 2713.

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Senate Bill 2714.

21st Legislative Day

3/25/2021

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Senate Bill 2715.

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Senate Bill 2716.

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Senate Bill 2017 -- 2717.

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Senate Bill 2718.

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Senate Bill 2728.

21st Legislative Day

3/25/2021

Senate Bill 2729.

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Senate Bill 2743.

21st Legislative Day

3/25/2021

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Senate Bill 2744.

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Senate Bill 2751.

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Senate Bill 2756.

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Senate Bill 2757.

21st Legislative Day

3/25/2021

Senate Bill 2758.

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27... Senate Bill 2759.

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Senate Bill 2760.

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Senate Bill 2761.

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Senate Bill 2762.

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Senate Bill 2763.

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Senate Bill 2764.

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Senate Bill 2765.

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Senate Bill 2766.

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Senate Bill 26 -- 2767.

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Senate Bill 2768.

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Senate Bill 2769.

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Senate Bill 2770.

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Senate Bill 2771.

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Senate Bill 2772.

21st Legislative Day

3/25/2021

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Senate Bill 2773.

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Senate Bill 2774.

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Senate Bill 2775.

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Senate Bill 2776.

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Senate Bill 2777.

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Senate Bill 2778.

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Senate Bill 2779.

(Secretary reads title of bill)

And Senate Bill 2780.

(Secretary reads title of bill)

2nd Reading of the bills. There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Those bills just read by the Secretary shall be placed on the Order of 3rd Reading. Leader McConchie, do you wish to have the following bills that appear on today's regular Calendar on the Order of 2nd Reading read a second time? The bills are Senate Bills 1250 through 15 -- 1524 and Senate Bills 2576 through 2660. Leader McConchie indicates he wishes to proceed. Mr. Secretary, please read the bills.

ACTING SECRETARY KAISER:

Senate Bill 1250.

21st Legislative Day

3/25/2021

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Senate Bill 1251.

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Senate Bill 1252.

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Senate Bill 1253.

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Senate Bill 1254.

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Senate Bill -- 1255.

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Senate Bill 1256.

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Senate Bill 1257.

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Senate Bill 1258.

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Senate Bill 1259.

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Senate Bill 1260.

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Senate Bill 1261.

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Senate Bill 1262.

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Senate Bill 1263.

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Senate Bill 1264.

21st Legislative Day

3/25/2021

Senate Bill 1265.

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Senate Bill 1266.

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Senate Bill 1267.

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Senate Bill 1278.

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Senate Bill 1279.

21st Legislative Day

3/25/2021

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Senate Bill 1280.

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Senate Bill 2659.

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And Senate Bill 2660.

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2nd Reading of these bills. There are no committee or Floor amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR CUNNINGHAM)

The bills just read by the Secretary shall be placed on the

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Order of 3rd Reading. We will now proceed to the Order of Resolutions Consent Calendar. With the leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ANDERSON:

No objections filed, Mr. President. PRESIDING OFFICER: (SENATOR CUNNINGHAM)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the resolutions are adopted. There being no further business to come before the Senate, pursuant to Senate Joint Resolution 24, the Senate stands adjourned until the call of the Senate President. For now, that will be the hour of 12 noon on the 13th day of April 2021. The Senate stands adjourned.