STATE OF ILLINOIS
LEGISLATIVE INFORMATION SYSTEM
94th GENERAL ASSEMBLY

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Synopsis of Legislation

Legislation Passed Both Houses with Last Action

HB 00003 Rep. Robin Kelly-Lisa M. Dugan-Deborah L. Graham-William Davis-Kevin Joyce, Robert Rita, Kevin A. McCarthy and Kurt M. Granberg

(Sen. M. Maggie Crotty-Martin A. Sandoval, Mattie Hunter, Arthur J. Wilhelmi and Antonio Munoz)

65 ILCS 5/10-2.1-14 from Ch. 24, par. 10-2.1-14

Amends the Illinois Municipal Code. Provides that applicants on the register of eligibles for appointment to fire departments who have an EMT-B, EMT-I, or EMT-P license in accordance with the Emergency Medical Services (EMS) Systems Act may be given preference in appointment over non-licensed applicants.

Jul 21 05 H Public Act 94-0281

HB 00015 Rep. Gary Hannig-Patricia R. Bellock and Patrick J Verschoore

(Sen. Deanna Demuzio)

65 ILCS 5/11-135-3.5 new

Amends the Illinois Municipal Code. Authorizes certain water commissions to: (i) pass ordinances and promulgate rules necessary for the protection of commission property; (ii) prescribe fines and penalties and seek restitution for violations of its ordinances; (iii) pass all ordinances to hire police officers to protect commission property; (iv) enter into intergovernmental police assistance agreements with counties or municipalities; and (v) enter into intergovernmental agreements with any unit of local government in order to carry out the purposes for which the commission was formed.

House Amendment No. 2

Deletes provisions authorizing a water commission (i) to pass ordinances and promulgate rules necessary for the proper management and conduct of the business of the commission; (ii) to prescribe fines and penalties for the violation of commission ordinances; and (iii) to pass ordinances to hire police officers to protect commission property.

Jul 07 05 H Public Act 94-0123

HB 00018 Rep. Patricia R. Bellock-Sandra M. Pihos-Eileen Lyons-Monique D. Davis-Sidney H. Mathias, Paul D. Froehlich, Rosemary Mulligan, Kathleen A. Ryg, Karen May, Harry Osterman, Jack D. Franks, Linda Chapa LaVia, Patricia Bailey, Dan Reitz, Robin Kelly, Deborah L. Graham, Thomas Holbrook, Eddie Washington, Michael K. Smith, John D'Amico, Kevin Joyce, Donald L. Moffitt, Michael Tryon, Jim Watson, Kevin A. McCarthy, James D. Brosnahan and Susana A Mendoza

(Sen. Kirk W. Dillard-Jacqueline Y. Collins-Don Harmon-George P. Shadid-Emil Jones, Jr., Edward D. Maloney, M. Maggie Crotty, Martin A. Sandoval, Donne E. Trotter, Gary Forby, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, Ira I. Silverstein, Mattie Hunter and Arthur J. Wilhelmi)

20 ILCS 2310/2310-399 new

30 ILCS 105/5.640 new

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois and the State Finance Act. Creates the Autism Research Fund and provides that, from appropriations from the Fund, the Department of Public Health must make grants to public or private entities in Illinois for the purpose of funding research concerning the disorder of autism. Amends the Illinois Income Tax Act to create a tax checkoff for the Fund. Effective immediately.

House Amendment No. 1

Deletes reference to:

20 ILCS 2310/2310-399 new

Adds reference to:

20 ILCS 1305/10-8 new

Amends the Department of Human Services Act to provide that the Department of Human Services (instead of the Department of Public Health) shall make grants from the Autism Research Fund. Provides that no more than 20% of the grant moneys (instead of no grant moneys) may be used for institutional overhead costs, indirect costs, other organizational levies, or costs of community-based support services. Provides that the grantee must submit a written report to the Department on the research conducted with the grant moneys.

Aug 04 05 H Public Act 94-0442

HB 00020 Rep. Suzanne Bassi-Sidney H. Mathias-Lou Lang-Sandra M. Pihos-Mark H. Beaubien, Jr., Jack McGuire, Maria Antonia Berrios, Susana A Mendoza, Jack D. Franks, Patricia R. Bellock and Deborah L. Graham

(Sen. Mattie Hunter-James A. DeLeo-Terry Link, George P. Shadid, Frank C. Watson, Dan Rutherford, Arthur J. Wilhelmi-M. Maggie Crotty-Wendell E. Jones, Edward D. Maloney, Don Harmon, Kathleen L. Wojcik, Dave Syverson, Gary G. Dahl, J. Bradley Burzynski, Pamela J. Althoff, Dan Cronin, Deanna Demuzio, John M. Sullivan, Gary Forby, Jacqueline Y. Collins, Ira I. Silverstein and Debbie DeFrancesco Halvorson)

5 ILCS 490/83 new

Amends the State Commemorative Dates Act. Designates the month of November of each year as Alzheimer's Awareness Month.

Aug 04 05 H Public Act 94-0443

HB 00023 Rep. Jerry L. Mitchell-Roger L. Eddy-Sara Feigenholtz-Chapin Rose-Patricia Bailey, Robert F. Flider, John E. Bradley, Daniel V. Beiser, Brandon W. Phelps, Lisa M. Dugan, Careen M Gordon, Jack D. Franks, Linda Chapa LaVia, Eddie Washington, Michael K. Smith, John D'Amico, Kevin Joyce, Michelle Chavez, Charles E. Jefferson, Maria Antonia Berrios, Patrick J Verschoore, Jack McGuire, Thomas Holbrook and Milton Patterson

(Sen. Dale A. Righter-Jacqueline Y. Collins-Iris Y. Martinez-Martin A. Sandoval, Debbie DeFrancesco Halvorson, Mattie Hunter, M. Maggie Crotty, Arthur J. Wilhelmi, Edward D. Maloney, Gary Forby, Antonio Munoz and Don Harmon)

720 ILCS 5/11-9.3

Amends the Criminal Code of 1961. In provisions making it unlawful for a child sex offender to knowingly be present on school property or a school vehicle when persons under the age of 18 are present, eliminates an exception for an offender who is the parent or guardian of a student who is present. Effective immediately.

House Amendment No. 1

Provides that a child sex offender who is the parent or guardian of a child attending the school may be present in the school or on school grounds to (i) attend a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participate in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attend conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school. Provides that nothing in the Section prohibiting child sex offenders from being present in a school building or on school grounds shall be construed to infringe upon the constitutional right of a child sex offender to be present in a school building that is used as a polling place for the purpose of voting.

Jul 11 05 H Public Act 94-0158

HB 00027 Rep. Bill Mitchell and Robert W. Pritchard
(Sen. William R. Haine)

55 ILCS 5/5-1126 new

65 ILCS 5/11-42-10.1 new

Amends the Counties Code. Provides that a county board may license or regulate any business (i) that is operating as a public accommodation or an adult entertainment facility; (ii) that is located in an unincorporated area of the county; (iii) that permits the consumption of alcoholic liquor on the premises; and (iv) that is not licensed under the Liquor Control Act of 1934. Amends the Illinois Municipal Code. Provides that the corporate authorities of each municipality may license or regulate any business (i) that is operating as a public accommodation or an adult entertainment facility; (ii) that permits the consumption of alcoholic liquor on the premises; and (iii) that is not licensed under the Liquor Control Act of 1934. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

55 ILCS 5/5-1126

Deletes reference to:

65 ILCS 5/11-42-10.1

Adds reference to:

55 ILCS 5/5-1127 new

Adds reference to:

65 ILCS 5/11-42-10.2 new

Replaces everything after the enacting clause with the bill as engrossed and provides that the provisions apply only to counties and municipalities with a population of less than 750,000. Provides that the provisions are applicable to adult entertainment facilities (rather than public accommodations and adult entertainment facilities). Makes technical changes. Effective immediately.

Senate Floor Amendment No. 3

Deletes reference to:

55 ILCS 5/5-1127

Deletes reference to:

65 ILCS 5/11-42-10.2

Adds reference to:

55 ILCS 5/5-1049.1 from Ch. 34, par. 5-1049.1

Deletes everything after the enacting clause. Amends the Counties Code. Provides that a county board may lease for one dollar per year lands that the county owns, if the board determines that the lease will serve public health purposes or public safety purposes as described in the Illinois Emergency Management Agency Act (now, if the lease will serve public health purposes). Effective immediately.

Senate Floor Amendment No. 4

Deletes reference to:

55 ILCS 5/5-1127 new

Adds reference to:

55 ILCS 5/5-1049.1 from Ch. 34, par. 5-1049.1

Replaces everything after the enacting clause with the engrossed bill as amended by Senate Amendment No. 1 with the following changes. Deletes provisions adding provisions to the Counties Code concerning adult entertainment facilities. Adds provisions amending the Counties Code that allow the county board to enter into agreements to lease lands owned by the county for $1 per year if the county board determines that the lease will serve certain public safety purposes. Effective immediately.

Aug 02 05 H Public Act 94-0401

HB 00029 Rep. Jerry L. Mitchell
(Sen. John J. Cullerton)

720 ILCS 5/12-10 from Ch. 38, par. 12-10

720 ILCS 5/12-10.1

Amends the Criminal Code of 1961. Provides that it is unlawful for a person, other than a person licensed to practice medicine in all its branches, to tattoo or offer to tattoo a person under 18 (rather than 21) years of age. Provides that the penalty for unlawfully tattooing or piercing the body of a person under 18 years of age is a Class A misdemeanor (rather than a Class C misdemeanor). Provides that it is a Class A misdemeanor for an owner or employee of those businesses to permit a person under 18 years of age to enter or remain on the premises where tattooing or body piercing is being performed unless the person under 18 years of age is accompanied by his or her parent or legal guardian. Provides that the prohibitions do not apply to a person under 18 years of age who tattoos or offers to tattoo or who pierces the body or oral cavity of another person under 18 years of age away from the premises of any business at which tattooing, body piercing, or oral cavity piercing is performed.

Governor Amendatory Veto Message

Recommends that the age of 21 be restored as the age for which a person may be tattooed by another person who is not a person licensed to practice medicine in all its branches. Recommends that the provision permitting a person under a particular age to tattoo or offer to tattoo another person under a particular age applies to persons under 21 years of age (rather than under 18 years of age).

Nov 09 05 H Public Act 94-0684

HB 00035 Rep. Timothy L. Schmitz, John J. Millner and William Delgado
(Sen. James A. DeLeo)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Unified Code of Corrections. Provides that a person convicted of aggravated discharge of a firearm, whether or not the conduct leading to conviction for the offense resulted in great bodily harm to the victim, may only receive a maximum of 4.5 days of good conduct credit for each month of his or her sentence of imprisonment. Effective immediately.

Jun 23 05 H Public Act 94-0071

HB 00043 Rep. Robert Rita-Patrick J Verschoore-Jack McGuire-John D'Amico
(Sen. Edward D. Maloney)

New Act

Creates the Construction Site Temporary Restroom Facility Act. Provides that the owner of a temporary building or building under construction, not yet occupied for its intended purpose, shall insure that employees working on the construction site have access to restroom facilities located within 300 feet of the entrance of the building under construction and which meet several requirements. Provides that inspectors employed by municipalities and counties may inspect construction sites to insure compliance with the Act. Provides penalties for a violation of the Act. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of HB 43 except: (1) provides that if individual portable units are used, separate toileting facilities are not required for males and females and toileting facilities provided shall comply with the Occupational Safety and Health Administration construction sanitation standards; (2) provides that for non-residential temporary buildings or non-residential buildings, the restroom facilities shall be located within 300 feet of the entrance of the building under construction; and (3) for residential temporary buildings or residential buildings, the restroom facilities shall be made readily available in nearby areas. Effective immediately.

Jun 17 05 H Public Act 94-0042

HB 00048 Rep. William B. Black-Paul D. Froehlich
(Sen. Richard J. Winkel, Jr.)

235 ILCS 5/9-2b rep.

Amends the Liquor Control Act of 1934. Repeals provisions allowing a township board to authorize the local liquor control commissioner to issue a specific special event retailer's license in any township that has voted to prohibit the retail sale of alcoholic liquor.

Jul 21 05 H Public Act 94-0282

HB 00053 Rep. Patricia R. Bellock-Sidney H. Mathias-Eileen Lyons-Paul D. Froehlich-Sandra M. Pihos, Michael Tryon, Rosemary Mulligan, Bob Biggins, Randall M. Hultgren, Shane Cultra, James H. Meyer, Roger Jenisch, Jack D. Franks, Linda Chapa LaVia and Donald L. Moffitt

(Sen. Kirk W. Dillard)

720 ILCS 5/29D-10

Amends the Terrorism Article of the Criminal Code of 1961. Defines "endangering the food supply" and "endangering the water supply". Provides that endangering the food supply or endangering the water supply constitutes an act of terrorism. Effective immediately.

House Amendment No. 1

Changes the definition of "contagious or infectious disease" to a specific disease designated by the Illinois Department of Agriculture as contagious or infectious under rules pertaining to the Illinois Diseased Animals Act. Provides that the definition of "endangering the food supply" does not include bona fide experiments and actions related to those experiments carried on by commonly recognized research facilities or actions by agricultural producers and animal health professionals who may inadvertently contribute to the spread of detrimental biological agents while employing generally acceptable management practices. Provides that the definition of "endangering the water supply" does not include contamination of a public or private well or water reservoir or any water supply of a public utility that may occur inadvertently as part of the operation of a public utility or electrical generating station. Provides that the definition of "terrorist act" does not include acts that occur inadvertently and as the result of operation of the facility that produces or distributes electricity, gas, oil, or other fuel.

Jun 22 05 H Public Act 94-0068

HB 00055 Rep. Joe Dunn

(Sen. Kirk W. Dillard and Pamela J. Althoff)

410 ILCS 25/5 from Ch. 111 1/2, par. 3715

Amends the Environmental Barriers Act. Provides that new housing subject to regulation under the Act shall be constructed in compliance with specified accessibility guidelines.

House Amendment No. 1

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of HB 55, except provides that dwelling units and public and common use areas serving persons with disabilities in all multi-unit buildings not defined as multi-story buildings shall comply with the accessibility standards for new construction if the building consists of 4 or more dwelling units, whether for rent or sale. Provides that new construction of multi-unit housing may be subject to the federal Fair Housing Amendments Act. Deletes language providing that if there are separate entrances for ground floor units, each entrance shall be accessible.

House Amendment No. 2

Provides that the provision requiring new housing to be constructed in compliance with all applicable regulations and certain technical requirements does not apply within any unit of local government that by ordinance, rule, or regulation prescribes requirements to increase and facilitate access to the built environment by environmentally limited persons that are more stringent than those contained in the Act prior to the effective date of this amendatory Act of the 94th General Assembly.

Senate Committee Amendment No. 1

Provides that in the case where the new housing and the new housing not defined as multi-story for purposes of the Act is a building in which 4 or more dwelling units or sleeping units intended to be occupied as a residence are contained within a single structure, the new housing shall be constructed in compliance with all applicable regulations and the technical requirements of the Department of Housing and Urban Development's Fair Housing Accessibility Guidelines and the Supplement to Notice of Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines. Deletes the specific technical requirements provided under the Accessibility Guidelines promulgated by the federal government under the Fair Housing Act.

Jul 21 05 H Public Act 94-0283

HB 00056 Rep. Daniel J. Burke-Paul D. Froehlich-Donald L. Moffitt and Mike Boland
(Sen. Martin A. Sandoval and Mattie Hunter)

110 ILCS 47/10

Amends the Fire Sprinkler Dormitory Act. Provides that nothing in the Act may be construed to abrogate any statute, rule, or ordinance requiring that a fire extinguisher be present in a dormitory. Effective immediately.

House Amendment No. 1

Adds reference to:

110 ILCS 47/15

Further amends the Fire Sprinkler Dormitory Act. Provides that loan funds, subject to appropriation or other funding sources (instead of just subject to appropriation), shall be paid out of the Fire Sprinkler Dormitory Revolving Loan Fund.

Jul 14 05 H Public Act 94-0204

HB 00059 Rep. Lou Lang-Patricia R. Bellock-John A. Fritchey-Sandra M. Pihos-Karen A. Yarbrough, Sara Feigenholtz, Mike Boland, Jack McGuire, Kathleen A. Ryg, Deborah L. Graham, Naomi D. Jakobsson, Larry McKeon, Elaine Nekritz, Julie Hamos, Elizabeth Coulson, Susana A Mendoza, Patrick J Verschoore, Jack D. Franks and Linda Chapa LaVia
(Sen. Deanna Demuzio-Terry Link-Jeffrey M. Schoenberg-Kwame Raoul-M. Maggie Crotty, Don Harmon, John M. Sullivan, James F. Clayborne, Jr., Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Arthur J. Wilhelmi and Debbie DeFrancesco Halvorson)

215 ILCS 5/370c from Ch. 73, par. 982c

Amends the Illinois Insurance Code. In provisions requiring an insurer that provides coverage for hospital or medical expenses under a group policy of accident and health insurance or health care plan to provide coverage under the policy for treatment of serious mental illness under the same terms and conditions as coverage for hospital or medical expenses related to other illnesses and diseases (commonly referred to as "mental health parity"), eliminates the December 31, 2005 sunset date that applies to those provisions. Effective immediately.

Aug 02 05 H Public Act 94-0402

HB 00060 Rep. Lou Lang-Renee Kosel-Harry Osterman-Susana A Mendoza, Milton Patterson, Calvin L. Giles, Monique D. Davis, Maria Antonia Berrios, Michelle Chavez, Charles E. Jefferson, Karen A. Yarbrough, Robin Kelly, Deborah L. Graham, Wyvetter H. Younge, Kenneth Dunkin, Patricia Bailey, Constance A. Howard, Eddie Washington, Elizabeth Coulson, Jack D. Franks, Linda Chapa LaVia, Brandon W. Phelps, Michael K. Smith and John D'Amico
(Sen. Edward D. Maloney-Martin A. Sandoval)

110 ILCS 947/65.27 new

Amends the Higher Education Student Assistance Act. Requires the Illinois Student Assistance Commission to implement and administer a teacher scholarship program, to be known as the Teach Illinois Scholarship Program. Defines "area of identified staff shortage" as a school district in which the number of teachers is insufficient to meet student or school district demand or a subject area for which the number of teachers who are qualified to teach that subject area is insufficient to meet student or school district demand, as determined by the State Board of Education. Requires the Commission to annually award scholarships to persons preparing to teach in areas of identified staff shortages. Requires the recipient to accept employment to teach in an elementary or secondary school in Illinois in an area of identified staff shortage for a period of at least 5 years.

House Amendment No. 1

Provides that the scholarships awarded through the Teach Illinois Scholarship Program are subject to appropriations to the Illinois Student Assistance Commission by the General Assembly.

Senate Floor Amendment No. 1

Provides that the scholarships shall be awarded (rather than issued) to qualified applicants. Provides that the Illinois Student Assistance Commission shall (rather than may) make tuition payments directly to the qualified institution of higher learning that the recipient attends for the prescribed courses.

Jul 14 05 H Public Act 94-0205

HB 00062 Rep. Lou Lang-Paul D. Froehlich-Sidney H. Mathias-Linda Chapa LaVia-Jack D. Franks
(Sen. Ira I. Silverstein and Pamela J. Althoff)

New Act

Creates the Local Government Consolidation Commission Act. Creates a 15 member commission on local government consisting of 5 Senators, 5 Representatives, and 5 citizens chosen by the Governor. Directs the Commission to study the organization and function of local governments within the State and to make recommendations to reduce the number of local governments and to increase their efficiency and economy. Requires the Commission to report its findings to the General Assembly by December 31, 2006. Effective immediately.

House Amendment No. 1

Increases the number of members of the Local Government Consolidation Commission to 17 members (now, 15), with 3 members appointed by each of the legislative leaders.

Senate Committee Amendment No. 1

Provides that the Governor's appointments shall include one member each from 5 categories. Provides that the Governor makes 4 of the appointments by selecting one person each to represent counties, municipalities, townships, and park districts. Provides that the Governor shall make the 4 appointments by selecting one person from each of 4 lists of recommended persons submitted by 4 associations, each representing one of those types of governmental entities. The Governor also appoints an elected officer of a local governmental entity in Illinois that is not a county, municipality, township, or park district (now, the only limitation on the Governor's appointment authority is that no more than 3 of the 5 persons appointed may be affiliated with the same political party). Deletes a provision that limits the Governor's appointments to no more that 3 persons affiliated with the same political party.

Jul 19 05 H Public Act 94-0244

HB 00112 Rep. Sara Feigenholtz-Patrick J Verschoore-Julie Hamos-Dave Winters-Elaine Nekritz, Michael K. Smith, Karen May, Donald L. Moffitt, Robert F. Flider, Lisa M. Dugan, Careen M Gordon, Kenneth Dunkin, Daniel V. Beiser, John E. Bradley and Naomi D. Jakobsson

(Sen. John J. Cullerton and Kirk W. Dillard)

30 ILCS 105/5.640 new

35 ILCS 505/2 from Ch. 120, par. 418

35 ILCS 505/8 from Ch. 120, par. 424

35 ILCS 505/8b new

625 ILCS 5/12-705.1 new

Amends the Illinois Vehicle Code and the State Finance Act. Provides that, beginning January 1, 2006, all diesel powered vehicles owned or operated by the State, any county or unit of local government, any school board, or any State College or University must use a blend containing at least 50% biodiesel fuel. Provides that the Department of Transportation shall reimburse those entities one cent for each gallon consumed, to be paid from the Energy Independence Fund, a special fund created in the State treasury. Amends the Motor Fuel Tax Law. Beginning January 1, 2006, increases from 19 cents to 19.1 cents the tax imposed per gallon of motor fuel. Provides that, of the 19.1 cents per gallon tax, the equivalent of one-tenth of one cent per gallon shall be deposited into the Energy Independence Fund. Provides that, subject to appropriation, the Department of Transportation shall use all moneys in that fund for the required reimbursement. Provides that the Secretary of Transportation shall adopt rules for implementing the Vehicle Code provision. Effective immediately.

State Mandates Fiscal Note (Illinois Community College Board)

In the opinion of the Illinois Community College Board, HB 112 may create a state mandate to the community colleges of Illinois. Although the number of diesel-fueled vehicles owned and driven by Illinois community colleges is not known, many of the community colleges own vehicles used for physical campus maintenance and also for truck-driver training that may be fueled by diesel. The extra cost and availability to the community colleges of the biodiesel fuel is not known, nor is the estimated proposed reimbursement from the Energy Independence Fund.

House Amendment No. 1

Deletes reference to:

30 ILCS 105/5.640 new

Deletes reference to:

35 ILCS 505/2

Deletes reference to:

35 ILCS 505/8

Deletes reference to:

35 ILCS 505/8b new

Deletes everything. Amends the Illinois Vehicle Code. Provides that, beginning January 1, 2006, all diesel powered vehicles owned or operated by the State, any county or unit of local government, or any State College or University, as well as all diesel powered Chicago Transit Authority, Pace, and METRA vehicles, must, when refueling at a bulk central fueling facility, use a blend containing at least 2% biodiesel fuel, where available. Provides that the Secretary of Transportation shall adopt rules for implementing the provision. Effective immediately.

Fiscal Note (Secretary of State)

HB 112 with House Amendment #1 will have minimal fiscal impact on the Secretary of State Office.

House Amendment No. 3

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that, beginning January 1, 2006, all diesel powered vehicles owned or operated by the State, any county or unit of local government, any school district, any community college or public college or university, or any mass transit agency must, when refueling at a bulk central fueling facility, use a blend containing 2 percent biodiesel fuel, where available, unless the engine is designed or retrofitted to operate on a higher percentage of biodiesel. Provides that the provision does not prohibit any unit of government from using a biodiesel blend that contains a higher percentage of biodiesel. Provides that the Secretary of Transportation shall adopt rules for implementing the provision. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill, with a change. Delays the beginning date from January 1 to July 1, 2006. Effective immediately.

Senate Floor Amendment No. 2

HB 00112 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill, with changes. Delays the beginning date from January 1 to July 1, 2006. Provides that the requirement does not apply to vehicles designed or retrofitted to operate on ultra low sulfur fuel. Effective immediately.

Jul 28 05 H Public Act 94-0346

HB 00114 Rep. Sara Feigenholtz

(Sen. John J. Cullerton and Kirk W. Dillard)

10 ILCS 5/3-5	from Ch. 46, par. 3-5
10 ILCS 5/19-1	from Ch. 46, par. 19-1
10 ILCS 5/19-2	from Ch. 46, par. 19-2
10 ILCS 5/19-5	from Ch. 46, par. 19-5

Amends the Election Code. Specifies that confinement or detention in a jail or prison pending acquittal or conviction of a crime is not a disqualification for voting. Makes such confinement or detention a specified reason for absentee voting.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts House Bill 114 with references to "prison" removed.

Senate Floor Amendment No. 1 (Senate recedes May 30, 2005)

Adds reference to:

10 ILCS 5/1A-8	from Ch. 46, par. 1A-8

Deletes everything after the enacting clause. Reinserts the provisions of introduced House Bill 114. Further amends the Election Code. Requires that after the period for petition challenges ends, the State Board of Elections must block and seal the address of a judicial candidate. Requires that the address be unsealed under a court order.

Aug 22 05 H Public Act 94-0637

HB 00115 Rep. Sara Feigenholtz-Kevin Joyce-John A. Fritchey-Robin Kelly-Elaine Nekritz, Kathleen A. Ryg, Naomi D. Jakobsson and Mike Boland

(Sen. John J. Cullerton and Pamela J. Althoff)

10 ILCS 5/19-7	from Ch. 46, par. 19-7
10 ILCS 5/19-8	from Ch. 46, par. 19-8
10 ILCS 5/20-7	from Ch. 46, par. 20-7
10 ILCS 5/20-8	from Ch. 46, par. 20-8

Amends the Election Code. Requires that absentee ballots received by election authorities through the 10th day after an election be counted if the ballots are postmarked before the date of the election. Requires that the State Board of Elections adopt rules for the provision of election judges for the counting of those ballots.

House Amendment No. 1

Deletes reference to:

10 ILCS 5/19-7

Deletes reference to:

10 ILCS 5/20-7

Deletes everything after the enacting clause. Amends the Election Code with respect to ballots cast by absentee, military, and overseas voters. Provides that an election authority must count a ballot received within the period after an election for counting provisional ballots if the ballot was postmarked by the midnight preceding the opening of polls on election day. Revises the language of these provisions. Effective immediately.

Aug 12 05 H Public Act 94-0557

HB 00116 Rep. Rich Brauer-Jack D. Franks-Ron Stephens-Lisa M. Dugan-Eddie Washington, Brandon W. Phelps, Michael K. Smith and Robert F. Flider

(Sen. Larry K. Bomke-Martin A. Sandoval-Dale E. Risinger, Mattie Hunter, Debbie DeFrancesco Halvorson and Gary Forby)

5 ILCS 375/3	from Ch. 127, par. 523

Amends the State Employees Group Insurance Act of 1971. Allows active duty military personnel to add time in active duty to the time they can be enrolled in school and still be considered a dependent. Effective immediately.

Jun 15 05 H Public Act 94-0032

HB 00120 Rep. Bill Mitchell-Jack D. Franks-Linda Chapa LaVia, Robert F. Flider, Daniel V. Beiser and John E. Bradley
(Sen. Bill Brady-Richard J. Winkel, Jr.)

720 ILCS 5/21-1 from Ch. 38, par. 21-1

720 ILCS 5/21-3 from Ch. 38, par. 21-3

Amends the Criminal Code of 1961. Provides heightened criminal penalties for criminal damage to farm equipment or immovable items of agricultural production, including but not limited to grain bins and barns. Provides that trespass on certain agricultural properties is a Class A misdemeanor. Effective immediately.

House Amendment No. 1

In the criminal damage to property statute, include in the offense damage to grain elevators.

Aug 09 05 H Public Act 94-0509

HB 00121 Rep. Bill Mitchell-Jack D. Franks-Linda Chapa LaVia-Michael K. Smith-Susana A Mendoza, Deborah L. Graham, Robert F. Flider, John D'Amico, Charles E. Jefferson, Maria Antonia Berrios, Michelle Chavez, William Delgado, Daniel V. Beiser, John E. Bradley and Cynthia Soto
(Sen. Kirk W. Dillard and Frank C. Watson)

730 ILCS 5/3-3-7 from Ch. 38, par. 1003-3-7

730 ILCS 5/5-6-3 from Ch. 38, par. 1005-6-3

730 ILCS 5/5-6-3.1 from Ch. 38, par. 1005-6-3.1

730 ILCS 152/121 new

Amends the Unified Code of Corrections. Provides that as a condition of probation, conditional discharge, parole, or mandatory supervised release, a sex offender may not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter. Amends the Sex Offender and Child Murderer Community Notification Law. Provides that a law enforcement agency having jurisdiction may provide to the public a special alert list warning parents to be aware that sex offenders may attempt to contact children during holidays involving children, such as Halloween, Christmas, and Easter and to inform parents that information containing the names and addresses of registered sex offenders are accessible on the Internet by means of a hyperlink labeled "Sex Offender Information" on the Department of State Police's World Wide Web home page and are available for public inspection at the agency's headquarters. Effective immediately.

House Amendment No. 1

Adds reference to:

730 ILCS 5/3-1-2 from Ch. 38, par. 1003-1-2

Adds reference to:

730 ILCS 5/5-1-3.5 new

Provides an exemption from the prohibitions created in the amendatory Act for a sex offender who is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present. Changes the definition of "sex offender".

Jul 11 05 H Public Act 94-0159

HB 00128 Rep. Ruth Munson-Sandra M. Pihos-Patricia R. Bellock-Rosemary Mulligan-Monique D. Davis, Shane Cultra and William B. Black
(Sen. Jeffrey M. Schoenberg)

20 ILCS 4040/10

Amends the Social Security Number Protection Task Force Act. Provides for the appointment of an additional member to the Task Force to represent the Illinois courts. Requires the Task Force to present its findings to the General Assembly no later than March 1, 2006 (now, required the first day of the 2004 fall veto session). Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill. Further amends the Social Security Number Protection Task Force Act. Provides for the appointment of an additional member to the Task Force to represent the Department on Aging. Effective immediately.

Aug 18 05 H Public Act 94-0611

HB 00130 Rep. Mike Boland-Angelo Saviano-Jack D. Franks-Karen May, Mary E. Flowers, Barbara Flynn Currie, Sara Feigenholtz, Careen M Gordon, Jack McGuire, Patrick J Verschoore, Kathleen A. Ryg, Michael K. Smith, Lisa M. Dugan, Daniel V. Beiser and John E. Bradley
(Sen. William R. Haine-Christine Radogno and Pamela J. Althoff-Iris Y. Martinez)

New Act

Creates the Home Health and Hospice Drug Dispensation and Administration Act. Allows home health agencies, hospices, and their authorized nursing employees to purchase, store, or transport certain drugs for the purpose of administering the drugs to home health agency and hospice patients. Requires an agency or hospice that purchases, stores, or transports these drugs to establish policies and procedures concerning proper storage, transportation, temperature stability, removal from container on physician's order, administration of the drug, and the maintenance of written records. Provides that an agency, hospice, or authorized nursing employee may administer the drug only in the patient's residence under physician's orders. Sets forth procedures for agency and hospice handling of physician oral orders and pharmacy dispensation of the drugs. Provides that upon a home health agency's administration or dispensation of a drug to a patient, that agency shall be reimbursed the cost of the drug by the Department of Public Aid. Effective immediately.

House Amendment No. 1

Deletes everything. Creates the Home Health and Hospice Drug Dispensation and Administration Act. Allows home health agencies or hospices to purchase sealed portable containers of specified drugs pursuant to a prescription from the medical director of the agency or hospice or from another physician for the purpose of administration to the agency's or hospice's patients under a patient's physician's treating orders. Requires an agency or hospice that purchases, possesses, or transports these drugs to establish policies and procedures concerning proper storage, transportation, temperature stability, removal from container on physician's order, administration of the drug, and the maintenance of written records. Provides that an authorized nursing employee may administer the drug only in the patient's residence under a treating physician's orders. Sets forth procedures for the handling of a treating physician's oral orders and pharmacy dispensation of the drugs. Effective immediately.

Senate Committee Amendment No. 3

Replaces certain references to "physician" with "health care professional". Defines "health care professional".

Aug 22 05 H Public Act 94-0638

HB 00132 Rep. John J. Millner-Jack D. Franks-James H. Meyer-Terry R. Parke-Patricia Bailey, Linda Chapa LaVia, Patricia R. Bellock, Michael Tryon, Chapin Rose and Eileen Lyons
(Sen. Peter J. Roskam-Don Harmon-Chris Lauzen-Jacqueline Y. Collins)

720 ILCS 5/24-1.1 from Ch. 38, par. 24-1.1

Amends the Criminal Code of 1961. Provides that a violation of the offense prohibiting possession by a felon of a firearm with respect to each firearm and ammunition for that firearm constitutes a single and separate violation. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

430 ILCS 65/3 from Ch. 38, par. 83-3

Adds reference to:

720 ILCS 5/24-1 from Ch. 38, par. 24-1

Adds reference to:

720 ILCS 5/24-1.6

Adds reference to:

720 ILCS 5/24-3 from Ch. 38, par. 24-3

Adds reference to:

720 ILCS 5/24-3.1 from Ch. 38, par. 24-3.1

Deletes everything after the enacting clause. Amends the Firearm Owners Identification Card Act. Provides that on or after January 1, 2006, the record of a firearm transfer shall contain the date of application for transfer of the firearm. Amends the Criminal Code of 1961. Provides that the possession of each firearm in violation of various laws concerning the unlawful use of weapons, unlawful use or possession of firearms by a felon, unlawful possession of firearms or firearm ammunition, and aggravated unlawful use of a weapon constitutes a single and separate violation. Defines "application" for purchase of a firearm. Effective immediately.

Jul 21 05 H Public Act 94-0284

HB 00156 Rep. Donald L. Moffitt-Marlow H. Colvin-Mike Bost-Linda Chapa LaVia-Jim Watson, Jerry L. Mitchell, Jim Sacia, Paul D. Froehlich, Sidney H. Mathias, Michael K. Smith, Mike Boland, Thomas Holbrook, Harry Osterman, William B. Black, Patrick J Verschoore, Jack McGuire, William Davis, Robert W. Pritchard, Rosemary Mulligan, Shane Cultra and David Reis

(Sen. James F. Clayborne, Jr.)

105 ILCS 5/10-20.12b

Amends the School Code. Provides that if a pupil's change of residence is due to the military service obligation of a person who has legal custody of the pupil, then, upon the written request of the person having legal custody of the pupil, the residence of the pupil is deemed for purposes of enrollment, for the duration of the custodian's military service obligation, to be the same as the residence of the pupil immediately before the change of residence caused by the military service obligation. Provides that a school district is not responsible for providing transportation to or from school for a pupil whose residence is determined under these provisions. Effective immediately.

Jul 25 05 H Public Act 94-0309

HB 00165 Rep. Monique D. Davis-Lovana Jones-Kevin Joyce-Calvin L. Giles-Arthur L. Turner

(Sen. Kimberly A. Lightford)

40 ILCS 5/17-106.1 new

40 ILCS 5/17-139 from Ch. 108 1/2, par. 17-139

Amends the Chicago Teacher Article of the Illinois Pension Code. In the provisions concerning elections to the Board of Trustees of the Fund, provides that administrators may not vote for members who are not principals and provides that every member who is a principal or an administrator may vote at the election for one candidate who is a contributor who is a principal. Defines the term "administrator". Effective immediately.

Aug 10 05 H Public Act 94-0514

HB 00172 Rep. Jim Watson-Patrick J Verschoore-Jack McGuire

(Sen. Deanna Demuzio, John M. Sullivan, Gary Forby, James F. Clayborne, Jr., Terry Link, Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Arthur J. Wilhelmi and Debbie DeFrancesco Halvorson)

325 ILCS 5/7.14 from Ch. 23, par. 2057.14

Amends the Abused and Neglected Child Reporting Act. Provides that identifying information in indicated reports involving the sexual abuse of a child, the death of a child, or serious physical injury to a child must be retained after the report is indicated or after the subsequent case or report is closed (instead of may be retained longer than 5 years after that time).

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Abused and Neglected Child Reporting Act. Provides that identifying information in indicated reports involving sexual penetration of a child, sexual molestation of a child, sexual exploitation of a child, torture of a child, or the death of a child, as defined by the Department of Children and Family Services in rules, shall be retained for a period of not less than 50 years after the report is indicated or after the subsequent case or report is closed. (Eliminates the provision of current law that identifying information in indicated reports involving the sexual abuse of a child or the death of a child may be retained longer than 5 years after the report is indicated or after the subsequent case or report is closed.) Effective immediately.

Jul 11 05 H Public Act 94-0160

HB 00173 Rep. Suzanne Bassi-Sidney H. Mathias-Patricia R. Bellock-Sandra M. Pihos-Rosemary Mulligan, Bob Biggins, Ruth Munson, Jack D. Franks and Linda Chapa LaVia

(Sen. Carole Pankau)

750 ILCS 28/20

Amends the Income Withholding for Support Act. Provides that the court, at its discretion, may withhold the Social Security Numbers of the child or children from being disclosed in the income withholding notice.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Income Withholding for Support Act. Provides that the income withholding notice shall include the Social Security Number of the obligor (instead of the obligor, obligee, and the child or children included in the order for support).

Jun 17 05 H Public Act 94-0043

HB 00174 Rep. JoAnn D. Osmond-Sidney H. Mathias-Chapin Rose-Mark H. Beaubien, Jr.-Ed Sullivan, Jr., Sandra M. Pihos and Eddie Washington

(Sen. Adeline Jay Geo-Karis, William R. Haine-William E. Peterson and Pamela J. Althoff)

735 ILCS 5/2-1105 from Ch. 110, par. 2-1105

Amends the Code of Civil Procedure. Provides for a jury of 6 in all jury cases where the claim for damages is $50,000 or less (instead of cases where the claim does not exceed $15,000) unless either party demands a jury of 12.

Jul 14 05 H Public Act 94-0206

HB 00175 Rep. Elizabeth Coulson-William Delgado-John A. Fritchey-Patricia R. Bellock-Sandra M. Pihos, William Davis, Susana A Mendoza, Naomi D. Jakobsson, Ed Sullivan, Jr., Michelle Chavez, Sidney H. Mathias, Roger Jenisch, Eileen Lyons, Rosemary Mulligan, Carolyn H. Krause, Patricia Reid Lindner, Kathleen A. Ryg, Ruth Munson, Robert Rita, Jack D. Franks, Linda Chapa LaVia, Suzanne Bassi, Bob Biggins, Renee Kosel, Robin Kelly, Eddie Washington, Michael K. Smith, John D'Amico, Kevin Joyce and Thomas Holbrook

(Sen. Donne E. Trotter-Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter, Terry Link, Arthur J. Wilhelmi, Debbie DeFrancesco Halvorson, M. Maggie Crotty and Don Harmon)

325 ILCS 2/75 rep.

Amends the Abandoned Newborn Infant Protection Act. Repeals a provision that repeals the Act on July 1, 2007.

Jul 14 05 H Public Act 94-0207

HB 00181 Rep. Jim Watson

(Sen. Deanna Demuzio-Kirk W. Dillard-Martin A. Sandoval and John M. Sullivan)

20 ILCS 2605/2605-575 new

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Authorizes the Department to retain the fingerprint record of a child fingerprinted at a Department data collection location. Requires the permission of the child's parent or guardian and permits retention and use only if the child is later missing or abducted, if an Amber Alert is issued for that child, or if a missing person report is filed for that child. Requires that the Department destroy the record after the child reaches age 18, unless the 18-year-old authorizes retention of the record.

Aug 08 05 H Public Act 94-0481

HB 00188 Rep. Lou Lang-Patrick J Verschoore-Jack McGuire, Angelo Saviano, Jack D. Franks, Linda Chapa LaVia and Lisa M. Dugan

(Sen. Debbie DeFrancesco Halvorson-Pamela J. Althoff-Jacqueline Y. Collins)

820 ILCS 130/5 from Ch. 48, par. 39s-5

Amends the Prevailing Wage Act. Provides that while participating on public works, each contractor and subcontractor shall submit weekly a certified payroll to the public body in charge of the project. Provides that any contractor or subcontractor subject to the Act who fails to submit a certified payroll or knowingly files a false certified payroll is in violation of the Act and is guilty of a Class B misdemeanor. Provides that the public body shall keep these records for at least 3 years. Provides that these payroll records are public records subject to disclosure under the Freedom of Information Act. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill with the following changes: (1) provides that the contractor and each subcontractor shall submit monthly, in person, by mail, or electronically a certified payroll to the public body in charge of the project; (2) provides that the records shall become public records upon 2 business days' notice; (3) excludes an employee's address, telephone number, and social security number from public inspection; and (4) eliminates a provision that the contractor and each subcontractor must make its workers available at the site of the public works project for interviews by the public body in charge of the project. Effective immediately.

Senate Floor Amendment No. 1

Provides that the public body shall accept any reasonable submissions by the contractor concerning certified payroll information that meet the requirements of the Act.

Aug 10 05 H Public Act 94-0515

HB 00190 Rep. Mark H. Beaubien, Jr.-Lou Lang-Kathleen A. Ryg-JoAnn D. Osmond-Michael Tryon, Karen May and Ed Sullivan, Jr.
(Sen. William E. Peterson-Pamela J. Althoff)

770 ILCS 23/5

Amends the Health Care Services Lien Act. Changes the definition of "health care provider" to include licensed long-term care facilities. Effective immediately.

Senate Committee Amendment No. 1

Provides that the changes in the definition of "health care provider" apply to causes of action accruing on or after the effective date of the amendatory Act. Removes the effective date.

Aug 02 05 H Public Act 94-0403

HB 00197 Rep. Carolyn H. Krause-JoAnn D. Osmond
(Sen. Adeline Jay Geo-Karis)

215 ILCS 105/7 from Ch. 73, par. 1307

Amends the Comprehensive Health Insurance Plan Act. Provides that a person is not eligible for coverage under the Comprehensive Health Insurance Plan if the person has or later receives benefits or funds from a settlement, judgment, or award resulting from an accident or injury and the remaining amount exceeds $500,000 (rather than $100,000).

House Amendment No. 1

Deletes everything. Reinserts the contents of the bill but changes the amount of recovery from an accident or injury that makes a person ineligible for coverage under the Comprehensive Health Insurance Plan Act to over $300,000 (rather than over $500,000).

Jun 14 05 H Public Act 94-0017

HB 00203 Rep. Richard P. Myers-Patrick J Verschoore-Jack McGuire-Jack D. Franks-Linda Chapa LaVia, Michael P. McAuliffe, John A. Fritchey, Wyvetter H. Younge, William Davis, Patricia Bailey, Brandon W. Phelps, Robin Kelly, Deborah L. Graham, Michael K. Smith, John D'Amico and Susana A Mendoza
(Sen. John M. Sullivan, Pamela J. Althoff-Martin A. Sandoval, Ira I. Silverstein, Mattie Hunter and Gary Forby)

10 ILCS 5/19-13 from Ch. 46, par. 19-13

Amends the Election Code. Provides that a person admitted to a hospital, nursing home, or rehabilitation center (now, hospital) 5 or fewer days before an election is entitled to personal delivery of an absentee ballot. Effective immediately.

Jun 14 05 H Public Act 94-0018

HB 00210 Rep. William Delgado-Patricia R. Bellock-Elizabeth Coulson-Naomi D. Jakobsson-Michelle Chavez, Sandra M. Pihos, Maria Antonia Berrios, Cynthia Soto, John E. Bradley and Marlow H. Colvin
(Sen. Mattie Hunter-Kimberly A. Lightford, M. Maggie Crotty, Arthur J. Wilhelmi, Debbie DeFrancesco Halvorson and Gary Forby)

20 ILCS 3933/5

Amends the Illinois Early Learning Council Act. Provides that the Council shall act in coordination with the Interagency Nutrition Council when dealing with activities related to nutrition, nutrition education, and physical activity.

Jul 07 05 H Public Act 94-0124

HB 00211 Rep. William Delgado-Patricia Reid Lindner-Lisa M. Dugan-Deborah L. Graham-Cynthia Soto, Maria Antonia Berrios and Michelle Chavez

(Sen. Mattie Hunter-Kimberly A. Lightford-Deanna Demuzio-Iris Y. Martinez-Kwame Raoul, John M. Sullivan, James F. Clayborne, Jr., Jacqueline Y. Collins and Arthur J. Wilhelmi)

20 ILCS 605/605-600 was 20 ILCS 605/46.19f

Amends the Department of Commerce and Economic Opportunity Law. Authorizes the Department to form the Illinois Food Systems Policy Council. Provides that the Council's purposes are to develop policies around food access and security, improve individual health and well-being, promote economic incentives for Illinois farmers, agri-businesses, and other private enterprises, and encourage public/private partnerships around healthy food options. Sets out certain entities that must be represented on the Council. Requires the Department to administer the Council. Requires the Council to make annual reports to the General Assembly.

House Amendment No. 1

Deletes everything after the enacting clause. Further amends the Department of Commerce and Economic Opportunity Law. Reinserts the provisions of the bill as introduced with the following changes. Sets out certain entities that must be represented on the Food Systems Policy Council. Provides that Council functions shall be shared among the Council members pursuant to interagency agreement from funds appropriated for this purpose or from existing funds within the budgets of the Council members. Provides that the Council may submit reports to the General Assembly (instead of must) and sets forth certain requirements for these reports.

Jun 27 05 H Public Act 94-0077

HB 00212 Rep. Ed Sullivan, Jr.-John J. Millner-Tom Cross-Susana A Mendoza-Arthur L. Turner

(Sen. William R. Haine-Deanna Demuzio)

50 ILCS 705/10.7 new

30 ILCS 805/8.29 new

Amends the Illinois Police Training Act. Requires each police chief and deputy police chief to obtain at least 20 hours of training each year. Requires the training to be approved by the Law Enforcement Training and Standards Board and to concern certain topics. Provides that attending a conference held by an association that represents chiefs of police satisfies the training requirement. Requires the municipality to reimburse the police chief and deputy police chief for reasonable expenses incurred in obtaining the required training. Preempts home rule. Amends the State Mandates Act to require implementation without reimbursement by the State.

House Amendment No. 1

Provides that the mandatory training requirement for police chiefs and deputy police chiefs does not apply to the City of Chicago.

Senate Floor Amendment No. 3

Further amends the Illinois Police Training Act. Provides that the training requirement for police chiefs and deputy police chiefs can be met by attending any training portion of a conference (now, any conference) approved by the Illinois Law Enforcement Training and Standards Board (now, the Board's approval is not required). Provides that this requirement does not apply to Chicago or the Sheriff's Police Department in Cook County (now, the only exception is for the City of Chicago). Deletes a prohibition on units of local government, including home rule units, from regulating the training of police chiefs and deputy police chiefs in a manner less restrictive.

Jul 29 05 H Public Act 94-0354

HB 00215 Rep. William Delgado, John J. Millner-Jack D. Franks-Linda Chapa LaVia-Susana A Mendoza-Marlow H. Colvin, Patricia Bailey, Cynthia Soto, Naomi D. Jakobsson, Kathleen A. Ryg, Maria Antonia Berrios, Michelle Chavez, Edward J. Acevedo, Brandon W. Phelps, Deborah L. Graham and Robin Kelly

(Sen. Iris Y. Martinez-Jacqueline Y. Collins-Kwame Raoul-Dale A. Righter-Mattie Hunter)

725 ILCS 5/114-8 from Ch. 38, par. 114-8

Amends the Code of Criminal Procedure of 1963. Provides that in the case of a prosecution of multiple defendants for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse arising out of the same course of conduct, the court, in deciding a motion to sever the charges and try the defendants separately, must consider the impact upon the alleged victim of multiple trials requiring the victim's testimony.

Senate Floor Amendment No. 1

Provides that the court, in deciding a motion to sever the charges and try the defendant separately, must consider, subject to constitutional limitations, the impact upon the alleged victim of multiple trials requiring the victim's testimony.

Aug 23 05 H Public Act 94-0668

HB 00227 Rep. Suzanne Bassi-Angelo Saviano and Carolyn H. Krause-Michael P. McAuliffe-Robert S. Molaro
(Sen. Iris Y. Martinez-Wendell E. Jones)

40 ILCS 5/14-104 from Ch. 108 1/2, par. 14-104

Amends the State Employees Article of the Illinois Pension Code. Provides that an employee can establish service credit for a period of up to 8 years during which he or she was employed by the Visually Handicapped Managers of Illinois in a vending program operated under a contractual agreement with the Department of Rehabilitation Services or its successor agency. Effective immediately.

House Amendment No. 1

Provides that a member may establish the service credit regardless of whether the person was in service on or after the effective date of this amendatory Act. Provides that, in the case of a person who is receiving a retirement annuity on the effective date, the increase, if any, shall begin to accrue on the first annuity payment date following receipt by the System of the contributions.

Senate Floor Amendment No. 1

Adds reference to:

40 ILCS 5/8-152 from Ch. 108 1/2, par. 8-152

Adds reference to:

40 ILCS 5/8-152.1 new

Adds reference to:

30 ILCS 805/8.29 new

Amends the Chicago Municipal Article of the Illinois Pension Code. Provides that if (1) a member has a spouse who would have qualified for a minimum annuity for widows at the time of the member's retirement, (2) the qualifying spouse dies, (3) the member subsequently remarries, and (4) the member does not receive a refund of widow's annuity deductions, then the member's widow shall be entitled to a widow's annuity if (i) the member dies after May 1, 2004 and before November 1, 2004 and (ii) the widow was married to the member for at least the last 10 years prior to the member's death. Provides that if a widow who is receiving a widow's annuity under the provisions of the amendatory Act remarries, that widow's annuity shall be terminated. Requires application on or before July 1, 2006. Amends the State Mandates Act to require implementation without reimbursement.

Aug 18 05 H Public Act 94-0612

HB 00229 Rep. Robert W. Pritchard-Dan Reitz, Jack D. Franks and Linda Chapa LaVia
(Sen. J. Bradley Burzynski and Pamela J. Althoff)

505 ILCS 5/5 from Ch. 5, par. 1005

Amends the Agricultural Areas Conservation and Protection Act. For purposes of designating an agricultural area, requires that any non-contiguous portion must be within 1.5 miles of the nearest portion of the area.

Aug 04 05 H Public Act 94-0444

HB 00230 Rep. Calvin L. Giles
(Sen. Iris Y. Martinez-M. Maggie Crotty)

40 ILCS 5/17-130.3 new

30 ILCS 805/8.29 new

Amends the Chicago Teacher Article of the Illinois Pension Code. Directs the Fund to conduct a divided medicare coverage referendum, open to teachers continuously employed by the same employer since March 31, 1986. Allows eligible teachers to irrevocably elect to participate in the federal medicare program. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Pension Note (Government Forecasting & Accountability)

House Bill 230 would not impact the total accrued liability of the Chicago Teachers' Pension fund, but it may reduce the cost of reimbursing Fund retirees for the cost of health insurance.

State Mandates Fiscal Note (Illinois State Board of Education)

This legislation has no impact on the Illinois State Board of Education, but requires the Chicago Public School employers to contribute the mandatory 1.45% to medicare per participant electing to opt into the program. If all teachers eligible opted in it would cost approximately $7 million dollars per year which will decrease as work force diminishes over time.

Jan 20 06 H Public Act 94-0724

HB 00237 Rep. Elaine Nekritz
(Sen. Kirk W. Dillard and Pamela J. Althoff)

765 ILCS 705/1 from Ch. 80, par. 91

Amends the Landlord and Tenant Act. Provides that covenants in commercial leases exempting the lessor from liability for property damage are not void as against public policy. Effective immediately.

House Amendment No. 1

Replaces the term "commercial" with "non-residential" for liability exemptions in leases.

Aug 16 05 H Public Act 94-0601

HB 00245 Rep. Dan Brady-Eddie Washington-Michael K. Smith-John D'Amico, James D. Brosnahan and Brandon W. Phelps
(Sen. Bill Brady)

725 ILCS 205/9 from Ch. 38, par. 105-9

Amends the Sexually Dangerous Persons Act. Provides that at the hearing to determine whether a sexually dangerous person or criminal sexual psychopathic person has recovered, the Attorney General or State's Attorney who filed the original application shall represent the State and shall have the right to have the applicant examined by an expert or professional person of the State's choice. Provides that the applicant may retain experts to perform an examination as well. Provides that the sexually dangerous person or the State may elect to have the hearing before a jury. Provides that the State has the burden of proving by clear and convincing evidence that the applicant is still a sexually dangerous person. Provides that if the applicant refuses to speak to, communicate with, or otherwise fails to cooperate with the State's examiner, the applicant may only introduce evidence and testimony from any expert or professional person who is retained to conduct an examination based upon review of the records and may not introduce evidence resulting from an examination of the person. Provides that if a person has previously filed an application in writing setting forth facts showing that the sexually dangerous person or criminal sexual psychopathic person has recovered and the court determined either at a hearing or following a jury trial that the applicant is still a sexually dangerous person, no additional application may be filed for one year after a finding that the person is still sexually dangerous. Makes other changes.

House Amendment No. 1

Deletes provision that permits the Attorney General or State's Attorney who filed the original petition to have the right to have the applicant examined by an expert or professional person of the State's choice and that permits the applicant to retain experts to perform an examination.

House Amendment No. 2

Provides that if a person has previously filed an application in writing setting forth facts showing that the sexually dangerous person or criminal sexual psychopathic person has recovered and the court determined either at a hearing or following a jury trial that the applicant is still a sexually dangerous or if the application is withdrawn, no additional application may be filed for one year after a finding that the person is still sexually dangerous or after the application is withdrawn, except if the application is accompanied by a statement from the treatment provider that the applicant has made exceptional progress and the application contains facts upon which a court could find that the condition of the person had so changed that a hearing is warranted.

Aug 02 05 H Public Act 94-0404

HB 00264 Rep. Jim Watson-Dan Brady-William B. Black
(Sen. Deanna Demuzio)

765 ILCS 835/9 from Ch. 21, par. 21.2

Amends the Cemetery Protection Act. Provides that a cemetery lot or a mausoleum crypt (instead of just a cemetery lot) may be presumed abandoned if the listed circumstances exist. Effective immediately.

House Amendment No. 1

Adds reference to:
765 ILCS 835/.01 from Ch. 21, par. 14.01
Adds reference to:
765 ILCS 835/1 from Ch. 21, par. 15
Adds reference to:
765 ILCS 835/2 from Ch. 21, par. 16
Adds reference to:
765 ILCS 835/3 from Ch. 21, par. 17
Adds reference to:
765 ILCS 835/4 from Ch. 21, par. 18
Adds reference to:
765 ILCS 835/5 from Ch. 21, par. 19
Adds reference to:
765 ILCS 835/5a from Ch. 21, par. 19a
Adds reference to:
765 ILCS 835/8 from Ch. 21, par. 21.1
Adds reference to:
765 ILCS 835/10 from Ch. 21, par. 21.3
Adds reference to:
765 ILCS 835/12 from Ch. 21, par. 21.5
Adds reference to:
765 ILCS 835/13 from Ch. 21, par. 21.6
Adds reference to:
765 ILCS 835/14 from Ch. 21, par. 21.7

Deletes everything after the enacting clause. Amends the Cemetery Protection Act. Defines "community mausoleum". Replaces references to "cemetery association" with "cemetery authority". Replaces references to "lot" in some provisions with "interment, entombment, or inurnment right" and in the remaining provisions with "interment right, entombment rights in a community mausoleum or lawn crypt section, or inurnment right in a community columbarium". Raises the fine for violation of the cemetery rules to not less than $100 nor more than $500 for each offense (instead of not less than $5 nor more than $100 for each offense). Authorizes the cemetery authority (instead of the board of directors of the society or association) to make by-laws, rules, and regulations for the governing of the cemetery authority, to appoint policemen to protect the cemetery, and to invest funds. Provides that, unless a specific agreement has been entered into designating inviolate rights to a cemetery interment, entombment, or inurnment right, there is a presumption of abandonment if 50 years (instead of 60 years) have passed since the listed actions have been taken. Makes other changes.

Jul 01 05 H Rule 19(b) / Re-referred to Rules Committee

HB 00265 Rep. John J. Millner-Sandra M. Pihos-Eddie Washington, Maria Antonia Berrios, Michelle Chavez and Cynthia Soto
(Sen. Bill Brady)

215 ILCS 157/20

Amends the Use of Credit Information in Personal Insurance Act. Prohibits insurers from using the credit information or the credit report of a consumer when issuing a policy of automobile insurance.

House Amendment No. 1

Deletes reference to:

215 ILCS 157/20

Adds reference to:

215 ILCS 5/1 from Ch. 73, par. 613

Deletes everything. Amends the Illinois Insurance Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 3

Deletes reference to:

215 ILCS 5/1

Adds reference to:

215 ILCS 157/22 new

Deletes everything after the enacting clause. Amends the Use of Credit Information in Personal Insurance Act. Requires an insurer authorized to do business in Illinois that uses credit information to underwrite or rate risks to review and consider an exception to the insurance risk score based upon extraordinary life events after a receiving written and signed notification from the applicant or insurer explaining how the applicant or insured believes the event adversely impacted the applicant's or insured's insurance risk score. Provides a definition of "extraordinary life event". Effective July 1, 2006.

Jul 19 05 H Public Act 94-0245

HB 00270 Rep. Jim Watson-Sidney H. Mathias-Roger Jenisch-Eddie Washington-Michael K. Smith, Brandon W. Phelps, Robert F. Flider, Daniel V. Beiser, Michelle Chavez, Charles E. Jefferson, Elizabeth Coulson, Suzanne Bassi, Dan Reitz, Thomas Holbrook, Ed Sullivan, Jr., Kathleen A. Ryg and Naomi D. Jakobsson
(Sen. Deanna Demuzio-Jacqueline Y. Collins-Martin A. Sandoval-Adeline Jay Geo-Karis, Gary Forby, Debbie DeFrancesco Halvorson, Ira I. Silverstein and Antonio Munoz)

35 ILCS 200/15-165

Amends the Property Tax Code. Provides that property up to an assessed value of $70,000 (now,$58,000), owned and used exclusively by a disabled veteran, or the spouse or unmarried surviving spouse of the veteran, as a home, is exempt. Effective immediately.

Jul 25 05 H Public Act 94-0310

HB 00295 Rep. Dan Reitz-Robert W. Pritchard-Jim Watson-Brandon W. Phelps, Donald L. Moffitt, Dan Brady, Dave Winters and Lisa M. Dugan
(Sen. Deanna Demuzio-Dan Rutherford)

415 ILCS 60/13 from Ch. 5, par. 813

Amends the Illinois Pesticide Act. Provides that beginning July 1, 2005, any pesticide dealer selling non-restricted use pesticides for use in the production of an agricultural commodity in containers with a capacity of 2.5 gallons or greater or 10 pounds or greater must register with the Department on forms provided by the Director. Effective immediately.

Senate Committee Amendment No. 1

Further amends the Illinois Pesticide Act. Provides that each place of business that sells non-restricted pesticides for use in the production of an agricultural commodity in containers with a capacity of 2.5 gallons or greater or 10 pounds or greater shall be considered a separate entity for the purpose of registration.

Jun 20 05 H Public Act 94-0060

HB 00298 Rep. Michael P. McAuliffe-John J. Millner-Angelo Saviano
(Sen. William R. Haine-Kwame Raoul)

5 ILCS 80/4.16

225 ILCS 5/3	from Ch. 111, par. 7603
225 ILCS 5/4	from Ch. 111, par. 7604
225 ILCS 5/6	from Ch. 111, par. 7606
225 ILCS 5/9	from Ch. 111, par. 7609
225 ILCS 5/10	from Ch. 111, par. 7610
225 ILCS 5/13	from Ch. 111, par. 7613
225 ILCS 5/16	from Ch. 111, par. 7616

225 ILCS 5/17.5

225 ILCS 5/34.1 new

225 ILCS 5/34.2 new

225 ILCS 5/34 rep.

Amends the Regulatory Sunset Act to remove the Illinois Athletic Trainers Practice Act from the list of Acts that get repealed pursuant to the Regulatory Sunset Act. Amends the Illinois Athletic Trainers Practice Act. Changes the definitions of the terms "licensed athletic trainer" and "referral". Provides a definition for the terms "athletic injury" and "athletic training aide". Makes changes in provisions concerning what activities are exempt from the application of the Act, educational and professional requirements, requirements for licensure by endorsement, and grounds for disciplinary action. Adds a licensed athletic trainer to the Athletic Training Board. Removes provisions concerning initial appointments to the Board. Corrects references to registration to reflect that athletic trainers are licensed. Provides that if any portion of the Act is held invalid, the invalidity of that portion shall not affect any other part of the Act that can be given effect without the invalid portion. Provides that a licensed athletic trainer who provides emergency care without fee shall not be held liable for civil damages unless his or her acts constitute wilful or wanton misconduct. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

225 ILCS 5/34 rep.

Adds reference to:

5 ILCS 80/4.26 new

Adds reference to:

225 ILCS 5/34

Deletes everything after the enacting clause. Amends the Regulatory Sunset Act to extend the repeal of the Illinois Athletic Trainers Practice Act to January 1, 2016. Amends the Illinois Athletic Trainers Practice Act. Defines "athletic trainer aide". Adds provisions concerning activities that are exempt from the Act. Changes the membership of the Athletic Training Board from 6 members to 7 and removes a provision concerning initial appointments to the Board. Requires an applicant for a license as an athletic trainer to have graduated from a curriculum in athletic training accredited by the Joint Review Committee on Athletic Training (now, the curriculum must be approved by the Department and, in approving the curriculum, the Department shall consider, but not be bound by, accreditation). Provides that proof (now, notarized proof) of completion of approved continuing education is required for license renewal (now, 40 contact hours of continuing education is required) and that the number of hours and their composition shall be set by rule. Provides that the Department may impose disciplinary fines not to exceed $5,000, rather than $1,000. Provides that athletic trainers shall require licensure, rather than registration. Makes other changes. Effective immediately.

House Amendment No. 3

Deletes reference to:

225 ILCS 5/34.2 new

HB 00298 (CONTINUED)

Provides that a person shall be qualified to receive a license as an athletic trainer if he or she has graduated from a curriculum in athletic training accredited by the Joint Review Committee on Athletic Training (JRC-AT) of the Commission on Accreditation of Allied Health Education Programs (CAAHEP), its successor entity, or its equivalent, as approved by the Department (instead of providing that a person is qualified if he or she has graduated from a curriculum in athletic training accredited by the JRC-AT of the CAAHEP or its successor entity). In the provision concerning endorsement, provides that if the requirements of another state are not substantially equal to Illinois requirements, or if at the time of application the state in which the applicant has been practicing does not regulate the practice of athletic training, and the applicant began practice in that state prior to January 1, 2004, a person having certain qualifications may (rather than shall) be qualified to receive a license as an athletic trainer if he or she meets certain criteria. Removes the Section concerning the provision of emergency care in good faith and without fee by a licensed athletic trainer. Removes the effective date provision.

Jul 19 05 H Public Act 94-0246

HB 00310 Rep. Robert S. Molaro-Dan Reitz-Jack McGuire-Ed Sullivan, Jr.-Patrick J Verschoore
(Sen. James F. Clayborne, Jr.)

35 ILCS 5/304 from Ch. 120, par. 3-304

35 ILCS 5/601 from Ch. 120, par. 6-601

Amends the Illinois Income Tax Act. Sets forth procedures to determine the source income of a nonresident individual who is a member of a professional athletic team.

Jul 19 05 H Public Act 94-0247

HB 00312 Rep. John A. Fritchey-Paul D. Froehlich-Lou Lang-Marlow H. Colvin-Harry Osterman, Mary E. Flowers, Calvin L. Giles, Kevin Joyce, David E. Miller, Ruth Munson, Rosemary Mulligan, Eddie Washington and Richard T. Bradley
(Sen. Jacqueline Y. Collins-Ira I. Silverstein-Susan Garrett-Jeffrey M. Schoenberg-Mattie Hunter, Kwame Raoul, Terry Link and Debbie DeFrancesco Halvorson)

105 ILCS 5/27-20.3 from Ch. 122, par. 27-20.3

30 ILCS 805/8.29 new

Amends the School Code. Provides that the required unit of instruction studying the events of the Holocaust shall be expanded to include the study of other events of genocide, including those in Ukraine, Cambodia, Bosnia, Rwanda, and Sudan. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the School Code. Provides that in addition to the unit of instruction studying the events of the Holocaust, the curriculum of every public elementary school and high school shall include a unit of instruction studying other acts of genocide across the globe, including, but not limited to, the Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Aug 05 05 H Public Act 94-0478

HB 00315 Rep. Daniel J. Burke-James D. Brosnahan-Thomas Holbrook-John A. Fritchey-Sara Feigenholtz, Susana A Mendoza, Edward J. Acevedo, Jay C. Hoffman, Jerry L. Mitchell, Patricia Bailey, Julie Hamos, Maria Antonia Berrios, Milton Patterson, Marlow H. Colvin, Monique D. Davis and Angelo Saviano
(Sen. Don Harmon and John J. Cullerton-Adeline Jay Geo-Karis-Gary G. Dahl)

New Act

30 ILCS 105/5.640 new

30 ILCS 105/8h

35 ILCS 5/507EE new

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

30 ILCS 805/8.29 new

Creates the Illinois Public Health and Safety Animal Population Control Act. Requires the Department of Public Health to develop and administer a program of reimbursements to veterinarians for the sterilization and rabies vaccination of the dogs and cats of low-income owners and feral cat colony caretakers. Requires a co-payment by the owner or feral cat colony caretaker. Funds the program through a voluntary individual income tax checkoff and a $3 fee on each rabies vaccination required by the Animal Control Act. Authorizes administrative fines for violations of the program. Amends the State Finance Act to create the necessary special fund within the State treasury and amends the Illinois Income Tax Act to establish the checkoff. Amends the Animal Control Act. Requires (now, authorizes) a county board to require the registration of dogs and cats. Imposes a $100 fine for failure to register. Requires that the fine be divided between the local animal control fund and the Illinois Public Health and Safety Animal Population Control Fund. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 1

Deletes reference to:

30 ILCS 805/8.29 new

Deletes everything. Reinserts the bill with the following changes: Provides that the bill may be referred to as the Anna Cieslewicz Act. In the new Act, exempts farm dogs from the requirement that they be registered and that a fee be collected upon their registration. Requires the Department of Public Health to award grants to counties and municipalities that offer sterilization services. Requires that 20% of the special fund be set aside for those grants. In the Animal Control Act, removes the requirement that a county board require registration of dogs and cats. Exempts farm dogs from any registration required by a county. Removes the change to the State Mandates Act.

House Amendment No. 2

Repeals the new Act December 31, 2012. Makes conforming changes in the amendatory provisions of the other Acts.

State Mandates Fiscal Note (H-AM 1&2) (Dept. of Commerce and Econ Opportunity)

In the opinion of DCEO, House Bill 315 (H-AM 1 & 2) creates a service mandate for which 50%-100% of the increased costs to units of local government is required under the State Mandates Act.

Fiscal Note (Department of Public Health)

The estimated full year fiscal impact of House Bill 315 is approximately $226,000. These costs are related to the implementation activities of the Illinois Department of Public Health and the development of a database to track compliance at the local level, accept receipts from the newly created funds and provide reimbursement for local veterinarians providing services.

Fiscal Note (Illinois Department of Revenue)

There are currently nine tax checkoffs on the IL-1040 tax form. The IL-1040 could accommodate ten tax checkoffs before the Department of Revenue would have to expand it to include a separate schedule for tax checkoffs. If a tax checkoff does not collect at least $100,000 by October 1, it is dropped from the form for the following year. If the number of tax checkoffs added this year plus the number of existing checkoffs that remain on the form for next year is greater than ten, the Department of Revenue would have to expand the IL-1040 to include a schedule for the tax checkoffs, which would cost the Department of Revenue approximately $40,000 per year.

Fiscal Note (Department of Revenue)

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House Amendment No. 3

Deletes reference to:

HB 00315 (CONTINUED)

30 ILCS 105/5.640 new

Deletes reference to:

30 ILCS 105/8h

Deletes reference to:

510 ILCS 5/3

Adds reference to:

30 ILCS 105/5.568

Adds reference to:

510 ILCS 5/2.11c new

Adds reference to:

625 ILCS 5/3-653

Deletes everything after the enacting clause. Creates the Illinois Public Health and Safety Animal Population Control Act. Requires the Department of Public Health to at least partially reimburse veterinarians for the rabies immunization or sterilization of dogs and cats owned by eligible low-income persons. Funds the program through an income tax check-off, fees from Pet Friendly license plates, and various fines imposed under the Animal Control Act. Amends the Animal Control Act. Makes various changes to impose the additional fees, further regulate dangerous dogs, and promote county animal population control programs. Amends the State Finance Act, the Illinois Income Tax Act, and the Illinois Vehicles Code to make conforming changes. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Senate Floor Amendment No. 2

In the new Act, with respect to the eligibility of owners, specifies that the qualifying Disability Insurance Benefits Program is the Social Security Disability Insurance Benefits Program. In the Animal Control Act, changes from $15 to $10 the minimum differential for intact animals that the county must include in its individual dog or cat registration fee.

Aug 22 05 H Public Act 94-0639

HB 00316 Rep. JoAnn D. Osmond-Roger Jenisch-Kenneth Dunkin-Karen A. Yarbrough-William B. Black

(Sen. William E. Peterson)

215 ILCS 5/500-77

215 ILCS 5/500-80

Amends the Illinois Insurance Code. Changes the name of business organizations licensed to sell insurance from registered firm to business entity to conform usage to changes made by Public Act 92-386. Provides that written disclosure of a fee that is separate from a commission must be provided to the consumer before the service to which the fee relates is performed. Makes technical changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

215 ILCS 5/500-80

Deletes everything. Reinserts the original bill except that a Section concerning commissions is excluded. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

215 ILCS 5/205.1

Further amends the Illinois Insurance Code. Provides that a guaranty association or the Illinois Insurance Guaranty Fund must report any amounts collected for claims payments reimbursement from policyholders to the Secretary of Financial and Professional Regulation as rehabilitator or liquidator (rather than as rehabilitator, liquidator, or conservator) when collecting after the Secretary as rehabilitator or liquidator fails to collect the reimbursements. Makes other changes.

Jul 19 05 H Public Act 94-0248

HB 00324 Rep. Robert Rita-Larry McKeon-Linda Chapa LaVia-Donald L. Moffitt-Mike Boland, Patrick J Verschoore and Jack McGuire

(Sen. William R. Haine and Edward D. Maloney-Larry K. Bomke-Mattie Hunter)

5 ILCS 327/5

5 ILCS 327/10

5 ILCS 327/20

Amends the Organ Donor Leave Act. Provides that the Act applies to all public employers in the State and to all private employers in the State who have 15 or more employees (now, the Act applies only to any branch, department, board, committee, or commission of State government).

House Amendment No. 1

Deletes reference to:

5 ILCS 327/5

Deletes reference to:

5 ILCS 327/10

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Employee Blood Donation Leave Act. Provides that on request, a participating employee of any unit of local government, board of election commissioners, or any private employer in the State who has 50 or more employees may be entitled to blood donation leave with pay of up to one hour to donate blood every 56 days in accordance with appropriate medical standards. Amends the Organ Donor Leave Act. Provides that the donations of blood platelets must be in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other nationally-recognized standards (now, the American Red Cross or other nationally-recognized standards).

House Amendment No. 2

Provides that the purpose of the Act is to provide time off with pay to allow employees of units of local governments, boards of election commissioners, or private employers in the State of Illinois to provide time off with pay to allow employees of units of local governments, boards of election commissioners, or private employers in the State of Illinois to donate blood.

Jun 15 05 H Public Act 94-0033

HB 00325 Rep. William B. Black-Dave Winters-Chapin Rose and Shane Cultra
(Sen. Richard J. Winkel, Jr.)

New Act

30 ILCS 605/1.02 from Ch. 127, par. 133b3

Requires the Board of Trustees of the University of Illinois to convey to Gene Michael Vanderport, of Vermilion County, in exchange for fair market value, certain real property located in Vermilion County. Provides that the provisions of this Act of the 94th General Assembly are judicially enforceable and that the State Property Control Act does not apply to the transfer of the described property. Amends the State Property Control Act to exclude the described property from the definition of "property". Effective immediately.

House Amendment No. 1

Provides that the fair market value of the property to be conveyed must be based upon the average of 3 certified appraisals.

Land Conveyance Appraisal Note (Illinois Education Association - NEA)

Value Conclusion = $15,500.

Senate Committee Amendment No. 1

Provides for a preamble to the bill. Replaces everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes: Authorizes the Illinois Department of Human Services to grant and convey a permanent conservation easement to the Illinois Department of Natural Resources on certain real property in Cook County near the Chicago Read Mental Health Center for the purpose of preserving and protecting the wetlands and forested area for the benefit of certain facility patients, the community, and the general public. Effective immediately.

Senate Floor Amendment No. 2

Adds reference to:

Laws 1965, p. 2927, Sec. 3; Laws 1967, p. 2

Amends "An Act to authorize the Department of Mental Health to convey certain State-owned lands in Kane County", as amended. Provides that certain restrictions on the use of that land do not apply to a portion of that land.

Senate Floor Amendment No. 4

Authorizes the Board of Trustees of the University of Illinois, upon the payment of $7,033,333, to convey certain land in Cook County, Illinois to the Chicago Park District.

Senate Floor Amendment No. 7

Deletes reference to:

Laws 1965, p. 2927, Sec. 3; Laws 1967, p. 2

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill, but provides that the conveyance of property to Gene Michael Vanderport includes an exchange for mutually agreed upon perpetual access rights for educational and research purposes. Effective immediately.

Aug 02 05 H Public Act 94-0405

HB 00328 Rep. Michael J. Madigan-Barbara Flynn Currie
(Sen. Jacqueline Y. Collins and Pamela J. Althoff)

735 ILCS 5/9-218 new

765 ILCS 705/3 new

Amends the Code of Civil Procedure. Provides that, if the lessor (or agent of the lessor) of residential real property, containing 100 or more residential units in either a single building or a complex of buildings, maintains a business office on the premises of the building or complex that has regularly scheduled office hours, the lessor (or agent of the lessor) must accept rent payments from a lessee of any of those residential units at that business office during the office's regularly scheduled office hours, and the lessor may not impose any penalty, fee, or charge for making timely rent payments in this manner. Applies to leases and rental agreements in effect on the effective date unless the lease or rental agreement contains specific language that is in conflict. Provides that any provision of a lease or other rental agreement entered into, extended, or renewed on or after the effective date of the amendatory Act that conflicts with the new provisions is void and unenforceable. Amends the Landlord and Tenant Act to create a cross-reference to the new provisions in the Code of Civil Procedure. Effective immediately.

Senate Floor Amendment No. 1

Provides that the landlord may not impose any penalty, fee, or charge for making rent payments at an on-premises business office that are otherwise considered timely under the lease (instead of timely rent payments), but that the landlord may refuse to accept cash payments when rent is paid in this manner.

May 31 05 H Public Act 94-0002

HB 00330 Rep. Patrick J Verschoore-Monique D. Davis
(Sen. Mike Jacobs)

50 ILCS 20/4 from Ch. 85, par. 1034

50 ILCS 20/4a from Ch. 85, par. 1034a

Amends the Public Building Commission Act. Deletes a provision that requires any county that created a public building commission by resolution adopted by the county board to submit the resolution to the voters of the county. Makes corresponding changes. Provides that the county board of any county that has created a public building commission for a limited and specific purpose may expand that purpose by resolution.

House Amendment No. 1

Deletes reference to:

50 ILCS 20/4

Deletes provisions that eliminated a requirement that any county that created a public building commission by resolution adopted by the county board must submit the resolution to the voters of the county.

Housing Affordability Impact Note (Housing Development Authority)

House Bill 330 will have no fiscal effect on constructing, purchasing, owning, or selling a single-family residence.

Fiscal Note (Housing Development Authority)

House Bill 330 has no fiscal effect on the Illinois Housing Development Authority.

House Amendment No. 2

Provides that the county board of any county that has created a public building commission for a limited and specific purpose may expand that purpose only if the county board submits the question to the electors of the county at a regular election and it is approved by a majority of the electors voting on the question (now, under the bill the purpose may be expanded by resolution).

Fiscal Note (H-AM 2) (Housing Development Authority)

House Bill 330 (H-AM 2) has no fiscal effect.

Fiscal Note (H-AM2) (Housing Development Authority)

No fiscal effect.

Jul 29 05 H Public Act 94-0355

HB 00337 Rep. Michael J. Madigan-Barbara Flynn Currie-Larry McKeon
(Sen. Terry Link)

New Act

Creates the Judicial Subcircuits Act of 2005. Contains only a short title provision.

Senate Floor Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

705 ILCS 22/6 new

Adds reference to:

705 ILCS 22/11 new

Adds reference to:

705 ILCS 22/21 new

Adds reference to:

705 ILCS 22/5 rep.

Adds reference to:

705 ILCS 22/10 rep.

Adds reference to:

705 ILCS 22/20 rep.

Adds reference to:

705 ILCS 35/2f-9

Deletes everything after the enacting clause. Amends the Judicial Circuits Apportionment Act of 2005 to create new subcircuit boundaries for the 12th, 16th, and 19th Judicial Circuits and add a fifth subcircuit to the 16th Judicial Circuit (and amends the Circuit Courts Act to provide for 5, instead of 4, subcircuits in the 16th Judicial Circuit). Effective immediately.

May 31 05 H Public Act 94-0003

HB 00340 Rep. David Reis-John E. Bradley-Brandon W. Phelps
(Sen. Todd Sieben)

720 ILCS 5/24-3 from Ch. 38, par. 24-3

Amends the Criminal Code of 1961. Provides that the waiting period for withholding delivery of a firearm after application for its purchase has been made does not apply to the transfer of an operable firearm in exchange for another operable firearm. Effective immediately.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 00348 Rep. Sidney H. Mathias-Donald L. Moffitt-Jack D. Franks-Linda Chapa LaVia
(Sen. Jeffrey M. Schoenberg)

430 ILCS 65/3.3 new

Amends the Firearm Owners Identification Card Act. Provides that the Department of State Police must report the name and address of a person to the local law enforcement agency where the person resides if the person attempting to purchase a firearm is disqualified from purchasing a firearm because of information obtained during the dial-up telephone communication with the Department of State Police.

House Amendment No. 1

Provides that the report by the Department of State Police to the local law enforcement agency shall be made only if the person attempting to purchase the firearm is disqualified from obtaining a Firearm Owner's Identification Card for certain specified statutory reasons.

Jul 07 05 H Public Act 94-0125

HB 00349 Rep. Sidney H. Mathias-Patricia R. Bellock-Paul D. Froehlich-Patricia Bailey-Sandra M. Pihos, Jack D. Franks, Linda Chapa LaVia and Robin Kelly

(Sen. Kirk W. Dillard-Don Harmon and Edward D. Maloney-Mattie Hunter)

720 ILCS 5/21-7 from Ch. 38, par. 21-7

Amends the Criminal Code of 1961. Makes a criminal trespass to the restricted areas and restricted landing areas of an airport a Class 4 felony (instead of a Class A misdemeanor). Makes criminal trespass to the restricted areas and restricted landing areas of an airport while in possession of a weapon, replica of a weapon, or ammunition a Class 3 felony.

Aug 11 05 H Public Act 94-0547

HB 00350 Rep. Kevin Joyce-Monique D. Davis-Robert Rita-Constance A. Howard-James D. Brosnahan, John A. Fritchey, Mary E. Flowers, Edward J. Acevedo, William Davis, Patricia Bailey, William Delgado, Careen M Gordon, Harry Osterman, John D'Amico, Daniel V. Beiser, Marlow H. Colvin, John E. Bradley, Brandon W. Phelps, Robert F. Flider, Jack D. Franks, Linda Chapa LaVia, Kurt M. Granberg, Kevin A. McCarthy, David E. Miller, Lisa M. Dugan, Eddie Washington, Michael K. Smith, Robin Kelly and Susana A Mendoza

(Sen. Jacqueline Y. Collins-Donne E. Trotter-Edward D. Maloney-Mattie Hunter)

730 ILCS 5/3-3-7	from Ch. 38, par. 1003-3-7
730 ILCS 5/3-3-9	from Ch. 38, par. 1003-3-9
730 ILCS 5/3-14-2	from Ch. 38, par. 1003-14-2
730 ILCS 5/5-6-3	from Ch. 38, par. 1005-6-3
730 ILCS 5/5-6-3.1	from Ch. 38, par. 1005-6-3.1
730 ILCS 5/5-6-4	from Ch. 38, par. 1005-6-4

730 ILCS 110/16.2 new

Amends the Unified Code of Corrections and the Probation and Probation Officers Act. Provides that a person convicted of or placed on supervision for a sex offense shall as a condition of parole, mandatory supervised release, probation, or supervision refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense. Provides that a probation or parole officer supervising a sex offender shall periodically, but not less than once a month, verify that the parolee or releasee or person on probation or supervision is in compliance with these provisions. Provides that a violation shall result in revocation of parole, mandatory supervised release, probation, or supervision.

House Amendment No. 1

Adds reference to:

730 ILCS 5/Ch. III Art. 17 heading new

Adds reference to:

730 ILCS 5/3-17-1 new

Adds reference to:

730 ILCS 5/3-17-5 new

Adds reference to:

730 ILCS 152/120

Amends the Sex Offender and Child Murderer Community Notification Law and further amends the Unified Code of Corrections. Provides that the Department of Corrections shall license transitional housing facilities for persons convicted of or placed on supervision for sex offenses as defined in the Sex Offender Management Board Act. Provides that a transitional housing facility must meet the following criteria to be licensed by the Department: (1) the facility shall provide housing to a sex offender for a period not to exceed 90 days; (2) the Department must approve a treatment plan and counseling for each sex offender residing in the transitional housing; (3) the transitional housing facility must provide security 24 hours each day and 7 days each week approved by the Department; and (4) the facility must notify the police department, public and private elementary and secondary schools, public libraries, and each residential home and apartment complex located within 500 feet of the transitional housing facility. Provides that the Department shall, on or before December 31 of each year, file a report with the General Assembly on the number of transitional housing facilities for sex offenders licensed by the Department, the addresses of each licensed facility, how many sex offenders are housed in each facility, and the particular sex offense that each resident of the transitional housing facility committed. Provides that the Department shall maintain a file on each sex offender housed in a transitional housing facility consisting of specified information.

House Amendment No. 2

Adds an immediate effective date to the bill.

Senate Committee Amendment No. 1

Provides that the amendatory provisions do not apply to a sex offender in a facility operated or licensed by the Department of Children and Family Services or by the Department of Human Services, or in any licensed medical facility. Provides that the transitional housing facility shall provide housing to a sex offender who is in compliance with his or her parole, mandatory supervised release, probation, or supervision order for a period not to exceed 90 days, unless extended with approval from the Director or his or her designee. Provides that notice of any extension approved shall be provided to the Prisoner Review Board. Provides that facilities which on the effective date of the amendatory Act are currently housing and providing sex offender treatment to sex offenders may continue housing more than one sex offender on parole, mandatory supervised release, probation, or supervision for a period of 120 days after the adoption of licensure rules during which time the facility shall apply for a transitional housing license. Establishes additional requirements for transitional housing facilities.

HB 00350 (CONTINUED)

Senate Floor Amendment No. 6 (Senate recedes May 29, 2005)

Adds reference to:

720 ILCS 5/11-9.3

Adds reference to:

720 ILCS 5/11-9.4

Amends the Criminal Code of 1961. Provides that a child sex offender may reside within 500 feet of a school zone and within 500 feet of a playground or facility providing programs or services exclusively directed toward persons under 18 years of age if the facility: (i) was in operation during any portion of the 18 month period immediately prior to the effective date of the amendatory Act of the 94th General Assembly; (ii) makes application to the Department of Corrections to be licensed under the Transitional Housing for Sex Offenders Law within 120 days from the effective date of the amendatory Act of the 94th General Assembly; and (iii) is located in a county with a population in excess of 3,000,000. Provides that nothing in the Article of the Unified Code of Corrections providing for the licensing of transitional housing facilities shall be construed to exempt a transitional housing facility licensed under the Article from the jurisdiction of any county, municipality, or other unit of local government acting within the scope of its lawful powers to protect the public health, safety and welfare. Exempts from the prohibition of sex offenders residing within the same residence, sex offenders residing in a Class 1 Institution for Mental Diseases (IMD) in accordance with 89 Ill. Adm. Code 145.30.

Jul 11 05 H Public Act 94-0161

HB 00360 Rep. Chapin Rose-Sidney H. Mathias-Lou Lang-Sandra M. Pihos
(Sen. Richard J. Winkel, Jr.)

750 ILCS 5/604.3 new

Amends the Illinois Marriage and Dissolution of Marriage Act. Requires the court to determine whether counseling is appropriate for a child who is involved in a custody proceeding. Authorizes the court to order counseling and apportion the cost between the parties.

House Amendment No. 1

Deletes reference to:

750 ILCS 5/604.3 new

Adds reference to:

750 ILCS 5/608 from Ch. 40, par. 608

Deletes everything after the enacting clause. Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that the court may order individual counseling for the child, family counseling for one or more of the parties and the child, or parental education for one or more of the parties, when it finds that one or more of the listed conditions exist. Provides that, if the court finds that one or more of the parties has violated an order of the court with regard to custody, visitation, or joint parenting, the court shall assess the costs of counseling against the violating party or parties. Provides that, otherwise, the court may apportion the costs between the parties as appropriate.

House Amendment No. 2

In the list of findings for which a court may order counseling, provides that the court may order counseling if the court finds that one or more of the parties has a finding of visitation abuse entered against him or her under the listed Section that is or could be harmful to the child.

House Amendment No. 4

Adds reference to:

750 ILCS 5/604.3 new

Deletes everything after the enacting clause. Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that the court may order individual counseling for the child, family counseling for one or more of the parties and the child, or parental education for one or more of the parties, when it finds that one or more of the listed conditions exist. Provides that, if the court finds that one or more of the parties has violated an order of the court with regard to custody, visitation, or joint parenting, the court shall assess the costs of counseling against the violating party or parties. Provides that, otherwise, the court may apportion the costs between the parties as appropriate. Provides that the court shall determine whether counseling is appropriate for a child who is involved in a custody proceeding. Provides that if the court determines that counseling is appropriate, the court may order counseling and may apportion the costs between the parties. Provides that all counseling sessions shall be confidential. Prohibits the use of communications in counseling in any manner in litigation or the reliance upon the communications by any expert appointed by the court or retained by any party.

Senate Committee Amendment No. 1

Deletes reference to:

750 ILCS 5/604.3 new

Adds reference to:

750 ILCS 5/506 from Ch. 40, par. 506

Deletes everything after the enacting clause. Amends the Illinois Marriage and Dissolution of Marriage Act. Requires the court to determine whether counseling is appropriate for a child who is involved in a custody proceeding. Authorizes the court to order counseling and apportion the cost between the parties. Provides that all counseling sessions shall be confidential. Provides that the communications in counseling shall not be used in any manner in litigation nor relied upon by any expert appointed by the court or retained by any party.

Aug 22 05 H Public Act 94-0640

HB 00361 Rep. Chapin Rose-Randall M. Hultgren-Bill Mitchell, Jack D. Franks and Linda Chapa LaVia
(Sen. Dale A. Righter-Martin A. Sandoval)

20 ILCS 605/605-685 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Requires the Department of Commerce and Economic Opportunity to establish and maintain a program devoted to encouraging the rapid establishment of businesses and employers in business parks by developing standards for the development, location, and maintenance of business parks in the State and by certifying business parks that meet or exceed those standards. Requires the Department to advertise the business park certification program. Effective on January 1, 2006.

House Amendment No. 1

Provides that the Department of Commerce and Economic Opportunity may, subject to appropriation (instead of "must"), establish, maintain, and advertise the office park certification program.

House Amendment No. 2

Requires the Department of Commerce and Economic Opportunity to adopt rules concerning the business park certification program. Provides that a business park that has been established before the effective date of this amendatory Act may receive certification under the program.

Aug 16 05 H Public Act 94-0598

HB 00373 Rep. Chapin Rose
(Sen. Richard J. Winkel, Jr.)

40 ILCS 5/3-110 from Ch. 108 1/2, par. 3-110

40 ILCS 5/3-110.8 new

40 ILCS 5/7-139 from Ch. 108 1/2, par. 7-139

40 ILCS 5/7-139.11 new

Amends the Downstate Police and IMRF Articles of the Illinois Pension Code. Authorizes a member of a downstate police fund who has up to 8 years of creditable service under IMRF to transfer his or her service credit under IMRF to that downstate police fund. Authorizes a member of IMRF who has up to 8 years of creditable service in a fund under the Downstate Police Article to transfer his or her service credit under that downstate police fund to IMRF. Provides that if the amount transferred under this amendatory Act is less than the true cost to the receiving pension fund of allowing that creditable service to be established, then the amount of creditable service the person may establish under this amendatory Act shall be reduced by a corresponding amount. Effective immediately.

House Amendment No. 1

Changes an obsolete reference to the Department of Insurance. In provisions amending the IMRF Article, replaces references to the Public Pension Division with references to the board and removes reporting requirements related to calculations made to transfer the credits.

Jul 29 05 H Public Act 94-0356

HB 00381 Rep. Marlow H. Colvin-David E. Miller-John A. Fritchey-Edward J. Acevedo-Harry Osterman, Deborah L. Graham, Robin Kelly, Paul D. Froehlich, William Davis, Robert Rita, Milton Patterson, Kenneth Dunkin, Constance A. Howard, Lovana Jones, Michelle Chavez, Patricia Reid Lindner, Barbara Flynn Currie, Cynthia Soto, William Delgado, Elaine Nekritz, Maria Antonia Berrios, Arthur L. Turner, Wyvetter H. Younge, Shane Cultra, Jack D. Franks, Linda Chapa LaVia, Calvin L. Giles, Sidney H. Mathias, Richard T. Bradley, Ruth Munson, Karen A. Yarbrough, Charles E. Jefferson and Susana A Mendoza

(Sen. Jacqueline Y. Collins-Mattie Hunter-Kwame Raoul, James F. Clayborne, Jr., Terry Link, Ira I. Silverstein, Debbie DeFrancesco Halvorson and Antonio Munoz)

720 ILCS 5/17-29 new

Amends the Criminal Code of 1961. Provides that in addition to any other penalties imposed by law or by an ordinance or resolution of a unit of local government or school district, any individual or entity that knowingly obtains, or assists another to obtain, a contract with a governmental unit because of a false representation that the individual or entity, or the individual or entity assisted, is a minority owned business, female owned business, or business owned by a person with a disability, regardless of whether the preference was established by statute or local ordinance or resolution, is guilty of a Class 4 felony. Provides that the court shall order that an individual or entity convicted of this offense must pay to the governmental unit that awarded the contract a penalty equal to one and one-half times the amount of the contract obtained because of the false representation.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the introduced bill but changes penalties for a violation from a Class 4 felony to a Class 2 felony.

Jul 07 05 H Public Act 94-0126

HB 00383 Rep. Monique D. Davis-Calvin L. Giles-Annazette Collins-Arthur L. Turner-Charles E. Jefferson, Constance A. Howard, Lovana Jones, Marlow H. Colvin, Lisa M. Dugan and Michelle Chavez
(Sen. Kimberly A. Lightford-Jacqueline Y. Collins-Mattie Hunter)

20 ILCS 3405/22 new

Amends the Historic Preservation Agency Act. Creates the Amistad Commission. Contains provisions concerning the membership and duties of the Commission. These duties include: (i) providing assistance and advice to schools within the State with respect to the implementation of education, awareness programs, textbooks, and educational materials concerned with the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our society; (ii) surveying and cataloging the extent and breadth of education concerning these topics; (iii) acting as a liaison to textbook publishers and others in forming a curriculum on these subjects; (iv) coordinating events and programs on slavery and related issues; and (iv) developing with the cooperation of the State Board of Education, curriculum guidelines for the teaching of information on slavery topics and issues. Authorizes the Commission to call upon any department, office, division, or agency of the State, or of any county, municipality, or school district of the State, to supply such data, program reports, and other information, personnel, and assistance as it deems necessary to discharge its responsibilities under this Act. Provides that the State Board of Education shall assist the Commission in a variety of ways, including by: (i) marketing and distributing information and materials on slavery topics to schools, and (ii) conducting at least one teacher workshop annually on slavery issues. Requires the Commission to make biannual reports on its activities to the Governor and the General Assembly. Effective immediately.

Fiscal Note (Illinois Historic Preservation Agency)

The cost to the Illinois Historic Preservation Agency created by House Bill 383 are estimated to total $40,000.00 and would fall into two areas: (1) Travel and expense reimbursements to Commission members ($20,000.00), and (2) Staff and Administrative Costs ($20,000.00).

House Amendment No. 1

Provides that the President of the Senate shall appoint 2 members of the Commission and the Minority Leader of the Senate one member. Authorizes the Speaker of the House of Representatives to appoint 2 members of the commission and the Minority Leader of the House of Representatives to appoint one member. Provides that members of the Commission may obtain reimbursement for travel, meals, and lodging in accordance with the rules of the Governor's Travel Control Board.

Senate Floor Amendment No. 1

Adds reference to:

105 ILCS 5/27-20.4 from Ch. 122, par. 27-20.4

Further amends the Illinois Historic Preservation Agency Act. Provides that Commission guidelines for the teaching of information on the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our country shall be made available to every school board. Authorizes the Commission to call upon appropriate school personnel (rather than personnel) of any department, office, municipality, or school district of the State for the discharge of Commission responsibilities and to cooperate with the Commission in accomplishing the purposes of the Act. Amends the School Code. Sets forth that the State curriculum on Black History shall include the history of the African slave trade, slavery in America, and the vestiges of slavery in this country. Provides that prepared materials made available by the State Superintendent of Education on this unit of instruction shall include the materials established by the Amistad Commission.

Jul 21 05 H Public Act 94-0285

HB 00384 Rep. Monique D. Davis-Constance A. Howard-Deborah L. Graham-Roger L. Eddy-Jerry L. Mitchell, Calvin L. Giles and Lovana Jones
(Sen. Kimberly A. Lightford-Donne E. Trotter and Mattie Hunter)

105 ILCS 5/21-1a from Ch. 122, par. 21-1a

Amends the Teacher Certification Article of the School Code. Removes a provision prohibiting a preservice education teacher from student teaching until he or she has passed the subject matter test in the discipline in which he or she will student teach.

House Amendment No. 1

Provides that prior to completing an approved teacher preparation program, a preservice education candidate must satisfactorily pass the test of subject matter knowledge in the discipline in which he or she will be certified to teach. Provides that the teacher preparation program may require passage of the test of subject matter knowledge at any time during the program, including prior to student teaching. Adds an immediate effective date.

Jul 14 05 H Public Act 94-0208

HB 00386 Rep. Jay C. Hoffman-Patricia Bailey-Kevin Joyce-Thomas Holbrook-Joseph M. Lyons, Naomi D. Jakobsson, Karen A. Yarbrough, Monique D. Davis, Brandon W. Phelps, Deborah L. Graham, Daniel V. Beiser and John E. Bradley
(Sen. William R. Haine, James F. Clayborne, Jr., Terry Link, Jacqueline Y. Collins, Mattie Hunter, Arthur J. Wilhelmi, Debbie DeFrancesco Halvorson and Gary Forby)

625 ILCS 5/3-623 from Ch. 95 1/2, par. 3-623

Amends the Illinois Vehicle Code. Provides that an Illinois resident who is the surviving spouse of a person killed in a foreign war and awarded the Purple Heart by a branch of the armed forces of the United States is eligible to be issued Purple Heart license plates.

Jul 01 05 H Public Act 94-0093

HB 00395 Rep. Jay C. Hoffman-Thomas Holbrook-Sandra M. Pihos-Sidney H. Mathias-Monique D. Davis, Milton Patterson, Jack D. Franks, Cynthia Soto, Donald L. Moffitt, William Davis, William Delgado, John D'Amico and Linda Chapa LaVia
(Sen. Frank C. Watson, James F. Clayborne, Jr. and William R. Haine)

20 ILCS 2310/2310-612 new

30 ILCS 105/5.640 new

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

Amends the Illinois Income Tax Act. Creates a tax checkoff for the Blindness Prevention Fund. Amends the State Finance Act to create the Fund. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Requires the Department of Public Health to make grants to charitable or educational entities in Illinois for the purpose of funding (i) public education on the importance of eye care and the prevention of blindness and (ii) the provision of eye care to children, senior citizens, and other needy individuals whose needs are not covered by any other source of funds. Sets forth requirements for the grants. Requires the Department to create an advisory committee to make recommendations concerning the grant proposals. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

35 ILCS 5/510 from Ch. 120, par. 5-510

Further amends the Illinois Income Tax Act. Adds the Blindness Prevention Fund to the list of other tax checkoff funds monitored by the Department of Revenue.

Aug 16 05 H Public Act 94-0602

HB 00396 Rep. Patricia Reid Lindner-Tom Cross-Patricia Bailey-Joseph M. Lyons
(Sen. Edward Petka-Jacqueline Y. Collins)

625 ILCS 5/6-206.1 from Ch. 95 1/2, par. 6-206.1

Amends the Illinois Vehicle Code. Provides that the first judicial driving permit issued to a person whose driver's license has been summarily suspended under the DUI provisions of the Code may not have a duration of more than 45 days. Provides that the court may extend the original permit after 30 days. Provides that the extension of the permit may be for any length of time, up to the remaining duration of the statutory summary suspension. Provides that if the first extension of the permit is for a shorter period than the remaining duration of the suspension, the driver must return to court to seek any additional extension.

House Amendment No. 1

Deletes everything after the enacting clause. Provides that, if a person who is seeking or who has been issued a Judicial Driving Permit (JDP) is charged with driving on a suspended license or with another DUI before the JDP has been issued, the JDP shall not be issued. Provides that if a person who has been issued a JDP is charged with another DUI, the JDP shall be cancelled if already issued. Establishes procedures to be followed by the Secretary of State and the courts involved in these cases. Deletes current language regarding the cancellation of the JDP of a person charged with or convicted of a subsequent DUI.

Jul 29 05 H Public Act 94-0357

HB 00399 Rep. Lou Lang, Dan Reitz, Harry Osterman, JoAnn D. Osmond, Karen May, Larry McKeon, Karen A. Yarbrough, Jack D. Franks, Linda Chapa LaVia, Milton Patterson, Kathleen A. Ryg, Annazette Collins and Gary Hannig
(Sen. Debbie DeFrancesco Halvorson-John M. Sullivan, Larry K. Bomke-M. Maggie Crotty-Donne E. Trotter and Jacqueline Y. Collins)

New Act

30 ILCS 5/3-2 from Ch. 15, par. 303-2

Creates the Health Care Setting Violence Prevention Act. Requires health care settings, including hospitals, mental health evaluation and treatment facilities, community mental health programs, home health agencies, and hospice programs, by July 1, 2006, to adopt and implement a plan to reasonably prevent and protect employees from violence at the setting. Requires a health care setting to file copies of its plan, and copies of changes to the plan, with the Department of Labor and the Department of Human Services. Requires a review of the plan at least once every 3 years. Requires health care settings to provide violence prevention training to employees by July 1, 2007. Requires health care settings to keep records of violent acts against an employee, a patient, or a visitor and to forward copies of such records to the Department of Labor and the Department of Human Services. Provides for enforcement of the Act by the Department of Labor, and authorizes the Director of Labor to issue an order for correction to a health care setting fixing a time for abatement of a violation. Amends the Illinois State Auditing Act. Requires that the Auditor General's audits of certain mental health and developmental disabilities facilities under the jurisdiction of the Department of Human Services include their records concerning reports of suspected abuse of facility staff by facility residents or patients. Effective immediately.

House Amendment No. 1

Adds reference to:

210 ILCS 35/11 from Ch. 111 1/2, par. 4191

Adds reference to:

210 ILCS 85/7 from Ch. 111 1/2, par. 148

Adds reference to:

210 ILCS 135/6 from Ch. 91 1/2, par. 1706

Replaces everything after the enacting clause. Creates the Health Care Workplace Violence Prevention Act. Defines "health care workplace" to mean a hospital licensed under the Hospital Licensing Act or organized under the University of Illinois Hospital Act, or a mental health facility or developmental disability facility as defined in the Mental Health and Developmental Disabilities Code. Provides that by July 1, 2006, every health care workplace must adopt and implement a plan to reasonably prevent and protect employees from violence at that setting. Requires a health care workplace to file the plan with the Department of Labor, and requires that Department to forward a copy of the plan to the State agency that regulates the workplace or contracts with the workplace for the delivery of health care services. Requires a health care workplace to provide violence prevention training to its employees by July 1, 2007. Requires a health care workplace to keep a record of violent acts occurring at the workplace and to report those violent acts to the Department of Labor for forwarding to the appropriate regulatory agency; also requires a health care workplace to report such violent acts to the appropriate law enforcement agency. In the case of a report of a violent act occurring at a State-operated mental health or developmental disability facility under the jurisdiction of the Department of Human Services (DHS), requires the Department of Labor to forward a copy of the report to the Department of State Police and to the DHS Inspector General. Authorizes the Director of Labor to order a health care workplace to comply with the Act and to impose a civil penalty against a health care workplace. Provides that a hospital shall be deemed to be in compliance with the violence prevention plan requirements if it has complied with national accreditation standards and completes reports of incidents of violence that are available for review by the Department of Public Health. Amends the Illinois State Auditing Act to require that the program audit of State-operated mental health and developmental disability facilities include an examination of reports of suspected abuse of facility staff by patients or residents. Amends the Community Living Facilities Licensing Act, the Hospital Licensing Act, and the Community-Integrated Living Arrangements Licensure and Certification Act to authorize sanctions against a licensed entity for a violation of the Health Care Workplace Violence Prevention Act. Effective immediately.

House Amendment No. 4

Deletes reference to:

210 ILCS 85/7 new

Adds reference to:

20 ILCS 1705/72 new

HB 00399 (CONTINUED)

Replaces everything after the enacting clause with provisions substantially similar to those of House Bill 399 as amended by House Amendment No. 1, but with changes that include the following: (1) provides that "abuse" also means a perceived immediate, threatened, or impending risk of physical injury; (2) deletes hospitals from the definition of "health care workplace", and provides that "health care workplace" does not include, and shall not be construed to include, any office of a physician licensed to practice medicine in all its branches, an advanced practice nurse, or a physician assistant, regardless of the form of such office; (3) provides that violence prevention training must address the protection of confidentiality in accordance with HIPAA and other related provisions of law; (4) eliminates "a physical assault with mild soreness, surface abrasions, scratches, or small bruises" as a type of abuse that must be described; (5) eliminates provisions for reporting violent acts to the Department of Labor and for the investigation of such violent acts; (6) eliminates provisions for issuance of an order to comply with the Health Care Workplace Violence Prevention Act and for a civil penalty for noncompliance; (7) eliminates provisions concerning circumstances under which a hospital shall be deemed to be in compliance with the Act; (8) amends the Mental Health and Developmental Disabilities Administrative Act to require the Department of Human Services, within 6 months after the effective date of this amendatory Act, to adopt rules prescribing procedures for reporting, investigating, and responding to violent acts against employees of facilities under the Department's jurisdiction; (9) eliminates failure to file a review of or changes to a workplace violence prevention plan and failure to report a violent act under the Health Care Workplace Violence Prevention Act as grounds for discipline under the Community Living Facilities Licensing Act and the Community-Integrated Living Arrangements Licensure and Certification Act; and (10) eliminates provisions amending the Hospital Licensing Act. Effective immediately.

Fiscal Note (H-AM 1) (Department of Human Services)

House Bill 399 (H-AM 1) creates additional workload for the Department of Human Services State-Operated Facilities, both Mental Health and Developmental Disabilities, that the programs do not have the resources to address. Each State operated facility would require an additional staff person in order to meet the record keeping and reporting requirements of the legislation. This would require eighteen (18) additional headcount at an average salary with fringes of $50,000, for a cost of $900,000.

Fiscal Note (H-AM 1) (Department of Public Health)

Minimal fiscal impact.

Fiscal Note (H-AM 1) (Budget Office)

This would require eighteen (18) additional headcount at an average salary with fringes of $50,000, for a cost of $900,000.

Fiscal Note (H-AM 1) (Department of Labor)

This legislation creates significant new responsibilities for the Department of Labor that cannot be administered with existing resources and staff. The fiscal impact is as follows: Personnel = $683,000; Fringes = $150,000; Travel $39,000; Commodities = $9,000; Printing = $30,000; EDP Equipment = $32,000; Telecommunications = $12,000; Total = $955,000.

Fiscal Note (H-AM 1) (Department of Human Services)

This would require eighteen (18) additional headcount at an average salary with fringes of $50,000, for a cost of $900,000.

Senate Floor Amendment No. 1

In the Health Care Workplace Violence Prevention Act, deletes the definition of "abuse" and replaces references to "abuse" in the Act with references to "violent acts". Provides that "violence" or "violent act" means any act by a patient or resident (instead of a person) that causes or threatens to cause an injury to another person (instead of causes abuse of another person). Adds "a violent act requiring employee response, in the course of which an employee is injured" as a type of violent act that must be included in a health care workplace's records, and changes another such category to "a verbal or physical threat that presents imminent danger" (instead of imminent danger to an employee). In the Illinois State Auditing Act, (i) requires examination of a facility's records concerning reports of violent acts against (instead of suspected abuse of) facility staff by patients or residents and (ii) requires the Auditor General to report findings concerning violent acts against staff by patients or residents (instead of concerning abuse of facility staff).

Senate Floor Amendment No. 3

HB 00399 (CONTINUED)

Replaces everything after the enacting clause with provisions similar to those of House Bill 399, as amended by Senate Amendment No. 1, creating the Health Care Workplace Violence Prevention Act and amending the Mental Health and Developmental Disabilities Administrative Act, the Illinois State Auditing Act, the Community Living Facilities Licensing Act, and the Community-Integrated Living Arrangements Licensure and Certification Act, but with changes that include the following: (1) deletes references to the Department of Labor and the Director of Labor and replaces them with references to the Department of Human Services (in the case of a health care workplace that is operated or regulated by the Department of Human Services) or the Department of Public Health (in the case of a health care workplace that is operated or regulated by the Department of Public Health); (2) requires the Department of Human Services and the Department of Public Health to initially implement the Health Care Workplace Violence Prevention Act as a 2-year pilot project in which only the following health care workplaces shall participate: the Chester Mental Health Center, the Alton Mental Health Center, the Douglas Singer Mental Health Center, the Andrew McFarland Mental Health Center, and the Jacksonville Developmental Center; (3) requires facilities participating in the pilot project to provide violence prevention training by July 1, 2006, and to adopt and implement a workplace violence prevention plan and begin keeping a record of violent acts by July 1, 2007; (4) requires facilities not participating in the pilot project to adopt and implement a workplace violence prevention plan by July 1, 2008 (instead of 2006), provide violence prevention training by July 1, 2009 (instead of 2007), and begin keeping a record of violent acts by July 1, 2008 (instead of 2006); and (5) requires the Governor to convene a task force to evaluate the pilot project and make a report to the General Assembly by January 1, 2008. Effective immediately.

Jul 28 05 H Public Act 94-0347

HB 00404 Rep. Roger L. Eddy-Sandra M. Pihos

(Sen. Dan Cronin-M. Maggie Crotty-Adeline Jay Geo-Karis, Dave Sullivan, John O. Jones, Dale E. Risinger, Larry K. Bomke, Pamela J. Althoff, Richard J. Winkel, Jr., Dale A. Righter and Kimberly A. Lightford)

105 ILCS 5/18-8.05

Amends the School Code. In provisions concerning the compilation of average daily attendance under the State aid formula, makes changes concerning the days when the Prairie State Achievement Examination is administered. Effective July 1, 2005.

Aug 04 05 H Public Act 94-0438

HB 00406 Rep. Robert Rita-William Davis-Paul D. Froehlich-Angelo Saviano

(Sen. James T. Meeks)

415 ILCS 5/3.330 was 415 ILCS 5/3.32

Amends the Environmental Protection Act. Provides that the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of the Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station is not a pollution control facility. Effective immediately.

Jul 19 05 H Public Act 94-0249

HB 00413 Rep. Kathleen A. Ryg-Sidney H. Mathias-Karen A. Yarbrough-Eddie Washington-Donald L. Moffitt

(Sen. Kathleen L. Wojcik, Pamela J. Althoff, Dale E. Risinger-George P. Shadid and Dan Rutherford)

65 ILCS 5/3.1-30-10 from Ch. 24, par. 3.1-30-10

Amends the Illinois Municipal Code. In municipalities of less than 500,000, provides that the municipal clerk, when authorized by the corporate authorities of the municipality, may appoint the number of deputy clerks necessary to discharge the functions and duties of the office of municipal clerk (now, the clerk may be authorized to appoint one deputy clerk). Provides that the corporate authorities of the municipality may limit the number of deputy clerks that the municipal clerk may appoint. Effective immediately.

Jul 19 05 H Public Act 94-0250

HB 00414 Rep. Kathleen A. Ryg-Karen May-JoAnn D. Osmond and Linda Chapa LaVia
(Sen. Terry Link)

415 ILCS 5/3.330 was 415 ILCS 5/3.32

415 ILCS 5/21 from Ch. 111 1/2, par. 1021

Amends the Environmental Protection Act. In the definitions, provides that a facility accepting exclusively general construction or demolition debris and that as of January 1, 2000 is located in a county with a population of 700,000 or more persons is not a pollution control facility under the Act (now, the definition does not have the January 1, 2000 restriction). Makes a similar change regarding waste-storage, waste-treatment, or waste-disposal permits to provide that no permit shall be required for a facility in a county with a population over 700,000 as of January 1, 2000 (now, the January 1, 2000 date is not specified). Effective immediately.

Fiscal Note (Illinois Environmental Protection Agency)

House Bill 414 will not have any fiscal impact on the Illinois Environmental Protection Agency since the Agency is not involved in the local siting process.

Jul 01 05 H Public Act 94-0094

HB 00415 Rep. Thomas Holbrook-Patrick J Verschoore-Linda Chapa LaVia-Ron Stephens
(Sen. William R. Haine, James F. Clayborne, Jr., Terry Link and Jacqueline Y. Collins)

20 ILCS 1805/28.6

Amends the Military Code of Illinois. Requires that a member of the Army National Guard or the Air National Guard ordered to funeral honors duty receive an allowance of $100 (rather than $50).

Jul 19 05 H Public Act 94-0251

HB 00433 Rep. George Scully, Jr.-Karen May-Elaine Nekritz-Deborah L. Graham-Jack D. Franks, Linda Chapa LaVia, Mike Boland, Brandon W. Phelps, Karen A. Yarbrough and Robin Kelly
(Sen. Kwame Raoul-Jacqueline Y. Collins)

415 ILCS 5/44 from Ch. 111 1/2, par. 1044

Amends the Environmental Protection Act. Provides that the disposal of asbestos containing material in violation of certain federal regulations is a Class 4 felony (now, improper removal of asbestos is felony, while there is no criminal sanction under the Act for dumping asbestos). Effective immediately.

Fiscal Note (Illinois Environmental Protection Agency)

House Bill 433 might result in a very minor increase in the amount of monetary penalties the Illinois Environmental Protection Agency collects. Any such increase would be wholly dependent upon the number of these specific types of asbestos-related violations in any given year.

Housing Affordability Impact Note (Housing Development Authority)

No fiscal effect on a single-family residence.

State Debt Impact Note (Government Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore, would not affect the level of State indebtedness.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the introduced bill, but moves the changes to a separate subdivision. Effective immediately.

Jul 21 05 H Public Act 94-0286

HB 00438 Rep. Thomas Holbrook-Linda Chapa LaVia-Jack D. Franks-Michael K. Smith-Daniel V. Beiser, Jack McGuire, Karen May and Kathleen A. Ryg

(Sen. Martin A. Sandoval-M. Maggie Crotty and Mattie Hunter)

20 ILCS 2405/3 from Ch. 23, par. 3434

Amends the Disabled Persons Rehabilitation Act. Provides that the eligibility standards for home health services and other preventive services must include an asset limit of $20,000.

House Amendment No. 1

Deletes the substantive provisions of the bill as introduced. Provides that the Department must set limitations by administrative rule on the amount of assets that a person may have to be eligible for the services.

Fiscal Note (Department of Human Services)

Cost: less than $1.0 Million

House Amendment No. 2

Further amends the Disabled Persons Rehabilitation Act. Deletes the substantive provisions of the bill, as amended. Provides that the eligibility standards must provide that a person may have not more than $10,000 in assets to be eligible for the services, and the Department may increase this asset limit by rule.

Jul 19 05 H Public Act 94-0252

HB 00444 Rep. John D'Amico-Kevin Joyce-Patricia R. Bellock-David E. Miller-Susana A Mendoza, William B. Black, Daniel V. Beiser, Robin Kelly, Sara Feigenholtz, Mike Boland, Patricia Bailey, Careen M Gordon, Lisa M. Dugan, Patrick J Verschoore, Maria Antonia Berrios, Michelle Chavez, Thomas Holbrook, Monique D. Davis, Jack D. Franks, Linda Chapa LaVia, Robert Rita, Karen A. Yarbrough, Brandon W. Phelps, Marlow H. Colvin, Deborah L. Graham, Eddie Washington and Michael K. Smith

(Sen. Kwame Raoul-Jacqueline Y. Collins, James F. Clayborne, Jr., Mattie Hunter, Arthur J. Wilhelmi, Edward D. Maloney, Gary Forby and Antonio Munoz)

720 ILCS 5/20-1.1 from Ch. 38, par. 20-1.1

Amends the Criminal Code of 1961. Provides that a person also commits aggravated arson when in the course of committing an arson he or she knowingly damages a building or structure and a correctional officer who is present at the scene acting in the line of duty is injured as a result of the fire or explosion. Effective immediately.

Jul 07 05 H Public Act 94-0127

HB 00445 Rep. Daniel V. Beiser

(Sen. William R. Haine)

625 ILCS 45/3-2 from Ch. 95 1/2, par. 313-2

Amends the Boat Registration and Safety Act. Reduces the registration fee for a non-motorized paddle boat to a uniform $6 (down from $15 or $45, depending on the length of the watercraft).

Fiscal Note (Department of Natural Resources)

A loss of revenue annually of approximately $27,000.

Jun 17 05 H Public Act 94-0045

HB 00457 Rep. Bob Biggins-Patricia Bailey-Sandra M. Pihos-Elizabeth Coulson-Robin Kelly, Karen May, Sara Feigenholtz, Ronald A. Wait, Ruth Munson, Karen A. Yarbrough, Jack D. Franks, Linda Chapa LaVia, Thomas Holbrook, Michael K. Smith, Daniel V. Beiser, Carolyn H. Krause, John E. Bradley, Brandon W. Phelps, Cynthia Soto, Lisa M. Dugan, Careen M Gordon and Susana A Mendoza

(Sen. Dan Cronin-M. Maggie Crotty and Edward D. Maloney-Kwame Raoul)

720 ILCS 5/3-5 from Ch. 38, par. 3-5

Amends the Criminal Code of 1961. Provides that a prosecution for identity theft or aggravated identity theft may be commenced at any time (rather than within one year and 6 months after the commission of the offense if it is misdemeanor identity theft and within 3 years after commission of the offense if it is felony identity theft or aggravated identity theft).

Senate Floor Amendment No. 1

Deletes reference to:

720 ILCS 5/3-5

Adds reference to:

720 ILCS 5/3-6 from Ch. 38, par. 3-6

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Provides that a prosecution for identity theft or aggravated identity theft may be commenced within 5 years after the discovery of the offense by the victim of that offense.

Jul 19 05 H Public Act 94-0253

HB 00480 Rep. John E. Bradley-Harry Osterman-Kevin Joyce-Sandra M. Pihos-Mike Boland, Elizabeth Coulson, Renee Kosel, Marlow H. Colvin, Sara Feigenholtz, Donald L. Moffitt, Sidney H. Mathias, Daniel V. Beiser, Patrick J Verschoore, Jack McGuire, Kenneth Dunkin, Linda Chapa LaVia, Jack D. Franks, Patricia R. Bellock and Michael Tryon
(Sen. Kirk W. Dillard)

New Act

Creates the Newborn Eye Pathology Act. Establishes the Newborn Eye Pathology Screening Task Force to advise the Department of Public Health on newborn eye pathology screening protocol. Provides that the Department, in consultation with representatives of the Newborn Eye Pathology Task Force, shall adopt the protocol developed by the American Academy of Pediatrics to optimally detect the presence of treatable causes of blindness in infants by 2 months of age. Provides that the Act shall not be construed to supersede the clinical judgment of the licensed health care provider or a parent or guardian of a newborn who objects to the examination on the grounds that the examination conflicts with his or her religious beliefs or practices.

House Amendment No. 1

Deletes everything. Creates the Newborn Eye Pathology Act. Provides policy and legislative findings. Establishes the Newborn Eye Pathology Screening Advisory Committee and sets forth duties for the Advisory Committee. Requires the Department of Human Services to adopt the protocol developed by the American Academy of Pediatrics to optimally detect the presence of treatable causes of blindness in infants by 2 months of age. Requires hospitals to conduct eye screenings of newborns prior to discharge. Provides that the Act shall not be construed to supersede the clinical judgment of the licensed health care provider or a parent or guardian of a newborn who objects to the examination on the grounds that the examination conflicts with his or her religious beliefs or practices. Requires hospitals to report information about each child with a positive eye screening result to the Illinois Department of Public Health. Requires the Illinois Department of Public Health to maintain a registry of cases of positive eye screening results, including information needed for the purpose of follow-up service. Requires the Department of Human Services to adopt rules. Effective July 1, 2005.

House Amendment No. 2

Provides that a duty of the Advisory Committee is to conduct training for hospitals implementing newborn eye pathology (rather than hearing) screening.

House Amendment No. 4

Deletes everything. Creates the Newborn Eye Pathology Act. Provides policy. Establishes the Newborn Eye Pathology Advisory Committee and sets forth duties for the Advisory Committee. Requires all hospitals to report information on all congenital abnormalities or diseases of the eye detected in newborns prior to discharge from the hospital to the Department of Public Health. Requires the Department of Public Health to maintain a registry of cases of reported congenital abnormalities or diseases of the eye in newborns, including information needed for the purpose of follow-up service. Provides that any person or hospital making a report shall be immune from any civil or criminal liability that may result by reason of making a report, except for willful or wanton misconduct. Requires the Department of Public Health to adopt rules. Effective July 1, 2005.

Senate Committee Amendment No. 1

Includes in the Newborn Eye Pathology Advisory Committee an optometrist with a background in or experience with pupil dilation in infants and red reflex screening for intraocular pathology.

Senate Floor Amendment No. 2

Includes in the Newborn Eye Pathology Advisory Committee 2 community pediatricians (rather than one). Provides that all hospitals shall report information on all congenital abnormalities and diseases of the eye detected in newborns (rather than in newborns prior to discharge from the hospital) to the Department of Public Health. Provides that reports shall be made to the Department's Adverse Pregnancy Outcomes Reporting System.

Aug 19 05 H Public Act 94-0631

HB 00488 Rep. Thomas Holbrook-Jay C. Hoffman-Daniel V. Beiser-Dan Reitz-Wyvetter H. Younge
(Sen. James F. Clayborne, Jr.)

70 ILCS 2905/5-4 from Ch. 42, par. 505-4

Amends the Metro-East Sanitary District of 1974. Requires bids for work, supplies, or materials over $10,000 (now, $5,000).

Aug 04 05 H Public Act 94-0445

HB 00497 Rep. Gary Hannig-Patrick J Verschoore-Linda Chapa LaVia-Patricia Bailey-Eddie Washington, Mike Boland, Michael P. McAuliffe, Donald L. Moffitt, James H. Meyer, Aaron Schock, Lisa M. Dugan, Michelle Chavez, Charles E. Jefferson, Naomi D. Jakobsson, John E. Bradley, Jack D. Franks, Thomas Holbrook, Michael K. Smith and Robert F. Flider

(Sen. Deanna Demuzio, William R. Haine-Martin A. Sandoval-John M. Sullivan-Susan Garrett-Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Debbie DeFrancesco Halvorson and Gary Forby)

20 ILCS 2805/4.5 new

Amends the Department of Veterans Affairs Act. Provides that, subject to appropriations for that purpose, the Department shall fund 2 service officer positions for each veterans service organization that maintains an office in the Veterans Affairs Regional Office (VARO) in Chicago. Provides that a service officer whose position is funded under these provisions shall be an employee of the veterans service organization with which the service officer is placed, and the service officer shall be under the direct control of that veterans service organization. Provides that such a service officer must be certified by the federal government in the manner in which the head service officer of each office is certified. Provides that to be eligible to receive any moneys for the funding of a service officer position under these provisions, a veterans service organization must have maintained a state headquarters in this State for at least 10 years before July 1, 2005. Provides that a veterans service organization that is being funded with State or county moneys under any other provision of law on the effective date of this amendatory Act may not receive any moneys for the funding of a service officer position under these provisions.

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Department of Veterans Affairs Act. Provides that subject to appropriations for that purpose, the Department shall make grants to veterans service organizations for the purpose of furthering those organizations' work of providing assistance to veterans. Provides that grants will be provided only to veterans service organizations that maintain an office in the Veterans Affairs Regional Office (VARO) in Chicago and will be apportioned equally between the qualifying veterans service organizations. Provides that to be eligible to receive a grant, a veterans service organization must have maintained a state headquarters in this State for at least 10 years before July 1, 2005. Provides that a veterans service organization that is being funded with State or county moneys under any other provision of law on the effective date of this amendatory Act may not receive any moneys for any grant under these provisions. Provides that grants made under this section shall not be used to replace or supplant services provided by employees of the Department.

Aug 04 05 H Public Act 94-0446

HB 00504 Rep. Elaine Nekritz-Kathleen A. Ryg-Sidney H. Mathias-Robin Kelly-Julie Hamos, Karen A. Yarbrough, Elizabeth Coulson, Sandra M. Pihos, Carolyn H. Krause and Karen May

(Sen. Susan Garrett and Ira I. Silverstein-M. Maggie Crotty-Don Harmon)

35 ILCS 200/23-20

Amends the Property Tax Code. Provides that property tax refunds must be paid to the taxpayer at the annual rate of the lesser of (i) 5% or (ii) the percentage increase in the Consumer Price Index For All Urban Consumers during the 12-month calendar year preceding the levy year for which the refund was made, as published by the federal Bureau of Labor Statistics (now, the interest rate is 5% per year). Effective January 1, 2006.

Aug 12 05 H Public Act 94-0558

HB 00509 Rep. Kurt M. Granberg
(Sen. David Luechtefeld-John O. Jones-Gary Forby)

70 ILCS 518/20

70 ILCS 518/25

70 ILCS 518/45

Amends the Southeastern Illinois Economic Development Authority Act. Adds Irvington Township in Washington County to the Authority's territorial jurisdiction. Adds Irvington Township in Washington County as an entity which has the power to enter into intergovernmental agreements. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

70 ILCS 3705/9 from Ch. 111 2/3, par. 196

Amends the Public Water District Act. Provides that every non-profit private water company shall have the same authority as a public water district concerning the alteration and extension of its water mains along, upon, under, and across any highway, street, alley, or other public ground in the State, provided that public use is not to be inconvenienced. Provides that every non-profit private water company shall have the same authority as a public water district to construct, maintain, and operate any conduit or pipe upon and along any land of the State under any public waters, provided that this is subject to the rights of commerce and navigation, federal law, and State laws and regulations.

Aug 18 05 H Public Act 94-0613

HB 00511 Rep. Kurt M. Granberg-Kathleen A. Ryg-Naomi D. Jakobsson-Jack McGuire, Elaine Nekritz, Harry Osterman, Barbara Flynn Currie, Julie Hamos, Jack D. Franks, Linda Chapa LaVia and Patricia R. Bellock
(Sen. Mattie Hunter-Don Harmon-Jacqueline Y. Collins, M. Maggie Crotty and Edward Petka-James A. DeLeo)

New Act

Creates the Mercury-Free Vaccine Act. Provides that a person who is knowingly pregnant or who is under 3 years of age shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose. Provides that a person who is knowingly pregnant or who is under 3 years of age shall not be vaccinated with a mercury-containing influenza vaccine that contains more than 1.0 microgram of mercury per 0.5 milliliter dose. Provides an exemption for the use of mercury-containing vaccines if the Department of Public Health finds that an actual or potential bio-terrorist incident or other actual or potential public health emergency, including an epidemic or shortage of supply of a vaccine that would prevent children under 3 years of age and knowingly pregnant women from receiving the needed vaccine, makes necessary the administration of a vaccine containing more mercury than the maximum level.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Creates the Mercury-Free Vaccine Act. Provides that, commencing January 1, 2007, no person shall be vaccinated with a vaccine or injected with any product that contains or, prior to dilution, had contained as an additive, thimerosal or other mercury-based product, whether at preservative or trace amount levels. Provides that the Department of Public Health may exempt the use of a vaccine from the Act if the Department finds that an actual or potential bio-terrorist incident or other actual or potential public health emergency, including an epidemic or shortage of supply of a vaccine at a reasonable cost makes necessary the administration of a vaccine containing mercury at either preservative or trace amount levels. List the conditions that must be met to qualify for the exemption under the Act.

Senate Floor Amendment No. 5

Deletes everything after the enacting clause. Creates the Mercury-Free Vaccine Act. Provides that: (1) commencing January 1, 2006, a person shall not be vaccinated with a mercury-containing vaccine that contains more than 1.25 micrograms of mercury per dose; and (2) commencing January 1, 2008, no person shall be vaccinated with a vaccine or injected with any product that contains, or prior to dilution, had contained as an additive, any mercury based product, whether at preservative or trace amount levels. Provides that the Department of Public Health may exempt the use of a vaccine from the Act if the Department makes certain findings and specified conditions are met.

Aug 18 05 H Public Act 94-0614

HB 00515 Rep. Thomas Holbrook

(Sen. James F. Clayborne, Jr. and Pamela J. Althoff)

35 ILCS 516/395

35 ILCS 516/402

Amends the Mobile Home Local Services Tax Enforcement Act. In any tax sale proceeding in which the tax purchaser is a county acting as trustee for taxing districts, makes inapplicable the requirement that an order for the issuance of a tax certificate of title under the Act shall not be entered affecting the title to or interest in any mobile home in which a city, village, or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the city, village, or incorporated town of the money so advanced or the city, village, or town waives its lien on the mobile home for the money so advanced. Provides that the requirement that a person who has a certificate of purchase and obtains a court order directing the issuance of a tax certificate of title for a mobile home located on a lot in a manufactured home community must follow certain rules with respect to that community does not apply if that person is a county acting as trustee for taxing districts. Provides that these changes are declarative of existing law. Effective immediately.

House Amendment No. 1

Adds reference to:

35 ILCS 515/2.2 new

Adds reference to:

35 ILCS 515/11 from Ch. 120, par. 1211

Deletes everything after the enacting clause. Amends the Mobile Home Local Services Tax Act to provide that an abandoned mobile home moved by a mobile home park owner for disposal as scrap or otherwise without further use as a mobile home does not have to comply with certain permit requirements. Defines "abandoned mobile home". Further amends the Mobile Home Local Services Tax Enforcement Act. Provides that when any county acting as trustee for taxing districts has a certificate of purchase and obtains a court order directing the issuance of a tax certificate of title for a mobile home located on a lot in a manufactured home community, the county must remove the mobile home from the lot no later than 30 days after the date of the entry of the court order. Effective immediately.

Senate Floor Amendment No. 1

In the Mobile Home Local Services Tax Enforcement Act, makes cross-reference changes in a Section concerning counties acting as trustees for taxing districts that obtain a court order directing the issuance of a tax certificate of title to the county as trustee for a mobile home located on a lot in a manufactured home community.

Jul 29 05 H Public Act 94-0358

HB 00518 Rep. Thomas Holbrook-Ron Stephens-Jack D. Franks-Linda Chapa LaVia-Careen M Gordon, Lisa M. Dugan, Michael K. Smith, Dan Reitz, Brandon W. Phelps, Eddie Washington, Daniel V. Beiser, Mike Boland, Mike Bost, Constance A. Howard, Patricia Bailey, Dan Brady, Patrick J Verschoore and Jack McGuire

(Sen. William R. Haine-Dale A. Righter, James F. Clayborne, Jr., Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Debbie DeFrancesco Halvorson and Gary Forby)

20 ILCS 1805/28.6

20 ILCS 1805/28.9

Amends the Military Code of Illinois. Provides that on or after July 1, 2006, if the Adjutant General determines that Illinois National Guard personnel are not available to perform military funeral honors, the Adjutant General may authorize another appropriate organization to provide one or more of its members to perform those honors and, subject to appropriations for that purpose, shall authorize the payment of a $100 stipend to the organization. Provides that the Code does not establish any entitlement to military funeral honors if the Adjutant General determines that such other appropriate personnel are not available to perform those honors or if adequate appropriated funds are not available. Effective July 1, 2006.

Fiscal Note (Department of Military Affairs)

The Department does not currently have any appropriated funds for military funeral honors. In the previous fiscal year, Illinois National Guard personnel were not available to provide military funeral honors for approximately 400 funerals. Based upon this experience, $40,000 (400 funerals multiplied by $100) would need to be appropriated to the Department of Military Affairs for this purpose.

Jul 29 05 H Public Act 94-0359

HB 00521 Rep. David E. Miller
(Sen. James A. DeLeo)

5 ILCS 375/7 from Ch. 127, par. 527

5 ILCS 375/8 from Ch. 127, par. 528

Amends the State Employees Group Insurance Act of 1971. Requires that the program of life insurance benefits permit active employees and annuitants under age 60 to purchase supplemental life insurance coverage in amounts up to 8 (now, up to 4) times the basic life insurance benefits. Limits the maximum accidental death and dismemberment coverage to the lesser of the amount of basic life benefits plus optional life benefits not exceeding 5 times basic life benefits or $3,000,000 (now, basic plus optional life benefits). Changes the dependent life insurance coverage to $10,000 (now, $5,000), with a reduction to $5,000 for a spouse when the eligible annuitant turns 60. Effective immediately.

Jul 01 05 H Public Act 94-0095

HB 00523 Rep. Deborah L. Graham-Mary E. Flowers-Robin Kelly-William B. Black-Sara Feigenholtz, Karen A. Yarbrough, Marlow H. Colvin, Kevin A. McCarthy, Eileen Lyons, Michelle Chavez, Cynthia Soto, Julie Hamos, Elaine Nekritz, Milton Patterson, William Davis, Barbara Flynn Currie, Harry Osterman and Arthur L. Turner
(Sen. Jacqueline Y. Collins-Donne E. Trotter)

415 ILCS 5/3.458 new

415 ILCS 5/56.1 from Ch. 111 1/2, par. 1056.1

415 ILCS 5/56.7 new

Amends the Environmental Protection Act. Provides that no permit shall be required for the operation of a sharps collection station if the operator follows certain procedures concerning the acceptance, storage, treatment, disposal, and transportation of the medical waste. Defines "sharps collection station". Effective immediately.

Fiscal Note (Illinois Environmental Protection Agency)

House Bill 523 will not have any significant fiscal impact on the Illinois Environmental Protection Agency.

Senate Floor Amendment No. 1

Adds reference to:

20 ILCS 2310/2310-252 new

Deletes everything after the enacting clause. Reinserts provisions of the engrossed bill. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Requires the Department of Public Health, in cooperation with the Illinois Environmental Protection Agency, to create guidelines for the proper disposal of hypodermic syringes, needles, and other sharps used for self-administration purposes that are consistent with the available guidelines regarding disposal for home healthcare products provided by the United States Environmental Protection Agency. Sets forth certain requirements for these guidelines. Provides that the Department must develop educational materials regarding the safe disposal of hypodermic syringes, needles, and other sharps and distribute copies of these materials to pharmacies and the public. Provides certain information that must be included in the educational materials. Further amends the Environmental Protection Act. Provides that "sharps collection station" includes facilities collecting hypodermic, intravenous, or other medical needles or syringes or other sharps. Provides that an "applicable facility" for a "sharps collection station" includes an ambulatory surgical treatment center, physician's office, clinic, or other setting where a physician provides care. Deletes certain "bases of operation" previously included in the definition of "applicable facility". Provides that no permit is required for a sharps collection facility when, among other exceptions, the only waste accepted at the collection station is hypodermic, intravenous, or other medical needles or syringes or other sharps; and medical household waste containing used or unused sharps, including but not limited to, hypodermic, intravenous, or other medical needles or syringes or other sharps. Effective immediately.

Aug 22 05 H Public Act 94-0641

HB 00524 Rep. Deborah L. Graham-Karen A. Yarbrough-Harry Osterman-John J. Millner-James H. Meyer, Susana A Mendoza, Jim Sacia, Eileen Lyons, William Davis, Mike Boland, Kathleen A. Ryg, Karen May, Elaine Nekritz, Barbara Flynn Currie, Kenneth Dunkin, Milton Patterson, Edward J. Acevedo, Cynthia Soto, John A. Fritchey, David E. Miller, Richard T. Bradley, James D. Brosnahan, Arthur L. Turner, Calvin L. Giles, Naomi D. Jakobsson and Marlow H. Colvin

(Sen. Don Harmon, Martin A. Sandoval, Edward D. Maloney-Jacqueline Y. Collins-M. Maggie Crotty and Antonio Munoz)

720 ILCS 5/24-1 from Ch. 38, par. 24-1

720 ILCS 5/24-1.1 from Ch. 38, par. 24-1.1

720 ILCS 5/24-1.6

730 ILCS 5/5-5-3 from Ch. 38, par. 1005-5-3

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Requires a mandatory sentence of imprisonment for certain violations of the statutes concerning unlawful use of weapons, the unlawful use or possession of weapons by felons, and aggravated unlawful use of a weapon. Provides that a period of probation, periodic imprisonment, or conditional discharge may not be imposed for these violations.

Correctional Note (Department of Corrections)

House Bill 524 has a Corrections Population Impact of 1,624 inmates and a Fiscal Impact of $417,746,400.

Fiscal Note (Dept of Corrections)

Corrections population impact of 1,624 inmates and fiscal impact of $417,746,400 over a ten year period.

Jun 23 05 H Public Act 94-0072

HB 00527 Rep. Calvin L. Giles-Constance A. Howard-Annazette Collins-Lovana Jones-William Delgado

(Sen. Kimberly A. Lightford-Donne E. Trotter-Kwame Raoul)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Unified Code of Corrections. Eliminates the provision that prohibits an inmate who is assigned to a mental health unit from receiving an additional good conduct credit for being engaged full-time in substance abuse programs, correctional industry assignments, or educational programs provided by the Department of Corrections. Effective immediately.

Aug 08 05 H Public Act 94-0491

HB 00528 Rep. Kathleen A. Ryg-Ed Sullivan, Jr.

(Sen. Terry Link and Pamela J. Althoff)

60 ILCS 1/115-66 new

Amends the Township Code. Provides that a township with an open space plan may receive and retain funds in surplus of the amount actually necessary to maintain that township's open spaces. Effective immediately.

Senate Committee Amendment No. 1

Further amends the Township Code. Provides that any surplus of funds necessary for the annual maintenance and operation of the township's open spaces shall be maintained in a separate fund and not commingled with the township general fund. Provides that the surplus funds shall not be derived from any township levy.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 00529 Rep. Susana A Mendoza-Chapin Rose-John E. Bradley-Careen M Gordon-Daniel V. Beiser, Maria Antonia Berrios, Lisa M. Dugan, Brandon W. Phelps, Sandra M. Pihos, Patricia Bailey, Suzanne Bassi, Patricia R. Bellock, Michelle Chavez, Shane Cultra, Constance A. Howard, Patricia Reid Lindner, Frank J. Mautino, John J. Millner, Ruth Munson, Jim Sacia, George Scully, Jr., Ron Stephens, Ronald A. Wait, Dan Brady, Daniel J. Burke, Elizabeth Coulson, John D'Amico, William Delgado, Edward J. Acevedo, Kurt M. Granberg, Julie Hamos, Gary Hannig, Jay C. Hoffman, Eileen Lyons, Joseph M. Lyons, Sidney H. Mathias, James H. Meyer, Donald L. Moffitt, Michael K. Smith, Cynthia Soto, Michael Tryon, David E. Miller, William Davis, James D. Brosnahan, Kevin Joyce, Kevin A. McCarthy, Richard T. Bradley, Robert F. Flider, David Reis, Jack D. Franks, Linda Chapa LaVia, Patrick J Verschoore, Jack McGuire, Marlow H. Colvin and Naomi D. Jakobsson

(Sen. Rickey R. Hendon, James F. Clayborne, Jr., Terry Link, Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Arthur J. Wilhelmi, Edward D. Maloney, Debbie DeFrancesco Halvorson, Gary Forby, Antonio Munoz and Don Harmon)

720 ILCS 570/411 from Ch. 56 1/2, par. 1411

Amends the Illinois Controlled Substances Act. Provides that in determining the appropriate sentence for any conviction under the Act, the sentencing court may consider the possession, delivery, or manufacture of controlled substances or cannabis in the presence of a child under 17 years of age.

Jul 12 05 H Public Act 94-0172

HB 00544 Rep. Kathleen A. Ryg-Naomi D. Jakobsson-Karen May-Cynthia Soto, Maria Antonia Berrios, Edward J. Acevedo, Michelle Chavez, Richard T. Bradley, William Delgado, Robert Rita, Karen A. Yarbrough and Robin Kelly

(Sen. Terry Link, Jacqueline Y. Collins and Mattie Hunter)

625 ILCS 5/3-806.4 from Ch. 95 1/2, par. 3-806.4

Amends the Illinois Vehicle Code. Provides that, beginning with the 2007 registration year, an applicant for the registration plates issued to Gold Star recipients shall be charged no fee (rather than a $15 original issuance fee to be deposited into the Road Fund) in addition to the appropriate registration fee.

Fiscal Note (Office of the Secretary of State)

House Bill 544 will have a minimal fiscal impact on the Secretary of State's Office.

Jul 25 05 H Public Act 94-0311

HB 00551 Rep. William B. Black-Dan Reitz-Jim Watson-Mike Boland-JoAnn D. Osmond, Maria Antonia Berrios, Michelle Chavez, Charles E. Jefferson, Naomi D. Jakobsson, Careen M Gordon, Wyvetter H. Younge, Patricia R. Bellock, Jack D. Franks, Linda Chapa LaVia and Donald L. Moffitt

(Sen. Dale A. Righter)

35 ILCS 200/21-15

35 ILCS 200/21-20

35 ILCS 200/21-25

Amends the Property Tax Code. Provides that if a member of a reserve component of the armed forces of the United States who has an ownership interest in property taxed under the Code is called to active duty for deployment outside the continental United States and is on active duty on the due date of any installment of taxes due under the Code, he or she shall not be deemed delinquent in the payment of the installment and no interest shall accrue or be charged as a penalty on the installment until one year (now, 30 days) after that member returns from active duty. Effective immediately.

House Amendment No. 1

Changes the extension of the date on which property taxes are delinquent from one year to 180 days after the member of the Illinois National Guard or a reserve component of the armed forces of the United States returns from active duty.

House Amendment No. 2

Adds reference to:

35 ILCS 200/21-310

Further amends the Property Tax Code. Requires a service member seeking a property tax extension to notify the county clerk and county collector (now, only county clerk must be notified) upon being deactivated from active duty. Authorizes courts to find a tax sale in error if the owner of property is a member of the armed forces of the United States who has applied for an extension of his or her due date in the required manner.

Senate Committee Amendment No. 1

Adds reference to:

35 ILCS 200/21-30

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes:
Requires the reservist or guardsperson to make a reasonable effort to notify the county clerk and county collector of his or her activation to active duty. Provides that the reservist or guardsperson must notify the county clerk and the county collector within 180 days (instead of 30 days) after his or her deactivation. Deletes provisions concerning an amnesty period in Cook County for certain National Guard members for taxes on homestead property due and payable in 1991 or 1992. Effective immediately.

Jul 25 05 H Public Act 94-0312

HB 00561 Rep. Robert Rita-Richard T. Bradley-Monique D. Davis-Joseph M. Lyons-Angelo Saviano, Daniel J. Burke, Michael P. McAuliffe, William Davis, Michael Tryon, Sidney H. Mathias, Donald L. Moffitt, Joe Dunn, Bill Mitchell and Mike Boland

(Sen. Antonio Munoz-William E. Peterson, Terry Link, Jacqueline Y. Collins and Ira I. Silverstein)

5 ILCS 80/4.16

5 ILCS 80/4.26 new

225 ILCS 335/5 from Ch. 111, par. 7505

225 ILCS 335/7 from Ch. 111, par. 7507

225 ILCS 335/11.5

Amends the Regulatory Sunset Act to extend the repeal of the Illinois Roofing Industry Licensing Act to January 1, 2016. Amends the Illinois Roofing Industry Licensing Act. Provides that every roofing contractor shall affix the licensee's name, as it appears on the license (now, just requires the contractor to affix the licensee's name), on all commercial vehicles (rather than just vehicles) used as part of his or her business as a roofing contractor. Removes provisions concerning fees for applicants for initial certification who apply for licensure during the second half of the biennial period, fees for any change of the license that requires the issuance of a new license, and the maximum amount of the biennial renewal fee. Changes the number of members of the Roofing Advisory Board from 8 to 7. Removes a provision requiring one of the licensed roofing contractors on the Board to be a representative of an association predominately representing retailers. Effective immediately.

House Amendment No. 1

Restores the provision requiring one of the licensed roofing contractors on the Roofing Advisory Board to be a representative of an association predominately representing retailers and restores the number of members on the Board to 8.

Jul 19 05 H Public Act 94-0254

HB 00566 Rep. Kathleen A. Ryg-Elaine Nekritz-Lou Lang-Randall M. Hultgren and Carolyn H. Krause

(Sen. Terry Link, Mike Jacobs, Steven J. Rauschenberger-Dave Sullivan and Edward Petka)

770 ILCS 105/1 from Ch. 82, par. 351

770 ILCS 105/2 from Ch. 82, par. 352

770 ILCS 105/3 from Ch. 82, par. 353

770 ILCS 105/4.1 new

770 ILCS 105/5 from Ch. 82, par. 355

770 ILCS 105/5.1 new

770 ILCS 105/6 from Ch. 82, par. 356

Amends the Tool and Die Lien Act. Provides that a toolmaker has a lien on all special tools produced by it and on all proceeds from the assignment, sale, transfer, exchange, or other disposition of the special tool until the toolmaker is paid in full. Defines "toolmaker". Provides that an initial notice in writing shall be given to the customer and processor, either delivered personally or sent by registered mail to the last known address of the customer and the processor. Requires that the notice state that a lien is claimed in the amount set forth and include a demand for payment. Provides remedies for a toolmaker who is not paid for a special tool. Sets out second notice requirements that must be met before a toolmaker may sell a special tool.

Senate Floor Amendment No. 2

Adds reference to:

770 ILCS 60/21 from Ch. 82, par. 21

Provides that, if and only if Senate Bill 1930 of the 94th General Assembly becomes law in the form in which it passed the Senate, the Mechanics Lien Act is amended by providing that certain subordination provisions (rather than waiver or subordination provisions) are not binding on the subcontractor unless set forth in their entirety in writing in the contract between the contractor and subcontractor or material supplier.

Aug 18 05 H Public Act 94-0615

HB 00577 Rep. Kevin Joyce-Lisa M. Dugan-Patricia R. Bellock-Dan Brady-Naomi D. Jakobsson, Patrick J Verschoore, Jack McGuire, Karen A. Yarbrough, Monique D. Davis and Careen M Gordon

(Sen. Edward D. Maloney, James F. Clayborne, Jr., Terry Link, Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Arthur J. Wilhelmi and M. Maggie Crotty)

625 ILCS 5/3-634

Amends the Illinois Vehicle Code provision regarding Illinois Fire Fighters' license plates. Provides that all moneys deposited into the Illinois Fire Fighters' Memorial Fund shall be used exclusively for the purposes listed in the Vehicle Code provision.

Jul 26 05 H Public Act 94-0322

HB 00582 Rep. Sara Feigenholtz

(Sen. John J. Cullerton-Donne E. Trotter-Jacqueline Y. Collins-Iris Y. Martinez)

750 ILCS 50/18.04

750 ILCS 50/18.05

750 ILCS 50/18.06

750 ILCS 50/18.1 from Ch. 40, par. 1522.1

750 ILCS 50/18.1a

750 ILCS 50/18.1b

750 ILCS 50/18.2 from Ch. 40, par. 1522.2

750 ILCS 50/18.3 from Ch. 40, par. 1522.3

750 ILCS 50/18.3a from Ch. 40, par. 1522.3a

Amends the Adoption Act. Provides that the Department of Public Health shall conduct a public information campaign until December 31, 2010 (instead of beginning January 1, 2000 and continuing for a minimum of 4 years) through notices enclosed with the driver's license renewal applications. Requires the notices to be given to the public (instead of to adopted and surrendered persons born, surrendered, or adopted in Illinois and their respective adoptive parents, legal guardians, birth parents, and birth siblings). Adds any birth certificate, marriage certificate, or proof of guardianship that has been submitted by a registrant to the list of items that shall be contained in an adoption/surrender records file. Defines "adult child", "birth aunt", "birth relative", "birth uncle", and "surviving spouse". Allows a birth aunt or birth uncle to file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange, if the birth aunt or birth uncle has submitted birth certificates for himself or herself and for a deceased parent naming at least one common biological parent, as well as proof for the deceased parent, and the birth parent did not file a Denial of Information Exchange with the Registry prior to his or her death. Provides that a surviving spouse or an adoptive parent or legal guardian of a deceased adopted or surrendered person 21 years of age or over may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange if the listed requirements are met. Permits the Registry to release identifying information to the adoptive parent, adult child or surviving spouse of a deceased adopted or surrendered person, and one of the adopted or surrendered person's birth relatives who have met the listed conditions. Provides that adoptive parents, adult children, and surviving spouses of deceased adoptees who do not wish to establish contact with one or more of the adopted or surrendered person's birth relatives may specify with whom they do not wish to exchange identifying information by filing a Denial of Information Exchange. Provides that, beginning January 1, 2006, any of the listed persons who wish to petition the court for the appointment of a confidential intermediary must include proof of registration with the Illinois Adoption Registry and Medical Information Exchange with their petition. Makes other changes. Effective January 1, 2006.

House Amendment No. 1

Changes a reference from Department to Department of Child and Family Services in the Section concerning eligibility of a confidential intermediary. Changes a reference from deceased wife or husband to surviving wife or husband on the Registration Identification Form for Surviving Relatives of Deceased Adopted or Surrendered Persons.

Jul 13 05 H Public Act 94-0173

HB 00583 Rep. Randall M. Hultgren-Sidney H. Mathias
(Sen. Dan Rutherford and Pamela J. Althoff)

765 ILCS 1025/2 from Ch. 141, par. 102

Amends the Uniform Disposition of Unclaimed Property Act. Excepts from the presumption of abandonment by a financial organization a demand, savings, or matured deposit or a fund paid toward the purchase of withdrawable shares or other interest in a financial organization where the owner has, within 5 years, engaged in the following activity regarding other funds or loan accounts with the banking organization: (i) undertook one or more the of the described actions regarding any account that appears on a consolidated statement with the inactive account; (ii) increased or decreased the amount of funds in any other account the owner has with the banking organization; or (iii) engaged in any other relationship with the banking organization, including payment of any amounts due on a loan. Provides that the exception applies only so long as the mailing address for the owner in the banking organization's books and records is the same for both the inactive account and for the active account.

House Amendment No. 1

Changes references from banking organizations to financial organizations.

Jul 19 05 H Public Act 94-0255

HB 00593 Rep. Donald L. Moffitt-William B. Black-Mike Bost-Linda Chapa LaVia-Jim Watson, Bill Mitchell, Ron Stephens, Jim Sacia, Paul D. Froehlich, Sidney H. Mathias, Aaron Schock, Daniel V. Beiser, Patrick J Verschoore and Jack McGuire

(Sen. John M. Sullivan-Dale E. Risinger, Debbie DeFrancesco Halvorson, Deanna Demuzio and Arthur J. Wilhelmi)

330 ILCS 60/4 from Ch. 126 1/2, par. 32

Amends the Service Member's Employment Tenure Act. Provides that each person scheduled to begin employment with a private employer or with the State of Illinois or a political subdivision who, for the purpose of entering the military service, has left or leaves such scheduled-to-begin-employment status and actually entered the military service and who thereafter (1) receives a certificate or other evidence of honorable discharge or satisfactory completion of military service, (2) is, at the time of such discharge or completion of military service, still qualified to perform the duties of the position of employment which he or she was scheduled to begin, and (3) makes application for re-employment within 90 days after being relieved from such military service, or from hospitalization continuing after discharge for a period of not more than one year, shall be restored by the employer to the position of scheduled-to-begin-employment status which he or she left with the same increases in status, seniority, and wages that were earned during his or her term of military service by employees in like positions who were on the job at the time the returning service member entered the service, or to a position of like seniority, status, and pay, unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Extends other protections of the Act to service members who were scheduled to begin employment at the time they entered military service. Effective immediately.

House Amendment No. 1

Deletes reference to:

330 ILCS 60/4

Adds reference to:

20 ILCS 1805/22-10 new

Adds reference to:

330 ILCS 60/4.5 new

Replaces everything after the enacting clause. Amends the Military Code of Illinois and the Service Member's Employment Tenure Act. In the Service Member's Employment Tenure Act, provides that if an employer has given an individual a date upon which that individual is to commence performing services for the employer but the individual is called to active military duty before the date on which the individual's services were to have commenced, then the employer, upon request made by the individual, shall provide the individual with a written copy of the employment offer. Sets forth the minimum contents of the written copy of the employment offer. Provides that if an individual, upon honorable discharge from the military or satisfactory completion of his or her military service, is still qualified to perform the duties of the position for which he or she was first offered employment, and if the individual makes application with the employer within 90 days after he or she is relieved from military service, then the individual shall be given preference for employment with that employer. Provides that if circumstances have so changed as to make it impossible or unreasonable for the employer to employ the individual immediately, the individual shall remain eligible to begin such employment for a period of up to one year after the date the individual first notified the employer of his or her desire to perform such services. Provides that these provisions (i) do not apply if the original offer of work was limited to part-time employment, temporary employment, or casual labor and (ii) do not require an employer to hold a job position open or create additional employment to satisfy the requirements of these provisions. Under the Military Code of Illinois, requires the Adjutant General to give notice of these provisions and of the provisions of current law concerning restoration to a position of employment after completion of military service to persons who are called to active military duty. Effective immediately.

House Amendment No. 2

Replaces everything after the enacting clause with provisions substantially similar to those of House Amendment No. 1, amending the Military Code of Illinois and the Service Member's Employment Tenure Act, except also provides that nothing in the amendatory provisions added to the Service Member's Employment Tenure Act requires an employer to violate any employment law, collectively bargained employment recall, or other employment obligation to satisfy the requirements of those provisions.

Jul 11 05 H Public Act 94-0162

HB 00594 Rep. Mike Boland-Donald L. Moffitt-Michael K. Smith-Naomi D. Jakobsson, Bill Mitchell, Robert F. Flider, Kenneth Dunkin, Jack D. Franks and Linda Chapa LaVia
(Sen. Mike Jacobs and Debbie DeFrancesco Halvorson)

50 ILCS 748/1

50 ILCS 748/3

50 ILCS 748/5

50 ILCS 748/20

Amends the Volunteer Firefighter Job Protection Act to also provide volunteer emergency workers with job protections. Changes the short title of the Act to the Volunteer Emergency Worker Job Protection Act. Provides that the Act does not apply to municipalities of 3,500 or more. Defines volunteer emergency worker. Makes other changes.

Aug 16 05 H Public Act 94-0599

HB 00595 Rep. Michael P. McAuliffe-Constance A. Howard-Roger Jenisch-Renee Kosel-William Delgado, Patricia R. Bellock, Michelle Chavez, Annazette Collins, Shane Cultra, Joe Dunn, Mary E. Flowers, Naomi D. Jakobsson and Robert Rita
(Sen. Mattie Hunter-Jacqueline Y. Collins)

20 ILCS 2310/2310-376

Amends the Department of Public Health Powers and Duties Law. Requires the Department of Public Health to develop and make available to physicians, other health care providers, members of the armed services, and other persons subject to an increased risk of contracting Hepatitis C certain educational materials on the diagnosis, treatment, and prevention of the disease. Makes changes to the statement of legislative purpose to recognize that members of the armed forces are at an increased risk of contracting the disease. Effective immediately.

Senate Floor Amendment No. 3

Further amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Changes all references in this Section from "Hepatitis C" to "Hepatitis". Makes the Department's provision of additional education materials to persons subject to an increased risk of contracting Hepatitis subject to appropriation. Provides that the Department shall establish an Advisory Council on Hepatitis to develop a Hepatitis prevention plan. Sets forth the composition of the Advisory Council. Provides that the members of the Advisory Council shall serve on a volunteer unpaid basis and are not entitled to reimbursement for costs they incur in connection with the performance of their duties.

Aug 02 05 H Public Act 94-0406

HB 00596 Rep. Mike Boland-Aaron Schock-Paul D. Froehlich-Patricia R. Bellock-Donald L. Moffitt, Robert W. Pritchard, Bill Mitchell, Kurt M. Granberg and Naomi D. Jakobsson
(Sen. Mike Jacobs and William R. Haine-Gary G. Dahl)

720 ILCS 5/32-5.4 new

720 ILCS 5/32-5.5 new

Amends the Criminal Code of 1961. Provides that a person who knowingly and falsely represents himself to be fire fighter of any jurisdiction commits a Class 4 felony. Provides that a person who knowingly and falsely represents himself to be a fire fighter of any jurisdiction in attempting or committing a felony commits a Class 3 felony.

House Amendment No. 1

Adds reference to:

720 ILCS 5/32-5.6 new

Adds reference to:

720 ILCS 5/32-5.7 new

Provides that a person who knowingly and falsely represents himself to be an emergency management worker of any jurisdiction in this State or of the American Red Cross commits a Class 4 felony. Provides that a person who knowingly and falsely represents himself to be an emergency management worker of any jurisdiction in this State or of the American Red Cross in attempting or committing a felony commits a Class 3 felony.

Senate Committee Amendment No. 1

Provides that a person who knowingly and falsely represents himself to be an emergency management worker of any jurisdiction (instead of any jurisdiction in this State) or of the Red Cross (instead of the American Red Cross) or any other organization that provides emergency or disaster relief services commits a Class 4 felony or a Class 3 felony if the representation was made in attempting or committing a felony.

Senate Floor Amendment No. 2

Adds reference to:

720 ILCS 5/2-6.6 new

Deletes everything after the enacting clause. Reinserts provisions similar to those of the engrossed bill, except further amends the Criminal Code of 1961. Defines "emergency management worker". Makes reference to the definition of "emergency management worker" in a Section concerning false personation and aggravated false personation of an emergency management worker.

Jul 26 05 H Public Act 94-0323

HB 00598 Rep. William B. Black-Donald L. Moffitt-Naomi D. Jakobsson, Jack D. Franks and Linda Chapa LaVia
(Sen. Richard J. Winkel, Jr.-George P. Shadid)

735 ILCS 5/8-802.3 new

Amends the Code of Civil Procedure to create an informant's privilege. Provides that if an individual (i) submits information concerning a criminal act to a law enforcement agency or to a community organization that acts as an intermediary in reporting to law enforcement and (ii) requests anonymity, then the identity of that individual is privileged and confidential and is not subject to discovery or admissible in evidence in a proceeding. Provides that there is no privilege if a court, after a hearing in camera, finds that the party seeking discovery or the proponent of the evidence has shown that: (1) the identity of an individual who submits information concerning a criminal act is sought or offered in a court proceeding involving a felony or misdemeanor; (2) the evidence is not otherwise available; and (3) nondisclosure infringes upon a constitutional right of an accused, or there is a need for the evidence that substantially outweighs the interest in protecting confidentiality. Provides that the court may impose such sanctions as are necessary to enforce its order.

Jul 12 05 H Public Act 94-0174

HB 00601 Rep. Dan Reitz-William B. Black-Brandon W. Phelps-Donald L. Moffitt-Kurt M. Granberg, Patrick J Verschoore, Robert W. Pritchard, Robert F. Flider and Shane Cultra

(Sen. John M. Sullivan, Deanna Demuzio-Debbie DeFrancesco Halvorson and John O. Jones)

505 ILCS 130/12 from Ch. 5, par. 562

505 ILCS 130/13 from Ch. 5, par. 563

Amends the Soybean Marketing Act. Adds 6 at large members to the soybean marketing program operating board of directors. Provides for their election by producers at annual meetings from nominees selected by the operating board.

Senate Floor Amendment No. 1 (Senate recedes May 27, 2005)

Adds reference to:

35 ILCS 105/2a from Ch. 120, par. 439.2a

Adds reference to:

35 ILCS 110/2a from Ch. 120, par. 439.32a

Adds reference to:

35 ILCS 115/2a from Ch. 120, par. 439.102a

Adds reference to:

35 ILCS 120/1a from Ch. 120, par. 440a

Adds reference to:

35 ILCS 120/5k from Ch. 120, par. 444k

Adds reference to:

510 ILCS 77/11

Adds reference to:

510 ILCS 77/13

Adds reference to:

510 ILCS 77/35

Adds reference to:

510 ILCS 77/55

Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that, beginning July 1, 2005, tangible personal property that is certified by the Pollution Control Board as a "pollution control facility" is exempt from the tax imposed by the Acts if the property is used as part of a livestock management facility or a livestock waste handling facility (i) that has been approved by the Department of Agriculture under the provisions of the Livestock Management Facilities Act and (ii) that is located within an agricultural area established by a county under the Agricultural Areas Conservation and Protection Act. Sets forth certification requirements. In the Retailers' Occupation Tax Act, provides that, beginning July 1, 2005, each retailer who makes a qualified sale of building materials to be incorporated into real estate as part of a livestock management facility, livestock pasture operation, or livestock waste handling facility located in an agricultural area established by a county under the Agricultural Areas Conservation and Protection Act by new construction, may deduct receipts from the sales when calculating the tax imposed by the Act. Provides that the exemptions under the Acts are exempt from the sunset provisions of the Acts. Amends the Livestock Management Facilities Act. Provides that livestock management facilities and livestock waste handling facilities serving less than 50 animal units or serving 150 or less animal units, meeting certain separation distance requirements, and located wholly within certain agricultural areas are exempt from the requirements to register, file a construction plan, and receive approval before commencement of construction. Requires owners and operators of livestock waste handling facilities to send a notice of intent to construct to owners of property within the setback distances. Subjects owners and operators who fail to file construction plans with the Illinois Department of Agriculture to an administrative hearing and a civil penalty. Provides that livestock management facilities and livestock waste handling facilities located in certain agricultural areas are exempt from certain construction standards. Allows livestock waste handling facilities with a design capacity of 300 or less animal units to demonstrate that a reduced storage volume is feasible due to the availability of certain land application areas. Provides that an owner or operator who commences operation prior to receiving written approval from the Department is subject to an administrative hearing and a civil penalty. Exempts from setback requirements livestock management facilities and livestock waste handling facilities serving 50 to 150 animal units in certain agricultural areas and with certain separation distances. Requires the Livestock Management Facilities Advisory Committee to meet as needed as determined by the Chair to accomplish its duties. Adds an immediate effective date.

Jun 20 05 H Public Act 94-0061

HB 00603 Rep. Arthur L. Turner-Barbara Flynn Currie-Karen A. Yarbrough-Ed Sullivan, Jr.-Monique D. Davis, Mike Bost, William B. Black, Suzanne Bassi, Jack D. Franks, Kathleen A. Ryg, Julie Hamos, Patricia R. Bellock, Elaine Nekritz, William Davis, William Delgado, Kenneth Dunkin, Deborah L. Graham, Lou Lang, Harry Osterman, Larry McKeon, Sara Feigenholtz, Annazette Collins, Elizabeth Coulson, Ruth Munson, Rosemary Mulligan, Mike Boland, Calvin L. Giles, Naomi D. Jakobsson, Milton Patterson, Wyvetter H. Younge, Marlow H. Colvin, Richard T. Bradley, Lovana Jones, Thomas Holbrook, Angelo Saviano and Kurt M. Granberg

(Sen. William E. Peterson-Iris Y. Martinez-Christine Radogno, Terry Link, Peter J. Roskam, Kwame Raoul, Martin A. Sandoval-Jacqueline Y. Collins, M. Maggie Crotty, Rickey R. Hendon, James T. Meeks-Miguel del Valle, Mattie Hunter, James F. Clayborne, Jr., Kimberly A. Lightford, Pamela J. Althoff, Ira I. Silverstein and Debbie DeFrancesco Halvorson)

35 ILCS 5/214

Amends the Illinois Income Tax Act to end the tax credit for donations to certain affordable housing projects with the taxable year ending on December 31, 2011 (now, 2006). Effective immediately.

Jun 17 05 H Public Act 94-0046

HB 00610 Rep. David Reis-Ron Stephens-Jim Sacia-Donald L. Moffitt, Mike Bost, Brandon W. Phelps, Timothy L. Schmitz, Michael K. Smith, Thomas Holbrook, Roger L. Eddy, Robert W. Pritchard, Robert F. Flider, John E. Bradley, Daniel V. Beiser, Jack D. Franks, Lisa M. Dugan, Careen M Gordon and Naomi D. Jakobsson

(Sen. Dale A. Righter, James F. Clayborne, Jr., Terry Link, Jacqueline Y. Collins, Edward D. Maloney, Debbie DeFrancesco Halvorson and Gary Forby)

20 ILCS 2905/2.5

Amends the State Fire Marshal Act. Requires the Office of the State Fire Marshal to create and maintain an equipment exchange program (now, the Office may create the program). Provides for donation, trade, and sale of equipment. Requires the Office, as part of the program, to maintain a website that is separate from the Office's main website and that allows fire departments, fire protection districts, and township fire departments to post information and photographs about needed equipment and equipment that is available. Requires the Office to advertise the equipment exchange program. Makes other changes. Effective immediately.

House Amendment No. 1

Requires the Office of the State Fire Marshall to promote (instead of advertise) the equipment exchange program. Requires the Office to implement the changes to the program required under this amendatory Act no later than July 1, 2006. Makes technical changes.

Jul 12 05 H Public Act 94-0175

HB 00611 Rep. Constance A. Howard-John J. Millner-Lovana Jones-Annazette Collins-Patricia Bailey and Calvin L. Giles

(Sen. Jacqueline Y. Collins, Martin A. Sandoval-Kwame Raoul and Mattie Hunter)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

730 ILCS 5/3-6-8 new

Amends the Unified Code of Corrections. Provides that the rules and regulations for the early release of a prisoner on account of good conduct shall also provide that an additional 60 days of good conduct credit shall be awarded to any prisoner who earns a high school diploma or passes the high school level Test of General Educational Development (GED) and receives a GED certificate while the prisoner is incarcerated. Provides that the Department of Corrections shall develop and establish a program designed to increase the number of committed persons enrolled in programs to obtain a high school diploma or to pass the high school level Test of General Educational Development (GED) and receive GED certificates by at least 100% over the 4-year period following the effective date of this amendatory Act. Provides that pursuant to the program, each institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in high school education programs and those who pass the high school level Test of General Educational Development (GED) and receive GED certificates, and the number of committed persons who are on waiting lists for those educational programs. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill but eliminates the award of the additional 60 days good conduct credit for prisoners earning high school diplomas. Also limits the program to committed person in the Adult Division of the Department of Corrections. Effective immediately.

Jul 07 05 H Public Act 94-0128

HB 00612 Rep. Lovana Jones-Mary E. Flowers-Cynthia Soto-Julie Hamos and John E. Bradley
(Sen. Donne E. Trotter-Mattie Hunter-Iris Y. Martinez)

20 ILCS 2310/2310-371.5 new

105 ILCS 5/10-20.40 new

105 ILCS 5/34-18.32 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Establishes the Childhood Health Promotion Program to prevent and reduce the incidence and prevalence of obesity in children and adolescents, especially among populations with high rates of obesity and obesity-related health complications including, but not limited to, diabetes, heart disease, cancer, osteoarthritis, asthma, and other conditions. Provides several features of the Childhood Health Promotion Program. Provides that the Department of Public Health shall periodically collect and analyze information from schools, health and nutrition programs, and other sources to determine the prevalence of childhood obesity in the State. Amends the School Code. Authorizes and encourages every school district and the Chicago Board of Education to establish a Child Nutrition Advisory Committee to study all facets of the current nutritional policies of the district and board including, but not limited to, the goals of the district and board to promote health and proper nutrition, vending machine sales, menu criteria, educational curriculum teaching health nutrition, educational information provided to parents or guardians regarding healthy nutrition and the health risks associated with obesity, opportunities offered to parents or guardians to encourage healthier eating habits to students, and the education provided to teachers and other staff as to the importance of health nutrition.

Senate Floor Amendment No. 2

Deletes reference to:

20 ILCS 2310/2310-371.5 new

Deletes reference to:

105 ILCS 5/10-20.40 new

Deletes reference to:

105 ILCS 5/34-18.32 new

Adds reference to:

New Act

Adds reference to:

410 ILCS 220/Act rep.

Adds reference to:

410 ILCS 225/7 from Ch. 111 1/2, par. 7027

Deletes everything after the enacting clause. Creates the Illinois Family Case Management Act. Requires the Department of Human Services to establish and administer a family case management program to reduce the incidence of infant mortality, very low birthweight infants, and low birthweight infants and to assist low-income families obtain available health and human services needed for health growth and development. Provides that under the program, case management shall involve individualized assessment of needs, planning of services, referral, monitoring, and advocacy to assist a client in gaining access to appropriate services. Provides that under the program, case management shall be an active and collaborative process involving a qualified case manager, the client, the client's family, and service providers in the community. Creates the Maternal and Child Health Advisory Board to advise the Department in implementing the Act. Repeals the Infant Mortality Reduction Act. Amends the Prenatal and Newborn Care Act. Provides that the Department shall consult with the Maternal and Child Health Advisory Board (instead of the Infant Mortality Reduction Board) in administering the Prenatal and Newborn Care Program. Adds an immediate effective date.

Aug 02 05 H Public Act 94-0407

HB 00615 Rep. William Delgado-Paul D. Froehlich-Edward J. Acevedo-Elizabeth Coulson-Richard T. Bradley, Marlow H. Colvin and Cynthia Soto

(Sen. Iris Y. Martinez-Mattie Hunter-Kwame Raoul-Jacqueline Y. Collins)

New Act

Creates the Reduction of Racial and Ethnic Health Disparities Act. Subject to appropriations for that purpose, requires the Department of Public Health to establish and administer a program of grants to stimulate the development of community-based and neighborhood-based projects that will improve the health outcomes of racial and ethnic populations. Requires the Office of Minority Health within the Department to establish measurable outcomes to achieve the goal of reducing health disparities in certain priority areas, including asthma and infant mortality. Authorizes the Director of Public Health to appoint an ad hoc advisory committee to examine areas where public awareness, public education, research, and coordination regarding racial and ethnic health outcome disparities are lacking and make recommendations for closing gaps in health outcomes. Sets forth grant proposal and eligibility requirements. Requires $1 in local matching moneys for each $3 of a grant from the Department. Allows the provision of local matching moneys entirely through in-kind contributions in counties with a population of 50,000 or less; for counties over 50,000, requires that at least 50% of the local matching moneys be in cash. Provides that no match is required in the case of a grant to an urban area. Requires the dissemination of grants beginning no later than January 1, 2007.

House Amendment No. 1

Provides that units of local government may provide matching grants to supplement the grants made by the Department of Public Health (instead of requiring that $1 in local matching funds be provided for each $3 grant payment made by the State).

Senate Floor Amendment No. 1

Adds a legislative finding concerning initiatives of the Departments of Human Services and Public Health. Requires the Department of Public Health to coordinate its activities under the Reduction of Racial and Ethnic Health Disparities Act with the Department of Human Services, and deletes the Healthy Start program from the list of existing community-based programs with which the Department of Public Health shall coordinate its activities under the Act. Deletes infant mortality and diabetes from the list of priority areas for which the Office of Minority Health shall establish measurable outcomes to achieve the goal of reducing health disparities. Adds a provision that, subject to the amounts appropriated for that purpose, the Department of Human Services shall continue to operate programs to reduce racial and ethnic disparities in infant mortality and diabetes.

Aug 04 05 H Public Act 94-0447

HB 00617 Rep. John A. Fritchey

(Sen. John J. Cullerton-Kwame Raoul)

740 ILCS 22/213

740 ILCS 22/214

740 ILCS 22/216

Amends the Civil No Contact Order Act. Changes the Section heading in the Section concerning remedies (instead of remedy). Provides that an emergency civil no contact order shall be issued if the averments are sufficient to indicate nonconsensual sexual contact or nonconsensual sexual penetration (instead of just nonconsensual sexual penetration) by the respondent. Changes order of protection to civil no contact order in the Section concerning duration and extension of orders.

Jul 29 05 H Public Act 94-0360

HB 00655 Rep. Jack D. Franks-Michael Tryon-Mark H. Beaubien, Jr.-Linda Chapa LaVia
(Sen. Pamela J. Althoff-Susan Garrett)

55 ILCS 5/5-41020

65 ILCS 5/1-2.1-5

65 ILCS 5/1-2.2-20

Amends the Counties Code and the Illinois Municipal Code. Provides that, if a notice of an ordinance violation requires the respondent to answer within a certain amount of time, the county or municipality must reply to the answer within the same amount of time.

House Amendment No. 1

Further amends the Illinois Municipal Code. Provides that if a notice of an ordinance violation requires the respondent to answer within a certain amount of time, that a municipality with a population under 3,000,000 (now, population unspecified) must reply to the answer within the same amount of time.

Senate Floor Amendment No. 1 (Senate recedes May 31, 2005)

Adds reference to:

55 ILCS 5/5-12001.1

Further amends the Counties Code. Provides that a county's zoning authority concerning a telecommunications carrier's facilities includes AM broadcast towers and facilities. Provides that AM broadcast towers and facilities are not subject to a subsection that applies only to counties with 180,000 inhabitants or more. Effective immediately.

Senate Floor Amendment No. 2 (Senate recedes May 31, 2005)

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on August 20, 1985 by the Village of Mount Prospect must be completed by December 31 of the 35th year (now, 23rd year) after the year in which the ordinance was adopted.

Aug 18 05 H Public Act 94-0616

HB 00657 Rep. Jack D. Franks-Michael Tryon-Mark H. Beaubien, Jr.-Sidney H. Mathias-Linda Chapa LaVia, Sandra M. Pihos, William Delgado, Edward J. Acevedo, Susana A Mendoza, Charles E. Jefferson, Karen A. Yarbrough, Robin Kelly, Deborah L. Graham, Eddie Washington, Michael K. Smith, John D'Amico, Arthur L. Turner, William Davis, Wyvetter H. Younge, Michelle Chavez, Maria Antonia Berrios and Robert F. Flider
(Sen. Terry Link-Pamela J. Althoff, Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Arthur J. Wilhelmi, Debbie DeFrancesco Halvorson and Don Harmon)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Increases the penalties for driving under the influence of alcohol, drugs, or intoxicating compounds while transporting a child under the age of 16 years.

House Amendment No. 1

Provides that the increased penalties apply only to drivers 21 years of age and older.

Jul 05 05 H Public Act 94-0110

HB 00668 Rep. Michael Tryon-Jack D. Franks-Mark H. Beaubien, Jr.
(Sen. Pamela J. Althoff)

70 ILCS 410/15 from Ch. 96 1/2, par. 7116

Amends the Conservation District Act. Provides that a district entirely within a county with a population under 750,000 (now, 300,000) and contiguous to a county of more than 2,000,000 inhabitants may incur additional debt if approved by referendum. Effective immediately.

House Amendment No. 1

Adds reference to:

70 ILCS 410/5 from Ch. 96 1/2, par. 7105

Adds reference to:

70 ILCS 410/13 from Ch. 96 1/2, par. 7114

Further amends the Conservation District Act. Provides that a conservation district located in a county of under 750,000 (now, 300,000) inhabitants and contiguous to a county of more than 2,000,000 inhabitants that has been authorized by referendum to incur indebtedness shall have a board of 7 trustees (otherwise, a district has 5 trustees) and shall adopt a combined annual budget and appropriation ordinance that shall not be considered adopted until it is also adopted by the county board of the county in which the district is located.

Senate Floor Amendment No. 1

Adds reference to:

50 ILCS 105/1 from Ch. 102, par. 1

Adds reference to:

70 ILCS 410/18.5 new

Adds reference to:

70 ILCS 805/3c

Adds reference to:

70 ILCS 805/13 from Ch. 96 1/2, par. 6323

Adds reference to:

70 ILCS 805/13.1 from Ch. 96 1/2, par. 6324

Adds reference to:

70 ILCS 805/13.1a new

Amends the Downstate Forest Preserve District Act and further amends the Conservation District Act. Provides that, if the boundaries of a conservation district are coextensive with the boundaries of one county, then the county board may adopt a resolution to submit the question of whether the conservation district shall be abolished and a forest preserve district created with boundaries that are coextensive with the boundaries of the county. Provides that if a majority of those voting on the question vote in the affirmative, then, on the thirtieth day after the results of the referendum are certified, the conservation district is abolished and the forest preserve district is created. Provides that the chairman of the county board shall serve as chairman of the board of trustees of the forest preserve district and each county board member shall serve ex officio as a commissioner of the district until the expiration of his or her term as a county board member or until the member's position on the county board is otherwise vacated. Designates the forest preserve district as the successor entity to the dissolved conservation district and provides for the transfer of all assets, liabilities, property (both real and personal), employees, books, and records of the dissolved conservation district to the forest preserve district. Provides that all rules and ordinances of the dissolved conservation district remain in effect until amended or repealed by the forest preserve district. Provides that the forest preserve district is liable for any bond indebtedness of the conservation district and may continue to levy and extend taxes upon the taxable property in the conservation district for the purpose of amortizing those bonds until such time as the bonds are retired. Provides that the forest preserve district shall have the same bonding and taxing authority as a conservation district created under the Conservation District Act. Makes other changes. Amends the Public Officer Prohibited Activities Act to exempt members of a county board in a county with boundaries coextensive with the boundaries of a conservation district from provisions prohibiting a county board member from holding any other public office during his or her term of office as a county board member.

Aug 18 05 H Public Act 94-0617

Legislative Information System
94thGeneral Assembly
Synopsis of Legislation Passed Both Houses
First year of General Assembly

HB 00669 Rep. Thomas Holbrook
(Sen. William R. Haine)

30 ILCS 155/4 from Ch. 61, par. 404

Amends the Illinois Non-Game Wildlife Protection Act. Beginning with fiscal year 2006, provides that 5% of each fiscal year's appropriations from the Illinois Wildlife Preservation Fund must be committed to or expended on grants by the Department of Natural Resources for the construction or maintenance of wildlife rehabilitation facilities for endangered species. Requires that the Department establish grant criteria by rule before January 1, 2006. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts House Bill 669 with the following changes: Provides that the dedicated amount is 5% of the Fund. Provides that the grants are with respect to threatened, as well as endangered, species. Effective immediately.

Senate Committee Amendment No. 1

Specifies that the grants are for maintenance (now, construction or maintenance) of wildlife rehabilitation facilities.

Senate Floor Amendment No. 3

Specifies that for purposes of calculating the 5% dedication, the Fund is exclusive of federal funds.

Aug 10 05 H Public Act 94-0516

HB 00672 Rep. Karen A. Yarbrough-Carolyn H. Krause-Julie Hamos-Elizabeth Coulson-Karen May, Annazette Collins, Marlow H. Colvin, Barbara Flynn Currie, John A. Fritchey, Paul D. Froehlich, Kevin Joyce, Robin Kelly, Joseph M. Lyons, Sidney H. Mathias, Jack McGuire, Larry McKeon, Elaine Nekritz, Harry Osterman, Kathleen A. Ryg, Michael K. Smith, Cynthia Soto, Eddie Washington, Sandra M. Pihos, Deborah L. Graham, Wyvetter H. Younge, George Scully, Jr., Naomi D. Jakobsson, Lovana Jones, Lee A. Daniels, Constance A. Howard, JoAnn D. Osmond, Sara Feigenholtz, Patricia Reid Lindner, Michelle Chavez and David E. Miller

(Sen. John J. Cullerton-Christine Radogno-Jacqueline Y. Collins-Martin A. Sandoval-Louis S. Viverito, Jeffrey M. Schoenberg, Susan Garrett, Edward D. Maloney, Carol Ronen, M. Maggie Crotty, Iris Y. Martinez, Ira I. Silverstein, Miguel del Valle, Mattie Hunter, Dan Cronin, Kathleen L. Wojcik, Pamela J. Althoff, Kimberly A. Lightford, James T. Meeks, James A. DeLeo, Rickey R. Hendon, Don Harmon and Peter J. Roskam)

410 ILCS 80/11 from Ch. 111 1/2, par. 8211

Amends the Illinois Clean Indoor Air Act. Provides that a home rule unit of local government or any municipality in this State may regulate smoking in public places. Provides that this regulation must be no less restrictive than the regulation in the Act. Changes the home rule limitation from an absolute preemption to a limitation on the concurrent exercise of home rule power. Maintains the exemption from home rule requirements for home rule units that passed ordinances regulating smoking before October 1, 1989. Limits the concurrent exercise of home rule powers.

House Amendment No. 1

Adds reference to:

410 ILCS 80/2 from Ch. 111 1/2, par. 8202

Deletes everything. Inserts provisions substantially similar to those of HB 672, except provides that: (i) secondhand tobacco smoke causes at least 65,000 deaths each year from heart disease and lung cancer according to the National Cancer Institute, (ii) secondhand tobacco smoke causes sudden infant death syndrome, low-birth-weight in infants, asthma and exacerbation of asthma, bronchitis and pneumonia in children and adults, and (iii) secondhand tobacco smoke is the third leading cause of preventable death in the United States and Illinois workers exposed to secondhand smoke tobacco smoke are at increased risk of premature death.

Fiscal Note (H-AM 1) (Illinois Environmental Protection Agency)

House Bill 672 (H-AM 1) will not have any fiscal impact on the Illinois Environmental Protection Agency since the Agency does not administer the Clean Indoor Air Act.

Home Rule Note (H-AM 1) (Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 672 (H-AM 1) pre-empts home rule authority.

State Mandates Fiscal Note (H-AM 1) (Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 672 (H-AM 1) does not create a State mandate under the State Mandates Act.

Balanced Budget Note (H-AM 1) (Office of Management and Budget)

The Governor's Office of Management and Budget estimates that the proposed amendment will have no impact on the State's budget.

Aug 10 05 H Public Act 94-0517

HB 00676 Rep. Linda Chapa LaVia-Robert F. Flider-Michael K. Smith-Jerry L. Mitchell-Roger L. Eddy, Suzanne Bassi and Robert W. Pritchard

(Sen. Edward Petka)

105 ILCS 5/17-2A from Ch. 122, par. 17-2A

Amends the School Code. Extends the time period during which a school district other than the Chicago school district may transfer moneys from specified funds for any purpose to June 30, 2007. Effective immediately.

Jul 12 05 H Public Act 94-0176

HB 00678 Rep. Linda Chapa LaVia-Edward J. Acevedo-Ruth Munson-Sandra M. Pihos, Suzanne Bassi, Lisa M. Dugan, Donald L. Moffitt, Robert W. Pritchard, Michael K. Smith, Robert F. Flider, Daniel V. Beiser, Maria Antonia Berrios, Daniel J. Burke, Rosemary Mulligan, Jack D. Franks, Cynthia Soto, Michelle Chavez, William Delgado, Susana A Mendoza, Naomi D. Jakobsson, Richard T. Bradley and Charles E. Jefferson

(Sen. Miguel del Valle-Dan Cronin-M. Maggie Crotty-Kimberly A. Lightford, Adeline Jay Geo-Karis, Dave Sullivan, John O. Jones, Dale E. Risinger, Larry K. Bomke, Richard J. Winkel, Jr., Jacqueline Y. Collins-Mattie Hunter and Peter J. Roskam)

105 ILCS 5/2-3.64 from Ch. 122, par. 2-3.64

Amends the School Code. Provides that for elementary school students who are in a State-approved transitional bilingual education program or transitional program of instruction, the time allotted to take State tests may be extended as determined by the State Board of Education by rule.

Senate Floor Amendment No. 1

With respect to State testing, allows certain bilingual education students to take an accommodated Limited English Proficient student academic content assessment (instead of the Illinois Measure of Annual Growth in English test).

Aug 22 05 H Public Act 94-0642

HB 00690 Rep. Roger L. Eddy-William B. Black-David Reis-Chapin Rose-Robert F. Flider

(Sen. Dale A. Righter)

New Act

Creates the Eastern Illinois Economic Development Authority Act. Creates the Eastern Illinois Economic Development Authority in Ford, Iroquois, Piatt, Champaign, Vermillion, Douglas, Moultrie, Shelby, Coles, and Edgar counties in order to promote economic development within those counties. Contains provisions concerning the powers and duties of the Authority. Allows the Authority to acquire, own, sell, lease, or otherwise dispose of interests in real property and to issue bonds, notes, or other evidences of indebtedness for certain purposes in an aggregate amount not to exceed $250,000,000. Provides that the Authority shall be governed by a 14-member board. Contains other provisions. Effective immediately.

House Amendment No. 1

Amends the Eastern Illinois Economic Development Authority Act. Deletes the provision in which the State pays the amounts due on Authority bonds when the Authority cannot pay the amounts due. Deletes the provision for the Authority to designate enterprise zones.

Jul 13 05 H Public Act 94-0203

HB 00692 Rep. Sidney H. Mathias-Paul D. Froehlich-Jack D. Franks-Linda Chapa LaVia-Jim Watson
(Sen. William R. Haine and Kirk W. Dillard)

625 ILCS 5/6-205.2 new

720 ILCS 5/Art. 16J heading new

720 ILCS 5/16J-5 new

720 ILCS 5/16J-10 new

720 ILCS 5/16J-15 new

720 ILCS 5/16J-20 new

720 ILCS 5/16J-25 new

720 ILCS 5/16J-30 new

720 ILCS 5/16J-35 new

720 ILCS 5/16J-40 new

Amends the Illinois Vehicle Code and the Criminal Code of 1961. Creates the offense of theft of motor fuel. Provides that a person commits the offense when he or she dispenses motor fuel into a storage container or the fuel tank of a motor vehicle at an establishment in which motor fuel is offered for retail sale and leaves the premises of the establishment without making payment or the authorized charge for the motor fuel. Creates certain presumptions. Establishes penalties. Provides for the suspension of the driver's license of a person convicted of theft of motor fuel for a period not to exceed 6 months for a first conviction and for a period not to exceed one year for a second or subsequent conviction.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/16J-20 new

Deletes everything after the enacting clause. Reinserts the provisions of the bill with these changes: (1) eliminates the presumption Section and (2) requires the defendant's knowledge in order to commit the offense and that the defendant's intent must be to deprive the establishment in which the motor fuel is sold of the possession, use or benefit of the motor fuel without paying the full retail value of the motor fuel.

Dec 05 05 H Public Act 94-0700

HB 00700 Rep. Joseph M. Lyons-William Delgado-Kevin Joyce-Elizabeth Coulson-John D'Amico, Maria Antonia Berrios, Michelle Chavez, Robert Rita, Richard T. Bradley, Susana A Mendoza, Jack D. Franks and Linda Chapa LaVia
(Sen. M. Maggie Crotty, Dale A. Righter, Dave Syverson and Martin A. Sandoval)

210 ILCS 9/70

210 ILCS 9/75

210 ILCS 9/90

Amends the Assisted Living and Shared Housing Act. Provides that "medication administration" refers to a licensed health care professional engaging in administering insulin and vitamin B-12 injections (instead of "routine" insulin and vitamin B-12 injections). From the list of purposes for which an assisted living or shared housing establishment may not employ a licensed health care professional, eliminates the purpose concerning a person who requires sliding scale insulin administration unless self-performed or administered by a licensed health care professional. Provides that an assisted living or shared housing establishment contract must include a statement outlining whether the establishment charges a community fee and, if so, the amount of the fee and whether it is refundable. Provides that if the fee is refundable, the contract must describe the conditions under which it is refundable and how the amount of the refund is determined. Effective immediately.

Jul 19 05 H Public Act 94-0256

HB 00701 Rep. Eileen Lyons-Joseph M. Lyons-Patricia R. Bellock-Julie Hamos-Arthur L. Turner, Dan Brady, John J. Millner, Patricia Bailey, Naomi D. Jakobsson, Karen May and James H. Meyer
(Sen. Dan Rutherford-Jacqueline Y. Collins-Mattie Hunter)

720 ILCS 5/12-18 from Ch. 38, par. 12-18

730 ILCS 5/5-5-6 from Ch. 38, par. 1005-5-6

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Provides that the court may consider restitution an appropriate sentence to be imposed on each defendant convicted of an offense in addition to a sentence of imprisonment. Provides that the court shall take into consideration any real or personal property or other assets of the defendant when it orders restitution. Provides that in addition to any other penalty prescribed by law and any restitution ordered that did not include long-term physical health care costs, the court may, upon conviction of any misdemeanor or felony, order a defendant to pay restitution to a victim if the victim has suffered physical injury as a result of the offense that is reasonably probable to require or has required long-term physical health care for more than 3 months. Provides that long-term physical health care includes mental health care. Provides that the sentence of the defendant to a term of imprisonment is not a mitigating factor that prevents the court from ordering the defendant to pay restitution. Provides that an order of restitution for long-term physical health care costs shall fix a monthly amount to be paid by the defendant for as long as long-term physical health care of the victim is required as a result of the offense. Provides that the order may exceed the length of any sentence imposed upon the defendant for the criminal activity. Provides that in addition to the sentences provided for the offenses of exploitation of a child, child pornography, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse, the court may order any person who is convicted of violating any of those offenses or who was charged with any of those offenses and which charge was reduced to another charge as a result of a plea agreement to meet all or any portion of the financial obligations of treatment, including but not limited to medical, psychiatric, or rehabilitative treatment or psychological counseling, prescribed for the victim or victims of the offense.

Aug 02 05 H Public Act 94-0397

HB 00712 Rep. Linda Chapa LaVia-Susana A Mendoza-Chapin Rose, Karen A. Yarbrough, Cynthia Soto, Patricia Bailey, Deborah L. Graham, Charles E. Jefferson, Maria Antonia Berrios and Michelle Chavez
(Sen. Iris Y. Martinez)

750 ILCS 5/609.5 new

Amends the Illinois Marriage and Dissolution of Marriage Act. Requires a parent who intends to marry a sex offender to notify the other parent with whom he or she has a minor child prior to that marriage.

House Amendment No. 1

Deletes everything after the enacting clause. Provides that a parent who intends to marry or reside with a sex offender, and knows or should know that the person with whom he or she intends to marry or reside is a sex offender, shall provide reasonable notice to the other parent with whom he or she has a minor child prior to the marriage or the commencement of the residency.

House Amendment No. 2

Adds reference to:

750 ILCS 5/602 from Ch. 40, par. 602

Further amends the Illinois Marriage and Dissolution of Marriage Act. Requires the court to consider whether one of the parents is a sex offender in determining the best interest of the child for custody and visitation purposes.

Senate Floor Amendment No. 1

Adds reference to:

750 ILCS 5/610 from Ch. 40, par. 610

Further amends the Illinois Marriage and Dissolution of Marriage Act. Makes an exception to the 2-year waiting period for the filing of a modification of custody motion for a party who has been informed of the existence of facts requiring notice to be given under the Section concerning a remarriage or residency with a sex offender. Provides that the existence of facts requiring the notice of remarriage or residency with a sex offender shall be considered a change in circumstances for purposes of reconsideration of a custody arrangement by the court.

Aug 22 05 H Public Act 94-0643

HB 00715 Rep. Linda Chapa LaVia, Jack D. Franks, Julie Hamos, Marlow H. Colvin, Patrick J Verschoore and Jack McGuire
(Sen. Jeffrey M. Schoenberg-Kwame Raoul)

10 ILCS 5/4-105 new

10 ILCS 5/5-105 new

10 ILCS 5/6-105 new

Amends the Election Code. Requires each public university and college in Illinois, at the beginning of each academic year, to ask each student who is an Illinois registered voter if the student wishes to change his or her voter registration address. If so, requires the school to submit those changes to the appropriate election authorities electronically. Requires election authorities to accept such changes of student address and waives any signature requirement for a change of address with respect to those students.

House Amendment No. 1

Deletes reference to:

10 ILCS 5/4-105 new

Deletes reference to:

10 ILCS 5/5-105 new

Deletes reference to:

10 ILCS 5/6-105 new

Adds reference to:

10 ILCS 5/1A-16

Adds reference to:

10 ILCS 5/1A-30 new

Deletes everything after the enacting clause. Amends the Election Code. Requires public institutions of higher learning to post voter registration forms on their websites, include voter registration information and forms in Illinois student registration mailings, and provide voter registration forms at in-person student registration.

Aug 08 05 H Public Act 94-0492

HB 00720 Rep. David R. Leitch-Keith P. Sommer-Aaron Schock-Michael K. Smith-Donald L. Moffitt
(Sen. Terry Link-Dale E. Risinger, Pamela J. Althoff-Arthur J. Wilhelmi and George P. Shadid)

65 ILCS 5/7-1-1 from Ch. 24, par. 7-1-1

Amends the Illinois Municipal Code. Provides that any territory to be annexed to a municipality shall be considered contiguous notwithstanding that the territory is separated from the municipality by a former railroad right-of-way that has been converted to a recreational trail, but upon annexation the area included in the right-of-way shall not be considered to be annexed to the municipality.

Senate Floor Amendment No. 4

Adds reference to:

65 ILCS 5/7-1-5.3 new

Deletes everything after the enacting clause. Reinserts the bill with several changes. Provides that except in counties with a population of more than 600,000 (now, 500,000) but less than 3,000,000, a territory that is not contiguous may be annexed by a municipality if the territory is separated from the municipality by a forest preserve district. Provides that in a county with more than 500,000 inhabitants, any territory annexed to a municipality shall be considered contiguous if only a river and a national heritage corridor separate the territory from the municipality, but upon annexation no river or national heritage corridor shall be considered to be annexed to the municipality. Provides that when a municipality considers a developer's petition to annex territory for a planned unit development that is located adjacent to a former railroad right-of-way that was converted to a recreational trail ("rail-trail") that is owned by the State, a unit of local government, or a non-profit organization, the municipality shall notify the recreational trail owner of the proposed development plans. Provides that the municipality shall require the petitioner to reasonably accommodate the recreational trail in its plans and to modify the plans, as necessary, to avoid adverse impacts to the users of the recreational trail or to the natural and built resources within the right-of-way. Provides that this review and planning process is intended to ensure that no development along a rail-trail negatively affects users of the rail-trail or natural and built resources within the right-of-way.

Jul 29 05 H Public Act 94-0361

HB 00721 Rep. David R. Leitch

(Sen. Dale E. Risinger)

Authorizes the Director of Natural Resources to convey at fair market value certain property in Peoria County to the Princeville Family Health Center.

House Amendment No. 1 (Tabled 4/6/2005)

Provides that the fair market value of the listed property shall be based on the average of 3 certified appraisals.

Land Conveyance Appraisal Note (Princeville Family Health Center)

4284 square feet at $2 per square feet.

Jul 14 05 H Public Act 94-0209

HB 00723 Rep. Kurt M. Granberg

(Sen. Gary Forby)

70 ILCS 410/5 from Ch. 96 1/2, par. 7105

Amends the Conservation District Act. In the case of a 7-member board representing a district that embraces Franklin and Jefferson counties, provides that the terms of all trustees in office on June 30, 2006 end on July 1, 2006. Provides for the appointment of new trustees.

House Amendment No. 1

Deletes reference to:

70 ILCS 410/5

Adds reference to:

70 ILCS 2105/4a from Ch. 42, par. 386a

Deletes everything. Amends the River Conservancy Districts Act. In the case of a board representing a district that embraces Franklin and Jefferson counties: (i) authorizes the appropriate appointing presiding officer or officers to remove a trustee for incompetence, neglect of duty, or malfeasance in office, without the advice and consent of the corporate authorities; (ii) ends the terms of all trustees on the effective date of this amendatory Act; and (iii) provides for the appointment of new trustees. Effective immediately.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 00728 Rep. Jerry L. Mitchell-Sandra M. Pihos-Carolyn H. Krause

(Sen. Todd Sieben)

105 ILCS 5/14-7.02 from Ch. 122, par. 14-7.02

Amends the Children with Disabilities Article of the School Code. Provides that the reimbursement of a school district for the amount of paid tuition of a child attending a non-public school or special education facility, public out-of-State school, or county special education facility is not authorized unless the State Superintendent of Education finds that the school district is in substantial compliance with a Section of the Code concerning special educational facilities for children with disabilities (now, the school district must also certify to the State Superintendent of Education that the special education program of the district is unable to meet the needs of a child because of the child's disability in order for reimbursement to be authorized). Effective immediately.

House Amendment No. 1

Restores the language requiring the school district to certify to the State Superintendent of Education that the special education program of the district is unable to meet the needs of a child because of the child's disability. Provides, however, that if a child is unilaterally placed by a State agency or any court in a non-public school or special education facility, public out-of-state school, or county special education facility, a school district shall not be required to certify, for the purpose of tuition reimbursement, its inability to meet a child's needs because of the child's disability.

Jul 12 05 H Public Act 94-0177

HB 00729 Rep. Dan Reitz-Thomas Holbrook, Mike Bost-Patrick J Verschoore, Shane Cultra and Art Tenhouse
(Sen. William R. Haine)

430 ILCS 55/3 from Ch. 127 1/2, par. 1003

Amends the Hazardous Material Emergency Response Reimbursement Act. Adds to the definition of "emergency response agency" a non-governmental organization that provides emergency services. Includes in the list of services provided by an "emergency response agency", mass care or assistance provided to displaced persons.

House Amendment No. 1

Provides that "emergency response agency" means a unit of local government, volunteer fire protection organization, or the American Red Cross that provides emergency services (rather than "emergency response agency" means a unit of local government, volunteer fire protection organization, or non-governmental organization that provides emergency services).

Jul 01 05 H Public Act 94-0096

HB 00731 Rep. Roger L. Eddy
(Sen. Dale A. Righter)

5 ILCS 375/3 from Ch. 127, par. 523

Amends the State Employees Group Insurance Act of 1971. Redefines a unit of local government to include a hospital provider owned by a county that has 100 or fewer hospital beds and that has not already joined the insurance program.

Jun 29 05 H Public Act 94-0082

HB 00733 Rep. William Delgado-Patricia R. Bellock-Jack McGuire-Patrick J Verschoore-Edward J. Acevedo, Elaine Nekritz, Kenneth Dunkin, Monique D. Davis, Mary E. Flowers, Paul D. Froehlich, Cynthia Soto, David E. Miller, Elizabeth Coulson, Jerry L. Mitchell, Harry Osterman, Jack D. Franks, Linda Chapa LaVia, Maria Antonia Berrios, Calvin L. Giles, Dave Winters, Lou Lang, Jim Watson, Aaron Schock, Robert F. Flider, Eddie Washington, Naomi D. Jakobsson, Marlow H. Colvin, Kathleen A. Ryg, John A. Fritchey, Joseph M. Lyons, James D. Brosnahan, William Davis, Lovana Jones, Robin Kelly and Arthur L. Turner
(Sen. Mattie Hunter, Terry Link, Antonio Munoz-Kwame Raoul, James F. Clayborne, Jr., Jacqueline Y. Collins, Ira I. Silverstein and Debbie DeFrancesco Halvorson)

105 ILCS 5/2-3.137 new

Amends the School Code. Requires the State Board of Education to establish a State goal that all school districts have a wellness policy that is consistent with recommendations of the Centers for Disease Control and Prevention. Requires the Department of Public Health and the State Board to form an interagency working group to publish model wellness policies and sample programs. Requires the State Board to establish a pilot project to implement model wellness policies. Creates the School Wellness Policy Taskforce to identify barriers to implementing wellness policies, recommend how to reduce those barriers, recommend statewide school nutrition standards, and evaluate the effectiveness of wellness policies. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Removes a provision concerning sample programs. Removes a provision concerning a pilot project. Adds a member representing the Illinois Association for Health, Physical Education, Recreation and Dance to the taskforce. Provides that the taskforce's evaluation of the effectiveness of school wellness policies shall review a sample size of 5 to 10 school districts. Effective immediately.

House Amendment No. 3

Deletes everything after the enacting clause. Reinserts the contents of the bill as amended by House Amendment No. 1, with the following changes. Adds the Department of Human Services to the interagency working group that is required to be formed to publish model wellness policies and recommendations. Makes changes concerning membership on the taskforce. Provides that nothing in the provisions may be construed as a curricular mandate on any school district. Effective immediately.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 00741 Rep. Roger L. Eddy-William B. Black
(Sen. Dale A. Righter)

40 ILCS 5/16-150.1

Amends the Downstate Teacher Article of the Illinois Pension Code. In provisions concerning retired teachers returning to teach in a subject shortage area, makes changes concerning when the school district must advertise its vacancies and search for teachers. Effective immediately.

Jul 07 05 H Public Act 94-0129

HB 00744 Rep. Ronald A. Wait-Sidney H. Mathias-Elaine Nekritz-Roger Jenisch-Sandra M. Pihos, Michael Tryon, Roger L. Eddy, Kathleen A. Ryg, Karen May, Naomi D. Jakobsson and Maria Antonia Berrios
(Sen. Iris Y. Martinez-Richard J. Winkel, Jr.-Miguel del Valle-Jacqueline Y. Collins, Debbie DeFrancesco Halvorson, Christine Radogno, Martin A. Sandoval, James F. Clayborne, Jr., Terry Link, Ira I. Silverstein and Mattie Hunter)

20 ILCS 2705/2705-317 new

Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Provides that, upon enactment of a federal transportation bill with a dedicated fund available to states for safe routes for schools, the Department of Transportation shall, in cooperation with the State Board of Education and the Department of State Police, establish and administer a Safe Routes to School Construction Program for the construction of bicycle and pedestrian safety and traffic-calming projects, with construction grants being made available to local governmental agencies. Effective immediately.

House Amendment No. 1

Adds proximity to parks and other recreational facilities as a factor that Safe Routes to School proposals for funding are to be rated on.

Aug 08 05 H Public Act 94-0493

HB 00748 Rep. Naomi D. Jakobsson-Paul D. Froehlich-Donald L. Moffitt-Thomas Holbrook-Michael K. Smith
(Sen. William R. Haine)

20 ILCS 2905/1 from Ch. 127 1/2, par. 1

20 ILCS 2905/2 from Ch. 127 1/2, par. 2

Amends the State Fire Marshal Act. Provides that certain duties are assumed by unnamed divisions (rather than the Division of Fire Prevention and the Division of Personnel Standards and Education). Provides that the divisions are headed by directors (rather than Deputy State Fire Marshals).

House Amendment No. 1

Provides that the divisions are headed by division managers rather than by directors or by deputy State Fire Marshals.

Fiscal Note (Office of the State Fire Marshal)

There is no fiscal impact to the agency by the passage of House Bill 748.

Jul 12 05 H Public Act 94-0178

HB 00756 Rep. Patricia Reid Lindner-Robert F. Flider
(Sen. Chris Lauzen and Kirk W. Dillard)

20 ILCS 2805/7 new

Amends the Department of Veterans Affairs Act. Creates the Veterans' Memorial Commission within the Department of Veterans Affairs. Authorizes the Commission to study, report, and advise on issues affecting veterans' memorials. Effective immediately.

House Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced. Further amends the Department of Veterans Affairs Act. Changes the composition of the Commission to provide that the Commission shall be composed of 12 members: 2 members appointed by the President of the Senate, 2 members appointed by the Minority Leader of the Senate, 2 members appointed by the Speaker of the House of Representatives, 2 members appointed by the Minority Leader of the House of Representatives, one representative of the Department of Veterans Affairs, and 3 representatives of different veterans service organizations appointed by the Director of the Department. Provides that members shall serve 2-year terms without compensation. Effective immediately.

Aug 04 05 H Public Act 94-0448

HB 00759 Rep. Lou Lang-Sandra M. Pihos-Jack D. Franks-Patricia R. Bellock, Patrick J Verschoore and Jack McGuire
(Sen. Susan Garrett-Jacqueline Y. Collins)

20 ILCS 505/5.25 new

Amends the Children and Family Services Act. Provides that every child with a diagnosis of a mental illness who is placed under the Act shall receive mental health services. Requires DCFS, in cooperation with DHS, to file a proposed rule by January 1, 2006, regarding the mental health services to be provided to these children. Requires DCFS to assess each mental health community network in the State to determine what needs exist in each network for the required mental health services. Requires DCFS, by January 1, 2007, to submit a report describing the assessment of the mental health community networks and a plan to address the identified needs to the Governor and the General Assembly.

House Amendment No. 1

Adds reference to:

20 ILCS 505/5.25 new

Deletes everything after the enacting clause. Amends the Children and Family Services Act. Provides that every child in the care of the Department of Children and Family Services shall receive necessary behavioral health services, including mental health services, trauma services, substance abuse services, and developmental disabilities services. Specifically, there shall be services, such as integrated assessments, treatment plans, individual and group therapy, and specialized foster care. A program facility or home shall assist the Department in arranging for behavioral health services from an outside provider. Provides that DCFS shall file proposed rules by January 1, 2006 regarding the behavioral health services to be provided to children in the care of DCFS. Provides that DCFS shall prepare an assessment of behavioral health community services available in the State by DCFS region to determine what needs for behavioral health services exist. Provides that DCFS, by January 1, 2007, shall submit a report to the Governor and the General Assembly that describes the assessment of available behavioral health services and a plan to address identified needs.

Fiscal Note (Department of Children & Family Services)

The Department under its Program Improvement Plan with the federal government is already planning to conduct this activity. Costs associated with the plan, and thus this legislation that codifies part of the activity, is already factored into the Fiscal Year 2006 budget as introduced. House Bill 759 does not add any additional costs to the Department.

Jun 15 05 H Public Act 94-0034

HB 00760 Rep. Robert Rita-Mary E. Flowers-William B. Black-Dan Brady-William Davis, Kenneth Dunkin, William Delgado, Cynthia Soto, Robin Kelly, Milton Patterson, Marlow H. Colvin, Constance A. Howard, Robert S. Molaro, Lou Lang, Frank J. Mautino, Joseph M. Lyons, Karen A. Yarbrough and Monique D. Davis
(Sen. Carol Ronen-M. Maggie Crotty-Donne E. Trotter-Jacqueline Y. Collins)

305 ILCS 5/12-4.11 from Ch. 23, par. 12-4.11

Amends the Illinois Public Aid Code. Provides that beginning July 1, 2005, the Department of Human Services shall annually increase the minimum reimbursement amount for funeral and burial expenses required under the Code by a percentage equal to the percentage increase, if any, in the Consumer Price Index for All Urban Consumers during the preceding 12 months. Effective immediately.

Fiscal Note (Department of Human Services)

House Bill 760 will have a significant fiscal impact to the Funeral and Burials line-item with an estimated cost of $348,480 based on an assumed 3% increase in FY06. If the minimum payment levels are increased annually to meet the Consumer Price Index/All Urban Consumers standards, costs will continue to increase in the outyears.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Provides that on January 1, 2006, July 1, 2006, and July 1, 2007 (instead of on July 1, 2005 and on each July 1 thereafter), the Department of Human Services shall increase the minimum reimbursement amount for funeral and burial expenses by a percentage equal to the percentage increase in the Consumer Price Index for All Urban Consumers, if any, during the 12 months immediately preceding that January 1 or July 1. Effective immediately.

Aug 23 05 H Public Act 94-0669

HB 00763 Rep. Sara Feigenholtz
(Sen. John J. Cullerton)

720 ILCS 570/402 from Ch. 56 1/2, par. 1402

Amends the Illinois Controlled Substances Act. Defines "controlled substance analog" for the purposes of the Section concerning unlawful possession of controlled substances. Provides that the possession of 200 grams or more of a substance not otherwise specified in the unlawful possession of controlled substances provisions of the Act containing an analog of a substance classified as a narcotic drug in Schedule I or II is a Class 1 felony. Effective immediately.

Senate Floor Amendment No. 1

Provides that except as otherwise provided in the Illinois Controlled Substances Act, it is unlawful for a person to knowingly possess a controlled substance analog.

Jul 26 05 H Public Act 94-0324

HB 00766 Rep. Randall M. Hultgren-Sidney H. Mathias-Sandra M. Pihos-Paul D. Froehlich-Ronald A. Wait
(Sen. William R. Haine-Edward D. Maloney)

740 ILCS 115/5 from Ch. 70, par. 55

Amends the Parental Responsibility Law. Provides that, where a wilful or malicious act by the minor causes damage to real or personal property owned or leased by a local public entity, no recovery under the Act may exceed $100,000 actual damages for each local public entity that owns or leases the property. Defines "local public entity". Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Parental Responsibility Law. Raises the maximum recovery of actual damages to $20,000 (from $2,500) for each person or legal entity for each occurrence of wilful or malicious acts by the minor causing injury. Effective immediately.

Jul 07 05 H Public Act 94-0130

HB 00767 Rep. Jack D. Franks-Paul D. Froehlich-Linda Chapa LaVia-Sidney H. Mathias and Lisa M. Dugan
(Sen. Pamela J. Althoff)

720 ILCS 5/9-3 from Ch. 38, par. 9-3

Amends the Criminal Code of 1961. Provides that in cases involving reckless homicide, the defendant's driving of a motor vehicle or operating a snowmobile, all-terrain vehicle, or watercraft at an excessive rate of speed may be the sole evidence of a reckless act.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/9-3

Adds reference to:

730 ILCS 5/5-5-3.2 from Ch. 38, par. 1005-5-3.2

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Provides that the court may impose a more severe sentence upon a defendant who (i) committed the offense of reckless homicide or the offense of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof or a similar provision of a local ordinance and (ii) was operating a motor vehicle in excess of 20 miles per hour over the posted speed limit. Effective immediately.

Jul 07 05 H Public Act 94-0131

HB 00769 Rep. Cynthia Soto
(Sen. Terry Link)

625 ILCS 5/6-306.6 from Ch. 95 1/2, par. 6-306.6

Amends the Illinois Vehicle Code. Amends the provision regarding failure to pay fines, penalties, and court costs to provide that the Secretary of State may not remove the notation indicating a driver's failure to pay until the Secretary has received, directly from the court of venue (rather than from the driver), written notice of payment. Provides that, if full payment has been received, the court shall provide the driver with a receipt indicating payment in full. Provides that the receipt provided to the driver may not be used by the driver to clear the driver's record. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill, with changes. Provides that the changes contained in the original bill apply only in a county with a population of 3,000,000 or more. Changes the effective date to January 1, 2006.

Fiscal Note (H-AM 1) (Office of the Secretary of State)

House Bill 769, as amended by House Amendment 1, has little or no fiscal impact on the Secretary of State's office.

Senate Committee Amendment No. 1

Provides that, in a county with a population of 3,000,000 or more, a person who was denied driving privileges under the provision may not have those privileges restored by presenting an original receipt, signed by the clerk of the court, for full payment of the fine, penalty or cost.

Aug 18 05 H Public Act 94-0618

HB 00780 Rep. Robert F. Flider-Sidney H. Mathias-Paul D. Froehlich-Jack D. Franks-Linda Chapa LaVia and Donald L. Moffitt
(Sen. James A. DeLeo-Edward D. Maloney, M. Maggie Crotty-Don Harmon and Arthur J. Wilhelmi)

720 ILCS 5/1-6 from Ch. 38, par. 1-6

720 ILCS 5/Art. 16J heading new

720 ILCS 5/16J-5 new

720 ILCS 5/16J-10 new

720 ILCS 5/16J-15 new

720 ILCS 5/16J-20 new

720 ILCS 5/16J-25 new

Amends the Criminal Code of 1961. Creates the offense of online sale of stolen property. Provides that a person commits the offense when he or she uses or accesses the Internet with the intent of selling property gained through unlawful means. Creates the offense of online theft by deception. Provides that a person commits the offense when he or she uses the Internet to purchase or attempt to purchase property from a seller with a mode of payment that he or she knows or has reason to believe is fictitious, stolen, or lacking the consent of the valid account holder. Creates the offense of electronic fencing. Provides that a person commits the offense when he or she sells stolen property using the Internet, knowing that the property was stolen. Provides that a person who unknowingly purchases stolen property over the Internet does not violate this provision. Establishes penalties for violations. Effective immediately.

House Amendment No. 1

Eliminates as an element of the offense of online theft by deception that the offender has reason to believe that the mode of payment is fictitious, stolen, or lacking the consent of the valid account holder.

Jul 12 05 H Public Act 94-0179

HB 00783 Rep. Cynthia Soto-Karen A. Yarbrough-Michelle Chavez-Maria Antonia Berrios-Edward J. Acevedo and Richard T. Bradley
(Sen. Iris Y. Martinez)

New Act

Creates the Child Support Payment Act. Provides that an obligor under an order for support of a child may make any payment of child support required under that order at a currency exchange. Provides that when an obligor makes a payment of child support at a currency exchange, the obligor must provide the currency exchange with information sufficient to enable the currency exchange to transmit the amount of the payment to the obligee under the order for support. Effective immediately.

Senate Floor Amendment No. 2

Replaces everything after the enacting clause with provisions substantially similar to those of House Bill 783, creating the Child Support Payment Act, except requires an obligor to provide a currency exchange with information sufficient to enable the currency exchange to transmit the amount of the child support payment to the State Disbursement Unit (instead of the obligee), as defined in the Income Withholding for Support Act, under the order for support. Effective immediately.

Jun 30 05 H Public Act 94-0087

HB 00785 Rep. Cynthia Soto-Patricia R. Bellock-Eileen Lyons
(Sen. Iris Y. Martinez)

305 ILCS 5/10-10	from Ch. 23, par. 10-10
305 ILCS 5/10-28 new	
750 ILCS 5/507	from Ch. 40, par. 507
750 ILCS 5/517 new	
750 ILCS 5/705	from Ch. 40, par. 705
750 ILCS 5/709	from Ch. 40, par. 709
750 ILCS 16/25	
750 ILCS 45/21	from Ch. 40, par. 2521
750 ILCS 45/28 new	

Amends the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support Punishment Act, and the Illinois Parentage Act of 1984. Replaces a provision concerning notice to a circuit clerk that a person is receiving child support enforcement services from the Department of Public Aid and requiring the clerk to send support payments in accordance with the Department's instructions. Provides that the Department of Public Aid may provide notice at any time to the parties to a support action that the Department is providing child support enforcement services. Provides that the Department is thereafter entitled to notice of further court proceedings. Requires the Department to provide the circuit clerk with copies of the notices sent to the parties.

Jun 30 05 H Public Act 94-0088

HB 00788 Rep. Lovana Jones, Constance A. Howard, Annazette Collins, Charles E. Jefferson, Arthur L. Turner and Kenneth Dunkin

(Sen. Donne E. Trotter-Mattie Hunter-M. Maggie Crotty)

New Act

30 ILCS 105/5.640 new

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

35 ILCS 5/510 from Ch. 120, par. 5-510

Creates the Epilepsy Disease Assistance Act and amends the State Finance Act and the Illinois Income Tax Act. Requires the Department of Public Health and Department of Public Aid to develop certain standards and programs concerning epilepsy. Provides for an Epilepsy Advisory Committee to advise the Departments on their duties under the Act. Provides for the establishment of two regional epilepsy centers. Provides that the Department of Public Health shall provide grants-in-aid to the regional epilepsy centers for necessary educational activities and research, and for the development and maintenance of services for victims of epilepsy and their families. Creates the Regional Epilepsy Center Grants-in-Aid Fund as a special fund in the State treasury for the purpose of funding certain grants-in-aid, and authorizes an Illinois income tax checkoff for contributions to the Fund. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced. Provides that the Department of Public Health shall develop certain standards and programs concerning epilepsy (rather than the Department of Public Health and Department of Public Aid). Sets forth that the Epilepsy Advisory Committee shall be created as a committee within the Department of Public Health (rather than as a joint committee within the Department of Public Aid and Department of Public Health). Provides that the Department of Public Health shall provide grants-in-aid from the Epilepsy Treatment and Education Grants-in-Aid Fund (i) to fund necessary educational activities and (ii) for the development and maintenance of services for victims of epilepsy and their families. Effective immediately.

Senate Floor Amendment No. 1

Provides that the duties of the Department of Public Health under the Epilepsy Disease Assistance Act are subject to the availability of funds.

Jun 23 05 H Public Act 94-0073

HB 00793 Rep. Harry Osterman-William B. Black-Robin Kelly-Sara Feigenholtz-Elaine Nekritz, Karen A. Yarbrough, Karen May, David E. Miller, Deborah L. Graham, Eddie Washington, Michael K. Smith, Arthur L. Turner, Wyvetter H. Younge, William Davis, John D'Amico, Patricia Bailey, Daniel V. Beiser, Jack D. Franks, Linda Chapa LaVia, Kenneth Dunkin, Lou Lang, Richard T. Bradley, Robert F. Flider, Jim Watson, Ed Sullivan, Jr. and Kathleen A. Ryg

(Sen. William R. Haine-Christine Radogno, Pamela J. Althoff-M. Maggie Crotty, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, Jacqueline Y. Collins, Ira I. Silverstein, Mattie Hunter, Arthur J. Wilhelmi and Antonio Munoz)

725 ILCS 5/111-8 from Ch. 38, par. 111-8

Amends the Code of Criminal Procedure of 1963. Provides that an order of protection may also be issued when the alleged offender and victim are family or household members and the alleged violation is unlawful restraint, aggravated unlawful restraint, child pornography, domestic battery, aggravated battery of a senior citizen, interfering with reporting of domestic violence, stalking, aggravated stalking, cyberstalking, criminal trespass to a residence, criminal damage to property, criminal trespass to a vehicle, criminal trespass to real property, disorderly conduct, or harassment by telephone.

House Amendment No. 1

Eliminates disorderly conduct as an offense for which the court may issue an order of protection against the alleged offender.

Jul 26 05 H Public Act 94-0325

HB 00804 Rep. Joseph M. Lyons-Dave Winters-John D'Amico
(Sen. George P. Shadid-Antonio Munoz)

720 ILCS 550/16.2 new

Amends the Cannabis Control Act. Provides that before or after the trial in a prosecution for certain enumerated violations of the Act, a law enforcement agency or an agent acting on behalf of the law enforcement agency must preserve, subject to a continuous chain of custody, not less than 5,001 grams of any substance containing cannabis and not less than 51 cannabis sativa plants with respect to the enumerated offenses and must maintain sufficient documentation to locate that evidence. Provides that the court may before trial transfer excess quantities of any substance containing cannabis or cannabis sativa plants with respect to a prosecution for any enumerated offense to the sheriff of the county, or may in its discretion transfer such evidence to the Department of State Police, for destruction. Effective immediately.

House Amendment No. 1

Changes from 5,001 grams to 6,001 grams, the minimum amount of a substance containing cannabis that the law enforcement agency must preserve.

House Amendment No. 2

Provides that prior notice to the defendant's attorney of record or to the defendant if the defendant is proceeding pro se must be given before the cannabis or cannabis sativa plants are transferred to the sheriff or Department of State Police.

Jul 12 05 H Public Act 94-0180

HB 00805 Rep. Richard T. Bradley-John J. Millner
(Sen. Dale A. Righter)

815 ILCS 325/Act rep.

Repeals the Copper Purchase Registration Law. Effective January 1, 2006.

House Amendment No. 1

Deletes reference to:

815 ILCS 325/Act rep.

Adds reference to:

815 ILCS 325/3 from Ch. 121 1/2, par. 323

Adds reference to:

815 ILCS 325/6 from Ch. 121 1/2, par. 326

Deletes everything after the enacting clause. Amends the Copper Purchase Registration Law. Provides that a copy of the form required to be completed by a copper dealer that purchases copper consisting of 50 pounds or more shall be kept in a separate book or register by the copper dealer and shall be retained for a period of 2 years (instead of one year). Deletes language providing that within 3 days from the day of purchasing copper, the completed form shall be filed in the office of the county clerk of the county in which the copper was purchased and one copy shall be filed with, or mailed to, the Department of State Police, or such department as may succeed to its functions. Provides that the Department of State Police shall make an electronic copy of the form available to the public on its web site.

House Amendment No. 2

Adds reference to:

815 ILCS 325/5 from Ch. 121 1/2, par. 325

Adds reference to:

815 ILCS 325/4 rep.

Deletes language providing that the Department of State Police shall enter certain information for each purchase of copper consisting of 50 pounds or more in triplicate. Repeals a Section providing that every copper dealer shall hold each purchase of copper so that it is readily identifiable from all other purchases for a period of not less than 7 days from the date of purchase.

Jul 12 05 H Public Act 94-0181

HB 00806 Rep. Gary Hannig-Richard T. Bradley-Lou Lang-Lovana Jones-Monique D. Davis, Edward J. Acevedo, Linda Chapa LaVia, William Delgado, Barbara Flynn Currie, Sara Feigenholtz, Susana A Mendoza, Michelle Chavez, Karen A. Yarbrough, Deborah L. Graham, Robin Kelly, Marlow H. Colvin, Calvin L. Giles, Jay C. Hoffman, Annazette Collins, Arthur L. Turner, Patrick J Verschoore, Kathleen A. Ryg, John D'Amico, Michael K. Smith, Milton Patterson, Eddie Washington, Jack McGuire, Robert Rita, Cynthia Soto, Maria Antonia Berrios, Joseph M. Lyons, Karen May, Julie Hamos, Dan Reitz, Brandon W. Phelps, Constance A. Howard and Michael J. Madigan

(Sen. Emil Jones, Jr.-Iris Y. Martinez, Don Harmon-Donne E. Trotter-Mattie Hunter-M. Maggie Crotty, Jacqueline Y. Collins, Carol Ronen, Kwame Raoul, Arthur J. Wilhelmi, Martin A. Sandoval and Terry Link)

20 ILCS 2605/2605-525 rep.

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Repeals a Section concerning the furlough of inmates to State agencies for research. Effective immediately.

Fiscal Note (ILL State Police)

There would be no fiscal impact to the Illinois State Police.

Senate Floor Amendment No. 3

Deletes reference to:

20 ILCS 2605/2605-525 rep.

Adds reference to:

New Act

Adds reference to:

305 ILCS 5/11-22 from Ch. 23, par. 11-22

Adds reference to:

305 ILCS 5/11-22a from Ch. 23, par. 11-22a

Adds reference to:

305 ILCS 5/11-22b from Ch. 23, par. 11-22b

Adds reference to:

305 ILCS 5/11-22c from Ch. 23, par. 11-22c

Replaces everything after the enacting clause. Creates the Covering ALL KIDS Health Insurance Act and amends the Illinois Public Aid Code. Provides for a program of health care benefits for children, to be administered by the Department of Healthcare and Family Services. Provides for coverage of children who are not eligible for Medicaid or benefits under the Children's Health Insurance Program Act and who either have been without health insurance coverage for a minimum number of months or have a parent who has lost employment. Provides for the exchange of information between insurance companies and the Department. Requires the Department to purchase or provide health care benefits for eligible children that are identical to the benefits provided for children under the Children's Health Insurance Program Act, except for non-emergency transportation; authorizes the Department to offer alternative benefits. Provides for co-payments and coinsurance, as well as monthly premiums. Requires the Department to conduct a study. Assigns certain functions to the Medicaid Advisory Committee. Provides that the Act is repealed on July 1, 2011. Makes Illinois Public Aid Code provisions concerning the Department of Healthcare and Family Services' charge on claims or causes of action, the Department's right of subrogation, and the Department's right to certain recoveries applicable to health care benefits provided under the Covering ALL KIDS Health Insurance Act. Effective July 1, 2006.

Nov 15 05 H Public Act 94-0693

HB 00808 Rep. Patricia R. Bellock-Eileen Lyons-Michael Tryon-Paul D. Froehlich

(Sen. Susan Garrett)

740 ILCS 110/9.2

Amends the Mental Health and Developmental Disabilities Confidentiality Act. Adds prisons operated by the Department of Corrections and mental health facilities operated by a county to the list of entities that may disclose a recipient's record or communications, without consent, to another entity on the list for the purpose of admission, treatment, planning, or discharge. Provides that no records or communications may be disclosed to a State prison unless the Department has entered into a written agreement with the State prison to ensure that the records and communications disclosed are disclosed only to the proper persons. Effective immediately.

Jul 12 05 H Public Act 94-0182

HB 00815 Rep. Jim Watson-Linda Chapa LaVia-Paul D. Froehlich-Aaron Schock-William B. Black, Robert W. Pritchard, Naomi D. Jakobsson, Constance A. Howard, David E. Miller, Bill Mitchell, Roger Jenisch, Bob Biggins, Karen A. Yarbrough, Robin Kelly and Eddie Washington

(Sen. William R. Haine-Deanna Demuzio, Edward D. Maloney, James F. Clayborne, Jr., Jacqueline Y. Collins, Ira I. Silverstein and Mattie Hunter)

110 ILCS 947/40

110 ILCS 947/45

Amends the Higher Education Student Assistance Act. Makes changes concerning veteran grants with regard to who qualifies for assistance, the type of assistance, notification to the postsecondary institution, and administration of the program. Makes changes concerning the Illinois National Guard grant program with regard to who is eligible for a grant and what the grant covers. Effective July 1, 2005.

Aug 15 05 H Public Act 94-0583

HB 00816 Rep. Daniel V. Beiser-Paul D. Froehlich-Ron Stephens

(Sen. William R. Haine)

720 ILCS 5/16A-3.5 new

720 ILCS 5/16A-10 from Ch. 38, par. 16A-10

Amends the Criminal Code of 1961. Creates the offense of theft by emergency exit. Provides that a person commits the offense when he or she commits a retail theft and to facilitate the theft he or she leaves the retail mercantile establishment by use of a designated emergency exit. Establishes penalties. Effective immediately.

Correctional Note (Dept of Corrections)

Corrections Population Impact: 202 Inmates. Fiscal Impact: $51,901,400.

Aug 04 05 H Public Act 94-0449

HB 00823 Rep. Eddie Washington-Harry Osterman

(Sen. Rickey R. Hendon)

775 ILCS 5/7A-102 from Ch. 68, par. 7A-102

775 ILCS 5/7B-102 from Ch. 68, par. 7B-102

Amends the Illinois Human Rights Act. Provides that the Department of Human Rights may (rather than shall) issue a notice of default directed to a respondent who fails to file a verified response to a charge within 60 days of receipt of the notice of the charge, unless the respondent demonstrates good cause as to why the notice should not issue. Provides that the Department shall define "good cause" by rule. Effective immediately.

Jul 26 05 H Public Act 94-0326

HB 00828 Rep. Dan Reitz

(Sen. Mike Jacobs and Pamela J. Althoff)

35 ILCS 516/60

Amends the Mobile Home Local Services Tax Enforcement Act. With respect to the notice for application of judgment and sale of tax-delinquent mobile homes, removes the requirement that the notice include the mobile home park where the mobile home is sited, if known, the model year of the home, and the square footage of the home. Provides that the vehicle identification number of the mobile home must be listed only if known. Effective immediately.

Jun 14 05 H Public Act 94-0019

HB 00829 Rep. Dan Reitz
(Sen. Mike Jacobs)

35 ILCS 200/21-330

35 ILCS 516/275

Amends the Property Tax Code and the Mobile Home Local Services Tax Enforcement Act. Provides that any moneys accumulated in the special fund for the payment of interest by the county treasurer in excess of $100,000 (now, $500,000) must be paid each year prior to the commencement of the annual tax sale, first to satisfy any existing unpaid judgments, and any funds remaining thereafter must be paid to the general fund of the county. Effective immediately.

House Amendment No. 1

In both the Property Tax Code and the Mobile Home Local Services Tax Enforcement Act, provides that any moneys accumulated in the special fund for the payment of interest by the county treasurer in excess of (i) $100,000 in counties with 250,000 or less inhabitants or (ii) $500,000 in counties with more than 250,000 inhabitants (instead of $100,000 for all counties) must be paid each year prior to the commencement of the annual tax sale, first to satisfy any existing unpaid judgments, and any funds remaining thereafter must be paid to the general fund of the county.

Jul 29 05 H Public Act 94-0362

HB 00832 Rep. David R. Leitch-Michael K. Smith-Frank J. Mautino-Donald L. Moffitt-Aaron Schock
(Sen. Dale E. Risinger and Pamela J. Althoff)

55 ILCS 5/6-1002.5

Amends the Counties Code. Provides that, in its annual budget, a county may appropriate an amount not to exceed 5% (now, 3%) of the amount appropriated to the county's general corporate or operating fund, for the purpose of making specified capital improvements, repairs, or replacements with respect to real property or equipment or other tangible personal property of the county. Effective immediately.

Senate Floor Amendment No. 2 (Senate recedes May 31, 2005)

Adds reference to:

55 ILCS 5/5-1006.5

Further amends the Counties Code concerning the Special County Occupation Tax For Public Safety or Transportation Law. Provides that, if a county imposes a tax under the Law, then it may, by ordinance, provide that the tax does not apply to the sale or use of motor fuel or to specific types of motor fuel. Provides that, if the county board provides that the tax does not apply with respect to the sale or use of motor fuel or specific types of motor fuel, then a referendum is not required to reimpose the tax with respect to that motor fuel.

Aug 22 05 H Public Act 94-0644

HB 00834 Rep. Kathleen A. Ryg-John A. Fritchey-Karen May-Linda Chapa LaVia-Sidney H. Mathias
(Sen. Terry Link-Jacqueline Y. Collins)

New Act

Creates the Restroom Access Act. Requires a retail establishment that has a toilet facility for its employees to allow a customer to use that facility during normal business hours if the following conditions are met: (1) the customer requesting the use of the employee toilet facility suffers from an eligible medical condition or utilizes an ostomy device; (2) three or more employees of the retail establishment are working at the time the request is made; (3) the retail establishment does not normally make a restroom available to the public; (4) the employee toilet facility is not located in an area where providing access would create an obvious health or safety risk to the customer; and (5) a public restroom is not immediately accessible to the customer. Provides circumstances in which the retail establishment or an employee would not be civilly liable for any act or omission in allowing a customer to use an employee toilet facility. Provides that a retail establishment is not required to make any physical changes to an employee toilet facility. Provides a penalty of not more than $100 for a violation of the Act. Effective immediately.

House Amendment No. 1

Provides that a "retail establishment' does not include a filling station or service station, with a structure of 800 square feet or less, that has an employee toilet facility located within that structure.

House Amendment No. 2

Provides that in addition to certain conditions being met, a retail establishment that has a toilet facility for its employees shall allow a customer to use that facility during normal business hours if the toilet facility is reasonably safe. Provides that a retail establishment or an employee of a retail establishment is not civilly liable for any act or omission in allowing a customer that has an eligible medical condition (instead of a customer) to use an employee toilet facility that is not a public restroom if the act or omission meets specified conditions.

Aug 04 05 H Public Act 94-0450

HB 00847 Rep. Bob Biggins-Sara Feigenholtz-John A. Fritchey-Robert S. Molaro-Mark H. Beaubien, Jr., Paul D. Froehlich and Elizabeth Coulson
(Sen. Christine Radogno)

5 ILCS 460/85 new

5 ILCS 460/90 new

Amends the State Designations Act. Designates the Eastern Tiger Salamander as the official State amphibian of Illinois. Designates the Painted Turtle as the official State reptile of Illinois.

Jul 19 05 H Public Act 94-0257

HB 00864 Rep. Jim Sacia-John J. Millner-Sidney H. Mathias-Patricia Bailey, Jack D. Franks and Linda Chapa LaVia
(Sen. Antonio Munoz-William R. Haine)

720 ILCS 5/12-4 from Ch. 38, par. 12-4

Amends the Criminal Code of 1961. Provides that aggravated battery is a Class X felony (rather than a Class 2 felony if the victim is a peace officer) if the person who commits the battery intentionally or knowingly causes great bodily harm or permanent disability or disfigurement to an individual known by the person to be a peace officer, a community policing volunteer, a correctional institution employee, an employee of the Department of Human Services supervising or controlling sexually dangerous persons or sexually violent persons, or a fireman while such officer, volunteer, employee, or fireman is engaged in the execution of any official duties including arrest or attempted arrest, or to prevent the officer, volunteer, employee, or fireman from performing official duties, or in retaliation for the officer, volunteer, employee, or fireman performing official duties, and the battery is committed other than by the discharge of a firearm. Effective immediately.

Correctional Note (Dept of Corrections)

Corrections Population Impact: 169 Inmates. Fiscal Impact: $37,532,700.

Senate Committee Amendment No. 1

Provides that aggravated battery that does not cause great bodily harm or permanent disability or disfigurement is a Class 2 felony when the person knows the individual harmed to be a peace officer, a community policing volunteer, a correctional institution employee, an employee of the Department of Human Services supervising or controlling sexually dangerous persons or sexually violent persons, or a fireman while such officer, volunteer, employee, or fireman is engaged in the execution of any official duties including arrest or attempted arrest, or to prevent the officer, volunteer, employee, or fireman from performing official duties, or in retaliation for the officer, volunteer, employee, or fireman performing official duties, and the battery is committed other than by the discharge of a firearm. Provides that if great bodily harm or permanent disability or disfigurement is caused to such individuals, the penalty is a Class 1 felony.

Jul 29 05 H Public Act 94-0363

HB 00866 Rep. Michael P. McAuliffe-Angelo Saviano and Terry R. Parke
(Sen. Dan Cronin-M. Maggie Crotty-Kathleen L. Wojcik)

225 ILCS 410/1-4	from Ch. 111, par. 1701-4
225 ILCS 410/1-7	from Ch. 111, par. 1701-7
225 ILCS 410/2-1	from Ch. 111, par. 1702-1
225 ILCS 410/2-4b new	
225 ILCS 410/2-7	from Ch. 111, par. 1702-7
225 ILCS 410/2A-7	
225 ILCS 410/3-1	from Ch. 111, par. 1703-1
225 ILCS 410/3-2	from Ch. 111, par. 1703-2
225 ILCS 410/3-4	from Ch. 111, par. 1703-4
225 ILCS 410/3-6	from Ch. 111, par. 1703-6
225 ILCS 410/3-7	from Ch. 111, par. 1703-7
225 ILCS 410/3A-1	from Ch. 111, par. 1703A-1
225 ILCS 410/3A-3	from Ch. 111, par. 1703A-3
225 ILCS 410/3A-5	from Ch. 111, par. 1703A-5
225 ILCS 410/3B-10	
225 ILCS 410/3B-11	
225 ILCS 410/3B-13	
225 ILCS 410/3B-15	
225 ILCS 410/3C-1	from Ch. 111, par. 1703C-1
225 ILCS 410/3C-2	from Ch. 111, par. 1703C-2
225 ILCS 410/3C-3	from Ch. 111, par. 1703C-3
225 ILCS 410/3D-5	
225 ILCS 410/4-1	from Ch. 111, par. 1704-1
225 ILCS 410/4-1.5	
225 ILCS 410/4-2	from Ch. 111, par. 1704-2
225 ILCS 410/3C-4 rep.	
225 ILCS 410/3C-5 rep.	

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Changes all references to the Barber, Cosmetology, Esthetics, and Nail Technology Committee to the Barber, Cosmetology, Esthetics, and Nail Technology Board. Removes licensed barbers and barber teachers from those persons allowed to hold themselves out as estheticians or esthetics teachers and engage in the practice of esthetics without being licensed as estheticians or esthetics teachers. Adds performing certain services upon the cranial prosthesis or cranial prosthetic attachment of any person to the definition of barbering and cosmetology. Sets forth qualifications for the licensure of barber clinic teachers. Prohibits cosmetologists, estheticians, and nail technicians from using any technique, product, or practice intended to affect the living layers of the skin (now, prohibits them from performing any procedure that may puncture or abrade the skin below the stratum corneum of the epidermis or remove closed milia which may draw blood or serous body fluid). Provides that in order for a person to be qualified to receive a license as a cosmetologist or nail technician, that person must be beyond the age of compulsory school attendance or have a certificate of graduation from a school providing secondary education or the recognized equivalent of that certificate (now, he or she must have graduated from an eighth grade elementary school). Provides that in order for a person to be qualified to receive a license as a cosmetology clinic teacher, esthetics clinic teacher, or nail technology clinic teacher that person must have (i) completed a clinic teacher program of a certain number of hours or (ii) within 5 years preceding the required examination, have a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed member of the profession (now, requires the person to do both). Raises continuing education program sponsor application fees. Repeals Sections concerning pre-existing nail technology and nail technology teacher practitioners. Makes other changes.

Senate Committee Amendment No. 2

Deletes reference to:

225 ILCS 410/2-4b new

HB 00866 (CONTINUED)

Deletes reference to:

225 ILCS 410/4-1.5

Adds reference to:

5 ILCS 80/4.16

Adds reference to:

5 ILCS 80/4.26 new

Adds reference to:

225 ILCS 410/3C-9 from Ch. 111, par. 1703C-9

Adds reference to:

225 ILCS 410/4-1.5 rep.

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Amends the Regulatory Sunset Act to extend the repeal of the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 to January 1, 2016. Further amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Removes references to esthetics from the definition of "licensed barber" and "licensed barber teacher". Removes the provision concerning licensure as a barber clinic teacher. Makes changes to the requirements for licensure as a barber school. Changes references from "fitness" to "eligibility" as the term relates to Department of Financial and Professional Regulation-authorized examinations. Restores the provision that provides that an individual who receives a license as a cosmetology teacher shall not be required to maintain an active cosmetology license in order to practice cosmetology. Provides that the Department shall not issue any new cosmetology, esthetics, or nail technology clinic teacher licenses after January 1, 2009, but that any person issued a license as a cosmetology, esthetics, or nail technology clinic teacher before January 1, 2009, may renew the license after that date and may continue to renew the license or have the license restored during his or her lifetime, subject only to the renewal or restoration requirements for the license under the Act. Removes the provision allowing the Department to select a qualified organization that has no direct business relationship with a licensee, licensed entity, or a subsidiary of a licensed entity under the Act to maintain and verify records relating to continuing education. Provides that the continuing education requirements concerning cosmetology licensure do not apply to a licensee who (i) is at least 62 years of age or (ii) has been licensed as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher for at least 25 years (now, the requirements do not apply to a licensee who (i) is at least 62 years of age before January 1, 1999 or (ii) has been licensed as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher for at least 25 years and does not regularly work as a cosmetologist, cosmetology teacher, or cosmetology clinic teacher for more than 14 hours per week). Restores the definition of "esthetician". Removes specific question subject areas of the written esthetician license exam. In the Section concerning requisites for ownership or operation of a cosmetology, esthetics, or nail technology school, removes the requirement that the application to own or operate a school include a copy of the school's official policies and procedures, including the school's written internal complaint procedure. Provides that the Department may impose fines (now, civil penalties) not to exceed $5,000 (now $1,000) for a violation of the Act. Restores the provision that provides that the conduct of business or instructional services other than at locations approved by the Department is a ground for discipline under the Act. Provides that 2 members of the Barber, Cosmetology, Esthetics, and Nail Technology Board shall be representatives of either a franchiser or an owner operating salons in 2 or more locations within the State. Repeals the Section concerning continuing education. Makes other changes. Effective December 31, 2005.

Aug 04 05 H Public Act 94-0451

HB 00870 Rep. Angelo Saviano-Roger Jenisch

(Sen. James A. DeLeo)

735 ILCS 5/7-103.113 new

735 ILCS 5/7-103.114 new

735 ILCS 5/7-103.115 new

735 ILCS 5/7-103.116 new

Amends the Code of Civil Procedure. Grants quick-take authority to Lake County for the specified properties for road improvements and bridge replacement projects. Grants quick-take authority to DeWitt County for the specified properties for road improvements projects. Effective immediately.

House Amendment No. 1

Deletes reference to:

735 ILCS 5/7-103.114

Deletes reference to:

735 ILCS 5/7-103.115

Deletes reference to:

735 ILCS 5/7-103.116

Deletes everything after the enacting clause. Amends the Code of Civil Procedure. Grants DeWitt County quick-take authority to acquire the listed property for road improvement purposes. Effective immediately.

Senate Floor Amendment No. 3 (Senate recedes May 27, 2005)

Adds reference to:

735 ILCS 5/7-103.114 new

Further amends the Code of Civil Procedure. Grants quick-take authority to the Bloomington and Normal Water Reclamation District for the specified property to be used for sewer overflow improvements.

Aug 02 05 H Public Act 94-0408

HB 00872 Rep. Angelo Saviano

(Sen. Ira I. Silverstein)

225 ILCS 320/13.1

Amends the Illinois Plumbing License Law. Makes changes concerning the amount of general liability, property damage, and workers compensation insurance coverage that a plumbing contractor must carry. Effective immediately.

Jul 19 05 H Public Act 94-0258

HB 00873 Rep. Angelo Saviano-Marlow H. Colvin-Rosemary Mulligan-Harry Osterman-William Davis and Ed Sullivan, Jr.
(Sen. Don Harmon-Dan Rutherford-Dave Sullivan)

720 ILCS 375/1.5 from Ch. 121 1/2, par. 157.32

Amends the Ticket Scalping Act. Provides that the Act does not prohibit a ticket holder from selling a ticket for admission to a baseball game, football game, hockey game, theatre entertainment, or any other amusement for a price more than the price printed on the face of the ticket and for more than the price of the ticket at the box office if the sale is made through an Internet website and certain specified conditions are met. Effective immediately.

House Amendment No. 1

Adds reference to:

720 ILCS 375/0.01 from Ch. 121 1/2, par. 157.30

Adds reference to:

720 ILCS 375/1 from Ch. 121 1/2, par. 157.31

Deletes everything after the enacting clause. Amends the Ticket Scalping Act. Changes the short title of the Act to the Ticket Sale and Resale Act. Establishes exemptions to the Act for Internet auction listing services duly registered with the Department of Financial and Professional Regulation under the Auction License Act and certain Internet website resales if certain conditions are met. Effective immediately.

House Amendment No. 2

Deletes everything after the enacting clause. Amends the Ticket Scalping Act. Changes the short title of the Act to the Ticket Sale and Resale Act. Establishes additional requirements for ticket brokers, Internet auction listing services, and Internet operator resellers of tickets who are exempt from the prohibitions on selling tickets over face value provisions. Provides that the exemption from the prohibitions on selling tickets over face value only apply to the resale of a ticket after the initial sale of that ticket. Provides that a reseller of a ticket may not refuse to sell tickets to another ticket reseller solely on the basis that the purchaser is a ticket reseller or ticket broker authorized to resell tickets. Effective immediately.

Jun 14 05 H Public Act 94-0020

HB 00875 Rep. Angelo Saviano-David E. Miller-Harry Osterman-John A. Fritchey-William Delgado, Bill Mitchell, Kurt M. Granberg and Elizabeth Coulson
(Sen. William R. Haine-Arthur J. Wilhelmi)

5 ILCS 80/4.16	
5 ILCS 80/4.26 new	
225 ILCS 25/4	from Ch. 111, par. 2304
225 ILCS 25/8.2 new	
225 ILCS 25/11	from Ch. 111, par. 2311
225 ILCS 25/16	from Ch. 111, par. 2316
225 ILCS 25/16.1	from Ch. 111, par. 2316.1
225 ILCS 25/16.2 new	
225 ILCS 25/19	from Ch. 111, par. 2319
225 ILCS 25/23	from Ch. 111, par. 2323
225 ILCS 25/50	from Ch. 111, par. 2350
225 ILCS 25/54.2 new	

Amends the Regulatory Sunset Act. Extends the repeal of the Illinois Dental Practice Act to January 1, 2016. Amends the Illinois Dental Practice Act. Defines "titration" and "dental emergency responder". Prohibits the titration of orally administered sedative agents that exceeds the maximum recommended dose. Provides that a dentist shall not be required to maintain a general license in addition to a specialty license. Provides that restricted faculty licenses shall be valid for a period of 3 years, rather than 2 years. Provides that each license issued under the Act shall be valid for 3 years, rather than being set by rule of the Department of Financial and Professional Regulation. Changes continuing education requirements for hours of study. Provides that a surviving spouse or certain other interested parties in an estate may employ, contract with, or otherwise make arrangements for a dentist or dentists to temporarily continue to operate a dental practice under the name of a deceased or incapacitated dentist under certain specified circumstances. Provides that dentists shall be entitled to reasonable reimbursement for the costs of reproducing patient dental records. Provides that a dentist or dental hygienist who is a dental emergency responder acts within the bounds of his or her license when he or she provides care during a declared local, State, or national emergency. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

225 ILCS 25/8.2 new

Deletes reference to:

225 ILCS 25/16.2 new

Deletes reference to:

225 ILCS 25/23

Adds reference to:

225 ILCS 25/7	from Ch. 111, par. 2307

Adds reference to:

225 ILCS 25/9	from Ch. 111, par. 2309

Adds reference to:

225 ILCS 25/25	from Ch. 111, par. 2325

HB 00875 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Removes references to titration and provisions concerning the maintenance of a general license in addition to a specialty license. Removes a provision requiring the vote of at least 7/10 of the members of the Board of Dentistry for the Department of Financial and Professional Regulation to adopt the recommendations of the Board in any rulemaking under the Act. Makes changes in the requirements for licensure as a dentist if the applicant completed his or her dental education by graduating from a dental college or school outside the United States or Canada. Provides that each license issued under the Act shall be valid for 3 years and may be renewed or restored for additional 3-year periods, as provided by rule (rather than just renewed for additional 3-year periods). Provides that any dentist or dental hygienist whose license has expired or is on inactive status must, in addition to paying the required fee, show proof of compliance with current continuing education requirements in order to have the license restored at any time within 5 years after the expiration of the license. Removes the provision concerning the continued operation of a dental practice upon death or incapacitation of a dentist. Provides that prior to taking an in-person statement from a dentist or dental hygienist who is the subject of a complaint, the investigator shall inform the dentist or the dental hygienist in writing that failure of the dentist or dental hygienist to proceed with the interview does not prohibit the Department from conducting a visual inspection of the facility. Makes other changes. Effective immediately.

Senate Floor Amendment No. 5

Deletes everything after the enacting clause. Reinserts the contents of the bill as engrossed and incorporates Senate Amendment Nos. 1 and 3. Effective December 31, 2005.

Aug 02 05 H Public Act 94-0409

HB 00876 Rep. Richard T. Bradley-Kathleen A. Ryg-Angelo Saviano and Arthur L. Turner
(Sen. Carol Ronen and Jacqueline Y. Collins)

225 ILCS 65/15-10
225 ILCS 65/15-20
225 ILCS 85/4 from Ch. 111, par. 4124
225 ILCS 95/7.5
720 ILCS 570/102 from Ch. 56 1/2, par. 1102
720 ILCS 570/303.05
720 ILCS 570/410 from Ch. 56 1/2, par. 1410

Amends the Nursing and Advanced Practice Nursing Act. Provides that an applicant seeking licensure in more than one advanced practice nursing category need not possess multiple graduate degrees. Provides that applicants may be eligible for licenses for multiple advanced practice nurse licensure categories, provided that the applicant (i) has met the requirements for at least one specified advanced practice nursing specialty, (ii) possesses an additional graduate education that results in a certificate for another clinical advanced practice nurse category and that meets the requirements for the national certification from the appropriate nursing specialty, and (iii) holds a current national certification from the appropriate national certifying body for that additional advanced practice nursing category. Adds Schedule II controlled substances to the list of controlled substances that an advanced practice nurse must obtain a mid-level practitioner controlled substance license for in order to prescribe. Amends the Pharmacy Practice Act. Exempts the delegation of limited prescriptive authority regarding Schedule II controlled substances by a physician licensed to practice medicine in all its branches to a physician assistant from the Act. Amends the Physician Assistant Practice Act of 1987 to allow physicians assistants with delegated prescriptive authority to prescribe Schedule II controlled substances. Amends the Illinois Controlled Substances Act. Adds a physician assistant who issues a prescription for a Schedule II controlled substance to the definition of "prescriber". Adds Schedule II controlled substances to the list of controlled substances that the Department of Financial and Professional Regulation must register licensed physician assistants and licensed advanced practice nurses to prescribe and dispense. Provides that when a person meeting certain requirements pleads guilty to or is found guilty of possession of a controlled or counterfeit substance, the court may require that person to refrain from having in his or her body the presence of certain illicit drugs, unless prescribed by a physician or an advanced practice nurse or physician assistant meeting certain requirements (now, only excepts those drugs prescribed by a physician). Effective immediately.

House Amendment No. 1

Deletes reference to:
225 ILCS 65/15-20
Deletes reference to:
225 ILCS 85/4 from Ch. 111, par. 4124
Deletes reference to:
225 ILCS 95/7.5
Deletes reference to:
720 ILCS 570/102 from Ch. 56 1/2, par. 1102
Deletes reference to:
720 ILCS 570/303.05
Deletes reference to:
720 ILCS 570/410 from Ch. 56 1/2, par. 1410

Deletes everything after the enacting clause. Amends the Nursing and Advanced Practice Nursing Act. Provides that in order for a person to be qualified for licensure as an advanced practice nurse, he or she must have obtained a graduate degree appropriate for national certification in a clinical advanced practice nursing specialty or a graduate degree or post-master's certificate from a graduate level program in a clinical advanced practice nursing specialty. Provides that an applicant seeking licensure in more than one advanced practice nursing category need not possess multiple graduate degrees. Provides that applicants may be eligible for licenses for multiple advanced practice nurse licensure categories, provided that the applicant (i) has met the requirements for at least one specified advanced practice nursing specialty, (ii) possesses an additional graduate education that results in a certificate for another clinical advanced practice nurse category and that meets the requirements for the national certification from the appropriate nursing specialty, and (iii) holds a current national certification from the appropriate national certifying body for that additional advanced practice nursing category. Effective immediately.

Jul 28 05 H Public Act 94-0348

HB 00881 Rep. Renee Kosel-Michael K. Smith-Sidney H. Mathias-Charles E. Jefferson-Sandra M. Pihos, Rosemary Mulligan, Jack D. Franks, Michael P. McAuliffe, Marlow H. Colvin, Paul D. Froehlich, Aaron Schock, David R. Leitch, Elizabeth Coulson, John D'Amico, Karen May and Patricia R. Bellock

(Sen. Miguel del Valle and Kirk W. Dillard)

105 ILCS 5/Art. 14A heading new

105 ILCS 5/14A-5 new

105 ILCS 5/14A-10 new

105 ILCS 5/14A-15 new

105 ILCS 5/14A-20 new

105 ILCS 5/14A-25 new

105 ILCS 5/14A-30 new

105 ILCS 5/14A-35 new

105 ILCS 5/14A-40 new

105 ILCS 5/14A-45 new

105 ILCS 5/14A-50 new

105 ILCS 5/14A-55 new

105 ILCS 5/14A-60 new

105 ILCS 5/14A-65 new

Amends the School Code. Sets forth provisions concerning education programs for gifted and talented children. Includes provisions concerning early identification, eligibility, program supervision, monitoring, and oversight, school improvement plans, an advisory council, grants for services and materials, contracts for experimental projects and institutes, and professional development for teachers as it relates to the education of gifted and talented children. Grants rulemaking authority to the State Board of Education. Effective July 1, 2005.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/14A-60 new

Deletes reference to:

105 ILCS 5/14A-65 new

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Provides that the Article applies beginning with the 2006-2007 school year, rather than the 2005-2006 school year. Provides that school districts shall continue to have the authority and flexibility to design (rather than the authority and responsibility to develop) education programs for gifted and talented children in response to community needs and that these programs must comply with the requirements established in the Article by no later than September 1, 2006 in order to merit recognition by the State Board of Education and to qualify for State funding for the education of gifted and talented children, should such funding become available. Provides that a child shall be considered gifted and talented in any area of aptitude and, specifically, in language arts and mathematics, by scoring in the top 5% locally in that area of aptitude. Removes the provisions concerning early identification, eligibility, State supervision, monitoring, and oversight, annual reports, school improvement plans, and teacher certification and professional development. Sets forth minimum requirements that must be met by local programs for the education of gifted and talented children in order for the programs to be recognized by the State Board of Education and to qualify for State funding and requires the local educational agency operating the program to submit a written program description to the State Board demonstrating the fulfillment of the requirements. Sets forth the administrative functions of the State Board, including the designation of a staff person who shall be in charge of educational programs for gifted and talented children. Makes other changes. Effective immediately.

Senate Committee Amendment No. 1

HB 00881 (CONTINUED)

Changes certain references from recognition by the State Board of Education to approval by the State Board of Education. Provides that a local program for the education of gifted and talented children must use a minimum of 3 assessment measures used to identify gifted and talented children in each area in which a program for gifted and talented children is established (rather than in each area of aptitude) and provide a fair and impartial appeal process within the school, school district, or cooperative of school districts operating a program (rather than within the local educational agency) for parents or guardians of aggrieved children. Provides that a local program for the education of gifted and talented children must provide a description of how gifted and talented children will be grouped and instructed in order to maximize the educational benefits the children derive from participation in the program (rather than a description of how the children will be grouped and instructed in language arts and in mathematics in order to maximize the educational benefits they derive from participation in a program addressing those areas of aptitude) and a showing that the certified teachers who are assigned to teach gifted and talented children understand the characteristics and educational needs of the children and are able to differentiate the curriculum (rather than are qualified to address the educational needs of the children and to differentiate the curriculum). Provides that initially, 4 members of the Advisory Council shall serve terms through January 1, 2007 and 3 members will serve terms through January 1, 2009. Makes other changes.

Senate Floor Amendment No. 2

Adds reference to:

105 ILCS 5/10-22.3a from Ch. 122, par. 10-22.3a

Further amends the School Code. With respect to school districts other than the Chicago school district, provides that nothing contained in the School Code may preclude an elected school board member from participating in a group health insurance program provided to an employee of the school district that the board member serves if the board member is a spouse or unmarried child of that employee.

Aug 02 05 H Public Act 94-0410

HB 00884 Rep. John J. Millner

(Sen. Don Harmon)

720 ILCS 5/14-2 from Ch. 38, par. 14-2

Amends the Criminal Code of 1961 relating to exemptions from eavesdropping violations. Permits the interception, recording, or transcription of an electronic communication by an employee of a penal institution (rather than an employee of the Illinois Department of Corrections), provided that the interception, recording, or transcription is: (1) otherwise legally permissible under Illinois law; (2) conducted with the approval of the penal institution (rather than the Illinois Department of Corrections) for the purpose of investigating or enforcing a State criminal law or a penal institution rule or regulation (rather than a Department rule or regulation) with respect to inmates in the penal institution (rather than persons committed to the Illinois Department of Corrections); and (3) within the scope of the employee's official duties.

Jul 12 05 H Public Act 94-0183

HB 00885 Rep. Susana A Mendoza-Sandra M. Pihos-Roger Jenisch-William Delgado-John J. Millner, John D'Amico, Paul D. Froehlich, Kevin Joyce, Sidney H. Mathias, Michael P. McAuliffe, Ron Stephens, Ronald A. Wait, Linda Chapa LaVia, Maria Antonia Berrios, Michelle Chavez, Jack D. Franks, Joseph M. Lyons, Robert F. Flider, Kevin A. McCarthy, Careen M Gordon, Daniel J. Burke, Chapin Rose, Richard T. Bradley and Lisa M. Dugan

(Sen. Dan Cronin-Christine Radogno-Jacqueline Y. Collins and Mattie Hunter)

720 ILCS 5/3-5 from Ch. 38, par. 3-5

Amends the Criminal Code of 1961. Provides that a prosecution for the offense of leaving the scene of a motor vehicle accident involving death or personal injuries or failing to give information and render aid following a motor vehicle accident that involves death or personal injuries or damage to an attended vehicle may be commenced at any time.

House Amendment No. 1

Provides that the amendatory Act may be referred to as the Patrick Leahy Law.

Aug 08 05 H Public Act 94-0487

HB 00887 Rep. William B. Black-Paul D. Froehlich-Sidney H. Mathias, Karen A. Yarbrough, Patrick J Verschoore, Jack McGuire, Robert W. Pritchard and Roger L. Eddy

(Sen. Dan Cronin)

65 ILCS 5/1-2-1.2 new

625 ILCS 5/11-208.5 new

625 ILCS 5/16-102 from Ch. 95 1/2, par. 16-102

Amends the Illinois Municipal Code and the Illinois Vehicle Code. Provides that a unit of local government may not enact or enforce any ordinance or rule the violation of which would constitute a felony under the Vehicle Code provision prohibiting driving under the influence of alcohol, drugs, or intoxicating compounds. Provides that a municipal attorney may not prosecute, and a State's Attorney may not allow a municipal attorney to prosecute, any ordinance violation that would constitute a felony under the DUI provision of the Vehicle Code. Provides that a municipal attorney must notify the State's Attorney if a driver's alleged conduct would constitute a felony under the DUI provision.

Jul 05 05 H Public Act 94-0111

HB 00888 Rep. William B. Black-Sidney H. Mathias-Sandra M. Pihos-Roger Jenisch, Karen A. Yarbrough, Patrick J Verschoore, Jack McGuire, Patricia R. Bellock, Eileen Lyons and Robin Kelly

(Sen. Dan Cronin-Terry Link)

625 ILCS 5/6-303 from Ch. 95 1/2, par. 6-303

Amends the Illinois Vehicle Code. Provides that any person convicted of a fifth, sixth, seventh, eighth, or ninth (rather than a fifth or subsequent) offense of driving on a revoked or suspended license or permit is guilty of a Class 4 felony if the revocation or suspension was for a hit-and-run or a DUI violation of the Code or a similar out-of-state offense or a similar provision of a local ordinance or reckless homicide or a statutory summary suspension under the Code. Provides that a person convicted of a tenth, eleventh, twelfth, thirteenth, or fourteenth offense is guilty of a Class 3 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for one of those violations. Provides that person convicted of a fifteenth or subsequent offense is guilty of a Class 2 felony, and is not eligible for probation or conditional discharge, if the revocation or suspension was for one of those violations.

Jul 05 05 H Public Act 94-0112

HB 00892 Rep. Jim Sacia-Harry Osterman-John J. Millner-Patrick J Verschoore-Paul D. Froehlich, Jack D. Franks, Linda Chapa LaVia, Edward J. Acevedo, Suzanne Bassi, Eileen Lyons, Sidney H. Mathias, James H. Meyer, Kathleen A. Ryg and Karen May

(Sen. Peter J. Roskam, Martin A. Sandoval, James F. Clayborne, Jr., Jacqueline Y. Collins, Ira I. Silverstein, Edward D. Maloney and Don Harmon)

725 ILCS 5/110-10 from Ch. 38, par. 110-10

Amends the Code of Criminal Procedure of 1963. Deletes a provision allowing legally possessed firearms to be returned to a person that completes a sentence for a conviction on a misdemeanor domestic battery charge.

Aug 15 05 H Public Act 94-0590

HB 00900 Rep. Michael P. McAuliffe
(Sen. James A. DeLeo-Dale E. Risinger-Martin A. Sandoval)

225 ILCS 305/4	from Ch. 111, par. 1304
225 ILCS 305/8	from Ch. 111, par. 1308
225 ILCS 305/16.5	
225 ILCS 325/4	from Ch. 111, par. 5204
225 ILCS 325/5	from Ch. 111, par. 5205
225 ILCS 325/17.5	
225 ILCS 330/4	from Ch. 111, par. 3254
225 ILCS 330/6	from Ch. 111, par. 3256
225 ILCS 330/18.5	
225 ILCS 340/4	from Ch. 111, par. 6604
225 ILCS 340/6	from Ch. 111, par. 6606
225 ILCS 340/14.5	

Amends the Illinois Architecture Practice Act of 1989. Defines "Architect, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired architects who have been granted the title and who meet certain other requirements. Amends the Professional Engineering Practice Act. Defines "Professional Engineer, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired professional engineers who have been granted the title and who meet certain other requirements. Amends the Professional Land Surveyor Act of 1989. Defines "Professional Land Surveyor, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired professional land surveyors who have been granted the title and who meet certain other requirements. Amends the Structural Engineering Practice Act. Defines "Structural Engineer, Retired". Requires the Department of Financial and Professional Regulation to adopt rules concerning the issuance of the title and allows the Department to exempt from continuing education requirements retired structural engineers who have been granted the title and who meet certain other requirements. Effective January 1, 2006.

House Amendment No. 1

Deletes reference to:
225 ILCS 305/4 from Ch. 111, par. 1304
Deletes reference to:
225 ILCS 305/8 from Ch. 111, par. 1308
Deletes reference to:
225 ILCS 305/16.5
Deletes reference to:
225 ILCS 325/4 from Ch. 111, par. 5204
Deletes reference to:
225 ILCS 325/5 from Ch. 111, par. 5205
Deletes reference to:
225 ILCS 325/17.5
Deletes reference to:
225 ILCS 330/4 from Ch. 111, par. 3254
Deletes reference to:
225 ILCS 330/6 from Ch. 111, par. 3256
Deletes reference to:
225 ILCS 330/18.5
Deletes reference to:
225 ILCS 340/4 from Ch. 111, par. 6604
Deletes reference to:
225 ILCS 340/6 from Ch. 111, par. 6606

HB 00900 (CONTINUED)

Deletes reference to:

225 ILCS 340/14.5

Adds reference to:

20 ILCS 2105/2105-5 was 20 ILCS 2105/60b

Adds reference to:

20 ILCS 2105/2105-15 was 20 ILCS 2105/60

Adds reference to:

225 ILCS 325/9 from Ch. 111, par. 5209

Deletes everything. Amends the Department of Professional Regulation Law of the Civil Administrative Code to define "retiree" and to allow the Department of Financial and Professional Regulation to grant the title "Retired" to eligible retirees. Provides that the use of the title shall not constitute representation of current licensure, registration, or certification. Amends the Professional Engineering Act. Removes a provision that requires a principles of practice examination in Software Engineering to be offered to applicants for licensure beginning on or before January 1, 2005. Effective January 1, 2006.

Aug 04 05 H Public Act 94-0452

HB 00908 Rep. Marlow H. Colvin

(Sen. Kimberly A. Lightford, Adeline Jay Geo-Karis, Dave Sullivan, John O. Jones, Dale E. Risinger, Larry K. Bomke and Richard J. Winkel, Jr.)

115 ILCS 5/11 from Ch. 48, par. 1711

30 ILCS 805/8.29 new

Amends the Illinois Educational Labor Relations Act. Provides that, if a collective bargaining agreement that includes a fair share clause expires or continues in effect beyond its scheduled expiration date pending the negotiation of a successor agreement, then the employer shall continue to honor and abide by the fair share clause until a new agreement that includes a fair share clause is reached. Provides that failure to honor and abide by the fair share clause for the benefit of any exclusive representative shall be a violation of the duty to bargain and an unfair labor practice. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Jul 14 05 H Public Act 94-0210

HB 00909 Rep. Careen M Gordon

(Sen. Debbie DeFrancesco Halvorson-Gary G. Dahl)

55 ILCS 85/4 from Ch. 34, par. 7004

Amends the County Economic Development Project Area Property Tax Allocation Act. Provides that the corporate authorities of Grundy County may, by ordinance, propose the establishment of an economic development project and fix a time and place for a public hearing. Provides if an ordinance if adopted, Grundy County shall submit a certified copy of the ordinance, as adopted, to the Department of Commerce and Economic Opportunity.

Senate Committee Amendment No. 1

Further amends the County Economic Development Project Area Property Tax Allocation Act. Provides that if Grundy County adopts an economic development project ordinance, the ordinance must find that the project will positively impact the county's economy, including creating or retaining 250 jobs and creating $50,000,000 of private investment.

Jul 19 05 H Public Act 94-0259

HB 00911 Rep. Robert W. Churchill
(Sen. Debbie DeFrancesco Halvorson)

5 ILCS 220/6 from Ch. 127, par. 746

Amends the Intergovernmental Cooperation Act. Provides that an intergovernmental self-insurance agreement, cooperative, or pool does not interfere with statutory obligations of collective bargaining. Makes it unlawful for an intergovernmental joint insurance pool or cooperative to discriminate or retaliate against public agency members that limit their participation in the pool or cooperative as a result of collective bargaining obligations. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Intergovernmental Cooperation Act. Provides that no joint insurance pool or intergovernmental cooperative offering health insurance shall interfere with a public agency's required collective bargaining subjects or discriminate or retaliate against a public agency member that limits its participation as a result of collective bargaining. No intergovernmental insurance contract offering health insurance shall limit the collective bargaining rights or obligations of public agency members. With respect to intergovernmental insurance contracts relating to health, life, or life and health insurance, provides that the pool or contract may permit re-pricing of the costs of coverage for continuing officers and employees when a member withdraws officers or employees into a union-supported program. Prohibits expelling a member from the pool or cooperative if the continuing officers and employees meet general criteria required of all members. Effective immediately.

Governor Amendatory Veto Message

Provides that the prohibition against joint insurance pools and intergovernmental cooperatives interfering with certain collective bargaining rights and obligations does not apply to the State and its agencies.

Nov 09 05 H Public Act 94-0685

HB 00917 Rep. Karen A. Yarbrough-Paul D. Froehlich-Cynthia Soto-Deborah L. Graham-Robin Kelly, Milton Patterson, Kenneth Dunkin, David E. Miller and Marlow H. Colvin
(Sen. Carol Ronen)

775 ILCS 5/3-105.1 new

Amends the Illinois Human Rights Act. Makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by specified provisions of the federal Fair Housing Act. Effective January 1, 2006.

House Amendment No. 1

Deletes everything. Amends the Illinois Human Rights Act. Makes it a civil rights violation to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by the Real Estate Transactions Article of the Act. Effective January 1, 2006.

Jun 27 05 H Public Act 94-0078

HB 00918 Rep. Kevin Joyce-Thomas Holbrook-John J. Millner
(Sen. James F. Clayborne, Jr.-Kirk W. Dillard)

415 ILCS 5/1 from Ch. 111 1/2, par. 1001

Amends the Environmental Protection Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

415 ILCS 5/1 from Ch. 111 1/2, par. 1001

Adds reference to:

415 ILCS 5/39.2 from ch. 111 1/2, par. 1039.2

Deletes everything after the enacting clause. Amends the Environmental Protection Act. In a Section providing that siting approval will be granted if the facility is consistent with the solid waste management plan of the county, defines the "solid waste management plan" as the plan in effect when the application for siting approval is filed. Provides that this amendatory Act applies only to siting applications filed on or after the effective date of the amendatory Act. Effective immediately.

Fiscal Note (H-AM 1) (Illinois Environmental Protection Agency)

House Bill 918, as amended by House Amendment 1, would not impose any costs upon the Illinois Environmental Protection Agency since the Agency is not involved in the local siting process.

Aug 15 05 H Public Act 94-0591

HB 00920 Rep. Richard P. Myers and Naomi D. Jakobsson
(Sen. Don Harmon)

730 ILCS 125/17 from Ch. 75, par. 117

Amends the County Jail Act. Provides that the costs of medical or hospital services of a prisoner held in a county jail who has been determined to be eligible for medical assistance under the Illinois Public Aid Code at the time the person is initially detained pending trial shall be reimbursed by the Department of Public Aid to the extent those costs exceed $500 (rather than $2,500).

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill. Further amends the County Jail Act. Provides that moneys in the Arrestee's Medical Costs Fund to be used for reimbursement of costs for medical expenses relating to the arrestee may be used only for medical expenses while the arrestee is in the custody of the sheriff. Effective immediately.

Fiscal Note (H-AM1) (Dept. of Public Aid)

The fiscal impact of this legislation is estimated to be $20,000 annually. These expenditures are primarily ineligible for Federal match.

Aug 08 05 H Public Act 94-0494

HB 00923 Rep. Edward J. Acevedo and Karen A. Yarbrough
(Sen. William R. Haine-Jacqueline Y. Collins)

720 ILCS 5/8-2 from Ch. 38, par. 8-2

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Criminal Code of 1961. Provides that conspiracy to commit treason, first degree murder, or aggravated kidnapping is a Class 1 (rather than a Class 2) felony. Provides that conspiracy to commit aggravated criminal sexual assault or predatory criminal sexual assault of a child is a Class 1 (rather than a Class 4) felony. Amends the Unified Code of Corrections. Provides that a prisoner serving a sentence for felony domestic battery or for aggravated domestic battery may receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment. Effective immediately.

Fiscal Note (Department of Corrections)

House Bill 923 has a Corrections Population Impact of 544 inmates and a Fiscal Impact of $126,960,700 over ten years.

House Amendment No. 1

Deletes reference to:

730 ILCS 5/3-6-3

Deletes the amendatory changes to the Unified Code of Corrections that provide that a prisoner serving a sentence for felony domestic battery or for aggravated domestic battery may receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

Correctional Note (Dept of Corrections)

Corrections Population Impact: 544 inmates. Fiscal Impact: $126,960,700 over ten years.

Correctional Note (H-AM 1) (Dept. of Corrections)

Corrections Population Impact: 52 Inmates. Fiscal Impact: $8,919,000.

Jul 12 05 H Public Act 94-0184

HB 00930 Rep. Brent Hassert-Angelo Saviano-John D'Amico
(Sen. William R. Haine)

225 ILCS 320/18 from Ch. 111, par. 1117

Amends the Illinois Plumbing License Law. Provides that a city, village, or county that requires a permit for the installation and repair of plumbing may issue that permit only upon verification that the applicant is a licensed plumber or the owner occupant of a single family residence that is the subject of the permit. Effective immediately.

House Amendment No. 1

Adds reference to:

225 ILCS 320/37 from Ch. 111, par. 1135

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following change. Further amends the Illinois Plumbing License Law. Provides that a letter of intent shall be included with all plumbing permit applications and that the letter shall be written on the licensed plumber of record's personal stationary and shall include the license holder's signature and corporate seal. Preempts home rule. Effective immediately.

House Amendment No. 2

Provides that the letter of intent shall be written on the licensed plumber of record's business (rather than personal) stationary and shall include the license holder's signature and, if the license holder is incorporated, the license holder's corporate seal (now, provides that the letter shall include the license holder's signature and corporate seal). Provides that if the license holder is not incorporated, the letter must be notarized.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the contents of the engrossed bill with the following change. Removes the home rule provision. Effective immediately.

Jul 07 05 H Public Act 94-0132

HB 00931 Rep. Brandon W. Phelps-John E. Bradley-Daniel V. Beiser-Robert F. Flider-Lou Lang, Karen A. Yarbrough, Sara Feigenholtz, Lisa M. Dugan, Careen M Gordon, Naomi D. Jakobsson, Mike Boland and Dan Reitz
(Sen. Deanna Demuzio, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Jacqueline Y. Collins, Ira I. Silverstein, Arthur J. Wilhelmi, Edward D. Maloney, M. Maggie Crotty, Gary Forby and Don Harmon)

415 ILCS 120/10

415 ILCS 120/30

415 ILCS 120/31

Amends the Alternate Fuels Act. Provides that beginning July 1, 2005, owners of vehicles using domestic renewable fuel are eligible to apply for a fuel cost differential rebate. Provides that biodiesel blended fuel facilities may be included in the Alternate Fuel Infrastructure Program administered by the Department of Commerce and Economic Opportunity. Provides that "alternate fuel" includes, among other fuels, "80% bio-based methanol" (instead of "bio-based methanol"), fuels that are 80% (instead of 70%) derived from biomass, and hydrogen fuel. Provides that "domestic renewable fuel" includes, among other fuels, "80% bio-based methanol" (instead of "bio-based methanol") and 20% biodiesel fuel (instead of "fuels derived from bio mass"). Makes other changes. Effective immediately.

Fiscal Note (Department of Commerce and Economic Opportunity)

House Bill 931 proposes to expand the grantees eligible for the existing rebate and Alternative Fuel Infrastructure programs at the Department of Commerce and Economic Opportunity. These expanded programs will be operated through existing appropriations received from the Alternate Fuels Fund.

Jun 20 05 H Public Act 94-0062

HB 00942 Rep. Robert F. Flider-Donald L. Moffitt-Eileen Lyons-Naomi D. Jakobsson-Patrick J Verschoore and Jack McGuire
(Sen. John M. Sullivan, Gary Forby and Debbie DeFrancesco Halvorson)

240 ILCS 40/10-25

Amends the Grain Code. Authorizes the use of warehouse receipts in electronic form. Provides that electronic receipts are as valid and enforceable as paper receipts. Provides that references in the Code to written or printed receipts include electronic receipts. Effective immediately.

Jul 14 05 H Public Act 94-0211

HB 00947 Rep. Jay C. Hoffman-Kenneth Dunkin-Thomas Holbrook, Mike Boland, Lovana Jones and Joseph M. Lyons
(Sen. William R. Haine)

625 ILCS 5/3-114 from Ch. 95 1/2, par. 3-114

Amends the Illinois Vehicle Code provision regarding the transfer of title to a vehicle by operation of law. Establishes procedures to be followed if the vehicle is the subject of a bankruptcy proceeding or discharge. Provides that certain requirements of the provision do not apply to bankruptcy proceedings or orders.

Aug 02 05 H Public Act 94-0411

HB 00950 Rep. John A. Fritchey-David E. Miller-William Delgado-Harry Osterman
(Sen. Don Harmon-Kirk W. Dillard)

745 ILCS 49/20

Amends the Good Samaritan Act. Defines "organized program" for the purposes of the Section concerning immunity for free dental clinics. Provides that services donated to a free dental clinic may be provided at a clinic, hospital, medical facility, or private dental office.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions of the original bill with these changes. Provides that free dental services provided under the Section exempting free dental clinics from civil liability may be provided at a clinic or private dental office (instead of a clinic hospital, medical facility, or private dental office). Provides that a fee received by a free dental clinic may not be used to reimburse or compensate an entity that a person licensed under the Illinois Dental Practice Act owns or controls or in which the person has ownership interest or from which the person receives a fee, reimbursement, or compensation of any kind.

Jun 29 05 H Public Act 94-0083

HB 00956 Rep. Kenneth Dunkin
(Sen. Antonio Munoz)

625 ILCS 5/5-501 from Ch. 95 1/2, par. 5-501

815 ILCS 710/4 from Ch. 121 1/2, par. 754

Amends the Illinois Vehicle Code. Provides that the Secretary of State, on complaint of the Motor Vehicle Review Board, shall refuse to issue or renew a vehicle dealer's license, or shall suspend or revoke that dealer's license, if costs or fees assessed under the Motor Vehicle Franchise Act have remained unpaid for longer than 90 days after the dealer received from the Motor Vehicle Review Board actual notice and demand for the costs or fees. Amends the Motor Vehicle Franchise Act provision regarding unfair competition and practices. Provides that, when a vehicle manufacturer decides to establish or relocate a new sales franchise within the territory of an existing franchisee of that manufacturer, the manufacturer's written notice must state that the franchisee has only 30 days in which to file a written protest.

House Amendment No. 1

Provides that, before the Secretary of State may revoke, suspend or refuse to issue or renew a vehicle dealer's license, the Motor Vehicle Review Board must have sent the dealer written notice and demand for payment of the fees or costs at least 2 times, and the second notice and demand must have been sent by certified mail.

Fiscal Note ()

Jul 21 05 H Public Act 94-0287

HB 00960 Rep. Maria Antonia Berrios-Sidney H. Mathias-Paul D. Froehlich-Joseph M. Lyons-Susana A Mendoza, Michelle Chavez, Cynthia Soto, Deborah L. Graham, Karen A. Yarbrough, Jack D. Franks, Linda Chapa LaVia and John D'Amico

(Sen. Miguel del Valle-Martin A. Sandoval-Iris Y. Martinez and Debbie DeFrancesco Halvorson)

625 ILCS 5/12-604 from Ch. 95 1/2, par. 12-604

Amends the Illinois Vehicle Code. Provides that a motor vehicle equipped with visual media technology other than a navigational system (rather than a motor vehicle equipped with a television receiver) may not be operated on a highway if the viewer or screen is located where it is visible from the driver's seat and is activated. Effective January 1, 2006.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/12-604

Adds reference to:

625 ILCS 5/12-604.1 new

Adds reference to:

625 ILCS 5/12-604 rep. from Ch. 95 1/2, par. 12-604

Deletes everything. Amends the Illinois Vehicle Code. Provides that a person may not operate a motor vehicle if a television receiver, a video monitor, a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications is operating and is located in the motor vehicle at any point forward of the back of the driver's seat, or is operating and visible to the driver while driving the motor vehicle. Creates exceptions. Provides that a person convicted of violating this Section is guilty of a petty offense and shall be fined not more than $100 for a first offense, not more than $200 for a second offense within one year of a previous conviction, and not more than $250 for a third or subsequent offense within one year of 2 previous convictions. Repeals a similar provision pertaining exclusively to television receivers.

Jul 12 05 H Public Act 94-0185

HB 00973 Rep. Donald L. Moffitt

(Sen. Terry Link, Louis S. Viverito and Dave Syverson)

35 ILCS 200/20-115

35 ILCS 200/20-120

35 ILCS 200/20-165

35 ILCS 200/21-295

35 ILCS 516/235

Amends the Property Tax Code. Provides that the county collector may transmit the report of the amount of county taxes received to the county clerk in an electronic format. In a Section concerning accounts for the collector and treasurer, requires the each county clerk and county collector to keep, in written or electronic format, an account stating the amount of county tax to be collected, and the county tax received by him or her from sales and redemptions of forfeited property, and any other county funds that come into the collector's hands (now, each county clerk must keep the account with the county collector). Deletes provisions concerning procedures for the operation of the accounts. Provides that all persons paying money into the county treasury, for all purposes except the county taxes, must deposit the money with the treasurer (now, all persons paying money into the treasury must first obtain, from the county clerk, an order to the treasurer to collect the money). In a Section concerning the lists of errors and inability to collect, deletes a provision that the lists shall be verified by affidavit of the county collector. Amends the Property Tax Code and the Mobile Home Local Services Tax Enforcement Act in a Sections concerning the indemnity funds. Provides that the county collector shall report annually to the county clerk (now, the Circuit Court) on the condition and income of the fund. Effective immediately.

Aug 02 05 H Public Act 94-0412

HB 00984 Rep. Brandon W. Phelps-Daniel V. Beiser-Lisa M. Dugan-David Reis-Patricia R. Bellock, Bob Biggins, Mike Bost, Robert W. Churchill, Lee A. Daniels, Robert F. Flider, Paul D. Froehlich, Careen M Gordon, Randall M. Hultgren, Roger Jenisch, Eileen Lyons, Joseph M. Lyons, James H. Meyer, Bill Mitchell, Richard P. Myers, Terry R. Parke, Dan Reitz, Chapin Rose, Jim Sacia, Timothy L. Schmitz, Aaron Schock, Keith P. Sommer, Patrick J Verschoore, Ronald A. Wait, Jim Watson, Dave Winters, JoAnn D. Osmond, Roger L. Eddy, Art Tenhouse, John J. Millner, Dan Brady, Ron Stephens, Raymond Poe, Jerry L. Mitchell, Rich Brauer, Robert W. Pritchard, Donald L. Moffitt, Michael Tryon, Shane Cultra, James D. Brosnahan, Joe Dunn, Renee Kosel, Kevin Joyce, Gary Hannig, Ed Sullivan, Jr., Michael P. McAuliffe, John E. Bradley, Jack McGuire, Kevin A. McCarthy, Kurt M. Granberg, Suzanne Bassi, Sidney H. Mathias, Richard T. Bradley and Mike Boland

(Sen. William R. Haine-Gary Forby-Louis S. Viverito-Chris Lauzen-Christine Radogno, Edward D. Maloney, James A. DeLeo, Don Harmon, Dale A. Righter, Bill Brady, John M. Sullivan, J. Bradley Burzynski, Arthur J. Wilhelmi and Larry K. Bomke)

5 ILCS 70/1.36 new

Amends the Statute on Statutes. Defines the terms "person", "human being", "child", and "individual" to include every infant member of the species homo sapiens who is born alive at any stage of development. Defines "born alive" to mean the complete expulsion or extraction from the mother of an infant, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion. Provides that nothing in these definitions shall be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species homo sapiens at any point prior to being born alive.

House Amendment No. 1

Provides that the definition of "born alive" shall not be construed (i) to affect existing federal or State law regarding abortion or (ii) to alter generally accepted medical standards.

Aug 12 05 H Public Act 94-0559

HB 00991 Rep. Deborah L. Graham-Elaine Nekritz-Kenneth Dunkin-Robin Kelly-Jack D. Franks, Linda Chapa LaVia, Karen May, John A. Fritchey, David E. Miller and Michael Tryon

(Sen. Mattie Hunter-Kwame Raoul-Edward D. Maloney-Iris Y. Martinez-Jacqueline Y. Collins)

New Act

Creates the Asthma Inhalers at Recreational Camps Act. Provides that a recreational camp shall permit a child with severe, potentially life-threatening allergies to possess and use an epinephrine auto-injector provided certain conditions are met. Provides that the recreational camp shall obtain information from the child's physician concerning the child's health and proper administration of any medication. Provides that if the conditions of the Act are met, the child may possess and use an epinephrine auto-injector at the recreational camp or at any camp sponsored activity, event, or program. Defines "physician" and "recreational camps".

House Amendment No. 1

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of HB 991, except provides that a recreation camp shall permit a child with sever, potentially life-threatening allergies to possess, self-administer, and use an epinephrine auto-injector or inhaler if certain conditions are met (instead of a recreation camp shall permit a child with severe, potentially life-threatening allergies to possess and use an epinephrine auto-injector if certain conditions are met). Provides that the child's parent or guardian shall provide the camp with certain information (instead of the camp shall obtain certain information from the child's physician). Provides that the recreational camp must inform the parents or guardians of the child, in writing, that the recreational camp and its employees and agents are to incur no liability, except for willful and wanton conduct, as a result of any injury arising from the self-administration of medication to the child.

House Amendment No. 2

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of House Amendment No. 1 to HB 991, except deletes language providing that the child's parent or guardian shall provide the camp with the name and signature of the licensed prescriber and business and emergency numbers.

Senate Floor Amendment No. 1

Provides that a recreation camp shall permit a child with severe, potentially life-threatening allergies to possess, self-administer, and use an epinephrine auto-injector or inhaler if the child has the written approval of his or her parent or guardian (instead of his or her physician and the written approval of his or her parent or guardian). Deletes the definition of "physician". Adds an immediate effective date.

Aug 23 05 H Public Act 94-0670

HB 00992 Rep. William Delgado, Jack D. Franks and Linda Chapa LaVia
(Sen. Iris Y. Martinez)

730 ILCS 5/5-4-3 from Ch. 38, par. 1005-4-3

Amends the Unified Code of Corrections. Provides that any person sentenced to life imprisonment in a facility of the Illinois Department of Corrections after the effective date of this amendatory Act or sentenced to death after the effective date of this amendatory Act shall be required to provide a specimen of blood, saliva, or tissue within 45 days after sentencing or disposition at a collection site designated by the Illinois Department of State Police. Provides that any person serving a sentence of life imprisonment in a facility of the Illinois Department of Corrections on the effective date of this amendatory Act or any person who is under a sentence of death on the effective date of this amendatory Act shall be required to provide a specimen of blood, saliva, or tissue upon request at a collection site designated by the Illinois Department of State Police. Effective immediately.

Jun 13 05 H Public Act 94-0016

HB 00996 Rep. Mike Boland-Donald L. Moffitt-Thomas Holbrook-Michael K. Smith
(Sen. Debbie DeFrancesco Halvorson)

625 ILCS 5/12-215 from Ch. 95 1/2, par. 12-215

Amends the Illinois Vehicle Code. Provides that a fire chief may drive a vehicle using red or white oscillating, rotating, or flashing lights if the vehicle is designated or authorized as a fire department, fire protection district, or township fire department vehicle and the designation or authorization is carried in the vehicle.

House Amendment No. 1

Provides that a fire chief must have completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal, and that the lights may be visible or activated only when responding to a bona fide emergency.

Jul 08 05 H Public Act 94-0143

HB 01002 Rep. Kevin Joyce-Paul D. Froehlich-David E. Miller-Eileen Lyons-James D. Brosnahan, Deborah L. Graham, Timothy L. Schmitz, Karen A. Yarbrough, Richard T. Bradley, Jim Watson, Robin Kelly, Eddie Washington and John D'Amico
(Sen. Don Harmon-Edward D. Maloney-Jacqueline Y. Collins)

720 ILCS 5/29B-1 from Ch. 38, par. 29B-1

Amends the Criminal Code of 1961 concerning the offense of money laundering. Provides that money laundering also may occur when a person, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact involves criminally derived property: (A) with the intent to promote the carrying on of the unlawful activity from which the criminally derived property was obtained; or (B) where he or she knows or reasonably should know that the financial transaction is designed in whole or in part: (i) to conceal or disguise the nature, the location, the source, the ownership or the control of the criminally derived property; or (ii) to avoid a transaction reporting requirement under State law. Provides for the introduction of certain evidence to show whether the property or proceeds were known to be some form of criminally derived property or from some form of specified unlawful activity. Provides for the forfeiture of property derived from money laundering. Specifies which units of government shall receive the proceeds of the forfeited property. Effective immediately.

Jul 29 05 H Public Act 94-0364

HB 01005 Rep. Kevin Joyce-Constance A. Howard-John A. Fritchey-David E. Miller, Elizabeth Coulson and Sara Feigenholtz
(Sen. Louis S. Viverito-M. Maggie Crotty-Jacqueline Y. Collins and Martin A. Sandoval)

225 ILCS 7/Act rep.

Repeals the Board and Care Home Registration Act.

House Amendment No. 1

Deletes reference to:

225 ILCS 7/Act rep.

Adds reference to:

225 ILCS 7/2

Adds reference to:

225 ILCS 7/3

Adds reference to:

225 ILCS 7/6 new

Adds reference to:

225 ILCS 7/7 new

Adds reference to:

210 ILCS 9/160

Deletes everything. Amends the Board and Care Home Registration Act. Changes the definition of "Department" to mean the Department of Public Health (rather than the Department on Aging). Requires the Department to promulgate rules to enforce the provisions of the Act. Prohibits public officials, agents, and employees from placing any person in a board and care home that is not registered and from placing the name of an unregistered establishment on a list of programs. Provides civil penalties. Provides for the transfer of authority under the Act and the transfer of property and records relating to matters under the Act from the Department on Aging to the Department of Public Health. Provides that fees and fines collected under the Act shall be deposited into the Assisted Living and Shared Housing Regulatory Fund. Amends the Assisted Living and Shared Housing Act to require that funds deposited into the Assisted Living and Shared Housing Regulatory Fund be used for the administration of the Board and Care Home Registration Act.

Jun 14 05 H Public Act 94-0021

HB 01009 Rep. Kevin Joyce-Michael P. McAuliffe-Richard T. Bradley-Joseph M. Lyons-John D'Amico, John A. Fritchey and John J. Millner
(Sen. James A. DeLeo-Iris Y. Martinez and Edward D. Maloney)

40 ILCS 5/5-167.1 from Ch. 108 1/2, par. 5-167.1

30 ILCS 805/8.29 new

Amends the Chicago Police Article of the Illinois Pension Code. Beginning January 1, 2005, extends the 3% annual increase in retirement pensions to persons born in 1950, 1951, 1952, 1953, and 1954. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Jan 06 06 H Public Act 94-0719

HB 01031 Rep. Angelo Saviano-Karen A. Yarbrough-Patricia R. Bellock
(Sen. Antonio Munoz-Kirk W. Dillard)

225 ILCS 85/8 from Ch. 111, par. 4128

Amends the Pharmacy Practice Act of 1987. Makes a technical change in a Section concerning licensure without examination.

House Amendment No. 2

Deletes reference to:

225 ILCS 85/8

Adds reference to:

225 ILCS 85/14 from Ch. 111, par. 4134

Adds reference to:

225 ILCS 85/15 from Ch. 111, par. 4135

Adds reference to:

225 ILCS 85/18 from Ch. 111, par. 4138

Deletes everything after the enacting clause. Amends the Pharmacy Practice Act of 1987. Adds a Division VI license for pharmacies that provide pharmacy services to patients of institutions serviced by pharmacies with a Division II or Division III license, without using their own supply of drugs. Provides that the structural, equipment, and record retention requirements for a Division VI pharmacy shall be set by rule. Effective immediately.

Jun 29 05 H Public Act 94-0084

HB 01039 Rep. James D. Brosnahan-Paul D. Froehlich-David E. Miller-Kevin Joyce, Karen A. Yarbrough, Richard T. Bradley, Joseph M. Lyons, William Delgado, Marlow H. Colvin, Jack D. Franks and Linda Chapa LaVia
(Sen. Martin A. Sandoval-George P. Shadid-James A. DeLeo-Edward D. Maloney)

720 ILCS 5/24-1.7 new

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Criminal Code of 1961. Creates the offense of being an armed habitual criminal. Provides that a person commits the offense of being an armed habitual criminal if he or she receives, sells, possesses, or transfers any firearm after having been convicted a total of 3 or more times of any of the following offenses: first degree murder; aggravated battery; aggravated battery with a firearm; unlawful use of a weapon by a felon; robbery; armed robbery; residential burglary; home invasion; vehicular hijacking; gunrunning; intimidation; armed violence; criminal sexual assault; aggravated criminal sexual assault; predatory criminal sexual assault of a child; aggravated domestic battery; or any violation of the Illinois Controlled Substances Act or the Cannabis Control Act that is punishable as a Class 3 felony or higher. Provides that a violation is a Class X felony. Amends the Unified Code of Corrections. Provides that a prisoner serving a sentence for being an armed habitual criminal shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment. Effective immediately.

House Amendment No. 1

Changes the definition of armed habitual criminal.

Correctional Note (Dept of Corrections)

Corrections population impact of 1,476 inmates and a fiscal impact of $249,472,900 over a ten year period.

Correctional Note (H-AM1) (Dept of Corrections)

Corrections population impact of 2,133 inmates and a fiscal impact of $360,945,600 over a ten year period.

Fiscal Note (Dept of Corrections)

Corrections population impact of 1,476 inmates and a fiscal impact of $249,472,900 over a ten year period.

Fiscal Note (H-AM1) (Dept of Corrections)

Corrections population impact of 2,133 inmates and a fiscal impact of $360,945,600 over a ten year period.

Aug 02 05 H Public Act 94-0398

HB 01051 Rep. Susana A Mendoza-Kevin A. McCarthy-Calvin L. Giles-Edward J. Acevedo-Cynthia Soto and Michelle Chavez
(Sen. Kimberly A. Lightford-Don Harmon)

110 ILCS 947/50

110 ILCS 947/52

110 ILCS 947/65.15

110 ILCS 922/Act rep.

Amends the Higher Education Student Assistance Act. Makes changes concerning Minority Teachers of Illinois scholarships with respect to exceptions to the teaching obligation requirement. Makes changes concerning the Illinois Future Teacher Corps Program with respect to the teaching obligation requirement. Makes changes concerning special education teacher scholarships with respect to eligibility, certification of applicants, and the teaching obligation requirement. Repeals the Child Development Teacher Scholarship Act. Effective July 1, 2005, except that the special education teacher scholarship changes take effect on July 1, 2006.

House Amendment No. 1

With respect to special education teacher scholarships, changes a reference from the State Comptroller to the State Treasurer.

Jul 07 05 H Public Act 94-0133

HB 01058 Rep. Marlow H. Colvin-Patricia Reid Lindner-Susana A Mendoza-Deborah L. Graham-Sara Feigenholtz, Calvin L. Giles, Karen A. Yarbrough, Robert Rita, Constance A. Howard, William Davis, Eddie Washington, Lovana Jones, Kevin Joyce, Jack D. Franks, James D. Brosnahan, Dan Reitz, Careen M Gordon, Karen May, Kathleen A. Ryg, Naomi D. Jakobsson, Robin Kelly, David R. Leitch, Arthur L. Turner, Wyvetter H. Younge, Sandra M. Pihos, Ruth Munson, Rosemary Mulligan, Elizabeth Coulson, Roger L. Eddy, Sidney H. Mathias, Milton Patterson, Richard T. Bradley, Charles E. Jefferson, Maria Antonia Berrios, Michelle Chavez, Lisa M. Dugan, Patrick J Verschoore, Jack McGuire, Angelo Saviano and Michael P. McAuliffe

(Sen. Mattie Hunter-M. Maggie Crotty-Kwame Raoul-Carole Pankau-Ira I. Silverstein, Pamela J. Althoff, Dale A. Righter, Edward D. Maloney, Jacqueline Y. Collins and Martin A. Sandoval)

815 ILCS 505/2MM

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a consumer who has been the victim of identity theft may place a security freeze on his or her credit report by making a request in writing by certified mail to a consumer credit reporting agency with a valid copy of a police report, investigative report, or complaint that the consumer has filed with a law enforcement agency about unlawful use of his or her personal information by another person. Requires a credit reporting agency to place a security freeze on a consumer's credit report no later than 5 business days after receiving a written request from the consumer. Provides that if the consumer wishes to allow his or her credit report to be accessed for a specific party, parties, or period of time while a freeze is in place, he or she shall contact the consumer credit reporting agency, request that the freeze be temporarily lifted, and provide certain information. Provides that if a security freeze is in place, a credit reporting agency shall not change any of the following official information in a credit report without sending a written confirmation of the change to the consumer within 30 days of the change being posted to the consumer's file: (i) name, (ii) date of birth, (iii) Social Security number, and (iv) address. Provides that certain entities are not required to place a security freeze in a credit report provided certain conditions are met. Defines "proper identification".

Fiscal Note (Admin Office of the Illinois Courts)

Based on a review of House Bill 1058 it has been determined that the legislation would neither increase nor decrease the number of judges needed in the State.

Housing Affordability Impact Note (Housing Development Authority)

No fiscal effect on a single-family residence.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of House Bill 1058 it has been determined that the legislation would neither increase nor decrease the number of judges needed in the State.

Pension Note (Commission on Gov't Forecasting and Accountability)

House Bill 1058 would not impact any public pension fund or retirement system in Illinois.

Fiscal Note (Office of the Attorney General)

No fiscal effect.

State Debt Impact Note (Commission on Gov't Forecasting and Accountability)

House Bill 1058 would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Home Rule Note (Department of Commerce and Economic Opportunity)

In the opinion of DCEO, House Bill 1058 does not pre-empt home rule authority

State Mandates Fiscal Note (Department of Commerce and Economic Opportunity)

In the opinion of DCEO, House Bill 1058 does not create a State mandate under the State Mandates Act.

Fiscal Note (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Correctional Note (Dept of Corrections)

Corrections Population Impact: None. Fiscal Impact: None.

Senate Committee Amendment No. 2

Refers to "specific party or period of time" (instead of "specific party, parties, and period of time") throughout a Section concerning the verification of accuracy of credit reporting information used to extend consumers credit and security freeze on credit for identity theft victims.

Jun 24 05 H Public Act 94-0074

HB 01071 Rep. Ruth Munson-Ron Stephens-Jack D. Franks-Elizabeth Coulson-Roger L. Eddy and Rosemary Mulligan (Sen. Carole Pankau)

30 ILCS 500/25-70 new

Amends the Illinois Procurement Code. Requires that electronic mail service provided under State contracts must be provided reasonably free of unsolicited electronic mail advertisements (sometimes known as "spam").

Senate Committee Amendment No. 1

Removes the provision that "electronic mail service" has the same meaning as in the Electronic Mail Act.

Aug 02 05 H Public Act 94-0413

HB 01074 Rep. Dan Reitz-Mark H. Beaubien, Jr.-Brandon W. Phelps-Patrick J Verschoore (Sen. Todd Sieben)

30 ILCS 105/5.640 new

515 ILCS 5/1-75	from Ch. 56, par. 1-75
520 ILCS 5/1.2m	from Ch. 61, par. 1.2m
520 ILCS 5/2.25	from Ch. 61, par. 2.25
520 ILCS 5/2.26	from Ch. 61, par. 2.26
520 ILCS 5/3.37	from Ch. 61, par. 3.37

Amends the Fish and Aquatic Life Code and the Wildlife Code. Defines "resident" to require permanent abode in this State rather than actual residency. Requires domiciliary intent. Amends the Wildlife Code. Authorizes open deer season to be set between September 1 and February 15 (now no more than 14 days between November 1 and December 31). Provides that legal handguns need not be centerfire. Increases deer hunting fees. Authorizes DNR to set fees for processing and handling of applications and provides for the deposit and use of receipts. Amends the State Finance Act to create a special fund. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

520 ILCS 5/2.25

Deletes everything after the enacting clause. Reinserts House Bill 1074 with the following changes: In the Wildlife Code, removes the changes concerning deer hunting season dates and centerfire guns. With respect to the Department's application processing fees, caps the fees at 5% of the charge for the permit or license. Effective immediately.

House Amendment No. 2

Deletes reference to:

30 ILCS 105/5.640 new

Deletes reference to:

520 ILCS 5/2.26

Deletes reference to:

520 ILCS 5/3.37

Deletes everything after the enacting clause. Amends the Fish and Aquatic Life Code and the Wildlife Code. Defines "resident" to require permanent abode in this State rather than actual residency. Requires domiciliary intent. Amends the Wildlife Code. Prohibits the Department of Natural Resources from (i) limiting the number of resident archery deer hunting permits and (ii) limiting to less than 20,000 the number of nonresident archery deer hunting permits. Increases deer hunting fees. Makes other changes. Effective immediately.

Senate Floor Amendment No. 4

Deletes the requirement that the Department shall not limit the number of resident archery deer hunting permits. Provides that the Department shall not limit the number of non-resident "either sex" archery deer hunting permits (instead of non-resident archery deer hunting permits) to less than 20,000. Provides that non-resident deer hunting and non-resident archery deer hunting permit fee limits are raised in increments over a 3-year period to $400 and $425, respectively.

Jun 07 05 H Public Act 94-0010

HB 01077 Rep. Kathleen A. Ryg-Dan Brady-Michael P. McAuliffe-Naomi D. Jakobsson-Lisa M. Dugan, Linda Chapa LaVia, William Delgado, Paul D. Froehlich, David R. Leitch, Chapin Rose, Jim Sacia, Daniel V. Beiser, Robert W. Pritchard, Renee Kosel, JoAnn D. Osmond, Sara Feigenholtz, Mike Boland, Karen May, Lou Lang, Jack D. Franks, Kenneth Dunkin, Michelle Chavez, Karen A. Yarbrough, Larry McKeon, David E. Miller, Rich Brauer, Robin Kelly, Eileen Lyons, Patricia R. Bellock, Deborah L. Graham, Aaron Schock, Eddie Washington, Wyvetter H. Younge, William Davis, Arthur L. Turner and John D'Amico

(Sen. Jacqueline Y. Collins-Mike Jacobs-Kathleen L. Wojcik-John J. Cullerton, Terry Link, Ira I. Silverstein, Mattie Hunter, Arthur J. Wilhelmi, Edward D. Maloney, Debbie DeFrancesco Halvorson and M. Maggie Crotty)

625 ILCS 5/6-110	from Ch. 95 1/2, par. 6-110
625 ILCS 5/6-117	from Ch. 95 1/2, par. 6-117
755 ILCS 50/5-20	was 755 ILCS 50/5
755 ILCS 50/5-40	was 755 ILCS 50/7
755 ILCS 50/5-45	was 755 ILCS 50/8

Amends the Illinois Vehicle Code and the Illinois Anatomical Gift Act. Provides that the Secretary of State may establish a First Person Consent organ and tissue donor registry. Provides that the Secretary may offer, to each applicant for reissuance or renewal of a driver's license or identification card who is 18 or older, the opportunity to have his or her name included on the registry. Provides that the Secretary must advise the person that he or she is under no compulsion to have his or her name included. Establishes additional procedures for creating the registry. Provides that the Secretary must continue, until the registry has been established, to provide, on the reverse side of each driver's license issued, a format that the licensee may use to execute an anatomical gift. Provides that a person may make an anatomical gift by consenting to having his or her name included in the registry. Provides that in the absence of gross negligence or willful misconduct, the Secretary of State and his or her employees are immune from criminal or civil liability in connection with a person's consent to be listed in the registry.

Fiscal Note (Office of the Secretary of State)

The estimated cost for House Bill 1077 (first person consent registry) is $400,000 for the first year and $60,000 annually thereafter. The estimated costs include training personnel, staff training, microfilm supplies, printers, and office supplies.

Jun 24 05 H Public Act 94-0075

HB 01079 Rep. Lou Lang

(Sen. John J. Cullerton)

735 ILCS 5/8-803.5 new

Amends the Code of Civil Procedure. Provides privilege protection against being compelled to disclose, in any court, administrative board, or agency proceeding, any conversation between a union agent and a bargaining unit member regarding information that the union agent may have acquired in attending to his or her professional duties or while acting in his or her representative capacity. Provides for exceptions to the privilege. Provides that, in the event of a conflict between the application of the privilege and any federal or State labor law, the provisions of the federal or State labor law shall control.

House Amendment No. 1

Adds an affiliated or subordinate body of a local or international union to the list to which a union agent may use or reveal information obtained during the course of fulfilling his or her duties. Provides that a union agent may use or reveal information when the express, written, uncoerced consent of the bargaining unit member has been obtained after full disclosure has been provided upon the advice of independent counsel.

House Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Provides that a union agent shall not be compelled to disclose in any arbitration proceeding any information he or she may have acquired in attending to his or her professional duties or while acting in his or her representative capacity. Adds a subordinate body of a local union or an affiliate or subordinate body of an international union to the list to which a union agent may use or reveal information obtained during the course of fulfilling his or her duties. Provides that a union agent may use or reveal information to the extent it appears necessary to prevent the commission of a crime that is likely to result in a clear, imminent risk of serious physical injury or death of another person. Provides that a union agent may use or reveal information when, after full disclosure has been provided, the written or oral consent of the bargaining unit member has been obtained or, if the bargaining unit member is deceased or has been adjudged incompetent by a court of competent jurisdiction, the written or oral consent of the bargain unit member's guardian or the executor or administrator of the bargaining unit member's estate.

Jun 14 05 H Public Act 94-0022

HB 01081 Rep. William Davis-Lovana Jones-Paul D. Froehlich-Calvin L. Giles and Marlow H. Colvin
(Sen. Jacqueline Y. Collins-Kirk W. Dillard-Martin A. Sandoval, Terry Link and Mattie Hunter)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that, if a defendant is convicted of aggravated driving under the influence of alcohol, drugs, or intoxicating compounds because his or her DUI violation was the cause of the death of one or more persons, the defendant shall be sentenced to a term of imprisonment, unless the court determines that extraordinary circumstances exist and require probation.

Jul 05 05 H Public Act 94-0113

HB 01088 Rep. Sidney H. Mathias-James H. Meyer-Paul D. Froehlich-Donald L. Moffitt, Karen A. Yarbrough, Patricia R. Bellock and Carolyn H. Krause
(Sen. Terry Link-Jacqueline Y. Collins)

15 ILCS 335/14B from Ch. 124, par. 34B

Amends the Illinois Identification Card Act. Provides that a person convicted of certain fraudulent ID card violations when there are aggravating circumstances is guilty of a Class 3 felony (now, Class 4 felony) and for a second or subsequent violation is guilty of a Class 2 felony (now, Class 3 felony).

Dec 05 05 H Public Act 94-0701

HB 01095 Rep. Robert F. Flider and Karen A. Yarbrough
(Sen. Frank C. Watson)

New Act

720 ILCS 5/32-4 from Ch. 38, par. 32-4

Creates the Juror Protection Act. Provides that a person who represents himself or herself during any phase of a jury trial and is subsequently found guilty of any charge must seek and obtain leave of the court prior to making any attempt to contact any member of the jury panel, regardless of the reason for inquiry. Sets out a process for petitioning the court for leave to contact a member of the jury panel. Provides that any attempt to contact a member of the jury panel following that member's refusal to speak as outlined in the Act shall be deemed a violation of Section 32-4 of the Criminal Code of 1961. Amends the Criminal Code of 1961. Makes violation of the Juror Protection Act a Class 4 felony.

Jul 12 05 H Public Act 94-0186

HB 01100 Rep. David E. Miller-Angelo Saviano-Joseph M. Lyons-John A. Fritchey-Kurt M. Granberg, Mike Boland, Julie Hamos, Thomas Holbrook, Robin Kelly, Patrick J Verschoore, Maria Antonia Berrios, Mary E. Flowers, Dave Winters, Paul D. Froehlich, Lou Lang, Karen A. Yarbrough, Eddie Washington, Constance A. Howard, Marlow H. Colvin, Annazette Collins, Deborah L. Graham, Larry McKeon, Sara Feigenholtz, William B. Black, Jim Watson, Jack McGuire, Lisa M. Dugan, Brandon W. Phelps, William Davis, Kathleen A. Ryg, Naomi D. Jakobsson, Milton Patterson, Roger L. Eddy, George Scully, Jr., Monique D. Davis, Susana A Mendoza, JoAnn D. Osmond, Rosemary Mulligan, William Delgado, Richard T. Bradley, James H. Meyer, Michael K. Smith, Arthur L. Turner, Michelle Chavez, Linda Chapa LaVia, Harry Osterman, Barbara Flynn Currie, Suzanne Bassi, Patricia R. Bellock, Elizabeth Coulson, Randall M. Hultgren, Ruth Munson, David Reis, Wyvetter H. Younge, Eileen Lyons, Robert F. Flider, Careen M Gordon, Calvin L. Giles, Daniel V. Beiser, John E. Bradley, Charles E. Jefferson, Cynthia Soto, Shane Cultra, Lovana Jones and Terry R. Parke

(Sen. Kimberly A. Lightford-Jacqueline Y. Collins-Jeffrey M. Schoenberg-Pamela J. Althoff-Dale A. Righter, Kwame Raoul, Donne E. Trotter, James T. Meeks, Dave Sullivan, Dale E. Risinger, Mattie Hunter, William E. Peterson, Todd Sieben, Adeline Jay Geo-Karis, M. Maggie Crotty, Don Harmon, Carol Ronen, Edward D. Maloney, Rickey R. Hendon, Iris Y. Martinez, Martin A. Sandoval, Ira I. Silverstein, Antonio Munoz, Gary Forby, Mike Jacobs, Terry Link, Miguel del Valle, Debbie DeFrancesco Halvorson, Louis S. Viverito, George P. Shadid, Deanna Demuzio, Arthur J. Wilhelmi, William R. Haine, Emil Jones, Jr. and James F. Clayborne, Jr.)

New Act

20 ILCS 1205/4	from Ch. 17, par. 104
20 ILCS 1205/6	from Ch. 17, par. 106
205 ILCS 670/21	from Ch. 17, par. 5427
815 ILCS 505/2Z	from Ch. 121 1/2, par. 262Z

Creates the Payday Loan Reform Act. Provides that the Division of Financial Institutions of the Department of Financial and Professional Regulation shall license and regulate entities that offer payday loans (loans under which a lender accepts a post-dated check, authorization to debit a consumer's bank account, or an interest in a consumer's wages as security for the loan). Establishes requirements and restrictions applicable to license applications and licensing. Contains provisions regarding: limitations, requirements, and disclosures applicable to loan agreements, terms of loans, finance charges, and renewal of loans; revocation, suspension, and surrender of licenses; information to be available to the public; complaint handling; hearings; books and records; reports; advertising; prohibited acts; bonding; administrative rules; and other matters. Amends the Financial Institutions Code to provide for the administration of the Payday Loan Reform Act. Amends the Consumer Installment Loan Act to provide that the Act does not apply to payday loans. Provides that a violation of the Payday Loan Reform Act constitutes a violation of the Consumer Fraud and Deceptive Business Practices Act. Effective immediately.

House Amendment No. 1

Adds reference to:

5 ILCS 140/7	from Ch. 116, par. 207

Deletes everything after the enacting clause. Creates the Payday Loan Reform Act. Requires the Division of Financial Institutions of the Department of Financial and Professional Regulation to license and regulate certain entities that offer payday loans (loans under which a lender accepts a post-dated check, authorization to debit a consumer's bank account, or an interest in a consumer's wages as security for the loan). Establishes requirements and restrictions applicable to license applications and licensing. Contains provisions regulating payday loans regarding: limitations, requirements, and disclosures applicable to loan agreements, terms of loans, finance charges, and renewal of loans; revocation, suspension, and surrender of licenses; information to be available to the public; complaint handling; hearings; books and records; reports; advertising; prohibited acts; bonding; administrative rules; and other matters. Amends the Freedom of Information Act to exempt from disclosure under that Act information contained in the certified database maintained by the Division of Financial Institutions of the Department of Financial and Professional Regulation in accordance with the Payday Loan Reform Act. Amends the Financial Institutions Code to provide for the administration of the Payday Loan Reform Act. Amends the Consumer Installment Loan Act to provide that the Act does not apply to payday loans. Provides that a violation of the Payday Loan Reform Act constitutes a violation of the Consumer Fraud and Deceptive Business Practices Act. Effective 90 days after becoming law.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of this bill it has been determined that the legislation may cause a minimal increase in judicial workloads. However, the bill would not increase the number of judges needed in the State.

Pension Note (Government Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Pension Note (HA-1) (Government Forecasting & Accountability)

As amended by HA1, would not impact any public pension fund or retirements system in Illinois.

HB 01100 (CONTINUED)

State Debt Impact Note (Government Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore would not affect the level of State indebtedness.

State Debt Impact Note (HA-1) (Government Forecasting & Accountability)

As amended by HA1, would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore would not affect the level of State indebtedness.

Housing Affordability Impact Note (Housing Development Authority)

House Bill 1100 will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Home Rule Note (H-AM 1)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1100 (H-AM 1) does not pre-empt home rule authority.

State Mandates Fiscal Note (Economic and Fiscal Commission)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1100 (H-AM 1) does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 1) (Dept. of Financial and Prof Regulation)

House Bill 1100 (H-AM 1) has a total fiscal impact of $280,823.25 to the State of Illinois.

Fiscal Note (Dept of Corrections)

There is not enough available data to make an objective determination regarding the impact of House Bill 1100, but the impact on the Department is expected to be minimal given that persons convicted of offenses under the Payday Loan Reform Act would be prosecuted under the Consumer Fraud and Deceptive Business Practice Act if the Payday Loan Reform Act. Each person sentenced to prison for a Class 1 felony would serve and average of 31 months at a cost of $53,909; each prison sentenced for a Class 2 felony would serve an average of 21 months at a cost of $36,519; and each person sentenced to prison for a Class 3 felony would serve an average of 13 months at a cost of $22,607. Each new admission would also require the construction of one additional prison bed at the cost of $58,485.

Correctional Note (Dept of Corrections)

There is not enough available data to make an objective determination regarding the impact of House Bill 1100, but the impact on the Department is expected to be minimal given that persons convicted of offenses under the Payday Loan Reform Act would be prosecuted under the Consumer Fraud and Deceptive Business Practice Act if the Payday Loan Reform Act. Each person sentenced to prison for a Class 1 felony would serve and average of 31 months at a cost of $53,909; each prison sentenced for a Class 2 felony would serve an average of 21 months at a cost of $36,519; and each person sentenced to prison for a Class 3 felony would serve an average of 13 months at a cost of $22,607. Each new admission would also require the construction of one additional prison bed at the cost of $58,485.

Fiscal Note (H-AM 3) Dept of Corrections)

There is not enough available data to make an objective determination regarding the impact of House Bill 1100 (H-AM 3), but the impact on the Department is expected to be minimal given that persons convicted of offenses under the Payday Loan Reform Act would be prosecuted under the Consumer Fraud and Deceptive Business Practice Act if the Payday Loan Reform Act. Each person sentenced to prison for a Class 1 felony would serve and average of 31 months at a cost of $53,909; each prison sentenced for a Class 2 felony would serve an average of 21 months at a cost of $36,519; and each person sentenced to prison for a Class 3 felony would serve an average of 13 months at a cost of $22,607. Each new admission would also require the construction of one additional prison bed at the cost of $58,485.

Correctional Note (H-AM 3) (Dept of Corrections)

There is not enough available data to make an objective determination regarding the impact of House Bill 1100 (H-AM 3), but the impact on the Department is expected to be minimal given that persons convicted of offenses under the Payday Loan Reform Act would be prosecuted under the Consumer Fraud and Deceptive Business Practice Act if the Payday Loan Reform Act. Each person sentenced to prison for a Class 1 felony would serve and average of 31 months at a cost of $53,909; each prison sentenced for a Class 2 felony would serve an average of 21 months at a cost of $36,519; and each person sentenced to prison for a Class 3 felony would serve an average of 13 months at a cost of $22,607. Each new admission would also require the construction of one additional prison bed at the cost of $58,485.

Judicial Note (H-AM 3) (Admin Office of the Illinois Courts)

Based on a review of this bill it has been determined that the legislation would neither increase nor decrease the number of judges needed in this State.

Correctional Note (H-AM 2) (Dept of Corrections)

HB 01100 (CONTINUED)

There is not enough available data to make an objective determination regarding the impact of House Bill 1100 (H-AM 2), but the impact on the Department is expected to be minimal given that persons convicted of offenses under the Payday Loan Reform Act would be prosecuted under the Consumer Fraud and Deceptive Business Practice Act if the Payday Loan Reform Act. Each person sentenced to prison for a Class 1 felony would serve and average of 31 months at a cost of $53,909; each prison sentenced for a Class 2 felony would serve an average of 21 months at a cost of $36,519; and each person sentenced to prison for a Class 3 felony would serve an average of 13 months at a cost of $22,607. Each new admission would also require the construction of one additional prison bed at the cost of $58,485.

Fiscal Note (H-AM 2) (Dept of Corrections)

There is not enough available data to make an objective determination regarding the impact of House Bill 1100 (H-AM 2), but the impact on the Department is expected to be minimal given that persons convicted of offenses under the Payday Loan Reform Act would be prosecuted under the Consumer Fraud and Deceptive Business Practice Act if the Payday Loan Reform Act. Each person sentenced to prison for a Class 1 felony would serve and average of 31 months at a cost of $53,909; each prison sentenced for a Class 2 felony would serve an average of 21 months at a cost of $36,519; and each person sentenced to prison for a Class 3 felony would serve an average of 13 months at a cost of $22,607. Each new admission would also require the construction of one additional prison bed at the cost of $58,485.

Home Rule Note (H-AM 3)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1100 (H-AM 3) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 3)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1100 (H-AM 3) does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 3) (Dept. of Financial and Prof Regulation)

House Bill 1100 (H-AM 3) has a total fiscal impact of $280,823.25 to the State of Illinois.

Judicial Note (H-AM2) (Administrative Office of the Ill. Courts)

Would neither increase nor decrease the number of judges needed in the State.

State Mandates Fiscal Note (H-AM 2)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1100 (H-AM 2) does not create a State mandate under the State Mandates Act.

Home Rule Note (H-AM 3)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1100 (H-AM 2) does not pre-empt home rule authority.

Pension Note (H-AM 2) (Gov't Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Pension Note (H-AM 3) (Gov't Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Balanced Budget Note (Gov. Office of Management & Budget)

We estimate that HB1100 will bring in a potential $142,500 in new revenue (not including additional revenue from fines and penalties), while enforcement of this bill will cost approximately $281,000.

Balanced Budget Note (H-AM 1) (Gov. Office of Management & Budget)

We estimate that HB1100 will bring in a potential $475,000 in new revenue (not including additional revenue from fines and penalties), while enforcement of this bill will cost approximately $281,000.

Balanced Budget Note (H-AM 2) (Gov. Office of Management & Budget)

We estimate that HB1100 will bring in a potential $475,000 in new revenue (not including additional revenue from fines and penalties), while enforcement of this bill will cost approximately $281,000.

Balanced Budget Note (H-AM 3) (Gov. Office of Management & Budget)

We estimate that HB1100 will bring in a potential $475,000 in new revenue (not including additional revenue from fines and penalties), while enforcement of this bill will cost approximately $281,000.

Fiscal Note (H-AM 3) (Dept. of Financial and Prof Regulation)

House Bill 1100 (H-AM 3) has a total fiscal impact of $280,823.25 to the State of Illinois. The department estimates a $475,000 increase in revenue from the annual license fees in contrast to the related costs.

State Debt Impact Note (H-AM 2) (Gov. Forecasting and Accountability)

Would not affect the level of State indebtedness.

HB 01100 (CONTINUED)

Housing Affordability Impact Note (H-AM 2) (Housing Development Authority)

No fiscal effect on a single-family residence.

Housing Affordability Impact Note (H-AM 3) (Housing Development Authority)

No fiscal effect on a single-family residence.

Housing Affordability Impact Note (H-AM 2) (Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Housing Affordability Impact Note (H-AM 3) (Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

Correctional Note (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Fiscal Note (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Correctional Note (H-AM 1) (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Fiscal Note (H-AM 1) (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Correctional Note (H-AM 2) (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Fiscal Note (H-AM 2) (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Correctional Note (H-AM 3) (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Fiscal Note (H-AM 3) (Department of Corrections)

There is no corrections population or fiscal impact on the Department.

Judicial Note (H-AM 2) (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Judicial Note (H-AM 3) (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

State Debt Impact Note (HA-3) (Government Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore would not affect the level of State indebtedness.

House Amendment No. 4

Deletes everything after the enacting clause. Creates the Payday Loan Reform Act. Requires the Division of Financial Institutions of the Department of Financial and Professional Regulation to license and regulate certain entities that offer payday loans (loans under which a lender accepts a post-dated check, authorization to debit a consumer's bank account, or an interest in a consumer's wages as security for the loan). Establishes requirements and restrictions applicable to license applications and licensing. Contains provisions regulating payday loans regarding: limitations, requirements, and disclosures applicable to loan agreements, terms of loans, finance charges, and renewal of loans; revocation, suspension, and surrender of licenses; information to be available to the public; complaint handling; hearings; books and records; reports; advertising; prohibited acts; bonding; administrative rules; and other matters. Amends the Freedom of Information Act to exempt from disclosure under that Act information contained in the database certified by the Division of Financial Institutions of the Department of Financial and Professional Regulation in accordance with the Payday Loan Reform Act. Amends the Financial Institutions Code to provide for the administration of the Payday Loan Reform Act. Amends the Consumer Installment Loan Act to provide that the Act does not apply to payday loans. Provides that a violation of the Payday Loan Reform Act constitutes a violation of the Consumer Fraud and Deceptive Business Practices Act. Effective 90 days after becoming law.

Fiscal Note (H-AM4) (Dept. of Financial & Prof. Regulation)

The agency foresees the need for 4 head count (2 Executive II and 2 Financial Institutions Examiner-Trainee) positions for the administration, regulation, and examination of Payday Loan providers as outlined in the bill. Personal services and related costs for 4 headcount: $280,823. An appropriation for the $280,823 estimated cost would need to be added to the agency's budget, however, the amount of revenue generated from the annual license fee would amount to $475,000 which would more than cover those costs.

HB 01100 (CONTINUED)

Judicial Note (H-AM 4) (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Home Rule Note (H-AM 4)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, this legislation does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 4)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, this legislation does not create a State mandate under the State Mandates Act.

State Debt Impact Note (H-AM 4) (Government Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore would not affect the level of State indebtedness.

Pension Note (H-AM 4) (Government Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Housing Affordability Impact Note (H-AM 4) (Housing Development Authority)

No fiscal effect on a single-family residence.

Correctional Note (H-AM 4) (Dept of Corrections)

Corrections population impact: None. Fiscal impact: None.

Fiscal Note (H-AM4) (Dept of Corrections)

Corrections population impact: None. Fiscal impact: None.

Land Conveyance Appraisal Note (H-AM 4) (Dept. of Transportation)

As there are no parcels of land being conveyed in this bill, there are no appraisals to be filed by the Department of Transportation.

Balanced Budget Note (H-AM 4) (Gov. Office of Management & Budget)

Fiscal impact: Increased revenue $475,000. Associated Cost $281,000.

Housing Affordability Impact Note (Housing Development Authority)

No fiscal effect on a single-family residence.

Senate Committee Amendment No. 1

Deletes reference to:

5 ILCS 140/7

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill but makes the following changes. Provides that the Department of Financial and Professional Regulation (rather than the Division of Financial Institutions of the Department of Financial and Professional Regulation) shall regulate payday loan lenders and makes corresponding changes. Defines "certified database" and makes changes to the definition of "commercially reasonable method of verification". Makes corresponding changes. Defines "consumer reporting service" as an entity that provides a database certified by the Department. Provides that no lender may charge more than $15.50 (rather than $16) per $100 loaned on any payday loan over the term of the loan and provides that the charge is considered fully earned as of the date on which the loan is made. Deletes a provision that subtracts the unearned portion of the finance charge calculated on a simple interest basis when a consumer redeems a check or other item issued in connection with a payday loan before the loan becomes payable by paying the full amount of the check or other item. Deletes a provision that requires the lender to refund the finance charges to a consumer when the consumer repays a payday loan in full before its due date. Provides that certain information contained in the certified database regarding any consumer is strictly confidential and is exempt from disclosure under specified provisions of the Freedom of Information Act and deletes provisions amending the Freedom of Information Act to exempt the information from disclosure under different provisions of that Act. Changes various required notices to state that a repayment plan will provide the consumer at least 55 (rather than 56) days to repay the loan in installments with no additional finance charges, interest, fees, or other charges of any kind. Provides that once a loan becomes subject to a repayment plan, the loan shall not be construed to be in default until the default date provided under the terms of the repayment plan. Provides that the prohibition against rollovers of payday loans does not apply with regard to repayment plans. Provides that a licensee (now, a lender) shall pay the cost for administrative hearings under the Act. Makes other changes. Effective 180 days after becoming law.

Fiscal Note (S-AM 1) (Dept. of Financial & Prof. Regulation)

HB 01100 (CONTINUED)

The agency foresees the need for 4 head count (2 Executive II and 2 Financial Institutions Examiner-Trainee) positions for the administration, regulation, and examination of Payday Loan providers as outlined in the bill. Personal services and related costs for 4 headcount: $280,823. An appropriation for the $280,823 estimated cost would need to be added to the agency's budget, however, the amount of revenue generated from the annual license fee would amount to $475,000 which would more than cover those costs.

Senate Floor Amendment No. 3

Adds reference to:

815 ILCS 205/4 from Ch. 17, par. 6404

Amends the Interest Act. Provides that it is lawful to receive and collect interest and charges as authorized by the Payday Loan Reform Act.

Jun 09 05 H Public Act 94-0013

HB 01106 Rep. Joe Dunn-Patricia Bailey, Jack D. Franks and Linda Chapa LaVia

(Sen. Martin A. Sandoval)

720 ILCS 5/12-4 from Ch. 38, par. 12-4

Amends the Criminal Code of 1961. Provides that in committing a battery, a person commits aggravated battery if he or she knows the individual harmed to be an individual of 60 years of age or older (instead of if he or she knowingly and without legal justification and by any means causes bodily harm to an individual of 60 years of age or older).

Jul 26 05 H Public Act 94-0327

HB 01109 Rep. Sandra M. Pihos-John J. Millner, Jack D. Franks, Linda Chapa LaVia and Patricia R. Bellock

(Sen. Martin A. Sandoval-Dan Cronin)

720 ILCS 5/9-3.3 from Ch. 38, par. 9-3.3

Amends the Criminal Code of 1961. Provides that a person who unlawfully delivers a controlled substance to another and any person's death is caused (rather than any person dies) as a result of the injection, inhalation, or ingestion of any amount of that controlled substance commits the offense of drug-induced homicide.

House Amendment No. 1

Provides that in order to be guilty of the offense of drug-induced homicide the person's death must be caused by (rather than as a result of) the injection, inhalation, or ingestion of any amount of the controlled substance.

Aug 12 05 H Public Act 94-0560

HB 01125 Rep. Naomi D. Jakobsson-Lisa M. Dugan-Careen M Gordon-Deborah L. Graham-Robin Kelly, Karen May, Kathleen A. Ryg, Wyvetter H. Younge, Daniel V. Beiser, Marlow H. Colvin, Karen A. Yarbrough, Chapin Rose, Jack D. Franks and Linda Chapa LaVia

(Sen. Debbie DeFrancesco Halvorson-Dale A. Righter, Pamela J. Althoff and Mattie Hunter)

10 ILCS 5/17-8 from Ch. 46, par. 17-8

10 ILCS 5/17-11 from Ch. 46, par. 17-11

Amends the Election Code. Permits minor children to accompany their parent or guardian into the voting booth.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Election Code. Permits minor children to accompany their parent or guardian into the voting booth if requested of the election officers and if the election officers determine that the children are not likely to disrupt or interfere with the voting process or influence the casting of a vote.

Jul 21 05 H Public Act 94-0288

HB 01132 Rep. William B. Black-Paul D. Froehlich-Sidney H. Mathias-Eileen Lyons-Terry R. Parke, Donald L. Moffitt, Randall M. Hultgren, Patrick J Verschoore, Jack McGuire, Sandra M. Pihos, Jack D. Franks, William Davis, Linda Chapa LaVia, Patricia R. Bellock, Suzanne Bassi, Careen M Gordon, Lisa M. Dugan and Daniel V. Beiser
(Sen. Adeline Jay Geo-Karis-Martin A. Sandoval)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that any person convicted a sixth or subsequent time of driving under the influence of alcohol, drugs, or intoxicating compounds is guilty of a Class X felony.

Correctional Note (Dept of Corrections)

The total impact of House Bill 1132 would result in an increase of 256 inmates, with additional operating costs of $42,998,500 and construction costs of $14,986,700 over ten years.

Jul 05 05 H Public Act 94-0114

HB 01133 Rep. Cynthia Soto-William Delgado-Edward J. Acevedo-Daniel J. Burke-Maria Antonia Berrios, Karen A. Yarbrough, Michelle Chavez, Richard T. Bradley and Roger Jenisch
(Sen. Miguel del Valle-Martin A. Sandoval-Mattie Hunter-Iris Y. Martinez-Edward D. Maloney, Jacqueline Y. Collins and Debbie DeFrancesco Halvorson)

305 ILCS 5/5-25 new

Amends the Illinois Public Aid Code. Provides that during the 2006 fiscal year, the Department of Public Aid must begin an initiative to prevent and treat pediatric asthma. Provides that under the initiative, the Department must contract with health care providers for programs for the prevention and treatment of pediatric asthma through physician and patient education and case management. Requires implementation in the county or counties that have the highest volume or highest rate, compared to national averages, of hospitalization or mortality, or both, from pediatric asthma; requires that, at a minimum, a grant or grants be made each year in counties exceeding 3,000,000 in population. Effective immediately.

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. Provides that during fiscal year 2006, the Department of Public Aid shall evaluate current standards of treatment of asthma for its beneficiaries. Provides that the review may include state-of-the-art programs in asthma disease management as well as evidence-based best practices for the early diagnosis, treatment, and control of asthma, particularly in children. Provides that the Department's review may include asthma disease management as one component of a comprehensive disease management model. Provides that the Department shall consult with the Department of Public Health and other State agencies, advocates, and providers in conducting this review. Provides that the Department's review shall also seek to maximize collaborations between existing asthma programs in the State of Illinois. Provides that the review shall also assess the available methods of implementing and funding asthma disease management and treatment within the Medicaid program. Effective immediately.

House Amendment No. 2

Requires the Department of Public Aid to develop a pilot asthma disease management program, targeted to an area or areas with the highest prevalence of asthma. Requires the Department to consult with the Department of Public Health and other State agencies, federal health agencies, experts in asthma and immunology, providers, and consumers in developing the pilot program. Provides that the pilot program shall also seek to maximize collaborations between existing asthma programs in the State. Provides that the pilot program is subject to specific appropriations or budget savings derived from the program due to reduced asthma-related hospitalizations or emergency room visits.

Jul 26 05 H Public Act 94-0328

HB 01134 Rep. Robert W. Pritchard-Paul D. Froehlich-Sidney H. Mathias-Kenneth Dunkin and Jack D. Franks
(Sen. Christine Radogno-Kwame Raoul)

740 ILCS 45/2 from Ch. 70, par. 72

Amends the Crime Victims Compensation Act. Adds expenses for care and counseling by licensed clinical professional counselors to the definition of "pecuniary loss".

Aug 02 05 H Public Act 94-0399

HB 01142 Rep. Carolyn H. Krause-Rosemary Mulligan
(Sen. Susan Garrett-Cheryl Axley and Peter J. Roskam)

65 ILCS 5/11-74.4-1 from Ch. 24, par. 11-74.4-1

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

65 ILCS 5/11-74.4-1

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything. Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on August 20, 1985 by the Village of Mount Prospect must be completed by December 31 of the 35th year (now, 23rd year) after the year in which the ordinance was adopted.

Dec 05 05 H Public Act 94-0702

HB 01149 Rep. John J. Millner-Marlow H. Colvin-Bob Biggins-Sandra M. Pihos-James H. Meyer
(Sen. Susan Garrett)

415 ILCS 5/22.50 new

Amends the Environmental Protection Act. Creates the Computer Equipment Disposal and Recycling Commission. Sets forth certain provisions relating to the composition and objectives of the Commission. Requires that the Commission (i) issue a report of its findings and recommendations related to the disposal and recycling of computer equipment on or before May 31, 2006, (ii) beginning on May 31, 2007, evaluate the implementation of programs by the State relating to computer equipment disposal and recycling, and (iii) issue a report of its findings and recommendations on or before December 31, 2008. Effective immediately.

Senate Floor Amendment No. 1

Further amends the Environmental Protection Act. Provides that the Computer Equipment Disposal and Recycling Commission, in preparing its report of findings and recommendations, shall seek input from and consult with business organizations, trade organizations, trade associations, solid waste agencies, and environmental organizations with expertise in computer equipment disposal and recycling.

Aug 10 05 H Public Act 94-0518

HB 01151 Rep. John J. Millner
(Sen. Deanna Demuzio)

20 ILCS 2635/8 from Ch. 38, par. 1608

Amends the Illinois Uniform Conviction Information Act. Deletes a provision requiring an annual review the maximum fees for processing requests for conviction information. Effective immediately.

Jul 29 05 H Public Act 94-0365

HB 01157 Rep. Patricia Reid Lindner-Timothy L. Schmitz-Michael Tryon-Robert W. Pritchard-Randall M. Hultgren
(Sen. Chris Lauzen)

65 ILCS 5/2-3-5a from Ch. 24, par. 2-3-5a

Amends the Illinois Municipal Code. Provides that in a county that has more than 400,000 but fewer than 410,000 inhabitants, if an area of contiguous territory not exceeding one square mile that has at least 400 inhabitants residing in permanent dwellings and is located in a township that is adjacent to a county of fewer than 150,000 inhabitants, then that area and the area adjacent to it, not exceeding 12 square miles in total, may be incorporated as a village by following the existing procedure. Neither the consent of a municipality nor a finding of the county board need to be obtained. Effective immediately.

House Amendment No. 1

Reinserts the provisions setting forth procedures for certain areas to be incorporated as a village, but provides that the area to be incorporated as a village may not exceed 4 square miles (instead of 12 square miles) and must be within the same township.

Jun 14 05 H Public Act 94-0023

HB 01173 Rep. John A. Fritchey-John J. Millner-James D. Brosnahan-Robert S. Molaro-Edward J. Acevedo, Karen A. Yarbrough, Milton Patterson and Thomas Holbrook

(Sen. Debbie DeFrancesco Halvorson-Jacqueline Y. Collins)

720 ILCS 5/11-20.1 from Ch. 38, par. 11-20.1

Amends the Criminal Code of 1961. Provides that a person also commits child pornography by filming, videotaping, photographing, or otherwise depicting or portraying by means of any similar visual medium or reproduction or depicting by computer a child whom he or she knows or reasonably should know to be under 18 years of age or any severely or profoundly mentally retarded person where such child or severely or profoundly mentally retarded person is depicted or portrayed in any pose, posture or setting involving a lewd exhibition of the transparently clothed genitals, pubic area, buttocks, or, if such person is female, a fully or partially developed breast of the child or severely or profoundly mentally retarded person. Effective immediately.

Senate Committee Amendment No. 1

Provides that the charge of child pornography does not apply to the performance of official duties by persons employed by law enforcement or prosecuting agencies.

Correctional Note (Dept of Corrections)

The total impact of House Bill 1173 would result in an increase of 21 inmates, with additional operating costs of $4,069,300 and construction costs of $1,228,200 over ten years.

Jul 29 05 H Public Act 94-0366

HB 01177 Rep. Michael P. McAuliffe-Angelo Saviano
(Sen. Antonio Munoz)

5 ILCS 80/4.16

5 ILCS 80/4.26 new

Amends the Regulatory Sunset Act. Extends the repeal of the Collection Agency Act to January 1, 2016. Effective December 31, 2005.

House Amendment No. 1

Adds reference to:

225 ILCS 425/2.02 from Ch. 111, par. 2004

Adds reference to:

225 ILCS 425/2.04 from Ch. 111, par. 2005.1

Adds reference to:

225 ILCS 425/3 from Ch. 111, par. 2006

Adds reference to:

225 ILCS 425/4.5

Adds reference to:

225 ILCS 425/5 from Ch. 111, par. 2008

Adds reference to:

225 ILCS 425/6a from Ch. 111, par. 2009a

Adds reference to:

225 ILCS 425/9 from Ch. 111, par. 2012

Amends the Collection Agency Act. Adds other legal entities that, for compensation, either contingent or otherwise, or for other valuable consideration offer services to collect an alleged delinquent debt to the definition of "collection agency" or "agency" and includes other legal entities in provisions concerning child support indebtedness and acting as a collection agency. Provides that, if a collection agency is a partnership, the application for registration shall state the names and addresses of all partners of the partnership holding a 10% or more interest in the partnership and that, if a collection agency is a limited liability company, the application for registration shall state the names and addresses of all members holding 10% or more interest in the limited liability company. Provides that, in addition to a registered collection agency whose certificate of registration has expired while the individual registered or while a shareholder owning 50% or more of the shares of stock in a registered corporation was engaged in certain military service, a registered collection agency whose certificate of registration has expired while a partner or member owning 50% or more of the shares of stock in a registered corporation has expired while he or she has been engaged in certain military service may have the certificate restored or reinstated without paying any lapsed fees, if within 2 years after termination of service other than by dishonorable discharge. Provides that whenever the Department of Financial and Professional Regulation has reason to believe a person or entity has violated a provision of the Act concerning unlicensed practice, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person or entity. Provides that upon certain cause, the Department may impose fines not to exceed $5,000 for a first violation and not to exceed $10,000 for a second or subsequent violation (now, the Department may impose fines not to exceed $1,000 per licensee per complaint).

Aug 02 05 H Public Act 94-0414

HB 01181 Rep. Lisa M. Dugan-Jim Watson-Art Tenhouse-Dave Winters-Julie Hamos and Elaine Nekritz
(Sen. Debbie DeFrancesco Halvorson)

515 ILCS 5/1-53 new

515 ILCS 5/1-55	from Ch. 56, par. 1-55
515 ILCS 5/1-125	from Ch. 56, par. 1-125
515 ILCS 5/10-100	from Ch. 56, par. 10-100
515 ILCS 5/20-35	from Ch. 56, par. 20-35
515 ILCS 5/20-70	from Ch. 56, par. 20-70

Amends the Fish and Aquatic Life Code. Defines "indigenous species" as aquatic life specified by administrative rule. Excepts Asian carp from the definition of "minnow". Provides that possession, transport, or release of viable gametes listed by administrative rule is a Class A misdemeanor. Provides for "aquatic life dealers" (rather than "fish dealers"). Provides that licensing requirements concerning wholesale and retail aquatic life dealers do not apply to minnows or saltwater species commonly used as seafood. Makes a violation of certain laws and administrative rules concerning aquatic life dealers a Class B misdemeanor. Makes other changes.

Aug 15 05 H Public Act 94-0592

HB 01182 Rep. Patrick J Verschoore
(Sen. Mike Jacobs)

625 ILCS 5/11-1427.3

Amends the Illinois Vehicle Code. Provides that the Department of Natural Resources may (rather than shall) adopt administrative rules regarding the operation of all-terrain vehicles and off-highway motorcycles.

Jun 17 05 H Public Act 94-0047

HB 01197 Rep. Gary Hannig-Lou Lang-Eddie Washington, John A. Fritchey, Elaine Nekritz, Elizabeth Coulson, Eileen Lyons, Linda Chapa LaVia, Jack D. Franks, Maria Antonia Berrios, Michelle Chavez, Kathleen A. Ryg, James D. Brosnahan, Daniel J. Burke and David E. Miller

(Sen. Donne E. Trotter)

20 ILCS 1705/15f new

Amends the Mental Health and Developmental Disabilities Administrative Act. Requires each individual with mental retardation and related developmental disabilities who exhibits behavioral challenges to have an individualized behavioral support plan that: (i) is designed to meet individual needs; (ii) is non-aversive; (iii) teaches the individual new skills; (iv) provides alternatives to challenging behaviors; (v) offers opportunities for choice and social integration; and (vi) allows for environmental modifications. Provides guidelines for the implementation of the plan. Prohibits the use of aversive behavioral support, intervention techniques that cause psychological pain, and deprivation techniques. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced, but makes the following changes. Defines "behavioral challenges". Provides that, to the extent that the provisions conflict with Article 1 of Chapter II of the Mental Health and Developmental Disabilities Code, the Mental Health and Developmental Disabilities Code controls. Effective immediately.

House Amendment No. 3

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced, but makes the following changes. Defines "community-based residential program". Requires each individual support plan to be in the immediate and long-term best interests of the individual. Requires the plan to be based on a functional behavioral assessment (now, analysis) conducted by a professional trained in its use (now, trained in professional best practices in behavioral analysis). Prohibits certain types of interventions. Provides that the Department of Human Services is responsible for developing and promulgating rules to implement and carry out these provisions. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

20 ILCS 1705/15f new

Adds reference to:

New Act

Adds reference to:

5 ILCS 100/5-45	from Ch. 127, par. 1005-45

Adds reference to:

20 ILCS 105/4.02	from Ch. 23, par. 6104.02

Adds reference to:

215 ILCS 106/30

Adds reference to:

305 ILCS 5/5-5.4	from Ch. 23, par. 5-5.4

Adds reference to:

305 ILCS 5/5-5.12	from Ch. 23, par. 5-5.12

Adds reference to:

305 ILCS 5/5-11	from Ch. 23, par. 5-11

Adds reference to:

305 ILCS 5/12-4.35

Adds reference to:

320 ILCS 40/10	from Ch. 23, par. 6910

Adds reference to:

320 ILCS 40/15	from Ch. 23, par. 6915

HB 01197 (CONTINUED)

Replaces everything after the enacting clause. Creates the FY2006 Budget Implementation (Human Services) Act for the purpose of making changes in State programs that are necessary to implement the Governor's FY2006 budget recommendations concerning human services. Amends the Illinois Administrative Procedure Act; authorizes emergency rulemaking to implement any provision of this amendatory Act or any other budget initiative for fiscal year 2006, except that the 24-month limitation on the adoption of emergency rules and certain provisions concerning JCAR do not apply to such emergency rules; and provides that the Department of Public Aid may also adopt emergency rules necessary to administer the Illinois Public Aid Code, the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act, and the Children's Health Insurance Program Act. Amends the Illinois Act on the Aging; in provisions concerning annual audits of chore/housekeeping and homemaking vendors, requires that vendors' procedures be in compliance with the Department on Aging's financial reporting guidelines requiring an administrative and employee wage and benefits cost split as defined in administrative rules (instead of requiring a 27% administrative cost split and a 73% employee wages and benefits cost split). Amends the Children's Health Insurance Program Act; provides that persons enrolled in a health benefits waiver program under the Act are subject to certain cost-sharing requirements; provides that health insurance premiums and co-payments apply to adults as well as to children, and sets forth premium amounts for families with 4 or with 5 or more family members. Amends the Illinois Public Aid Code: (1) in provisions concerning Medicaid standards of payment for nursing homes, provides that no rate increase and no update for inflation shall be provided before July 1, 2006 (instead of 2005); (2) in provisions concerning Medicaid pharmacy payments, deletes provisions concerning a limitation of 4 brand name prescription drugs per patient per month; (3) provides that the Department of Public Aid shall renegotiate the contracts with health maintenance organizations and managed care community networks that took effect August 1, 2003, so as to produce $70,000,000 savings to the Department net of resulting increases to the fee-for-service program for State fiscal year 2006; and (4) in provisions concerning medical services for certain noncitizens, deletes references to appropriations, authorizes the Department of Public Aid to take action to assure that payments under these provisions do not exceed available funds, and deletes provisions concerning emergency rulemaking. Amends the All-Inclusive Care for the Elderly Act; provides that "frail elderly" means an individual who meets the age (as well as functional) eligibility requirements established by the Department of Public Aid (deletes references to eligibility requirements established by the Department on Aging and a requirement that the individual be age 65 or older); provides for implementation of the PACE program pursuant to the provisions of the approved Title XIX State plan (instead of as a demonstration program), and provides that specific arrangements of the risk-based financing model shall be adopted and negotiated by the federal Centers for Medicare and Medicaid Services (instead of the Health Care Financing Administration). Effective July 1, 2005.

Jun 17 05 H Public Act 94-0048

HB 01285 Rep. Daniel J. Burke-Angelo Saviano-Mark H. Beaubien, Jr.-Mike Boland
(Sen. Terry Link)

235 ILCS 5/6-2 from Ch. 43, par. 120

Amends the Liquor Control Act of 1934. Allows an elected official to have a direct interest in the manufacture, sale, or distribution of alcoholic liquor if he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board. Prohibits an elected official with a direct interest from participating in any matter affecting the manufacture, sale, or distribution of alcoholic liquor.

Jul 21 05 H Public Act 94-0289

HB 01301 Rep. John A. Fritchey-Sandra M. Pihos, Kenneth Dunkin, Elizabeth Coulson, Mike Boland, Edward J. Acevedo, Monique D. Davis, Joe Dunn, Ruth Munson, Richard T. Bradley and Joseph M. Lyons
(Sen. Ira I. Silverstein-Jacqueline Y. Collins)

205 ILCS 5/48.1 from Ch. 17, par. 360

Amends the Illinois Banking Act. Provides that the Act does not prohibit the furnishing of information to certain entities if there is suspicion by the entity or the bank (rather than the bank suspects) that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. Provides that a bank or person furnishing the information shall be entitled to the same rights and protections as a person furnishing information under the Abuse of Adults with Disabilities Intervention Act. Effective immediately.

House Amendment No. 1

Adds reference to:

205 ILCS 105/3-8 from Ch. 17, par. 3303-8

Adds reference to:

205 ILCS 205/4013 from Ch. 17, par. 7304-13

Adds reference to:

205 ILCS 305/10 from Ch. 17, par. 4411

Amends the Illinois Savings and Loan Act of 1985, the Savings Bank Act, and the Credit Union Act. Provides that savings and loan associations, savings banks, and credit unions are not prohibited from furnishing information to certain entities if there is suspicion by the entity that a customer who is an elderly or disabled person has been or may become the victim of financial exploitation. Provides that the entity or person furnishing the information shall be entitled to the same rights and protections as a person furnishing information under the Abuse of Adults with Disabilities Intervention Act.

Aug 08 05 H Public Act 94-0495

HB 01310 Rep. Robert Rita
(Sen. Terry Link)

50 ILCS 610/1 from Ch. 21, par. 13

Amends the Public Graveyards Act. Provides that, if a township board has vested control of a public graveyard in 3 trustees, the township board may, by resolution, divest the trustees of control and assume control of the public graveyard. Effective immediately.

Jun 14 05 H Public Act 94-0024

HB 01311 Rep. William Davis
(Sen. Terry Link)

60 ILCS 1/30-95

Amends the Township Code. Gives township electors power to regulate or prohibit poultry running at large.

Aug 04 05 H Public Act 94-0453

HB 01313 Rep. Brandon W. Phelps
(Sen. Terry Link and Mike Jacobs)

5 ILCS 315/20 from Ch. 48, par. 1620

Amends the Illinois Public Labor Relations Act. Removes the Act's application to fire protection districts that employ fewer than 5 people and are required to appoint boards of fire commissioners.

Jun 22 05 H Public Act 94-0067

HB 01314 Rep. Mike Bost-Brandon W. Phelps-David Reis and Shane Cultra
(Sen. Gary Forby, John O. Jones, Todd Sieben and Mike Jacobs)

520 ILCS 5/3.16a new

520 ILCS 5/3.19 from Ch. 61, par. 3.19

520 ILCS 5/3.20 from Ch. 61, par. 3.20

Amends the Wildlife Code. Provides that any person who does not possess a non-resident fur buyer permit must obtain a non-resident auction participation permit to deal in green hides at auctions. Sets fees. Makes other changes.

State Debt Impact Note (Commission on Gov't Forecasting and Accountability)

House Bill 1314 would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Jul 14 05 H Public Act 94-0212

HB 01315 Rep. Charles E. Jefferson and Mike Boland
(Sen. Arthur J. Wilhelmi-Pamela J. Althoff)

10 ILCS 5/4-16 from Ch. 46, par. 4-16

10 ILCS 5/5-23 from Ch. 46, par. 5-23

10 ILCS 5/6-53 from Ch. 46, par. 6-53

10 ILCS 5/17-14 from Ch. 46, par. 17-14

Amends the Election Code. Authorizes election authorities to use obituaries to obtain information for purposes of purging voter registration records. Makes changes in the large county and board of election commissioners Articles to conform to procedures in the smaller county Article with respect to purging. Removes the requirement that a physically disabled voter seeking assistance marking the ballot must state whether his or her disability is permanent.

House Amendment No. 1

Deletes reference to:

10 ILCS 5/4-16

Deletes reference to:

10 ILCS 5/5-23

Deletes reference to:

10 ILCS 5/6-53

Deletes all provisions relating to purging voting records.

Jun 14 05 H Public Act 94-0025

HB 01316 Rep. Kevin A. McCarthy-John J. Millner-Kevin Joyce-James D. Brosnahan-Richard T. Bradley, Kurt M. Granberg, Jack D. Franks, Kathleen A. Ryg, Naomi D. Jakobsson, Patrick J Verschoore, Jack McGuire and Karen A. Yarbrough
(Sen. Antonio Munoz-M. Maggie Crotty-Edward D. Maloney-Don Harmon-Jacqueline Y. Collins and Mattie Hunter)

625 ILCS 5/2-111	from Ch. 95 1/2, par. 2-111
625 ILCS 5/3-616	from Ch. 95 1/2, par. 3-616
625 ILCS 5/3-704	from Ch. 95 1/2, par. 3-704
625 ILCS 5/3-808.1	from Ch. 95 1/2, par. 3-808.1
625 ILCS 5/11-1301.3	from Ch. 95 1/2, par. 11-1301.3
625 ILCS 5/11-1301.5	
625 ILCS 5/11-1301.6	
625 ILCS 5/12-401	from Ch. 95 1/2, par. 12-401

Amends the Illinois Vehicle Code. Increases the fines for unauthorized use of parking spaces reserved for persons with disabilities. Provides that the Secretary of State may suspend or revoke the driving privileges and may suspend or revoke the parking decal or device or the disability license plate of any person who violates the provision. Provides that a second or subsequent violation of the provision regarding fictitious or fraudulently altered disability license plates and parking decals or devices is a Class 4 felony (rather than a Class A misdemeanor). Provides that the Secretary of State may suspend or revoke the parking decal or device or the disability license plate of any person who violates the provision. Provides that a first violation of the provision regarding fraudulent plates and parking decals and devices of this type is a Class A misdemeanor (rather than a Class 4 felony). Changes the designation of person with disabilities plates to disability plates. Makes corresponding changes in other provisions.

House Amendment No. 1

Provides that any person who knowingly transfers a disability license plate or parking decal or device for the purpose of exercising the privileges of an authorized holder of the plate, decal, or device is guilty of a Class A misdemeanor and shall be fined not less than $500 for a first offense and not less than $1,000 for a second or subsequent offense.

Fiscal Note (Secretary of State)

HB 1316 with House Amendment #1 will have minimal fiscal impact on the Secretary of State Office.

Senate Floor Amendment No. 1 (Senate recedes May 30, 2005)

Provides that a driver whose vehicle displays disability license plates or a disability parking decal or device issued to a qualified person is guilty of an offense against traffic regulations governing the movement of vehicles if he or she is not the person to whom the license plates or the parking decal or device was issued and he or she is not transporting that person. Provides that the driver may have his or her driving privileges revoked or suspended if he or she commits the offense within 12 months of committing 2 other offenses against traffic regulations governing the movement of vehicles.

Aug 18 05 H Public Act 94-0619

HB 01318 Rep. Linda Chapa LaVia-Jack D. Franks-Susana A Mendoza-Daniel J. Burke-Maria Antonia Berrios
(Sen. Debbie DeFrancesco Halvorson)

745 ILCS 49/72 new

Amends the Good Samaritan Act. Provides that any professional engineer, architect, land surveyor, civil engineer, or structural engineer who in good faith provides engineering services in response to a natural disaster or other catastrophic event shall not be liable for civil damages as a result of his or her acts or omissions in providing the engineering services, except for willful and wanton misconduct. Provides that the immunity applies to services that are provided during an emergency or within 90 days following the end of an emergency. Provides that the time may be extended by an executive order issued by the Governor.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions of the original bill with the following changes. Removes references to "civil engineers". Provides that the exemption from civil liability is for professional services (instead of engineering services) of the listed professionals. Provides that, for the immunity, the professional services shall be in response to a disaster or catastrophic event (instead of in response to an emergency, natural disaster or other catastrophic event). Provides that professional services must be performed without fee for the immunity to apply. Provides that the immunity applies to services that are provided without fee during or within 60 days (instead of 90 days) following the end of an emergency, disaster, or catastrophic event. Removes language authorizing the Governor to extend the time period by executive order.

Jul 21 05 H Public Act 94-0290

HB 01321 Rep. Annazette Collins-Bob Biggins-Thomas Holbrook-Monique D. Davis
(Sen. James F. Clayborne, Jr.-Dave Sullivan)

15 ILCS 205/4 from Ch. 14, par. 4

15 ILCS 205/6.5

Amends the Attorney General Act. Deletes a provision authorizing the Office of Public Counsel to represent the interest of Illinois citizens in all proceedings pertinent to utility regulation. Provides that the Attorney General shall protect the rights and interests of the public in the provision of all elements of natural gas and water service. Makes corresponding changes. Provides that, upon request, the Office of the Attorney General shall have access to all files, records, data, and documents in the possession or control of the Illinois Commerce Commission. Provides that the Office of the Attorney General may use that information, including information that is designated as and that qualifies for confidential treatment, for law enforcement purposes only. Effective immediately.

House Amendment No. 1

Restores provisions requiring the Office of the Attorney General to maintain as confidential certain information concerning electric, natural gas, water, and telecommunications service.

Jul 21 05 H Public Act 94-0291

HB 01323 Rep. William B. Black
(Sen. Richard J. Winkel, Jr. and Pamela J. Althoff)

70 ILCS 410/6 from Ch. 96 1/2, par. 7106

Amends the Conservation District Act. Provides that contracts for supplies, material, or work in excess of $20,000 (now, $10,000) shall be let to lowest responsible bidder. Effective immediately.

Aug 04 05 H Public Act 94-0454

HB 01324 Rep. William B. Black-Roger L. Eddy and Shane Cultra
(Sen. Richard J. Winkel, Jr.)

105 ILCS 5/10-21.12 from Ch. 122, par. 10-21.12

105 ILCS 5/10-22.22 from Ch. 122, par. 10-22.22

105 ILCS 5/10-22.22b from Ch. 122, par. 10-22.22b

Amends the School Code. Allows for the deactivation of an elementary school facility in the same manner as the deactivation of a high school facility. Effective immediately.

Jul 14 05 H Public Act 94-0213

HB 01333 Rep. Sidney H. Mathias-John J. Millner-Paul D. Froehlich-Roger Jenisch-Donald L. Moffitt, William B. Black and Karen A. Yarbrough
(Sen. Martin A. Sandoval-Kirk W. Dillard)

55 ILCS 5/5-1097.5

55 ILCS 5/5-1097.7 new

Amends the Counties Code. Provides that no adult entertainment facilities within an unincorporated area of a county shall be located within 3,000 feet of a specified area, such as a school, a day care center, a public park, a place of religious worship, or a residence (now, the ban applies throughout the county but does not include residences). Provides that the Attorney General or the State's attorney of the county in which the adult entertainment facility is located may seek enforcement by injunction. Provides that a county may adopt an ordinance to regulate adult entertainment facilities and includes definitions of specified anatomical areas and specified sexual activities. Provides that the ordinance may authorize the State's attorney to institute a civil action to restrain an ordinance violation. Authorizes fines of up to $1,000 per day for each violation and injunctive relief to abate violations or to prevent violations from continuing.

Aug 08 05 H Public Act 94-0496

HB 01334 Rep. Renee Kosel-Eddie Washington-Dave Winters and Frank J. Mautino
(Sen. Terry Link-Martin A. Sandoval)

625 ILCS 5/15-111 from Ch. 95 1/2, par. 15-111

Amends the Illinois Vehicle Code. Provides that specified vehicles used exclusively for the transportation and mixing of concrete, manufactured before or in the 2014 model year and first registered in Illinois before January 1, 2015, are allowed specified weights on specified numbers and configurations of axles. Provides that a 4-axle truck mixer registered as a special hauling vehicle is allowed 20,000 pounds on a single axle, 36,000 pounds on a series of 2 axles greater than 72 inches but not more than 96 inches, and 34,000 pounds when the distance between any series of 2 axles is greater than 40 inches but not more than 72 inches. Provides that, when the vehicle is operated on a designated highway other than an interstate highway, the bridge formula does not apply to any series of 3 axles.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 01336 Rep. Elizabeth Coulson-Suzanne Bassi-Jim Sacia
(Sen. Jeffrey M. Schoenberg-Carole Pankau)

105 ILCS 5/27-12 from Ch. 122, par. 27-12

Amends the School Code. Requires teachers to teach students character education, which includes the teaching of respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise pupils' honesty and kindness, justice, discipline, respect for others, and moral courage for the purpose of lessening crime and raising the standard of good character (now, requires teachers to teach pupils honesty, kindness, justice, discipline, respect for others, and moral courage for the purpose of lessening crime and raising the standard of good citizenship). Effective immediately.

Jul 12 05 H Public Act 94-0187

HB 01338 Rep. Timothy L. Schmitz and Jack D. Franks
(Sen. M. Maggie Crotty-Martin A. Sandoval-Mattie Hunter)

50 ILCS 135/12 new

Amends the Local Governmental Employees Political Rights Act. Provides that a member of a fire department or fire protection district may be elected or appointed to public office and may serve in public office. Provides that if the member is not in uniform and not on duty, the member may solicit votes and campaign funds and challenge voters. Effective immediately.

Jul 25 05 H Public Act 94-0316

HB 01339 Rep. Patrick J Verschoore-Paul D. Froehlich
(Sen. Mike Jacobs)

625 ILCS 40/5-7

625 ILCS 40/10-3

625 ILCS 45/5-16

625 ILCS 45/6-1 from Ch. 95 1/2, par. 316-1

625 ILCS 45/11A-5 from Ch. 95 1/2, par. 321A-5

Amends the Snowmobile Registration and Safety Act and the Boat Registration and Safety Act. Provides that a person who has not been previously convicted of or assigned supervision for operating a snowmobile or watercraft under the influence of alcohol, drugs, or intoxicating compounds (OUI), and has not had his or her operating privileges suspended under the applicable provision, is a first offender regarding the applicable provision. Provides that a forfeiture of bail to secure a court appearance or a failure to appear for trial is equivalent to a conviction. Provides that a person may not operate a snowmobile or watercraft while his or her privilege to do so has been revoked in this State, by another State, by a federal agency, or by a province of Canada. Provides that the Department of Natural Resources shall suspend for one year the watercraft operating privileges of any person convicted of misdemeanor OUI under a local ordinance or federal law and for 3 years the privileges of anyone convicted of felony OUI or reckless homicide. Requires the operator of a vessel to report an accident involving any injury requiring treatment beyond first aid (rather than any injury resulting in the victim's incapacitation for a period of 72 hours). Requires reporting of a watercraft accident resulting in $2,000 or more in property damage or complete loss of a vessel (rather than reporting of any accident resulting in $500 or more in property damage).

Jul 14 05 H Public Act 94-0214

HB 01343 Rep. William Delgado-Cynthia Soto-Maria Antonia Berrios-Michelle Chavez, Lou Lang, Milton Patterson, Richard T. Bradley and Robert Rita

(Sen. Iris Y. Martinez-Christine Radogno-Jacqueline Y. Collins and Mattie Hunter)

New Act

Creates the Child Welfare Student Loan Forgiveness Act. Establishes the Child Welfare Student Loan Forgiveness Program to provide loan assistance, subject to appropriation, to eligible students for upper-division undergraduate and graduate study in social work or human services. Provides that forgivable loans may be awarded for a maximum of 2 academic years and requires a loan recipient to work in child welfare at the Department of Children and Family Services, its successor, or a contracting agency for at least the number of years for which the loan is received. Sets maximum amounts for the loans at $4,000 for loans awarded at the undergraduate level and $8,000 for loans awarded at the graduate level. Contains provisions concerning eligibility, repayment, credit, and a penalty for non-compliance.

Aug 08 05 H Public Act 94-0497

HB 01344 Rep. Careen M Gordon, Jack D. Franks and Linda Chapa LaVia-Lisa M. Dugan

(Sen. James F. Clayborne, Jr.)

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person who knowingly violates the Automotive Collision Repair Act commits an unlawful practice within the meaning of the Act.

Jul 21 05 H Public Act 94-0292

HB 01345 Rep. David E. Miller and Robin Kelly

(Sen. M. Maggie Crotty-Jacqueline Y. Collins and Martin A. Sandoval)

405 ILCS 30/4.4 new

405 ILCS 30/4.5 new

Amends the Community Services Act. Provides that whenever any appropriation, or any portion of an appropriation, for any fiscal year relating to the funding of any State-operated facility operated by the Office of Developmental Disabilities within the Department of Human Services or any mental health facility operated by the Office of Mental Health within the Department is reduced because of any of the following reasons, those moneys must be directed toward providing other services and supports for persons with developmental disabilities or mental health needs: (1) closing of a State-operated facility; (2) reduction in the number of units or available beds in a State-operated facility; or (3) reduction in the number of staff at a State-operated facility. Provides that in determining whether any savings are realized from closure of a State-operated facility or a reduction in the number of units, available beds, or staff, sufficient moneys shall be made available to ensure that there is an appropriate level of staffing and that life, safety, and care concerns are addressed so as to provide for the remaining persons with developmental disabilities or mental illness at State-operated facilities. Provides that the plan for using any savings realized from such a closure or reduction must be shared and discussed with advocates, advocacy organizations, and advisory groups whose mission includes advocacy for persons with developmental disabilities or persons with mental illness. Effective immediately.

Aug 08 05 H Public Act 94-0498

HB 01350 Rep. Deborah L. Graham-Milton Patterson-Robin Kelly-Marlow H. Colvin-Karen A. Yarbrough
(Sen. Don Harmon)

210 ILCS 85/6.14f new

410 ILCS 535/18 from Ch. 111 1/2, par. 73-18

Amends the Hospital Licensing Act. Provides that a hospital must report to the trauma registry any accident in which a person under the age of 18 years was injured that involved a motor vehicle or the power window of a motor vehicle. Amends the Vital Records Act. Provides that, if the decedent was under the age of 18 years at the time of his or her death, and the death was due to injuries suffered as a result of a motor vehicle backing over a child, or if the death occurred due to the power window of a motor vehicle, the attending physician or the coroner must send a copy of the medical or death certificate to the Illinois Department of Children and Family Services. Effective immediately.

House Amendment No. 1

Provides that the medical certification sent to the Department of Children and Family Services must be accompanied by information documenting that the death was due to a vehicle backing over the child or that the death was caused by a power window of a vehicle. Provides that the Department shall collect this information for use by Child Death Review Teams and shall compile and maintain this information as part of its Annual Child Death Review Team Report to the General Assembly.

Fiscal Note (H-AM1) (Department of Children & Family Services)

This legislation does not have any fiscal impact to the Department.

Fiscal Note (Department of Public Health)

Estimated fiscal impact on the Illinois Department of Public Health of $183,141 for database development, training hospitals on data collection, and one additional staff person.

State Mandates Fiscal Note (Department of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1350 creates a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act.

Senate Floor Amendment No. 1

Provides that a trauma center (rather than a hospital) must report any accident in which a person under 18 was injured that involved a motor vehicle backing over a child (rather than that involved a motor vehicle). Deletes language providing that the attending physician must send a copy of the medical certification to the Department of Children and Family Services.

Aug 23 05 H Public Act 94-0671

HB 01351 Rep. Deborah L. Graham-Sidney H. Mathias-Paul D. Froehlich, Richard T. Bradley, Jack D. Franks and Linda Chapa LaVia
(Sen. Jacqueline Y. Collins-Martin A. Sandoval and Debbie DeFrancesco Halvorson-Don Harmon)

625 ILCS 5/11-401 from Ch. 95 1/2, par. 11-401

625 ILCS 5/11-501.1 from Ch. 95 1/2, par. 11-501.1

Amends the Illinois Vehicle Code. Provides that any person arrested for leaving the scene of an accident involving death or personal injury is subject to chemical testing for alcohol, drugs, or intoxicating compounds. Provides that the person's driving privileges are subject to statutory summary suspension if he or she fails or refuses to undergo the testing.

House Amendment No. 1

Provides that the person is subject to the testing only if the testing occurs within 5 hours of the time of the occurrence of the accident that led to his or her arrest.

House Amendment No. 2

Provides that the person is subject to testing within 12 (rather than 5) hours of the time of the occurrence of the accident.

Jul 05 05 H Public Act 94-0115

HB 01358 Rep. Joseph M. Lyons-David E. Miller-Ronald A. Wait-Michael P. McAuliffe
(Sen. Antonio Munoz and John J. Cullerton)

625 ILCS 5/18c-2102 from Ch. 95 1/2, par. 18c-2102

625 ILCS 5/18c-2106 from Ch. 95 1/2, par. 18c-2106

Amends Illinois Vehicle Code provisions regarding hearings before the Illinois Commerce Commission. Provides that, in any case involving the licensing of a motor carrier of passengers, if an airport is a point to be served by that carrier, notice of an application for a license or transfer of a license must be served on the corporation counsel or chief legal officer of any municipality or other political subdivision operating the airport and on the agent for service of process in Illinois of any motor carrier possessing a license authorizing all or part of the service for which the license is sought. Provides that the municipality or other political subdivision operating the airport has standing to participate in the hearing on issuance or transfer of the license.

Aug 08 05 H Public Act 94-0499

HB 01368 Rep. Larry McKeon-Robert S. Molaro
(Sen. James A. DeLeo and Gary Forby)

65 ILCS 5/10-3-3.1 new

Amends the Illinois Municipal Code. Provides that a non-home rule municipality shall not assign a fireman to perform police duties or a policeman to perform firefighting duties. Prohibits a non-home rule municipality from administering fire and police department work assignments in a manner inconsistent with this requirement.

House Amendment No. 1

Further amends the Illinois Municipal Code. Provides that the restriction on firefighter and police work assignments does not apply to a municipality that created a department of public safety before January 1, 1998. Adds an immediate effective date.

Fiscal Note (H-AM 1) (Illinois Labor Relations Board)

House Bill 1368 has no fiscal impact on the Illinois Labor Relations Board.

No fiscal impact.

State Mandates Fiscal Note (Department of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1368 creates a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act.

State Mandates Fiscal Note (H-AM 1)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 1368 (H-AM 1) creates a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act.

Jan 06 06 H Public Act 94-0720

HB 01370 Rep. Larry McKeon-Charles E. Jefferson-Brandon W. Phelps-Cynthia Soto-William Davis, Deborah L. Graham, Mike Boland, Angelo Saviano, Donald L. Moffitt, Michael P. McAuliffe, Patrick J Verschoore, Jack McGuire, Lou Lang, Jack D. Franks, Linda Chapa LaVia and Lisa M. Dugan

(Sen. Gary Forby and Rickey R. Hendon-James F. Clayborne, Jr.-Edward D. Maloney-Jacqueline Y. Collins)

820 ILCS 130/6 from Ch. 48, par. 39s-6

820 ILCS 130/11 from Ch. 48, par. 39s-11

820 ILCS 130/11a from Ch. 48, par. 39s-11a

820 ILCS 130/11b

Amends the Prevailing Wage Act. Provides that specified violations of the Act are Class A (rather than Class B) misdemeanors. Provides that a contractor or subcontractor who pays a worker less than the stipulated rates for work performed under a contract is liable to the Department of Labor for 50% (rather than 20%) of the underpayment and is liable to the worker for punitive damages in the amount of 5% (rather than 2%) of the amount of the penalty to the State for each month following the date of payment during which the underpayment remains unpaid. Provides that the list of contractors or subcontractors found to have disregarded their obligations to employees under the Act shall include contractors or subcontractors who, on 2 separate occasions within 5 years (rather than on 2 separate occasions, without regard to a time period), have been determined to have violated the Act. Provides that no contract may be awarded to a contractor or subcontractor appearing on the list, or to an entity in which the contractor or subcontractor has an interest, until 5 (rather than 2) years have elapsed from the date of publication of the list. Provides that a party violating provisions protecting whistle blowers is liable to the Department of Labor for a penalty of $5,000 for each violation.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of House Bill 1370 it has been determined that the legislation would neither increase nor decrease the number of judges needed in the State.

Fiscal Note (Department of Labor)

House Bill 1370 will not have a fiscal impact on the Department of Labor.

Correctional Note (Department of Corrections)

Corrections Population Impact: None; Fiscal Impact: None.

House Amendment No. 1

Deletes language that increased the penalty and punitive damages for all underpayments. Adds language increasing the penalty and punitive damages for underpayments in the case of a second or subsequent action to recover underpayments against a contractor or subcontractor. Provides that no contract may be awarded to a contractor or subcontractor appearing on the list of contractors or subcontractors found to have disregarded their obligations to employees under the Act, or to an entity in which the contractor or subcontractor has an interest, until 4 (rather than 5 in the introduced bill) years have elapsed from the date of publication of the list.

Fiscal Note (H-AM 1)(Illinois Department of Labor)

Administration of the Act would not have a fiscal impact to implement.

Aug 08 05 H Public Act 94-0488

HB 01383 Rep. Rich Brauer

(Sen. Larry K. Bomke)

40 ILCS 5/14-130 from Ch. 108 1/2, par. 14-130

Amends the State Employee Article of the Illinois Pension Code. Provides that, instead of repaying the entire amount of a refund, a member may repay a portion of the refund and receive credit for the portion of the refund that was repaid. Effective immediately.

Aug 04 05 H Public Act 94-0455

HB 01384 Rep. Larry McKeon-Richard T. Bradley

(Sen. James F. Clayborne, Jr.)

40 ILCS 5/15-158.4 new

Amends the State Universities Article of the Illinois Pension Code. Directs the System to conduct a divided medicare coverage referendum, open to employees continuously employed by the same employer since March 31, 1986. Allows eligible employees to irrevocably elect to participate in the federal medicare program. Effective immediately.

Aug 02 05 H Public Act 94-0415

HB 01386 Rep. Jay C. Hoffman-William B. Black-Patrick J Verschoore
(Sen. John M. Sullivan)

625 ILCS 5/15-307 from Ch. 95 1/2, par. 15-307

Amends the Illinois Vehicle Code. Sets fees of $250 quarterly and $1,000 annually for special permits for continuous limited operation of trucks that exceed wheel and axle load limits. Provides that all single axles, excluding the steer axle, and axles within a tandem are limited to 24,000 pounds or less, unless otherwise noted in the new language. Provides that the permits allow loads up to 12 feet wide and 110 feet in length. Provides that front tag axle and double tandem trailers are not eligible for the permits.

Jun 17 05 H Public Act 94-0049

HB 01387 Rep. Kevin A. McCarthy
(Sen. Mike Jacobs)

625 ILCS 5/18b-105 from Ch. 95 1/2, par. 18b-105

625 ILCS 5/18b-107 from Ch. 95 1/2, par. 18b-107

Amends the Illinois Vehicle Code. Adopts federal motor carrier safety regulations regarding: drug, alcohol, and controlled substances testing; training requirements; financial responsibility; and transportation of hazardous materials. Provides that violators of motor carrier safety regulations are subject to a civil penalty prescribed by federal regulations (rather than a civil penalty of no more than $5,000). Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

625 ILCS 5/11-1202 from Ch. 95 1/2, par. 11-1202

Adds reference to:

625 ILCS 5/12-815.2 new

Amends the Illinois Vehicle Code. Provides that the driver of any bus that meets specified requirements for a school bus must, in addition to following all other required procedures, turn off all noise producing accessories before crossing a railroad track or tracks. Provides that any school bus manufactured on or after January 1, 2006 must be equipped with a noise suppression switch capable of turning off noise producing accessories.

Aug 10 05 H Public Act 94-0519

HB 01391 Rep. Daniel J. Burke-Angelo Saviano-William B. Black
(Sen. Terry Link-Dan Rutherford)

765 ILCS 1025/3a new
765 ILCS 1025/11 from Ch. 141, par. 111
765 ILCS 1025/12 from Ch. 141, par. 112
30 ILCS 105/5.640 new
30 ILCS 105/8h
30 ILCS 105/8j

Amends the Uniform Disposition of Unclaimed Property Act. Provides that funds and stock distributable in the course of a demutualization, rehabilitation, or related reorganization of an insurance company shall be deemed abandoned in the listed time frames. Provides that funds and stock deemed abandoned in the course of a demutualization, rehabilitation, or related reorganization of an insurance company shall be held in the Demutualization Trust Fund. Provides that the State Treasurer shall set a date that the required report and remittance of the funds and stock deemed abandoned in the course of a demutualization, rehabilitation, or related reorganization of an insurance company shall be filed. Provides that the names of owners that are identified and contacted directly by the State Treasurer do not have to be published as required under the notice requirements. Amends the State Finance Act. Creates the Demutualization Trust Fund. Exempts the Demutualization Trust Fund from transfers to the General Revenue Fund. Effective immediately.

House Amendment No. 1

Provides that the date that the report must be filed shall be the later of (i) 30 days after the effective date of the amendatory Act of the 94th General Assembly, or (ii) November 1, 2005.

Governor Amendatory Veto Message

Recommends that the following be deleted: (i) language exempting the Demutualization Trust Fund from transfers to the General Revenue Fund; and (ii) language exempting the Demutualization Trust Fund from provisions authorizing the allocation of certain amounts between the General Revenue Fund and other funds.

Nov 09 05 H Public Act 94-0686

HB 01395 Rep. Angelo Saviano-Michael P. McAuliffe
(Sen. Don Harmon and Dan Cronin)

5 ILCS 220/3.6 from Ch. 127, par. 743.6

Amends the Intergovernmental Cooperation Act. Permits a special district that is coterminous with or entirely within the boundaries of a township to merge into the township (now, permitted only in counties with less than 1,000,000 population).

Jul 08 05 H Public Act 94-0144

HB 01402 Rep. Michael K. Smith-Aaron Schock and Karen A. Yarbrough
(Sen. Mike Jacobs-Martin A. Sandoval)

50 ILCS 745/2 from Ch. 85, par. 2502
50 ILCS 745/3.2 from Ch. 85, par. 2505

Amends the Firemen's Disciplinary Act. With respect to certain periods of suspension, changes references to "24 duty hours" (now, "72 hours"). Effective immediately.

Jul 12 05 H Public Act 94-0188

HB 01403 Rep. Michael K. Smith-William B. Black-Mike Bost
(Sen. Iris Y. Martinez and Mike Jacobs)

40 ILCS 5/4-121 from Ch. 108 1/2, par. 4-121

Amends the Downstate Firefighter Article of the Illinois Pension Code. Provides for the creation of boards of trustees for fire protection districts. Provides for the termination of the terms of office of the existing boards and for the appointment and election of new 5-member boards. Effective immediately.

Jul 25 05 H Public Act 94-0317

HB 01406 Rep. Milton Patterson-Julie Hamos-William Davis-Mary E. Flowers-Constance A. Howard, William B. Black, Annazette Collins, William Delgado, Patricia R. Bellock, Robert S. Molaro, Patricia Bailey, John E. Bradley, Shane Cultra, Lovana Jones, Frank J. Mautino, David Reis, Jim Sacia, Arthur L. Turner, Wyvetter H. Younge and Cynthia Soto

(Sen. Jacqueline Y. Collins)

305 ILCS 5/12-13.05

Amends the Illinois Public Aid Code. In provisions concerning rules regulating the Temporary Assistance for Needy Families (TANF) program, eliminates provisions (i) repealing all rules regulating that program on July 1, 2006 and (ii) prohibiting the adoption of rules regulating that program after that date.

Aug 02 05 H Public Act 94-0416

HB 01411 Rep. Jay C. Hoffman-Thomas Holbrook-Jim Watson

(Sen. James F. Clayborne, Jr., Antonio Munoz and Larry K. Bomke)

625 ILCS 5/1-100 from Ch. 95 1/2, par. 1-100

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/1-100

Adds reference to:

625 ILCS 5/18b-106.2 new

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that the Department of Transportation shall declare that an emergency exists under federal regulations if a utility service provider informs the Department of a utility service interruption emergency. Provides that the Department may refuse to grant emergency declarations for a utility found to have abused the notification procedure. Provides that a person is exempt from any regulation of the maximum hours of service that an employee may work under federal regulations if he or she (i) is the holder of a commercial driver's license, (ii) is an employee, in an employment capacity in which the commercial driver's license is used, of a utility service provider or of a contractor or subcontractor of a utility service provider, and (iii) operates a commercial motor vehicle as a utility service vehicle and engages in intrastate maintenance or repair work in response to a utility service interruption emergency. Provides that the exemption from maximum hours of service regulations provided under the provisions shall not exceed the duration of the utility service provider's or driver's direct assistance in providing utility service interruption emergency relief, or 5 days from the date of the initial declaration, whichever is less. Provides that nothing in the new provisions shall be construed to contravene any federal law or to jeopardize State of Illinois entitlement to federal funding. Contains severability provisions. Effective immediately.

May 23 05 H Public Act 94-0001

HB 01427 Rep. Bob Biggins

(Sen. Terry Link)

35 ILCS 200/9-230

Amends the Property Tax Code. In a provision allowing the county board to submit a bill to the township board of trustees for the reasonable costs incurred by the supervisor of assessments in completing certain assessments, provides that the moneys collected from the billing may be used by the supervisor of assessments only for the purpose of recouping costs incurred in completing the assessments. Effective immediately.

Aug 02 05 H Public Act 94-0417

HB 01428 Rep. Karen A. Yarbrough-Paul D. Froehlich-Constance A. Howard-Marlow H. Colvin-Milton Patterson and Cynthia Soto

(Sen. Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter)

35 ILCS 200/20-26 new

Amends the Property Tax Code. Provides that when any mortgagee pays the taxes charged on any property, the mortgagee, within 7 business days of the payment, must notify the mortgagor of the property, by certified mail, of (1) the date the taxes were paid, (2) the amount of taxes paid, and (3) which installment was paid. Effective immediately.

House Amendment No. 1

Deletes the requirement that the notice of the payment of property taxes by a mortgagee be made by certified mail.

House Amendment No. 3

Deletes reference to:

35 ILCS 200/20-26 new

Adds reference to:

765 ILCS 910/2 from Ch. 17, par. 4902

Adds reference to:

765 ILCS 910/4 from Ch. 17, par. 4904

Adds reference to:

765 ILCS 910/15 new

Deletes everything. Amends the Mortgage Escrow Account Act. Provides that the definition of "mortgage lender" includes savings banks, credit unions, mortgage bankers, and entities that service mortgage loans, and deletes a provision that "mortgage lender" includes building and loan associations. Requires that, when any mortgage lender pays the property tax from an escrow account, the mortgage lender must give the borrower written notice within 45 business days after the tax payment. Sets forth requirements for the notice. Effective immediately.

House Amendment No. 4

Deletes the provision that the notice of a tax payment must set forth the installment that was paid. Deletes the immediate effective date provision.

State Mandates Fiscal Note (H-AM 3)(Dept. of Commerce and Economic Opportunity)

In the opinion of DCEO, HB 1428 (H-AM 3) does not create a State mandates under the State Mandates Act.

Fiscal Note (H-AM 3)(Department of Revenue)

House Bill 1428 (H-AM 3) does not have a fiscal impact on the Illinois Department of Revenue.

Jun 17 05 H Public Act 94-0050

HB 01430 Rep. JoAnn D. Osmond-Constance A. Howard-Mark H. Beaubien, Jr.-Ed Sullivan, Jr.-Ruth Munson and Karen May

(Sen. William E. Peterson-Jacqueline Y. Collins and Pamela J. Althoff)

210 ILCS 45/3-610 from Ch. 111 1/2, par. 4153-610

Amends the Nursing Home Care Act. Provides that a nursing home employee or agent who becomes aware of another employee or agent's theft or misappropriation of a resident's property must immediately report the matter to the facility administrator. Provides that a facility administrator who becomes aware of a nursing home employee or agent's theft or misappropriation of a resident's property must immediately report the matter by telephone and in writing to the resident's representative, to the Department of Public Health, and to the local law enforcement agency. Prohibits retaliation against a nursing home employee or agent who reports the theft or misappropriation of a resident's property.

House Amendment No. 1

Adds reference to:

210 ILCS 45/1-116.5 new

Further amends the Nursing Home Care Act. Defines "misappropriation of a resident's property" as the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a resident's belongings or money without the resident's consent.

Jun 14 05 H Public Act 94-0026

HB 01432 Rep. Tom Cross-Sidney H. Mathias-Roger Jenisch-Sandra M. Pihos-Patricia R. Bellock, John J. Millner and James H. Meyer
(Sen. Kirk W. Dillard-Martin A. Sandoval-Edward D. Maloney)

720 ILCS 5/12-2 from Ch. 38, par. 12-2

720 ILCS 5/12-4 from Ch. 38, par. 12-4

Amends the Criminal Code of 1961. Provides that aggravated assault or aggravated battery also occurs when the individual assaulted or battered or the person committing the assault or battery is in or about a publicly or privately owned sports or entertainment arena, stadium, community or convention hall, special event center, amusement facility, or a special event center in a public park during any 24-hour period when a professional sporting event, National Collegiate Athletic Association (NCAA)-sanctioned sporting event, United States Olympic Committee-sanctioned sporting event, or International Olympic Committee-sanctioned sporting event is taking place in the venue.

Aug 08 05 H Public Act 94-0482

HB 01434 Rep. Milton Patterson-Patricia Bailey-William Davis-Mary E. Flowers-Karen A. Yarbrough, Careen M Gordon, Cynthia Soto, Deborah L. Graham, Jack D. Franks, Linda Chapa LaVia, Wyvetter H. Younge and Arthur L. Turner
(Sen. Iris Y. Martinez-Jacqueline Y. Collins, Martin A. Sandoval and Pamela J. Althoff)

720 ILCS 5/15-10 new

720 ILCS 5/16-1 from Ch. 38, par. 16-1

Amends the Criminal Code of 1961. For the purposes of property offenses, defines "governmental property" as funds or other property owned by the State, a unit of local government, or a school district. Provides for enhanced penalties for theft of governmental property. Establishes the same penalties for this offense as the penalties for theft committed in a school or place of worship.

Correctional Note (Dept of Corrections)

The total impact of House Bill 1434 would result in an increase of 41 inmates, with additional operating costs of $8,183,700 and construction costs of $2,378,400 over ten years.

Jul 07 05 H Public Act 94-0134

HB 01445 Rep. Daniel J. Burke-Donald L. Moffitt-John J. Millner-Joseph M. Lyons-Jack McGuire, Mike Boland, Robert Rita, Kenneth Dunkin, Bill Mitchell and Patrick J Verschoore
(Sen. Martin A. Sandoval and Antonio Munoz)

New Act

Creates the Clinical Laboratory Science Practice Act. Provides for the regulation of clinical laboratory practitioners, medical technologists, and medical laboratory technicians through licensure by the Department of Financial and Professional Regulation. Preempts home rule. Effective immediately.

House Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

225 ILCS 317/30

Deletes everything after the enacting clause. Amends the Fire Sprinkler Contractor Licensing Act. Provides that prior to submitting any layout drawing of sprinkler systems to the authority that has jurisdiction, the layout drawing must be stamped by a licensed professional engineer or certified by a holder of a valid National Institute for Certification in Engineering Technologies (NICET) level 3 or higher certification in "fire protection technology, automatic sprinkler system layout" who is licensed under the Act or is employed by a person or an organization licensed under the Act.

House Amendment No. 2

Deletes reference to:

225 ILCS 317/30

Adds reference to:

225 ILCS 317/10

Adds reference to:

225 ILCS 317/15

Deletes everything after the enacting clause. Amends the Fire Sprinkler Contractor Licensing Act. Defines "fire protection system layout documents". Provides that all fire protection system layout documents of fire sprinkler systems shall be prepared by either (i) a professional engineer who is licensed by the Professional Engineering Practice Act of 1989 or (ii) a holder of a valid NICET level 3 or 4 certification in fire protection technology automatic sprinkler system layout who is licensed under the Act or employed by an organization licensed under the Act.

Senate Committee Amendment No. 1

Makes changes to the definition of "fire protection system layout documents". Provides that fire protection system layout documents of fire sprinkler systems may be prepared by an architect who is licensed under the Illinois Architecture Practice Act of 1989.

Jul 29 05 H Public Act 94-0367

HB 01458 Rep. Linda Chapa LaVia-Donald L. Moffitt-Michael P. McAuliffe-Patrick J Verschoore-Patricia Bailey, Elizabeth Coulson, Susana A Mendoza, Jack D. Franks, Cynthia Soto, Maria Antonia Berrios and Michelle Chavez
(Sen. Martin A. Sandoval and Pamela J. Althoff)

65 ILCS 5/10-1-16 from Ch. 24, par. 10-1-16

Amends the Illinois Municipal Code. Provides that persons who were engaged in active military or naval service of the United States for at least one year (now, at any time during certain stated periods) and who were honorably discharged shall be preferred for appointments to civil offices, positions, and places of employment in the classified service of a municipality that is subject to Division 1 of the Code. Provides that the municipality's civil service commission shall give preference points for original appointments to qualified veterans, whose names appear on any register of eligibles resulting from a civil service entrance exam, by adding 5 points to their final grade averages. Provides that qualified veterans shall be preferred for promotional civil service appointments and that the preference that the qualified veterans will receive shall be seven-tenths of one point for each 6 months or fraction thereof of active military or naval service not exceeding 30 months (now, no requirement that the service be active). Makes other changes. Effective immediately.

Aug 08 05 H Public Act 94-0483

HB 01469 Rep. Michelle Chavez-Patricia Bailey-Cynthia Soto-Susana A Mendoza, Careen M Gordon, William Delgado, Maria Antonia Berrios, Charles E. Jefferson, Robert W. Churchill, Lee A. Daniels, Angelo Saviano, Michael P. McAuliffe, Ed Sullivan, Jr., Ron Stephens, Chapin Rose, Richard P. Myers, Lou Lang, John D'Amico, Calvin L. Giles, Monique D. Davis, Mary E. Flowers, Frank J. Mautino, David Reis, Bill Mitchell, Raymond Poe, Rich Brauer, David R. Leitch, Mike Bost, Dave Winters, Art Tenhouse, Sandra M. Pihos, Carolyn H. Krause, Daniel J. Burke, Harry Osterman, Jack D. Franks, Wyvetter H. Younge, Kurt M. Granberg, Robin Kelly, Dan Reitz, Robert S. Molaro, Aaron Schock, Michael K. Smith, Daniel V. Beiser, Jack McGuire, Patrick J Verschoore, Kathleen A. Ryg, Ruth Munson, Patricia R. Bellock, Rosemary Mulligan, Eddie Washington, Julie Hamos, Elaine Nekritz, Edward J. Acevedo, Constance A. Howard, Milton Patterson, Joseph M. Lyons, Richard T. Bradley, Marlow H. Colvin, Naomi D. Jakobsson, Karen May, Kenneth Dunkin, Deborah L. Graham, Paul D. Froehlich, Donald L. Moffitt, John J. Millner, Eileen Lyons, John A. Fritchey, David E. Miller, Robert Rita, Arthur L. Turner, Elizabeth Coulson, Robert W. Pritchard, Sidney H. Mathias and James H. Meyer

(Sen. John J. Cullerton, William R. Haine and Pamela J. Althoff-Jacqueline Y. Collins-Iris Y. Martinez)

720 ILCS 5/Art. 10A heading new

720 ILCS 5/10A-5 new

720 ILCS 5/10A-10 new

Amends the Criminal Code of 1961. Creates the offenses of involuntary servitude, sexual servitude of a minor, and trafficking of persons for forced labor and services. Mandates restitution. Provides that the Attorney General, in cooperation with the Administrative Office of the Illinois Courts, State's Attorneys, circuit court officials, the Department of Human Services, and the Department of Public Aid shall ensure that victims of trafficking or involuntary servitude are referred to appropriate social services, federal and State public benefits programs, victim protection services and immigration assistance services, where applicable. Provides that State's Attorneys shall refer an immigrant victim to the Attorney General for certification that the individual is a victim of trafficking or involuntary servitude so that the individual can qualify for a special immigrant visa and can have access to available federal benefits. Provides that the Attorney General, in consultation with the Department of Human Services, the Department of Public Aid and the Administrative Office of the Illinois Courts, shall, within 6 months after the effective date of this amendatory Act, determine and issue a report on how existing social services, public aid programs and victim protecting laws and rules respond to the needs of victims of trafficking and involuntary servitude.

House Amendment No. 1

Defines "forced labor or services" to include labor or services that are performed or provided by another person and are maintained through any scheme, plan, or pattern intending to cause or threatening to cause serious harm to any person. Provides that a "sexually-explicit performance" includes a recorded or broadcast act or show including a broadcast over the Internet. Changes references from "servitude" to "involuntary servitude". Provides that subject to the availability of funds, the Department of Human Services may provide or fund emergency services and assistance to individuals who are victims of one or more offenses created by the amendatory Act. Deletes provisions that the Attorney General, in cooperation with the Administrative Office of the Illinois Courts, State's Attorneys, circuit court officials, the Department of Human Services, and the Department of Public Aid shall ensure that victims of trafficking or involuntary servitude are referred to appropriate social services, federal and State public benefits programs, victim protection services and immigration assistance services, where applicable. Deletes provisions that State's Attorneys shall refer an immigrant victim to the Attorney General for certification that the individual is a victim of trafficking or involuntary servitude so that the individual can qualify for a special immigrant visa and can have access to available federal benefits. Deletes provisions that the Attorney General, in consultation with the Department of Human Services, the Department of Public Aid and the Administrative Office of the Illinois Courts, shall, within 6 months after the effective date of this amendatory Act, determine and issue a report on how existing social services, public aid programs and victim protecting laws and rules respond to the needs of victims of trafficking and involuntary servitude.

Senate Committee Amendment No. 1

Deletes sentencing enhancements if death results. Provides that restitution for the various violations of the provisions of the amendatory Act include the greater of (1) the gross income or value to the defendant of the victim's labor or services or (2) the value of the victim's labor as guaranteed under the Minimum Wage Law and overtime provisions of the Fair Labor Standards Act or the Minimum Wage Law, whichever is greater.

Senate Floor Amendment No. 2

Adds reference to:

720 ILCS 5/10A-15 new

Adds reference to:

720 ILCS 5/10A-20 new

HB 01469 (CONTINUED)

Provides that a person who commits the offense of involuntary servitude, involuntary servitude of a minor, or trafficking of persons for forced labor or services shall forfeit to the State of Illinois any profits or proceeds and any interest or property he or she has acquired or maintained in violation of these provisions that the sentencing court determines, after a forfeiture hearing, to have been acquired or maintained as a result of maintaining a person in involuntary servitude or participating in trafficking in persons for forced labor or services. Provides that upon conviction of a person of involuntary servitude, involuntary servitude of a minor, or trafficking in persons for forced labor or services, the court shall authorize the Attorney General to seize all property or other interest declared forfeited upon such terms and conditions as the court shall deem proper. Provides that all monies forfeited and the sale proceeds of all other property forfeited and seized under these provisions shall be distributed as follows: (1) one-half shall be divided equally among all State agencies and units of local government whose officers or employees conducted the investigation which resulted in the forfeiture; and (2) one-half shall be deposited into the Violent Crime Victims Assistance Fund and targeted to services for victims of the offenses of involuntary servitude, involuntary servitude of a minor, and trafficking of persons for forced labor or services. Provides that the Attorney General, State's Attorneys, or any law enforcement official shall certify in writing to the United States Department of Justice or other federal agency, such as the United States Department of Homeland Security, that an investigation or prosecution under Article 10A of the Code has begun and the individual who is a likely victim of a crime described in Article 10A is willing to cooperate or is cooperating with the investigation to enable the individual, if eligible under federal law, to qualify for an appropriate special immigrant visa and to access available federal benefits. Provides that cooperation with law enforcement is not required of victims of a crime described in Article 10A who are under 18 years of age. Provides that the certification shall be made available to the victim and his or her designated legal representative.

Jun 07 05 H Public Act 94-0009

HB 01471 Rep. William B. Black-Paul D. Froehlich-Patricia Bailey-Lisa M. Dugan and Careen M Gordon
(Sen. Dan Cronin-Antonio Munoz and Pamela J. Althoff-Kirk W. Dillard)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

720 ILCS 5/36-1 from Ch. 38, par. 36-1

Amends the Illinois Vehicle Code and the Criminal Code of 1961. Provides that a person who drives while under the influence of alcohol, drugs, or intoxicating compounds is guilty of aggravated DUI if he or she had no valid driver's license or was not covered by liability insurance. Provides that the person's vehicle is subject to seizure and forfeiture.

Correctional Note (Dept of Corrections)

The total impact of House Bill 1471 would result in an increase of 142 inmates, with additional operating costs of $27,771,900 and construction costs of $8,226,900 over ten years.

Jul 26 05 H Public Act 94-0329

HB 01480 Rep. Brandon W. Phelps-John A. Fritchey-Dan Reitz-Aaron Schock-Patrick J Verschoore, William Davis, Lisa M. Dugan, Mike Boland, Larry McKeon, Daniel V. Beiser and John E. Bradley
(Sen. Debbie DeFrancesco Halvorson-Dave Sullivan-Peter J. Roskam-Martin A. Sandoval)

820 ILCS 5/1.2 new

820 ILCS 5/1.3 new

820 ILCS 5/1.4 new

820 ILCS 5/1.5 new

Amends the Labor Dispute Act. Contains findings and a declaration. Provides that persons engaged in picketing in labor disputes may use public rights of way to apprise the public of the existence of a dispute for: "the purposes of picketing"; erection of temporary signs announcing their dispute; parking at least one vehicle on the public right of way; and erection of tents or other temporary shelter for the health, welfare, personal safety, and well-being of picketers. Provides that a sign, tent, or temporary shelter may not be erected or maintained so as to obscure or otherwise physically interfere with an official traffic sign, signal, or device or to obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic. Provides that "the burden of proof shall rest on the unit of local government making such a claim". Provides that tents or other temporary shelter covered by the new provisions shall not be larger than 300 square feet. Provides that signs, tents, or temporary shelters shall be removed at the end of each day when the picketing has ceased but that signs, tents, or temporary shelters may be maintained while individuals participating in the labor dispute are present. Prohibits blocking of fire hydrants. Requires water mains, sewers and other utilities to be accessible for maintenance and emergency repair work. Requires picketers to ensure that a reasonable walkway exists for pedestrians and others to pass by the picketing activities and make reasonable attempts to keep the area free from garbage and significant damage. Provides that the new provisions do not allow the erection of a tent or shelter on the right of way of any Class I highway. Provides that if a court determines that a sign, tent, or temporary shelter does not obscure or otherwise physically interfere with an official traffic sign, signal or device or to obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic, the unit of local government shall be liable for all costs and attorney's fees. Provides that an ordinance or resolution adopted before, on, or after the effective date of the new provisions by a unit of local government that imposes restrictions or limitations on the picketing of an employer in a manner inconsistent with this Act is invalid, and that a home rule unit may not regulate picketing.

Senate Committee Amendment No. 1

Provides that the provisions of the bill allowing persons engaged in picketing the use of the public rights of way to apprise the public of the existence of a labor dispute shall not be construed that water mains, sewers, and other utilities are accessible for construction, maintenance, and emergency repair work.

Jul 26 05 H Public Act 94-0321

HB 01483 Rep. Lisa M. Dugan-Paul D. Froehlich-Susana A Mendoza, Cynthia Soto, Robin Kelly, Deborah L. Graham, Milton Patterson, Robert F. Flider, Marlow H. Colvin, Richard T. Bradley, Patricia Bailey and Donald L. Moffitt
(Sen. Debbie DeFrancesco Halvorson-Donne E. Trotter)

730 ILCS 5/5-6-1 from Ch. 38, par. 1005-6-1

Amends the Unified Code of Corrections. Provides that supervision is not available to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if, within the 12 months preceding the date of the defendant's arrest, the defendant has been assigned court supervision for a violation that governs the movement of vehicles under the Illinois Vehicle Code or a similar provision of a local ordinance.

House Amendment No. 1

Provides that supervision is not available to a defendant charged with violating any provision of the Illinois Vehicle Code or a similar provision of a local ordinance that governs the movement of vehicles if, within the 12 months preceding the date of the defendant's arrest, the defendant has been assigned court supervision on 2 occasions for a violation that governs the movement of vehicles under the Illinois Vehicle Code or a similar provision of a local ordinance.

Jul 26 05 H Public Act 94-0330

HB 01486 Rep. Frank J. Mautino

(Sen. Todd Sieben, Gary Forby, John O. Jones and Mike Jacobs)

520 ILCS 5/2.33 from Ch. 61, par. 2.33

520 ILCS 5/2.33a from Ch. 61, par. 2.33a

Amends the Wildlife Code. Allows the use of cable restraints not powered by springs, spring poles, or mechanical devices to trap fur-bearing mammals on land with written permission from the landowner or tenant of the land. Provides that cable restraints must be visited at least once each calendar day. Provides that it is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the cable restraints owned by another person without written authorization from the owner. Allows the use of locking type cable restraints for use in water trapping. Provides that written permission is not required for water sets. Prohibits the use of cable restraints during the closed trapping season. Prohibits the use on land of cable restraints with a loop diameter exceeding 15 inches. Prohibits the use on land of cable restraints without a relaxing mechanical lock, anchor swivel, and stop device to prevent the relaxing mechanical lock from closing the noose loop to a diameter of less than 2 1/2 inches. Prohibits the use of cable restraints attached to a drag or a movable object. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes everything after he enacting clause. Amends the Wildlife Code. Allows the use of cable restraints not powered by springs, spring poles, or mechanical devices to trap fur-bearing mammals on land with written permission from the landowner or tenant of the land. Allows the use of locking type cable restraints for use in water trapping. Provides that written permission of the owner of the land over which water is standing or flowing is not required for water sets. Prohibits the use of cable restraints during the closed trapping season. Prohibits the use on land of cable restraints with a loop diameter exceeding 15 inches. Prohibits the use on land of cable restraints without a relaxing mechanical lock, anchor swivel, and stop device to prevent the relaxing mechanical lock from closing the noose loop to a diameter of less than 2 1/2 inches. Prohibits the use of cable restraints attached to a drag or a movable object. Makes other changes. Effective immediately.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 01487 Rep. Kevin A. McCarthy-Mike Boland-Patrick J Verschoore-Kurt M. Granberg, Brandon W. Phelps, John E. Bradley and Jack McGuire

(Sen. Deanna Demuzio-Martin A. Sandoval)

110 ILCS 805/2-1 from Ch. 122, par. 102-1

110 ILCS 805/2-2 from Ch. 122, par. 102-2

Amends the Public Community College Act. Provides that beginning on July 1, 2005, one of the 11 members appointed to the Illinois Community College Board by the Governor must be a faculty member at an Illinois public community college. Effective July 1, 2005.

Senate Committee Amendment No. 1

Beginning on July 1, 2005, requires one of the members of the Illinois Community College Board appointed by the Governor to be a member of the board of trustees of a public community college district. Provides that the Board membership requirements apply only to the Illinois Community College Board and shall have no effect on the membership of the board of trustees of a community college district. Provides that no member of the Board shall hold current membership on a school board or board of trustees of a public or non-public university or technical institute (now, a public or non-public college, university, or technical institute).

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 01500 Rep. Donald L. Moffitt-Sidney H. Mathias-Michael K. Smith-Mike Boland-Paul D. Froehlich
(Sen. William R. Haine, Mike Jacobs and Dale E. Risinger-Gary Forby)

65 ILCS 5/10-2.1-4 from Ch. 24, par. 10-2.1-4

Amends the Illinois Municipal Code. Provides that in a municipality having a population less than 1,000,000, a firefighter who is required to be a paramedic as a condition of employment may be placed on an additional 18-month probationary period. Provides that during the additional period, the firefighter may be discharged without a hearing solely for failure to pass the paramedic examination. Makes other changes. Effective immediately.

House Amendment No. 1

Adds reference to:

65 ILCS 5/10-1-7 from Ch. 24, par. 10-1-7

Adds reference to:

70 ILCS 705/16.13b from Ch. 127 1/2, par. 37.13b

Deletes everything after the enacting clause. Amends the Illinois Municipal Code and the Fire Protection District Act. Provides that in certain municipalities and fire protection districts, the probationary employment period may be extended beyond 12 months for a firefighter who is required, as a condition of his or her employment, to be a certified paramedic, but the firefighter may only be discharged without a hearing during the extended probationary period if the firefighter fails to meet the paramedic certification requirements (now, the probationary period limitation does not apply to a fireman whose position also includes paramedic responsibilities). Effective immediately.

Jul 07 05 H Public Act 94-0135

HB 01511 Rep. Art Tenhouse-Jack McGuire-Mary E. Flowers and Joseph M. Lyons
(Sen. John M. Sullivan-Iris Y. Martinez)

20 ILCS 2435/45 from Ch. 23, par. 3395-45

Amends the Abuse of Adults with Disabilities Intervention Act. Provides that if the guardian of the person of an adult with disabilities is alleged to be the perpetrator of abuse, neglect, or exploitation, the Adults with Disabilities Abuse Project may (now, shall) seek the appointment of a temporary substitute guardian pursuant to the Illinois Domestic Violence Act of 1986 under the Probate Act of 1975. Effective immediately.

Senate Floor Amendment No. 1

Provides that if the guardian of the person of an adult with disabilities is alleged to be the perpetrator of abuse, neglect, or exploitation against that person, then the Adults with Disabilities Project shall (rather than may), when there is an immediate and urgent necessity, seek the appointment of a temporary substitute guardian (now there is no requirement that there be an immediate and urgent necessity).

Aug 02 05 H Public Act 94-0418

HB 01517 Rep. Dan Brady-Roger L. Eddy
(Sen. Terry Link-Dan Rutherford)

New Act

410 ILCS 18/15 rep.

Creates the Disposition of Remains Act. Lists, in order of priority, those persons who have the right to control the disposition, including cremation, of the decedent's remains and who are liable for the costs of disposition, unless the decedent has left written directions for the disposition of his or her remains as provided in the listed Section of the Act or in the Crematory Regulation Act. Provides a form for the appointment of an agent to control the disposition of remains. Provides that a person may provide written directions for the disposition, including cremation, of the person's remains in a will, a prepaid funeral, burial, or cremation contract, or in a written instrument signed by the person and notarized. Amends the Crematory Regulation Act to repeal the Section concerning the priority list for authorizing agents for the cremation of remains.

House Amendment No. 1

Deletes reference to:

410 ILCS 18/15 rep.

Adds reference to:

410 ILCS 18/15

Deletes everything after the enacting clause. Reinserts the provisions of the original bill. In the priority list for the right to control disposition of the decedent, switches the priority order for the spouse of the decedent and the executor or legal representative. Provides that the second person in priority shall be any person serving as executor or legal representative of the decedent's estate and acting according to the decedent's written will (instead of the decedent's surviving spouse). Provides that the third person in priority shall be the individual who was the spouse at the time of the decedent's death. Amends the Crematory Regulation Act. Provides that, the priority of the person or persons who have the right to serve as the authorizing agent for cremation shall be the same as the priority listed in the Disposition of Remains Act.

Senate Committee Amendment No. 1

In the Appointment of Agent to Control Disposition of Remains form, provides options that may be chosen if the disposition of remains is to be by cremation. Adds a cremation authorization form that complies with the Crematory Regulation Act to the list of written directions that a person may provide for the disposition of his or her remains.

Aug 12 05 H Public Act 94-0561

HB 01522 Rep. Elizabeth Coulson-Rosemary Mulligan-Ruth Munson and Lou Lang
(Sen. Jeffrey M. Schoenberg)

New Act

Creates the Loan Repayment Assistance for Physicians Act. Requires the Department of Public Health to establish an educational loan repayment assistance program for physicians who practice in Illinois. Provides that beginning July 1, 2005, the Department shall consider applications for assistance under the program. Sets forth eligibility requirements for applicants. Provides that for each year that a qualified applicant practices full-time as a physician, the Department shall, subject to appropriation, award a grant to that person in an amount equal to the amount in educational loans that the person must repay that year. Provides that the total amount in grants that a person may be awarded shall not exceed $25,000. Provides that loan payment recipients who fail to practice full-time in Illinois for 3 years shall repay the Department a sum equal to 3 times the amount received under the program. Effective July 1, 2005.

Jul 29 05 H Public Act 94-0368

HB 01523 Rep. Sidney H. Mathias-John A. Fritchey-David E. Miller
(Sen. Ira I. Silverstein)

735 ILCS 5/2-1402	from Ch. 110, par. 2-1402
735 ILCS 5/12-705	from Ch. 110, par. 12-705
735 ILCS 5/12-901	from Ch. 110, par. 12-901
735 ILCS 5/12-904	from Ch. 110, par. 12-904
735 ILCS 5/12-906	from Ch. 110, par. 12-906
735 ILCS 5/12-909	from Ch. 110, par. 12-909
735 ILCS 5/12-910	from Ch. 110, par. 12-910
735 ILCS 5/12-911	from Ch. 110, par. 12-911
735 ILCS 5/12-912	from Ch. 110, par. 12-912
735 ILCS 5/12-1001	from Ch. 110, par. 12-1001

Amends the Code of Civil Procedure. Increases the allowable amount of an estate of homestead property used as a residence from $7,500 to $15,000 for an individual and from $15,000 to $30,000 for 2 or more individuals. In the Sections concerning exemptions from judgment, attachment, or distress for rent, increases the allowable amount of personal property owned by the debtor from $2,000 to $4,000, the debtor's equity interest in any one motor vehicle from $1,200 to $2,400, and the value of implements, professional books, or tools of the trade of the debtor from $750 to $1,500.

Jul 21 05 H Public Act 94-0293

HB 01527 Rep. William B. Black-Robert F. Flider
(Sen. Richard J. Winkel, Jr.-Peter J. Roskam)

40 ILCS 5/7-141.1

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. In the provisions restricting the return to employment after receiving early retirement benefits, excludes elective office. Effective immediately.

Aug 04 05 H Public Act 94-0456

HB 01529 Rep. Carolyn H. Krause-Sidney H. Mathias-Sandra M. Pihos-Rosemary Mulligan-Patricia R. Bellock, Calvin L. Giles, Michael Tryon, Elizabeth Coulson, Jack D. Franks and Linda Chapa LaVia
(Sen. Carole Pankau, Martin A. Sandoval, Gary Forby and Debbie DeFrancesco Halvorson)

20 ILCS 605/605-607 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that the Department shall create and maintain a program that generates awareness among Illinois small manufacturers regarding opportunities to bid for work on federal, State, and local government contracts.

Aug 04 05 H Public Act 94-0437

HB 01540 Rep. Tom Cross-Elizabeth Coulson-Roger L. Eddy-Patricia R. Bellock
(Sen. Mattie Hunter)

105 ILCS 5/27-6	from Ch. 122, par. 27-6
105 ILCS 5/27-7	from Ch. 122, par. 27-7

Amends the School Code. Provides that pupils must daily engage in courses of physical education for such periods as are commensurate with the students' other courses of study. Allows a school board to excuse pupils in grades 9 through 12 from engaging in physical education courses if those pupils must utilize the time set aside for physical education to receive special education support and services. Changes requirements with regard to a physical education course of study. Requires a physical education course of study to provide students with an opportunity for an appropriate amount of daily physical activity. Requires a physical education course of study to be part of the regular school curriculum and not extra-curricular in nature or organization. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill, except removes the provision that requires pupils to engage in courses of physical education for such periods as are commensurate with the students' other courses of study. Effective immediately.

Jul 12 05 H Public Act 94-0189

HB 01541 Rep. Tom Cross-Elizabeth Coulson-Roger L. Eddy-Aaron Schock, Jack D. Franks and Linda Chapa LaVia
(Sen. Susan Garrett)

105 ILCS 5/2-3.137 new

Amends the School Code. Requires the State Board of Education to establish a school health recognition program that publicly identifies those schools that have implemented programs to increase the physical activity of their students and that have adopted policies or implemented programs to promote healthy nutritional choices for their students and to allow recognized schools to share best practices and model programs and services with other schools throughout the State. Effective immediately.

Jul 12 05 H Public Act 94-0190

HB 01548 Rep. Barbara Flynn Currie-Patricia R. Bellock-William Delgado-Naomi D. Jakobsson-Elizabeth Coulson, Sara Feigenholtz, Michelle Chavez, Roger Jenisch, Shane Cultra, Annazette Collins, Robert Rita, Constance A. Howard, Jack D. Franks and Linda Chapa LaVia
(Sen. John J. Cullerton-Jacqueline Y. Collins-Mattie Hunter)

20 ILCS 505/5 from Ch. 23, par. 5005

Amends the Children and Family Services Act. Provides that the Department of Children and Family Services may continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption assistance agreement for the child with another adoptive parent or parents.

House Amendment No. 1

Provides that the Department of Children and Family Services may, subject to federal financial participation in the cost, continue to provide financial assistance and education assistance grants for a child who was determined eligible for financial assistance in the interim period beginning when the child's adoptive parents died and ending with the finalization of the new adoption (instead of new adoption assistance agreements) of the child by another adoptive parent or parents.

Jul 14 05 H Public Act 94-0215

HB 01549 Rep. Thomas Holbrook
(Sen. James F. Clayborne, Jr.)

420 ILCS 44/5
420 ILCS 44/10
420 ILCS 44/15
420 ILCS 44/20
420 ILCS 44/25
420 ILCS 44/30
420 ILCS 44/35
420 ILCS 44/45
420 ILCS 44/50
420 ILCS 44/55
420 ILCS 44/60
420 ILCS 44/65
420 ILCS 44/70

Amends the Radon Industry Licensing Act. Changes references in the Act from the "Department of Nuclear Safety" to the "Illinois Emergency Management Agency". Provides that it is grounds for disciplinary action against a licensee to fail to pay child support orders. Provides that IEMA disciplinary actions against licensees may occur upon a conviction of the licensee for a felony (now, a felony or a misdemeanor when dishonesty is an essential element of the crime). Makes other changes. Effective immediately.

Jul 29 05 H Public Act 94-0369

HB 01550 Rep. Chapin Rose-Robert F. Flider-Thomas Holbrook-Michael K. Smith
(Sen. Dale A. Righter)

625 ILCS 5/12-215 from Ch. 95 1/2, par. 12-215

Amends the Illinois Vehicle Code. Provides that blue oscillating, rotating, or flashing lights are prohibited if lighted (rather than whether lighted or unlighted), except on specified vehicles.

House Amendment No. 1

Restores language providing that these lights are prohibited whether lighted or unlighted, except on specified vehicles. Provides that the exemption applies to vehicles owned or operated (rather than owned or fully operated) by specified persons. Provides that a person using these lights in accordance with the provision must carry an identification card or letter identifying the bona fide member of a fire department or other specified agency that owns or operates the vehicle (rather than identifying the person using the lights as a member of a bona fide fire department or other specified agency).

Jul 26 05 H Public Act 94-0331

HB 01559 Rep. Tom Cross-Sidney H. Mathias-John J. Millner, Jack D. Franks and Linda Chapa LaVia
(Sen. Kirk W. Dillard-Chris Lauzen-Kwame Raoul and Edward Petka)

720 ILCS 5/17-2 from Ch. 38, par. 17-2

720 ILCS 5/21-7 from Ch. 38, par. 21-7

Amends the Criminal Code of 1961. Provides that no person may claim or represent that he or she is an airman, airline employee, airport employee, or contractor at an airport in order to obtain the uniform, identification card, license, or other identification paraphernalia of an airman, airline employee, airport employee, or contractor at an airport. Provides that whoever enters upon, or remains in, any restricted area or restricted landing area while dressed in the uniform of, improperly wearing the identification of, presenting false credentials of, or otherwise physically impersonating an airman, employee of an airline, employee of an airport, or contractor at an airport commits a Class 4 felony. Effective immediately.

Aug 11 05 H Public Act 94-0548

HB 01562 Rep. Jay C. Hoffman-William B. Black
(Sen. Terry Link)

625 ILCS 27/15

Amends the Renter's Financial Responsibility and Protection Act. Provides that a vehicle rental company may void a damage waiver with regard to damage or loss occurring while the rental vehicle was operated by a driver under the influence of alcohol, drugs, or intoxicating compounds, in violation of the DUI provisions of the Illinois Vehicle Code.

Senate Floor Amendment No. 1

Provides that the vehicle rental company may void the damage waiver only if the person is found guilty of violating the DUI provisions of the Code.

Jul 26 05 H Public Act 94-0332

HB 01565 Rep. Cynthia Soto
(Sen. Antonio Munoz-Iris Y. Martinez)

15 ILCS 335/14	from Ch. 124, par. 34
625 ILCS 5/3-113	from Ch. 95 1/2, par. 3-113
625 ILCS 5/3-401	from Ch. 95 1/2, par. 3-401
625 ILCS 5/3-412	from Ch. 95 1/2, par. 3-412
625 ILCS 5/3-416	from Ch. 95 1/2, par. 3-416
625 ILCS 5/3-704	from Ch. 95 1/2, par. 3-704
625 ILCS 5/3-802	from Ch. 95 1/2, par. 3-802
625 ILCS 5/3-803	from Ch. 95 1/2, par. 3-803
625 ILCS 5/3-818	from Ch. 95 1/2, par. 3-818
625 ILCS 5/6-107	from Ch. 95 1/2, par. 6-107
625 ILCS 5/6-301.2	from Ch. 95 1/2, par. 6-301.2
625 ILCS 5/7-315	from Ch. 95 1/2, par. 7-315
625 ILCS 5/7-318	from Ch. 95 1/2, par. 7-318
625 ILCS 5/7-503	from Ch. 95 1/2, par. 7-503
625 ILCS 5/12-603.1	from Ch. 95 1/2, par. 12-603.1
625 ILCS 5/3-822 rep.	from Ch. 95 1/2, par. 3-822

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that it is unlawful to possess, use, or allow to be used, any materials, hardware, or software specifically designed or primarily used for the reading of encrypted language from the bar code or magnetic strip of an official Illinois Identification Card, Disabled Person Identification Card, driver's license, or permit. Provides that, after a dealer buys a vehicle and holds it for resale, the dealer must procure the certificate of title from the owner or lienholder. Provides that the only vehicles that may be registered are those that (i) were originally manufactured for operation on highways, (ii) are modifications of those vehicles, or (iii) are assembled from parts intended for those vehicles. Deletes language providing that a person must notify the Secretary of State if he or she moves to an address other than the address shown on a certificate of title. Provides that a person may give other than a written notice of a change of address from that shown on a registration application or card. Provides that the Secretary of State may revoke or suspend the registration or certificate of title of a vehicle if the Secretary determines that any required fees have not been paid to the Illinois Department of Revenue under the Motor Fuel Tax Law, and the fees are not paid upon reasonable notice and demand. Provides that a vehicle owner and an insurance carrier may submit to the Secretary proof of insurance and notice of the cancellation of a policy, respectively, by electronic means. Deletes language requiring the Secretary to provide notice by certified mail to any person whose insurance security deposit must be claimed in 30 days to avoid forfeiture. Provides that any child under the age of 8 (rather than 6) riding in a vehicle must be secured in a proper child restraint system. Provides that a holder of a graduated driver's license under the age of 18 may not drive a vehicle unless all passengers under 18 are properly secured in seat belts and all children under 8 are secured as required. Repeals a provision providing that the Secretary shall receive a $2 filing fee for filing a notice or release of a security interest. Makes other changes.

Fiscal Note (Office of the Secretary of State)

House Bill 1565 will have little to no fiscal impact on the Secretary of State's Office.

Senate Floor Amendment No. 1

Provides that the prohibition against possession, use, or allowing the use of any materials, hardware, or software specifically designed for or primarily used in the reading of encrypted language from the bar code or magnetic strip of an official Illinois Identification Card or Illinois Disabled Person Identification Card does not apply if a federal or State law, rule, or regulation requires that the card holder's address be recorded in specified transactions or if the encrypted information is obtained for the detection or possible prosecution of criminal offenses or fraud. Provides that information obtained under these provisions may be used only for the purposes authorized by these provisions.

Jul 15 05 H Public Act 94-0239

HB 01569 Rep. Carolyn H. Krause-Susana A Mendoza, Jack D. Franks and Linda Chapa LaVia
(Sen. Dave Sullivan)

20 ILCS 605/605-417 new

Amends the Department of Commerce and Economic Opportunity Law. Provides that the Department may create a program for the assistance of Illinois manufacturers and other businesses to become accredited in approved international standardization organizations. Provides that the program is subject to appropriation and may allow for the collaboration of statewide manufacturing extension organizations and other providers of programs offering certification in international standardization organizations. Allows the Department to promulgate rules regarding all aspects of the program. Defines "international standardization organization".

Jul 01 05 H Public Act 94-0097

HB 01570 Rep. Barbara Flynn Currie
(Sen. Don Harmon)

35 ILCS 405/2 from Ch. 120, par. 405A-2

35 ILCS 405/3 from Ch. 120, par. 405A-3

Amends the Illinois Estate and Generation-Skipping Transfer Tax Act. Provides that in calculating the amount of the tax for persons dying on or after January 1, 2003, the "state tax credit" is reduced proportionately for the value of property not having a tax situs in Illinois (now, the lesser of that amount or the amount the state tax credit paid to any other states). Provides that for persons dying on or after January 1, 2005, in calculating the "state tax credit" the gross and taxable estates are not reduced for any amount of state death tax deduction. Effective immediately.

House Amendment No. 1

Deletes reference to:

35 ILCS 405/2 from Ch. 120, par. 405A-2

Deletes everything after the enacting clause. Amends the Illinois Estate and Generation-Skipping Transfer Tax Act. Provides that, on estates of persons dying on or after January 1, 2003, the amount of the Illinois estate tax is the state tax credit reduced by the amount determined by multiplying the maximum state tax credit allowable with respect to the taxable transfer by the percentage which the gross value of the transferred property not having a tax situs in Illinois bears to the gross value of the total transferred property. Effective immediately.

House Amendment No. 2

Provides that the amount of the Illinois estate tax is the state tax credit reduced by the amount determined by multiplying the state tax credit (instead of "maximum state tax credit allowable") with respect to the taxable transfer by the percentage which the gross value of the transferred property not having a tax situs in Illinois bears to the gross value of the total transferred property.

Aug 02 05 H Public Act 94-0419

HB 01571 Rep. Robert F. Flider
(Sen. Frank C. Watson)

65 ILCS 5/11-74.4-1 from Ch. 24, par. 11-74.4-1

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

65 ILCS 5/11-74.4-1

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on December 31, 1986 by the City of Sullivan must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

House Amendment No. 2

Deletes reference to:

65 ILCS 5/11-74.4-1

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that the redevelopment projects in the TIF District created by an ordinance adopted on December 31, 1986 and December 23, 1991 by the City of Sullivan must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

Jul 19 05 H Public Act 94-0260

HB 01574 Rep. Robert F. Flider
(Sen. Frank C. Watson-Dale E. Risinger and Pamela J. Althoff)

55 ILCS 5/5-25012 from Ch. 34, par. 5-25012

Amends the Counties Code. Provides that all members of a board of health must be residents of the county, except that a member who is required to be a physician, dentist, or nurse may reside outside the county if there is no physician, dentist, or nurse who resides in the county who is willing and able to serve.

Aug 04 05 H Public Act 94-0457

HB 01575 Rep. Bill Mitchell-Donald L. Moffitt-Robert F. Flider, Jack D. Franks and Linda Chapa LaVia
(Sen. Richard J. Winkel, Jr., Deanna Demuzio, Pamela J. Althoff, Gary G. Dahl, Todd Sieben and John O. Jones)

New Act

30 ILCS 105/5.640 new

Creates the Illinois AgrAbility Act. Provides that the Department of Agriculture, in cooperation with the University of Illinois Extension, shall contract with a non-profit disability service provider or other entity that assists disabled farmers, to establish and administer the Illinois AgrAbility Program in order to assist individuals who are engaged in farming or an agriculture-related activity and who have been affected by disability. Sets forth services to be provided by the Illinois AgrAbility Program. Sets forth eligibility requirements for the Program. Creates the Illinois AgrAbility Fund, a special fund created in the State treasury and, subject to appropriation, provides that moneys in the Fund may be expended for the Illinois AgrAbility Program and for no other purpose. Requires the University of Illinois Extension to submit certain documents to the Department of Agriculture. Amends the State Finance Act to create the Illinois AgrAbility Fund. Effective immediately.

Jul 14 05 H Public Act 94-0216

HB 01581 Rep. Tom Cross-Sidney H. Mathias-Mark H. Beaubien, Jr., Lou Lang, William Davis, Robin Kelly, Kenneth Dunkin, Wyvetter H. Younge, Arthur L. Turner, Jack D. Franks, Linda Chapa LaVia and Karen A. Yarbrough
(Sen. James A. DeLeo-Donne E. Trotter-Mattie Hunter, Jacqueline Y. Collins, Ira I. Silverstein, Arthur J. Wilhelmi and Edward D. Maloney)

20 ILCS 1305/10-8 new

30 ILCS 105/5.640 new

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Department of Human Services Act and the State Finance Act. Creates the Diabetes Research Checkoff Fund and provides that, from appropriations from the Fund, the Department of Human Services must make grants to the Juvenile Diabetes Foundation and to the American Diabetes Association for the purpose of funding research concerning the disease of diabetes. Amends the Illinois Income Tax Act to create a tax checkoff for the Fund. Effective immediately.

House Amendment No. 1

In the Department of Human Services Act, provides that, from the Diabetes Research Checkoff Fund, the Department of Human Services must make grants to public or private entities in Illinois for the purpose of funding research concerning the disease of diabetes (instead of making grants to the Juvenile Diabetes Foundation and the American Diabetes Foundation). Requires that at least 50% of the grants made from the Fund must be made to entities that conduct research for juvenile diabetes.

Jul 01 05 H Public Act 94-0107

HB 01587 Rep. Lou Lang-Patricia Bailey
(Sen. John J. Cullerton)

725 ILCS 5/104-20 from Ch. 38, par. 104-20

Amends the Code of Criminal Procedure of 1963. Provides that when the court receives a progress report from the supervisor of a defendant who is unfit to stand trial, the court shall set a first hearing within 21 days for a determination of whether the defendant has attained fitness to stand trial or to plead and if not whether the defendant is making progress under treatment toward attainment of fitness within one year from the date of the original finding of unfitness. Effective immediately.

House Amendment No. 1

Provides that when the court receives a report from the supervisor of the defendant's treatment, the court shall set the matter for a first hearing on the defendant's fitness within 21 days unless good cause is demonstrated why the hearing cannot be held.

Jul 12 05 H Public Act 94-0191

HB 01588 Rep. Lou Lang-Patricia Bailey-Robert F. Flider, Jack D. Franks and Linda Chapa LaVia
(Sen. John J. Cullerton)

720 ILCS 5/12-4 from Ch. 38, par. 12-4

Amends the Criminal Code of 1961. Provides that a person commits aggravated battery if in committing a battery he or she knows the individual harmed to be an employee of the State of Illinois or a municipal corporation or political subdivision of the State of Illinois, engaged in the performance of his or her authorized duties as such employee. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Criminal Code of 1961 relating to the offense of aggravated battery. Provides that a person commits aggravated battery if the person knows the individual harmed to be an officer or employee of the State of Illinois, a unit of local government, or school district engaged in the performance of his or her authorized duties as such officer or employee. Eliminates specific references in the aggravated battery statute to individual officers or employees of government. Effective immediately.

Senate Floor Amendment No. 2

Restores provision that a person commits aggravated battery when, in committing a battery, the person knows the individual harmed to be a judge whom the person intended to harm as a result of the judge's performance of his or her official duties as a judge.

Jul 26 05 H Public Act 94-0333

HB 01589 Rep. Jack McGuire-Jack D. Franks-Lisa M. Dugan-Naomi D. Jakobsson-Mary E. Flowers, Careen M Gordon, James H. Meyer and Daniel V. Beiser

(Sen. Arthur J. Wilhelmi)

New Act

Creates the Human Voice Contact Act. Provides that a State agency that uses automated telephone answering equipment to answer incoming telephone calls must, during the normal business hours of the agency, provide the caller with the option, among the first set of menu choices, of speaking to a live operator. Exempts a telephone line that is dedicated as a hot line for emergency services or to provide general information.

Fiscal Note (Central Management Services)

The Department of Central Management Services anticipates that the fiscal impact from this bill will be in excess of $1,000,000.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions of the engrossed bill with the following changes. Eliminates the requirement that the option of speaking with a live operator be among the first set of menu choices. Provides that field offices, telephone lines dedicated as hot lines for emergency services, telephone lines dedicated to providing general information, and systems designed to provide a complete transaction with a State agency solely through touch tone telephone keys and automated prompts are exempt from compliance with the live operator requirement. Effective January 1, 2007.

Aug 18 05 H Public Act 94-0620

HB 01597 Rep. William B. Black

(Sen. Antonio Munoz and Martin A. Sandoval)

625 ILCS 5/6-306.5 from Ch. 95 1/2, par. 6-306.5

625 ILCS 5/11-208.3 from Ch. 95 1/2, par. 11-208.3

Amends the Illinois Vehicle Code. Provides that notice of penalties and opportunities for hearing with regard to failure to pay fines for parking violations may be sent to the violator's last known address recorded in a United States Postal Service approved database. Provides that, in cases where the violations involved a leased vehicle, notice may be sent to the last address known to the lessor of the vehicle. Provides that, after the expiration of the period during which judicial review may be sought for the administrative adjudication of a parking violation, the municipality commencing an action against the violator may file with the court a certified record (in lieu of a certified copy) of the final determination of violation.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with additions. Provides that the notice shall be sent to the last known address recorded with the Secretary of State or to the last known address provided by the lessor of the cited vehicle at the time of lease or, if previous notice is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

Jul 21 05 H Public Act 94-0294

HB 01633 Rep. John A. Fritchey-Barbara Flynn Currie-Rosemary Mulligan-Marlow H. Colvin-William B. Black, Thomas Holbrook, Lisa M. Dugan, Jack D. Franks, Careen M Gordon, Karen May, Joseph M. Lyons, Paul D. Froehlich, John J. Millner, Michael Tryon, Elaine Nekritz, Julie Hamos, Naomi D. Jakobsson, Kathleen A. Ryg, Sara Feigenholtz, David E. Miller, Ruth Munson, Linda Chapa LaVia, Daniel V. Beiser, John E. Bradley, Kevin A. McCarthy, Richard T. Bradley, Kevin Joyce, James D. Brosnahan, Sandra M. Pihos, Elizabeth Coulson, Milton Patterson, John D'Amico and Robert F. Flider

(Sen. Ira I. Silverstein-Kwame Raoul, Carole Pankau-Chris Lauzen-Christine Radogno-Jacqueline Y. Collins, M. Maggie Crotty, Dale A. Righter, Mattie Hunter, James F. Clayborne, Jr., Terry Link, Debbie DeFrancesco Halvorson and Gary Forby)

815 ILCS 505/1 from Ch. 121 1/2, par. 261

Amends the Consumer Fraud and Deceptive Business Practices Act. Makes a technical change in a Section concerning definitions.

House Amendment No. 1

Deletes reference to:

815 ILCS 505/1

Adds reference to:

New Act

Adds reference to:

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Deletes everything after the enacting clause. Creates the Personal Information Protection Act. Provides that any data collector that owns or uses personal information in any form, whether computerized, paper, or otherwise, that includes personal information concerning an Illinois resident shall notify the resident that there has been a breach of the security of the system data following discovery or notification of the breach, without regard for whether the data has been accessed by an unauthorized third party for legal or illegal purposes. Provides that the notification required pursuant to the Act may be delayed if a law enforcement agency determines that the notification may impede a criminal investigation. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a violation of the Personal Information Protection Act is a violation of the Consumer Fraud and Deceptive Business Practices Act.

House Amendment No. 4

Replaces everything after the enacting clause with provisions substantially similar to those of House Amendment No. 1 to House Bill 1633, except: (i) deletes the definition of "breach of the security of non-computerized data"; (ii) provides that any data collector that owns or licenses personal information concerning an Illinois resident shall notify the resident that there has been a breach of the security of the system data following discovery or notification of the breach (instead of any data collector that owns or uses personal information in any form, whether computerized, paper, or otherwise, that includes personal information concerning an Illinois resident shall notify the resident that there has been a breach of the security of the system data following discovery or notification of the breach, without regard for whether the data has been accessed by an unauthorized third party for legal or illegal purposes); and (iii) deletes language providing that the notification required under the Act may be delayed if a law enforcement agency determines that the notification may impede a criminal investigation. Provides that any data collector that maintains computerized data that includes personal information that the data collector does not own or license shall notify the owner or licensee of the information of any breach of the security of the data immediately following discovery, if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Provides that a data collector that maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements of the Act, shall be deemed in compliance with the notification requirement if the data collector notifies subject persons in the event of a breach.

Jun 16 05 H Public Act 94-0036

HB 01656 Rep. George Scully, Jr.-Barbara Flynn Currie
(Sen. William R. Haine)

20 ILCS 2105/2105-1

Amends the Civil Administrative Code of Illinois. Makes a technical change in a Section concerning the Department of Professional Regulation.

House Amendment No. 1

Deletes reference to:

20 ILCS 2105/2105-1

Adds reference to:

20 ILCS 405/405-5 was 20 ILCS 405/35.2

Adds reference to:

20 ILCS 405/405-270 was 20 ILCS 405/67.18

Deletes everything after the enacting clause. Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. With respect to the Department's authority to set State data processing and other policies for, perform audits of, and provide telecommunications services for State agencies, provides that the definition of "State agency" does not include the judicial branch, which includes, without limitation, the several courts of the State, the offices of the clerk of the supreme court and the clerks of the appellate court, and the Administrative Office of the Illinois Courts. Effective July 1, 2005.

Jul 21 05 H Public Act 94-0295

HB 01663 Rep. Michael J. Madigan-Julie Hamos-Kathleen A. Ryg-Sidney H. Mathias-Harry Osterman, Kenneth Dunkin, Cynthia Soto, Elaine Nekritz, Joseph M. Lyons, Robert Rita, Richard T. Bradley, James D. Brosnahan, Kevin A. McCarthy, William Delgado, Susana A Mendoza, Maria Antonia Berrios, Michelle Chavez, Milton Patterson and Sara Feigenholtz

(Sen. Don Harmon-Edward D. Maloney-Kwame Raoul, Miguel del Valle-Jacqueline Y. Collins-Dave Sullivan, Christine Radogno, Mattie Hunter, M. Maggie Crotty, Susan Garrett, Jeffrey M. Schoenberg and John J. Cullerton)

50 ILCS 110/1 from Ch. 102, par. 4.10

Amends the Public Officer Simultaneous Tenure Act. Makes a technical change in a Section concerning the purpose of the Act.

House Amendment No. 2

Deletes reference to:

50 ILCS 110/1

Adds reference to:

70 ILCS 3615/2.30 new

Adds reference to:

70 ILCS 3615/3A.08 from Ch. 111 2/3, par. 703A.08

Adds reference to:

70 ILCS 3615/3A.09 from Ch. 111 2/3, par. 703A.09

Adds reference to:

70 ILCS 3615/3A.10 from Ch. 111 2/3, par. 703A.10

Adds reference to:

70 ILCS 3615/4.01 from Ch. 111 2/3, par. 704.01

Adds reference to:

70 ILCS 3615/4.09 from Ch. 111 2/3, par. 704.09

Adds reference to:

70 ILCS 3615/4.11 from Ch. 111 2/3, par. 704.11

Deletes everything after the enacting clause. Amends the Regional Transportation Authority Act. Provides that the Suburban Bus Board is responsible for and must coordinate the provision of all ADA paratransit services that are required to be provided under the federal Americans With Disabilities Act of 1990. Requires the Suburban Bus Board, the Chicago Transit Authority, and the Regional Transportation Authority to adopt a plan for the provision of the paratransit services. Makes corresponding changes in provisions concerning the jurisdiction and powers of the Suburban Bus Board. Sets forth requirements for the level of fares and charges for paratransit services. Effective immediately.

Jul 29 05 H Public Act 94-0370

HB 01679 Rep. Thomas Holbrook-Dan Reitz-Daniel V. Beiser-Wyvetter H. Younge-Jay C. Hoffman and Harry Osterman (Sen. William R. Haine)

70 ILCS 5/2a.1 from Ch. 15 1/2, par. 68.2a1

Amends the Airport Authorities Act. Makes a technical change in a Section concerning the petition to set forth a tax rate.

House Amendment No. 1

Deletes reference to:

70 ILCS 5/2a.1

Adds reference to:

70 ILCS 1830/20.2

Adds reference to:

70 ILCS 1860/7.5 new

Deletes everything after the enacting clause. Amends the Kaskaskia Regional Port District Act. Provides that the District board is authorized to borrow moneys from a bank or financial institution if the money is repaid within 3 years (now, one year). Amends the Tri-City Regional Port District Act. Adds a Section that authorizes the District board to borrow moneys from a bank or other financial institution if the money is repaid within 3 years. Provides a definition of "financial institution".

Senate Floor Amendment No. 2 (Senate recedes May 27, 2005)

Adds reference to:

30 ILCS 235/2 from Ch. 85, par. 902

Adds reference to:

30 ILCS 350/3 from Ch. 17, par. 6903

Adds reference to:

30 ILCS 350/9 from Ch. 17, par. 6909

Adds reference to:

30 ILCS 350/11 from Ch. 17, par. 6911

Adds reference to:

30 ILCS 350/16.5

Adds reference to:

30 ILCS 350/17 from Ch. 17, par. 6917

Adds reference to:

30 ILCS 350/17.5

Deletes everything after the enacting clause. Reinserts the provisions of the bill as engrossed with the following changes: Amends the Public Funds Investment Act. Allows investment in (i) short term obligations of certain corporations if the purchases do not exceed 10% of the corporation's outstanding obligations "at the time of the purchase of the obligations" and (ii) certain money market mutual funds if the portfolio of the fund is limited to certain mutual bonds. Allows investment in any obligations of the Federal National Mortgage Association or certain savings and loan associations (now, only short term discount obligations). Amends the Local Government Debt Reform Act. In a Section concerning definitions, provides that public corporations are included within the definition of "governmental unit", and deletes provisions that a bureau, board, commission, university, or similar agency of the State is a "governmental unit". Provides that the proceeds of bonds may be used to provide for the payment of interest upon such bonds for a period not to exceed the greater of 3 years (now, 2 years) or a period ending 6 months after the estimated date of completion of the acquisition and construction of the project or accomplishment of the purpose for which such bonds are issued. Provides that a refunding bond issue may authorize the use of the proceeds to pay interest on the refunding bond issue during the period of time from delivery of the issue to the redemption date of the bonds being refunded. Provides that bonds that have been wholly refunded or provided for with qualifying securities shall not be included as debt for the purposes of any calculation or limitation. In a Section concerning referenda for bonds, provides that no action may be brought by any person in any court or other tribunal seeking in any way to challenge or contest the validity of an election outcome based upon the wording set forth in any election notice or the ballot after a period of 30 days after the canvass of such election. In a Section concerning lease and installment contracts, provides that certificates evidencing the indebtedness incurred under a lease or agreement may be refunded under certain provisions of the Act. In a Section concerning bond authorization by referendum, provides that bond approval subject to a backdoor referendum expires after 5 years (now, 3 years). Effective immediately.

Aug 12 05 H Public Act 94-0562

HB 01716 Rep. Frank J. Mautino-Michael P. McAuliffe-Linda Chapa LaVia-Patrick J Verschoore-Art Tenhouse and Lisa M. Dugan
(Sen. Debbie DeFrancesco Halvorson)

330 ILCS 25/4 from Ch. 126 1/2, par. 204

Amends the Veterans' Employment Act. Makes a technical change in a Section concerning Vietnam veterans.

House Amendment No. 1

Deletes reference to:

330 ILCS 25/4

Adds reference to:

20 ILCS 2805/2.07 from Ch. 126 1/2, par. 67.07

Deletes everything after the enacting clause. Amends the Department of Veterans Affairs Act. In connection with the Department's responsibility to employ and maintain sufficient and qualified staff at veterans' homes, provides that a nurse who has a license application pending with the State shall not be deemed unqualified by the Department if the nurse is in compliance with provisions of the Nursing and Advanced Practice Nursing Act concerning the practice of practical nursing or professional nursing by a person who has met the requirements for a license except for passing an examination.

Dec 05 05 H Public Act 94-0703

HB 01731 Rep. John E. Bradley-Dan Reitz
(Sen. Gary Forby)

35 ILCS 200/1-150

Amends the Property Tax Code. Makes a technical change in a Section concerning the definition of "taxing district".

House Amendment No. 1

Deletes reference to:

35 ILCS 200/1-150

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that (i) the redevelopment project in the TIF District created by an ordinance adopted on July 28, 1987 and (ii) the redevelopment project in the TIF District created by an ordinance adopted on April 23, 1990 by the City of Marion must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

Dec 05 05 H Public Act 94-0704

HB 01870 Rep. Monique D. Davis-Barbara Flynn Currie-William Delgado
(Sen. Kwame Raoul-Don Harmon-Donne E. Trotter)

750 ILCS 50/3 from Ch. 40, par. 1504

Amends the Adoption Act. Makes a technical change in a Section concerning who may be adopted.

House Amendment No. 1

Deletes reference to:

750 ILCS 50/3

Adds reference to:

750 ILCS 50/1

Deletes everything after the enacting clause. Amends the Adoption Act. Provides that a petition or motion seeking to terminate parental rights for lack of progress, in a 9-month period, toward the return of the child shall specify the 9-month period relied upon by the petitioner.

Senate Floor Amendment No. 2

Replaces the bill's amendatory provisions concerning a parent's failure to make reasonable progress toward the return of a child as a basis for finding the parent to be an "unfit person". Provides that when a petition or motion seeks to terminate parental rights on the basis of a parent's failure to make reasonable progress toward the return of a child during any 9-month period after the end of the initial 9-month period following the adjudication of neglected, abused, or dependent minor, the petitioner shall file with the court and serve on the parties a pleading that specifies the 9-month period or periods relied on (instead of providing that a petition or motion to terminate parental rights on the basis of any of the grounds relating to failure to make reasonable progress toward the return of the child shall specify the 9-month period relied on by the petitioner). Provides that the pleading shall be filed and served on the parties no later than 3 weeks before the date set by the court for closure of discovery, and the allegations in the pleading shall be treated as incorporated into the petition or motion. Provides that failure of a respondent to file a written denial of the allegations in the pleading shall not be treated as an admission that the allegations are true.

Aug 12 05 H Public Act 94-0563

HB 01919 Rep. Patrick J Verschoore-Lou Lang
(Sen. Mike Jacobs-James F. Clayborne, Jr.-Mattie Hunter-Donne E. Trotter-Antonio Munoz)

230 ILCS 10/16 from Ch. 120, par. 2416

Amends the Riverboat Gambling Act. Makes a technical change in a Section concerning the annual report of the Board.

House Amendment No. 1

Deletes reference to:

230 ILCS 10/16

Adds reference to:

230 ILCS 10/7 from Ch. 120, par. 2407

Replaces everything after the enacting clause. Amends the Riverboat Gambling Act. Provides that the 3 licenses authorizing riverboat gambling on the Mississippi River, subject to approval by the municipality in which the riverboat was docked on August 7, 2003 and with Illinois Gaming Board approval, be authorized to relocate to a new location. Effective immediately.

Aug 23 05 H Public Act 94-0667

HB 01968 Rep. Michael J. Madigan-Barbara Flynn Currie-Charles E. Jefferson-Julie Hamos-Elaine Nekritz, Kathleen A. Ryg, Karen May, Naomi D. Jakobsson and Sara Feigenholtz
(Sen. Terry Link-Jacqueline Y. Collins)

10 ILCS 5/1-2 from Ch. 46, par. 1-2

Amends the Election Code. Makes a technical change in a Section concerning the continuation of prior laws.

Senate Floor Amendment No. 1

Deletes reference to:

10 ILCS 5/1-2

Adds reference to:

10 ILCS 5/1A-16

Adds reference to:

10 ILCS 5/1A-17 new

Adds reference to:

10 ILCS 5/1A-18 new

Adds reference to:

10 ILCS 5/1A-25

Adds reference to:

10 ILCS 5/4-6.2 from Ch. 46, par. 4-6.2

Adds reference to:

10 ILCS 5/4-16 from Ch. 46, par. 4-16

Adds reference to:

10 ILCS 5/4-105 new

Adds reference to:

10 ILCS 5/5-16.2 from Ch. 46, par. 5-16.2

Adds reference to:

10 ILCS 5/5-23 from Ch. 46, par. 5-23

Adds reference to:

10 ILCS 5/5-105 new

Adds reference to:

10 ILCS 5/6-50.2 from Ch. 46, par. 6-50.2

Adds reference to:

10 ILCS 5/6-54 from Ch. 46, par. 6-54

Adds reference to:

10 ILCS 5/6-105 new

Adds reference to:

10 ILCS 5/7-7 from Ch. 46, par. 7-7

Adds reference to:

10 ILCS 5/7-8 from Ch. 46, par. 7-8

Adds reference to:

10 ILCS 5/7-10 from Ch. 46, par. 7-10

Adds reference to:

10 ILCS 5/7-15 from Ch. 46, par. 7-15

Adds reference to:

10 ILCS 5/7-34 from Ch. 46, par. 7-34

Adds reference to:

10 ILCS 5/7-56 from Ch. 46, par. 7-56

Adds reference to:

10 ILCS 5/7-60 from Ch. 46, par. 7-60

Adds reference to:

HB 01968 (CONTINUED)

10 ILCS 5/7-61 from Ch. 46, par. 7-61
Adds reference to:
10 ILCS 5/7-100 new
Adds reference to:
10 ILCS 5/8-8 from Ch. 46, par. 8-8
Adds reference to:
10 ILCS 5/9-1.4 from Ch. 46, par. 9-1.4
Adds reference to:
10 ILCS 5/9-1.14
Adds reference to:
10 ILCS 5/9-3 from Ch. 46, par. 9-3
Adds reference to:
10 ILCS 5/9-7.5
Adds reference to:
10 ILCS 5/9-9.5
Adds reference to:
10 ILCS 5/9-10 from Ch. 46, par. 9-10
Adds reference to:
10 ILCS 5/10-9 from Ch. 46, par. 10-9
Adds reference to:
10 ILCS 5/12-1 from Ch. 46, par. 12-1
Adds reference to:
10 ILCS 5/Art. 12A heading new
Adds reference to:
10 ILCS 5/12A-2 new
Adds reference to:
10 ILCS 5/12A-5 new
Adds reference to:
10 ILCS 5/12A-10 new
Adds reference to:
10 ILCS 5/12A-15 new
Adds reference to:
10 ILCS 5/12A-35 new
Adds reference to:
10 ILCS 5/12A-40 new
Adds reference to:
10 ILCS 5/12A-45 new
Adds reference to:
10 ILCS 5/12A-50 new
Adds reference to:
10 ILCS 5/12A-55 new
Adds reference to:
10 ILCS 5/13-2.5 new
Adds reference to:
10 ILCS 5/14-4.5 new
Adds reference to:
10 ILCS 5/17-9 from Ch. 46, par. 17-9
Adds reference to:

HB 01968 (CONTINUED)

10 ILCS 5/17-15 from Ch. 46, par. 17-15

Adds reference to:

10 ILCS 5/17-23 from Ch. 46, par. 17-23

Adds reference to:

10 ILCS 5/17-100 new

Adds reference to:

10 ILCS 5/18-5 from Ch. 46, par. 18-5

Adds reference to:

10 ILCS 5/18-100 new

Adds reference to:

10 ILCS 5/18A-5

Adds reference to:

10 ILCS 5/18A-15

Adds reference to:

10 ILCS 5/19-2.1 from Ch. 46, par. 19-2.1

Adds reference to:

10 ILCS 5/19-4 from Ch. 46, par. 19-4

Adds reference to:

10 ILCS 5/19-10 from Ch. 46, par. 19-10

Adds reference to:

10 ILCS 5/Art. 19A heading new

Adds reference to:

10 ILCS 5/19A-5 new

Adds reference to:

10 ILCS 5/19A-10 new

Adds reference to:

10 ILCS 5/19A-15 new

Adds reference to:

10 ILCS 5/19A-20 new

Adds reference to:

10 ILCS 5/19A-25 new

Adds reference to:

10 ILCS 5/19A-25.5 new

Adds reference to:

10 ILCS 5/19A-30 new

Adds reference to:

10 ILCS 5/19A-35 new

Adds reference to:

10 ILCS 5/19A-40 new

Adds reference to:

10 ILCS 5/19A-45 new

Adds reference to:

10 ILCS 5/19A-50 new

Adds reference to:

10 ILCS 5/19A-55 new

Adds reference to:

10 ILCS 5/19A-60 new

Adds reference to:

HB 01968 (CONTINUED)

10 ILCS 5/19A-65 new
Adds reference to:
10 ILCS 5/19A-70 new
Adds reference to:
10 ILCS 5/19A-75 new
Adds reference to:
10 ILCS 5/20-4 from Ch. 46, par. 20-4
Adds reference to:
10 ILCS 5/22-1 from Ch. 46, par. 22-1
Adds reference to:
10 ILCS 5/22-5 from Ch. 46, par. 22-5
Adds reference to:
10 ILCS 5/22-7 from Ch. 46, par. 22-7
Adds reference to:
10 ILCS 5/22-8 from Ch. 46, par. 22-8
Adds reference to:
10 ILCS 5/22-9 from Ch. 46, par. 22-9
Adds reference to:
10 ILCS 5/22-15 from Ch. 46, par. 22-15
Adds reference to:
10 ILCS 5/22-15.1 from Ch. 46, par. 22-15.1
Adds reference to:
10 ILCS 5/22-17 from Ch. 46, par. 22-17
Adds reference to:
10 ILCS 5/23-15.1
Adds reference to:
10 ILCS 5/23-50 new
Adds reference to:
10 ILCS 5/24A-10 from Ch. 46, par. 24A-10
Adds reference to:
10 ILCS 5/24A-10.1 from Ch. 46, par. 24A-10.1
Adds reference to:
10 ILCS 5/24A-15.1 from Ch. 46, par. 24A-15.1
Adds reference to:
10 ILCS 5/24A-22
Adds reference to:
10 ILCS 5/24B-10
Adds reference to:
10 ILCS 5/24B-10.1
Adds reference to:
10 ILCS 5/24B-15.1
Adds reference to:
10 ILCS 5/24C-2
Adds reference to:
10 ILCS 5/24C-12
Adds reference to:
10 ILCS 5/24C-13
Adds reference to:

HB 01968 (CONTINUED)

10 ILCS 5/24C-15

Adds reference to:

30 ILCS 105/5.700 new

Adds reference to:

30 ILCS 105/8h

Adds reference to:

65 ILCS 5/3.1-10-50

Adds reference to:

65 ILCS 5/5-5-1 from Ch. 24, par. 5-5-1

Adds reference to:

65 ILCS 20/21-28 from Ch. 24, par. 21-28

Adds reference to:

605 ILCS 5/6-116 from Ch. 121, par. 6-116

Adds reference to:

625 ILCS 5/2-105 from Ch. 95 1/2, par. 2-105

Adds reference to:

30 ILCS 805/8.29 new

Deletes everything after the enacting clause. Amends the Election Code, the State Finance Act, the Illinois Municipal Code, the Revised Cities and Villages Act of 1941, the Illinois Highway Code, the Illinois Vehicle Code, and the State Mandates Act. Makes changes with respect to the following: statewide voter registration; voter registration outreach programs by State agencies, public colleges and universities, and legislative district offices; statewide centralized voter registration database; voter registration change of address; early voting; absentee voting; legislative, judicial, and municipal candidate petition signature requirements; campaign finance disclosure by non-profit entities and non-participating political committees; electioneering communications; pollwatchers; certification of successful write-in candidates; reporting of election returns by precinct or ward; internet voters' guides; provisional voting; voting equipment; employee time off for voting; municipal instant runoff elections; and appointment of an acting mayor or village president. Effective immediately.

Senate Floor Amendment No. 3

In the Election Code, with respect to campaign finance disclosure reports by non-profit entities that are not political committees, changes the criteria that define those entities by removing the requirement that the entities are engaged in lobbying activities.

Aug 22 05 H Public Act 94-0645

HB 01971 Rep. Barbara Flynn Currie-Charles E. Jefferson
(Sen. Carol Ronen)

10 ILCS 5/1A-1 from Ch. 46, par. 1A-1

Amends the Election Code. Makes a technical change in a Section establishing the State Board of Elections.

House Amendment No. 1

Deletes reference to:

10 ILCS 5/1A-1

Adds reference to:

10 ILCS 5/1A-25

Adds reference to:

10 ILCS 5/4-8 from Ch. 46, par. 4-8

Adds reference to:

10 ILCS 5/5-7 from Ch. 46, par. 5-7

Adds reference to:

10 ILCS 5/6-35 from Ch. 46, par. 6-35

Deletes everything after the enacting clause. Amends the Election Code. Provides that the electronic centralized statewide voter registration list may be viewed at the Springfield office of the State Board of Elections under security measures adopted by the Board, except during the 27 days before an election. Provides that the list may not be printed, duplicated, transmitted, or altered by the person viewing it at the Board office. Effective immediately.

Jul 07 05 H Public Act 94-0136

HB 02004 Rep. Edward J. Acevedo-Barbara Flynn Currie-Calvin L. Giles-Cynthia Soto-William Delgado, Maria Antonia Berrios, Michelle Chavez, Daniel J. Burke, Richard T. Bradley, Kevin A. McCarthy, Marlow H. Colvin, James D. Brosnahan, Kevin Joyce, Monique D. Davis, Susana A Mendoza, Milton Patterson, Lovana Jones, Annazette Collins, Eddie Washington, Constance A. Howard, Patricia Bailey, Harry Osterman, Mary E. Flowers and John A. Fritchey
(Sen. Antonio Munoz)

105 ILCS 5/11B-1 from Ch. 122, par. 11B-1

Amends the School Code. Makes a technical change in a Section concerning the organization of combined school districts.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/11B-1

Adds reference to:

105 ILCS 5/34-18.32 new

Deletes everything after the enacting clause. Amends the School Code. Requires the Chicago Board of Education to establish a program to identify students who are in need of basic health care, yet are not covered by insurance or public assistance or do not have the financial ability to pay for services and therefore are not receiving appropriate health care, to be known as the Healthy Kids - Healthy Minds Expanded Vision Program. Provides that, through this program, the district, in cooperation with health care providers, shall serve students at a minimum or no cost to the students. Allows for vision examinations and glasses, dental care, hearing examinations and hearing aids, and counseling services to be provided under the program. Provides that eligibility for services must be determined by prioritization of students based on both physical and financial need.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill as engrossed with the following changes. Provides that the program must identify students who are in need of basic vision (instead of health) care. Makes related changes. Provides that the requirement that the Chicago school district serve students through the program is subject to appropriation.

Jul 07 05 H Public Act 94-0137

HB 02062 Rep. James D. Brosnahan-Kevin Joyce-Kevin A. McCarthy-Daniel V. Beiser-John E. Bradley, Edward J. Acevedo, Charles E. Jefferson, Michelle Chavez, Maria Antonia Berrios, Jack D. Franks, Naomi D. Jakobsson, Robert F. Flider, Lou Lang, Linda Chapa LaVia, Michael K. Smith, John D'Amico, Eddie Washington, Joseph M. Lyons, Richard T. Bradley, Patricia R. Bellock, Lee A. Daniels, Ruth Munson, Renee Kosel, James H. Meyer, Robert W. Pritchard, Aaron Schock, Sandra M. Pihos, David Reis, Roger Jenisch, Roger L. Eddy, Elizabeth Coulson, Brandon W. Phelps, Dan Reitz, Karen A. Yarbrough, Marlow H. Colvin, Deborah L. Graham, Kathleen A. Ryg, Annazette Collins and Gary Hannig

(Sen. Edward D. Maloney, Louis S. Viverito-George P. Shadid-Jacqueline Y. Collins, William R. Haine-Don Harmon-M. Maggie Crotty, Ira I. Silverstein, Miguel del Valle, Martin A. Sandoval, Dale A. Righter, Pamela J. Althoff, Deanna Demuzio and Arthur J. Wilhelmi)

725 ILCS 5/100-1 from Ch. 38, par. 100-1

Amends the Code of Criminal Procedure of 1963. Makes a technical change in a Section concerning the short title Section.

House Amendment No. 1

Deletes reference to:

725 ILCS 5/100-1

Adds reference to:

210 ILCS 45/2-110 from Ch. 111 1/2, par. 4152-110

Adds reference to:

210 ILCS 45/2-201.5

Adds reference to:

210 ILCS 45/2-216 new

Adds reference to:

210 ILCS 45/3-202.3 new

Adds reference to:

730 ILCS 5/3-14-1 from Ch. 38, par. 1003-14-1

Replaces everything. Amends the Nursing Home Care Act. Provides that if a resident of a nursing home is a registered sex offender or is serving a term of probation, parole, mandatory supervised release, or any form of court-ordered supervision, any federal, State, or local law enforcement officer or county probation officer shall be permitted access to the individual resident to verify compliance with the requirements of the Sex Offender Registration Act or to verify compliance with applicable terms of probation, parole, mandatory supervised release, or court-ordered supervision. Provides that if registered sex offenders or offenders serving terms of probation, parole, mandatory supervised release, or any form of court-ordered supervision are residents of a nursing home, the nursing home must notify every resident or resident's guardian in writing that such offenders are residents of the nursing home. Requires the Department of Public Health to propose rules, within 30 days after the effective date of this amendatory Act, in relation to providing nursing home services to violent offenders, including sex offenders, and provides that a nursing home shall not admit a registered sex offender or an offender serving a term of probation, parole, mandatory supervised release, or any form of court-ordered supervision unless the facility has complied with the requirements of the Department's rules. Amends the Unified Code of Corrections. Provides that if a person who is in the custody of the Department of Corrections or on parole or mandatory supervised release informs the Department, or if the Department becomes aware during the person's term of parole, mandatory supervised release, or court-ordered supervision, that he or she intends to reside in or has become a resident at a facility licensed by the Illinois Department of Public Health, the Illinois Department on Aging, or the Illinois Department of Human Services, the Department of Corrections shall provide copies of certain information to the licensing Department within 3 days after the person's release, placement, or notification of residence; also requires notification of the Prisoner Review Board and the chief of police and sheriff in the municipality and county in which the licensed facility is located. Effective immediately.

Senate Floor Amendment No. 2

Adds reference to:

210 ILCS 45/1-114.01 new

Adds reference to:

210 ILCS 45/3-202.4 new

Adds reference to:

730 ILCS 110/12 from Ch. 38, par. 204-4

HB 02062 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. In the amendatory changes to the Nursing Home Care Act, defines "identified offender" as a person who has been convicted of a felony offense listed in the Health Care Worker Background Check Act, is a registered sex offender, or is serving a term of parole, mandatory supervised release, or probation for a felony. Uses the term "identified offenders" in that Act. Provides that the Department of Public Health shall file emergency rules within 30 days after the effective date of the amendatory Act concerning identified offenders residing in licensed facilities. Provides that the Department shall determine the feasibility of requiring identified offenders that seek admission to a licensed facility to be segregated from other residents. Provides that the Department shall report its findings to the General Assembly and the Office of the Governor not later than 6 months after the effective date of this amendatory Act of the 94th General Assembly. Amends the Probation and Probation Officers Act. Provides that if a person on probation for a felony offense who is under the supervision of the probation officer becomes a resident of a facility licensed or regulated by the Department of Public Health, the Illinois Department of Public Aid, or Illinois Department of Human Services, the probation officer shall within 3 days of the person becoming a resident, notify the licensing or regulating Department and licensed or regulated facility and shall provide the licensed or regulated facility and licensing or regulating Department with copies of the following: (1) pre-sentence investigation reports or social investigation reports; (2) any applicable probation orders and corresponding compliance plans; and (3) the name and contact information for the assigned probation officer. Effective immediately.

Jul 11 05 H Public Act 94-0163

HB 02077 Rep. Lisa M. Dugan-Barbara Flynn Currie-Robert S. Molaro-Renee Kosel-Careen M Gordon, Patrick J Verschoore, Daniel V. Beiser, John E. Bradley, John D'Amico, Robert F. Flider, Jack D. Franks, Linda Chapa LaVia, Michelle Chavez, Charles E. Jefferson, Maria Antonia Berrios, Richard T. Bradley, Michael K. Smith, Thomas Holbrook, Eddie Washington, Donald L. Moffitt and Terry R. Parke

(Sen. Debbie DeFrancesco Halvorson-Don Harmon)

720 ILCS 5/1-1 from Ch. 38, par. 1-1

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/1-1

Adds reference to:

720 ILCS 5/11-9.3

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Prohibits a child sex offender from loitering within 500 feet of a school building or real property comprising any school (rather than loitering on a public way within 500 feet of a school building or real property comprising any school).

Jul 11 05 H Public Act 94-0164

HB 02133 Rep. Karen May-Barbara Flynn Currie-Larry McKeon-Angelo Saviano-Elaine Nekritz, Julie Hamos, Kathleen A. Ryg, Harry Osterman, John A. Fritchey, Paul D. Froehlich, Michael Tryon, Elizabeth Coulson, Cynthia Soto, William Davis, Marlow H. Colvin, Sidney H. Mathias, Lou Lang, Daniel J. Burke, Eileen Lyons, Ed Sullivan, Jr., Naomi D. Jakobsson, Chapin Rose, Jim Watson, Dave Winters, Sandra M. Pihos and William B. Black

(Sen. Carol Ronen, George P. Shadid-M. Maggie Crotty and Dale A. Righter)

820 ILCS 405/201 from Ch. 48, par. 311

Amends the Unemployment Insurance Act. Makes a technical change to a Section concerning the definitions of "Director" and "Department".

House Amendment No. 1

Deletes reference to:

820 ILCS 405/201

Adds reference to:

820 ILCS 405/1400 from Ch. 48, par. 550

Adds reference to:

820 ILCS 405/1400.2 new

Adds reference to:

820 ILCS 405/1402 from Ch. 48, par. 552

Deletes everything after the enacting clause. Amends the Unemployment Insurance Act. Provides that, if an employer who solely employs household workers with respect to whom the employer files federal unemployment taxes as part of the employer's federal income tax return (or could file federal unemployment taxes as part of his or her federal income tax return if the worker or workers were providing services in employment for purposes of the federal unemployment tax) notifies the Director of Employment Security that the employer wishes to pay contributions for each quarter and submit wage and contribution reports for each quarter on an annual basis, then the due date for filing the reports and paying the contributions shall be April 15 of the calendar year immediately following the close of the quarters to which the reports and contributions apply, except that the Director may, by rule, establish a different due date for good cause. Makes changes regarding assessments of penalties for those employers. Effective January 1, 2006.

Jan 19 06 H Public Act 94-0723

HB 02137 Rep. Jay C. Hoffman-Patrick J Verschoore-Larry McKeon-Robert F. Flider-Lisa M. Dugan, Jack McGuire, Jack D. Franks, Linda Chapa LaVia, Charles E. Jefferson, Mike Boland, Careen M Gordon, Kurt M. Granberg, Eddie Washington, Arthur L. Turner, Richard T. Bradley and Dan Reitz

(Sen. Terry Link-Mike Jacobs-Gary Forby, Iris Y. Martinez, Martin A. Sandoval and Mattie Hunter)

820 ILCS 160/2 from Ch. 48, par. 39x

Amends the Employee Benefit Contribution Act. Makes a technical change in a Section concerning the failure to make payments to an employee health insurance plan.

House Amendment No. 1

Deletes reference to:

820 ILCS 160/2

Adds reference to:

New Act

Adds reference to:

20 ILCS 1005/1005-160 new

Adds reference to:

30 ILCS 105/5.641 new

Adds reference to:

35 ILCS 5/917 from Ch. 120, par. 9-917

Adds reference to:

820 ILCS 305/26.1 new

Deletes everything after the enacting clause. Creates the Truth in Employment Act. Requires a construction contractor for whom a person is performing work and is classified as an independent contractor with respect to that work to file a statement with the Department of Revenue once each year, and provides for penalties for late filing. Sets forth the required contents of the statement. Requires a summary of the requirements of the Act to be posted by the Department on its web site and its offices and by contractors on job sites. Provides for the Department of Revenue to conduct investigations if a report is not timely filed or if the Department finds that there is reason to suspect that a contractor has misclassified any employees as independent contractors, and provides that the Department shall hire investigators. Provides that contractors who misclassify any employees as independent contractors on a construction project are subject to specified penalties under the new Act and the Illinois Income Tax Act, including criminal penalties under the new Act to be prosecuted by the Attorney General or the appropriate State's Attorney. Authorizes the Department to adopt rules. Provides for judicial review under the Administrative Review Law. Amends the State Finance Act to create the Truth in Employment Fund and provides that moneys collected under the Act shall be deposited into the Fund and used by the Department, subject to appropriation, to administer and enforce the Act, and that moneys in the Fund at the end of a fiscal year in excess of those moneys necessary for the Department to carry out its powers and duties under this Act shall be transferred to the General Revenue Fund. Provides that there shall be no waiver of the Act and imposes criminal penalties for inducing any individual to waive any provision of the Act. Amends the Department of Employment Security Law and the Workers' Compensation Act to require cooperation with the Department of Revenue. Amends the Illinois Income Tax Act to require the Director of Revenue to make information available to the Attorney General or appropriate State's Attorney. Contains a severability clause.

Senate Committee Amendment No. 1

Provides that the duties of the Department of Revenue under this Act are subject to appropriation. Changes a reference from "report" to "statement". Changes certain references from "employer" to "contractor".

Senate Floor Amendment No. 3

Deletes reference to:

New Act

Deletes reference to:

20 ILCS 1005/1005-160 new

Deletes reference to:

30 ILCS 105/5.641 new

Deletes reference to:

35 ILCS 5/917 from Ch. 120, par. 9-917

Deletes reference to:

820 ILCS 305/26.1 new

Adds reference to:

215 ILCS 5/1204 from Ch. 73, par. 1065.904

HB 02137 (CONTINUED)

Adds reference to:
820 ILCS 305/4 from Ch. 48, par. 138.4
Adds reference to:
820 ILCS 305/7 from Ch. 48, par. 138.7
Adds reference to:
820 ILCS 305/8 from Ch. 48, par. 138.8
Adds reference to:
820 ILCS 305/8.2 new
Adds reference to:
820 ILCS 305/8.3 new
Adds reference to:
820 ILCS 305/8.7 new
Adds reference to:
820 ILCS 305/12 from Ch. 48, par. 138.12
Adds reference to:
820 ILCS 305/13 from Ch. 48, par. 138.13
Adds reference to:
820 ILCS 305/13.1 from Ch. 48, par. 138.13-1
Adds reference to:
820 ILCS 305/14 from Ch. 48, par. 138.14
Adds reference to:
820 ILCS 305/16 from Ch. 48, par. 138.16
Adds reference to:
820 ILCS 305/19 from Ch. 48, par. 138.19
Adds reference to:
820 ILCS 305/25.5 new
Adds reference to:
820 ILCS 310/12 from Ch. 48, par. 172.47
Adds reference to:
820 ILCS 310/19 from Ch. 48, par. 172.54

Deletes everything after the enacting clause. Amends the Illinois Insurance Code. Requires certain advisory organizations to file reports with the Secretary of Financial and Professional Regulation and make those reports available, on an aggregate basis, to the General Assembly and to the general public. Amends the Workers' Compensation Act by making numerous changes regarding failure of an employer to provide coverage as required by the Act, payments for burial expenses, payments and transfers to the Rate Adjustment Fund, standards for payments for accidental injuries and medical expenses, payment of health care providers in accordance with fee schedules, creation of a Workers' Compensation Medical Fee Advisory Board, utilization review programs for workers' compensation services, payments to employees requested by an employer to submit to medical examinations, appointment of 3 additional members to the Illinois Workers' Compensation Commission, expanding the membership of the Workers' Compensation Advisory Board and changing its composition, submission of records, reports, and bills to the Commission, procedures in contested cases and violations related to contested cases, penalties for false or fraudulent claims and statements and other fraud, and other matters. Makes corresponding changes in the Workers' Occupational Diseases Act. Contains applicability and inseverability provisions. Effective immediately.

Senate Floor Amendment No. 5

Makes a change in the definition of "utilization review".

Jul 20 05 H Public Act 94-0277

HB 02190 Rep. Lou Lang-Barbara Flynn Currie-Frank J. Mautino-Kenneth Dunkin, Linda Chapa LaVia, Milton Patterson, Chapin Rose and Richard T. Bradley

(Sen. Deanna Demuzio-Jacqueline Y. Collins)

215 ILCS 5/41 from Ch. 73, par. 653

Amends the Illinois Insurance Code. Makes a technical change in a Section concerning the executive committee of domestic mutual companies.

House Amendment No. 1

Deletes reference to:

215 ILCS 5/41

Adds reference to:

215 ILCS 5/370c from Ch. 73, par. 982c

Deletes everything after the enacting clause. Amends the Illinois Insurance Code. Changes the meaning of "serious mental illness" to include post-traumatic stress disorder (acute, chronic, or with delayed onset). Effective immediately.

Aug 15 05 H Public Act 94-0584

HB 02222 Rep. Jay C. Hoffman-Thomas Holbrook, Wyvetter H. Younge and Robert W. Pritchard
(Sen. William R. Haine-James F. Clayborne, Jr.-John M. Sullivan)

625 ILCS 5/1-100 from Ch. 95 1/2, par. 1-100

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/1-100

Adds reference to:

30 ILCS 740/2-2.02 from Ch. 111 2/3, par. 662.02

Adds reference to:

30 ILCS 740/2-2.04 from Ch. 111 2/3, par. 662.04

Adds reference to:

30 ILCS 740/2-2.05 from Ch. 111 2/3, par. 662.05

Adds reference to:

30 ILCS 740/2-3 from Ch. 111 2/3, par. 663

Adds reference to:

30 ILCS 740/2-5.1 new

Adds reference to:

30 ILCS 740/2-6 from Ch. 111 2/3, par. 666

Adds reference to:

30 ILCS 740/2-7 from Ch. 111 2/3, par. 667

Deletes everything after the enacting clause. Amends the Downstate Public Transportation Act. Defines "participant" to include a county (i) serving an urbanized area of over 50,000 inhabitants (now, specifies that this service had to be operating on December 28, 1989) or (ii) serving a nonurbanized area. Provides that a nonurbanized area may be a participant without any receipt of federal rural public transportation assistance (now, requires receipt of federal rural public transportation assistance on or before June 30, 2002). Provides that, with respect to a participant that receives an initial appropriation in State fiscal year 2002 or thereafter (now, in State fiscal year 2002 only), the maximum amount of the eligible operating expenses appropriation in subsequent years (except State fiscal year 2006) may not exceed the amount appropriated in the prior year by more than 10%. Beginning July 1, 2005, increases the amount paid by the Department of Revenue into the Downstate Public Transportation Fund each month to 3/32 (now 2/32) of 80% of the net revenue realized under certain State tax Acts within any municipality or county located within the boundaries of a participant. Requires the Department of Revenue to allocate the entire amount paid into the Metro-East Public Transportation Fund to the District serving primarily Madison County (now, 55% is allocated to the District serving primarily the counties of Monroe and St. Clair and 45% is allocated to the District serving primarily Madison County). Provides that, beginning July 1, 2005, with respect to the District serving primarily the counties of Monroe and St. Clair: (i) the District is no longer included for new appropriation funding purposes as part of the Metro-East Public Transportation Fund and is instead included for new appropriation funding purposes as part of the Downstate Public Transportation Fund, provided that the District remains eligible for previously appropriated funds to which it would otherwise be entitled; (ii) the amount transferred from the General Revenue Fund to the Downstate Public Transportation Fund shall be 3/32 (now, 2/32) of 80% of the net revenue realized from within the boundaries of Monroe and St. Clair counties under certain State tax Acts; (iii) certain provisions with respect to allocations to Metro-East Mass Transit Districts of the amount paid into the Metro-East Public Transportation Fund do not apply to the District serving primarily the counties of Monroe and St. Clair with respect to fiscal year 2006 and succeeding fiscal years; and (iv) authorizes the District to file a request each fiscal year for a monthly payment of 1/12 of the amount appropriated for that fiscal year, except that the total amount of payments in a fiscal year shall not exceed the lesser of (i) 55% of the District's eligible operating expenses for that fiscal year or (ii) the total amount appropriated to the District for that fiscal year. Imposes certain requirements on certain units of local government that become participants on or after the effective date of the amendatory Act and on any existing participant that seeks to extend its service by annexation or intergovernmental agreement. Makes other changes. Effective immediately.

Jun 22 05 H Public Act 94-0070

HB 02241 Rep. Daniel V. Beiser-Barbara Flynn Currie-Jack D. Franks-Mike Boland-Thomas Holbrook, Milton Patterson, Naomi D. Jakobsson, John E. Bradley and Robert F. Flider

(Sen. Louis S. Viverito-Edward D. Maloney, Mike Jacobs-Jacqueline Y. Collins-Kwame Raoul-Martin A. Sandoval, Arthur J. Wilhelmi and Gary Forby)

20 ILCS 105/1 from Ch. 23, par. 6101

Amends the Illinois Act on the Aging. Makes technical changes in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

20 ILCS 105/1

Adds reference to:

20 ILCS 2605/2605-480

Adds reference to:

50 ILCS 705/10.10

Deletes everything after the enacting clause. Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Requires the Department of State Police to develop a statewide emergency alert system for missing endangered seniors, to develop a community outreach program to promote awareness among State citizens of senior endangerment prevention and response, and to appoint a Child and Senior Safety Coordinator (rather than a Child Safety Coordinator). Requires the Department to prepare a report containing certain information when it receives a notification of a missing endangered senior and to forward the report to certain other parties. Requires the Department to begin an investigation concerning the missing endangered senior no later than 24 hours after receiving notification of the missing endangered senior. Provides a definition of "missing endangered senior". Amends the Illinois Police Training Act to require the Illinois Law Enforcement Training Standards Board to provide a training program for law enforcement personnel of local governmental agencies in the statewide emergency alert system for missing endangered seniors (rather than the child abduction alert system). Effective July 1, 2006.

House Amendment No. 2

Deletes reference to:

20 ILCS 2605/2605-480

Adds reference to:

20 ILCS 2605/2605-5

Adds reference to:

20 ILCS 2605/2605-375 was 20 ILCS 2605/55a in part

Deletes everything after the enacting clause. Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides a definition of "missing endangered senior". Requires the Department of State Police to provide a uniform reporting format for the Law Enforcement Agencies Data System (LEADS) that includes certain information about missing persons. Requires the Department to forward a LEADS report to all law enforcement agencies with jurisdiction where the missing person lives or was last seen, all law enforcement agencies to which the person who made the notification of the missing person requests the report be sent, all law enforcement agencies that request a copy of the report, and the National Crime Information Center's Missing Person File. Requires the Department to begin an investigation concerning the missing person not later than 24 hours after receiving notification of a missing person. Requires the Department to compile and maintain an historic data repository relating to missing endangered seniors. Requires the Illinois Law Enforcement Training Standards Board to provide training for the missing endangered senior alert system. Amends the Illinois Police Training Act to require training for the missing endangered senior alert system. Effective January 1, 2006.

Jul 08 05 H Public Act 94-0145

HB 02242 Rep. John D'Amico-Jack D. Franks-Joseph M. Lyons-Edward J. Acevedo-Patrick J Verschoore, Jack McGuire and Milton Patterson
(Sen. William R. Haine)

20 ILCS 5/5-15 was 20 ILCS 5/3

Amends the Civil Administrative Code of Illinois. Makes a technical change in a Section creating the civil administrative agencies.

House Amendment No. 1

Deletes reference to:

20 ILCS 5/5-15 was 20 ILCS 5/3

Adds reference to:

20 ILCS 2610/14 from Ch. 121, par. 307.14

Deletes everything after the enacting clause. Amends the State Police Act to provide that anyone filing a complaint against a State Police Officer must have the complaint supported by a sworn affidavit.

Jul 14 05 H Public Act 94-0217

HB 02250 Rep. Thomas Holbrook-Jay C. Hoffman-Ron Stephens-Dan Reitz-Wyvetter H. Younge, Barbara Flynn Currie and Jack D. Franks
(Sen. James F. Clayborne, Jr.)

20 ILCS 5/5-15 was 20 ILCS 5/3

Amends the Civil Administrative Code of Illinois. Makes a technical change in a Section creating the civil administrative agencies.

House Amendment No. 1

Deletes reference to:

20 ILCS 5/5-15 was 20 ILCS 5/3

Adds reference to:

20 ILCS 3305/4 from Ch. 127, par. 1054

Adds reference to:

20 ILCS 3305/5 from Ch. 127, par. 1055

Adds reference to:

55 ILCS 5/5-1127 new

Adds reference to:

625 ILCS 5/1-105 from Ch. 95 1/2, par. 1-105

Adds reference to:

625 ILCS 5/6-500 from Ch. 95 1/2, par. 6-500

Deletes everything after the enacting clause. Amends the Illinois Emergency Management Act. Provides that "emergency services" under the Act include services by HazMat and technical rescue teams. Amends the Counties Code. Provides that the county boards may authorize, by ordinance, HazMat teams for providing emergency response to chemical and biological terrorism, radiological emergencies, hazardous material spills, releases, or fires, or other contamination events. Authorizes county boards to make reasonable appropriations from county treasuries to fund and encourage the formation and operation of HazMat teams. Makes similar changes authorizing county boards to establish and fund technical rescue teams for emergency response to events like building collapse, high angle rescue, and other specialized and technical rescue emergencies. Amends the Illinois Vehicle Code. Provides that vehicles of Hazmat and technical rescue teams are authorized emergency vehicles and are not commercial vehicles for purposes of the Uniform Commercial Driver's License Act.

Jul 26 05 H Public Act 94-0334

HB 02260 Rep. Cynthia Soto-Barbara Flynn Currie-Jack D. Franks and Lisa M. Dugan
(Sen. Iris Y. Martinez)

5 ILCS 140/1.1 from Ch. 116, par. 201.1

Amends the Freedom of Information Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

5 ILCS 140/1.1

Adds reference to:

5 ILCS 315/2.5 new

Adds reference to:

5 ILCS 315/3 from Ch. 48, par. 1603

Adds reference to:

5 ILCS 315/4 from Ch. 48, par. 1604

Adds reference to:

705 ILCS 70/1 from Ch. 37, par. 651

Adds reference to:

705 ILCS 70/3 from Ch. 37, par. 653

Adds reference to:

705 ILCS 70/4 from Ch. 37, par. 654

Adds reference to:

705 ILCS 70/4.1 from Ch. 37, par. 654.1

Adds reference to:

705 ILCS 70/5 from Ch. 37, par. 655

Adds reference to:

705 ILCS 70/6 from Ch. 37, par. 656

Adds reference to:

705 ILCS 70/7 from Ch. 37, par. 657

Adds reference to:

705 ILCS 70/8 from Ch. 37, par. 658

Adds reference to:

705 ILCS 70/8.1 new

Adds reference to:

705 ILCS 75/4 from Ch. 37, par. 664

Deletes everything. Amends the Illinois Public Labor Relations Act, the Court Reporters Act, and the Court Reporter Transcript Act. Provides that it is the intent of the General Assembly that court reporters have the same collective bargaining rights as other state employees. Provides that for the purposes of collective bargaining by court reporters, the State shall be divided into 3 groups. One group consists of the Cook County Judicial Circuit, one group consists of the 12th, 18th, and 19th judicial circuits, and on and after December 4, 2006 the 22nd judicial circuit, and one group consists of every other judicial circuit. Provides that in the groups with multiple circuits, the chief judges shall act by a majority vote. Provides that for purposes of establishing salaries, fringe benefits, holidays, vacations, and proficiency tests, each group shall make those decisions for court reporters within the group's jurisdiction. Provides that in establishing proficiency tests, the chief judges of one group shall consult the other groups. Provides that each chief judge retains the right to hire, appoint, promote, evaluate, discipline, and discharge the court reporters employed in his or her circuit. Sets forth findings and declarations concerning this amendatory Act. Provides that the Act shall be liberally construed. Provides that the provisions of the Act are severable. Effective immediately.

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Economic Opportunity)

Does not create a state mandate under the State Mandates Act.

Fiscal Note (H-AM 1) (Admin. Office of the Illinois Courts)

It has been determined that this legislation would have a fiscal impact on the judicial branch. However, the specificity of the impact cannot be determined.

It has been determined that this legislation would have a fiscal impact on the judicial branch. However, the specificity of the impact cannot be determined.

HB 02260 (CONTINUED)

Jul 01 05 H Public Act 94-0098

HB 02341 Rep. George Scully, Jr.

(Sen. James F. Clayborne, Jr.)

755 ILCS 45/2-7.5

Amends the Illinois Power of Attorney Act. Provides that an agent, acting for a principal who is incapacitated, shall provide a record of all receipts, disbursements, and significant actions taken under the authority of the agency when requested to do so by a representative of the Office of Inspector General for the Department of Human Services acting in the course of an assessment of a complaint of financial exploitation of an adult with disabilities pursuant to Section 35 of the Abuse of Adults with Disabilities Intervention Act. Effective immediately.

Aug 09 05 H Public Act 94-0500

HB 02343 Rep. Julie Hamos-William Delgado-Patricia R. Bellock-Mary E. Flowers-Annazette Collins, Marlow H. Colvin, William Davis, Arthur L. Turner, Elizabeth Coulson, Deborah L. Graham, Robin Kelly, Cynthia Soto, Aaron Schock, Kathleen A. Ryg, Naomi D. Jakobsson, Monique D. Davis, Milton Patterson, Sara Feigenholtz, Eddie Washington, Thomas Holbrook, Michael K. Smith, Suzanne Bassi, Dan Reitz, Brandon W. Phelps, Kurt M. Granberg, Jack D. Franks, Linda Chapa LaVia and John E. Bradley

(Sen. Susan Garrett-Donne E. Trotter-Jacqueline Y. Collins-Iris Y. Martinez, Mattie Hunter, James F. Clayborne, Jr.-Jeffrey M. Schoenberg, Todd Sieben and Kwame Raoul)

20 ILCS 2215/4-2 from Ch. 111 1/2, par. 6504-2

20 ILCS 2215/4-4 from Ch. 111 1/2, par. 6504-4

Amends the Illinois Health Finance Reform Act. Provides that the Department of Public Health must require ambulatory surgical treatment centers licensed to operate in the State of Illinois to adopt a uniform system, based on certain federal laws, for submitting patient charges for payment from public and private payors. Provides that no later than 60 days after the end of each calendar quarter, each hospital and ambulatory surgical treatment center must submit billing data to the Department and sets forth information that must be included in the submission (now, hospitals must submit billing data for conditions and procedures required for public disclosure in the "Consumer Guide to Health Care" and for all inpatient surgical cases). Requires the Department to collect and compile the billing data on a quarterly basis. Sets forth additional information that must be included in the "Consumer Guide to Health Care". Requires that ambulatory surgical treatment centers, organizations representing ambulatory surgical treatment centers, purchasers, consumer groups, and health plans be meaningfully involved in the development of all aspects of the Department's methodology for collecting, analyzing, and disclosing the information collected under this Act. Requires the Department to evaluate additional methods for comparing the performance of hospitals and ambulatory surgical treatment centers and report its findings and recommendations on its Internet website and to the Governor and General Assembly no later than January 1, 2006. Requires the Department to study methods to collect and report data on mortality and nosocomial infection rates from hospitals and ambulatory surgical treatment centers for outpatient services and report its findings and recommendations on its Internet website and to the Governor and General Assembly no later than January 1, 2006. Requires the Department to authorize electronic access to patient billing data collected pursuant to these provisions for use by certain entities. Requires ambulatory surgical treatment centers to make available to prospective patients information on the normal charge incurred for any procedure or operation the prospective patient is considering. Requires the Department to adopt rules for inpatient and outpatient data collection and reporting no later than January 1, 2006. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

20 ILCS 2215/4-4

Deletes everything after the enacting clause. Amends the Illinois Health Care Finance Reform Act. Requires the Department of Public Health to require all ambulatory surgical treatment centers licensed to operate in the State (now, the requirement applies only to hospitals licensed to operate in the State) to adopt a uniform system for submitting patient claims and encounter data (now, patient billing data) for payment from public and private payors. Requires hospitals and ambulatory surgical centers to submit billing data to the Department of Public Health no later than 60 days after the end of each calendar quarter. Requires the Department to include certain information in its "Consumer Guide to Health Care" on its website. Authorizes the Department to disclose certain information on its website. Authorizes the Department to promulgate rules concerning the provisions of the Illinois Health Care Finance Reform Act. Requires that ambulatory surgical treatment centers, organizations representing ambulatory surgical treatment centers, purchasers, consumer groups, and health plans be meaningfully involved in the development of all aspects of the Department's methodology for collecting, analyzing, and disclosing the information collected under this Act. Requires the Department to evaluate additional methods for comparing the performance of hospitals and ambulatory surgical treatment centers and report its findings and recommendations on its Internet website and to the Governor and General Assembly no later than January 1, 2006. Makes other changes. Effective immediately.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill as engrossed, but makes the following changes: Provides that, until July 1, 2006, certain data may be submitted by computer diskette. Sets forth additional information that must be included in the "Consumer Guide to Health Care". Restores a provision that data collected is not a public record under the Freedom of Information Act and sets forth further conditions on the use and release of information. Requires the Department of Public Health's evaluation of additional methods of comparing the performance of hospitals and ambulatory surgical treatment centers must occur with the advice of and in consultation with various entities. Requires the Department to report a findings and recommendations no later than July 1, 2006 (instead of January 1, 2006). Makes other changes. Effective immediately.

Jun 14 05 H Public Act 94-0027

HB 02344 Rep. Julie Hamos-Patricia R. Bellock-Deborah L. Graham
(Sen. Susan Garrett-Donne E. Trotter-Todd Sieben-Jacqueline Y. Collins)

20 ILCS 2310/2310-33 new

Amends the Department of Public Health Powers and Duties Law. Authorizes the Department of Public Health to establish reasonable billing rates for certain persons and entities requesting electronic access to certain types of patient data collected under the Illinois Health Finance Reform Act. Requires all moneys received by the Department from such billing procedures to be deposited into the Public Health Special State Projects Fund. Provides that the Department shall comply with State and federal laws to protect patient confidentiality. Effective immediately.

House Amendment No. 1

Further amends the Department of Public Health Powers and Duties Law. Makes a change to the Section heading so that it reads: Access to patient claims and encounter data (now, Access to patient billing data). Changes other references in the Section to claims and encounter data (now, billing data).

House Amendment No. 3

Deletes everything after the enacting clause. Reinserts the provisions of the bill, as amended. Provides that the Department may establish reasonable billing rates (instead of claims and encounter rates) for persons requesting electronic access to certain patient data. Effective immediately.

Aug 08 05 H Public Act 94-0501

HB 02345 Rep. Julie Hamos-Elizabeth Coulson-Sidney H. Mathias-Paul D. Froehlich-Sara Feigenholtz, Mike Boland, Mary E. Flowers, Richard T. Bradley, Careen M Gordon, Elaine Nekritz, Karen May, Cynthia Soto, William Davis and Constance A. Howard
(Sen. William R. Haine-Steven J. Rauschenberger-Jeffrey M. Schoenberg)

New Act

Creates the Electronic Medical Records Taskforce Act. Establishes the Electronic Medical Records Taskforce to create a plan for the development and utilization of electronic medical records (EMR) in the State in order to improve the quality of patient care, increase the efficiency of medical practice, improve safety, and reduce medical errors. Sets forth certain elements that the plan shall include. Effective immediately.

House Amendment No. 1

Deletes everything. Creates the Electronic Health Records Taskforce Act. Establishes the Electronic Health Records Taskforce to create a plan for the development and utilization of electronic health records (EHR) in the State in order to improve the quality of patient care, increase the efficiency of health care practice, improve safety, and reduce health care errors. Sets forth certain elements that the plan shall include. Effective immediately.

Senate Floor Amendment No. 1

Provides that the EHR Taskforce shall be convened by the Department of Public Health, in coordination with the Department of Public Aid and the Department of Human Services (rather than just in coordination with the Department of Public Aid). Provides that the Taskforce shall prepare and submit a report on the EHR plan to the General Assembly by December 31, 2006.

Aug 22 05 H Public Act 94-0646

HB 02348 Rep. Renee Kosel
(Sen. Carole Pankau)

625 ILCS 5/6-520 from Ch. 95 1/2, par. 6-520

Amends the Illinois Vehicle Code. Provides that a disqualification of commercial driving privileges by the Secretary of State does not become effective until the person is notified in writing, by certified mail (rather than merely in writing), of the impending disqualification and advised that a hearing may be requested. Effective immediately.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/6-520

Adds reference to:

625 ILCS 5/6-306.7

Adds reference to:

625 ILCS 5/13B-55

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code provisions regarding suspension of a person's driving privileges for failure to satisfy fines or penalties for toll violations or evasions or for failure to submit a vehicle for required emissions testing. Provides that, if the person has been issued a CDL, notice of suspension of the person's driver's license must be given in writing by certified mail and is effective on the date listed in the notice of suspension. Provides, however, that the notice is not effective until 4 days after the date on which the notice was deposited into the United States mail. Provides that the notice becomes effective 4 days after its deposit into the United States mail regardless of whether the Secretary of State receives the return receipt and regardless of whether the written notification is returned for any reason to the Secretary of State as undeliverable. Effective July 1, 2006.

Jul 14 05 H Public Act 94-0218

HB 02351 Rep. David R. Leitch-Sidney H. Mathias-Rich Brauer-Michael Tryon-Art Tenhouse
(Sen. Dale E. Risinger-Larry K. Bomke)

625 ILCS 5/3-412 from Ch. 95 1/2, par. 3-412

625 ILCS 5/12-503 from Ch. 95 1/2, par. 12-503

Amends the Illinois Vehicle Code. Provides that the prohibition against tinted windshields and tinted front side windows does not apply to vehicles owned and operated by persons afflicted with systemic lupus erythematosus or used to transport those persons. Provides that the Secretary of State shall issue distinctive registration stickers for the exempted vehicles. Effective immediately.

House Amendment No. 1

Adds reference to:

625 ILCS 5/3-663 new

Provides that vehicles owned and operated by persons with discoid (as well as systemic) lupus erythematosus are exempt from the prohibition. Provides that the Secretary of State shall issue distinctive license plates (rather than registration stickers) for the exempted vehicles. Adds a new provision providing for the issuance of those license plates.

Senate Floor Amendment No. 1

Adds reference to:

625 ILCS 5/Ch. 3 Art. VI heading

Provides that the Secretary of State shall issue distinctive license plates or license plate stickers (rather than shall issue distinctive license plates) for the exempted vehicles. Provides that the license plate stickers shall expire in accordance with rules adopted by the Secretary of State. Provides that persons with albinism area also exempted from the prohibition against tinted windshields and tinted front side windows. Provides that the special plates or special plate stickers also shall be issued to persons with albinism.

Aug 12 05 H Public Act 94-0564

HB 02375 Rep. Daniel V. Beiser-Lisa M. Dugan-Mike Boland, Naomi D. Jakobsson and Careen M Gordon
(Sen. William R. Haine)

215 ILCS 97/5

215 ILCS 97/50

215 ILCS 97/60 new

Amends the Illinois Health Insurance Portability and Accountability Act. Provides definitions of "affiliate", "control", and "person". Provides that, if a health insurance issuer elects to discontinue offering all health insurance coverage in the individual market in Illinois, health insurance coverage may be discontinued by the issuer if, in the case where the issuer has affiliates in the individual market, the issuer gives notice to each affected individual at least 180 days prior to the date of the expiration of coverage of the individual's option to purchase all other individual health benefit plans currently offered by any affiliate of the carrier. Provides that, if an issuer elects to discontinue offering all health insurance coverage in the individual market, its affiliates shall offer an individual health benefit plan to all individuals nonrenewed by that issuer on a guarantee issue basis, if the individual applies for coverage no later than 63 days after the discontinuation of coverage. Provides that, in any case where a health insurance issuer elects to uniformly modify coverage, uniformly terminate coverage, or discontinue coverage in a marketplace, the issuer shall provide notice to the Department of Financial and Professional Regulation prior to notifying the plan sponsors, participants, beneficiaries, and covered individuals. Effective immediately.

House Amendment No. 1

Provides that if an insurer elects to discontinue offering all health insurance coverage in the individual market, its affiliates that offer health insurance coverage in the individual market in Illinois (now, just affiliates) shall offer individual health insurance coverage (now, benefit plans) to all individuals if the individual applies for coverage within a certain time period. Provides that the changes made by the amendatory Act apply only to discontinuances of coverage occurring on or after the effective date. Makes other changes.

Aug 08 05 H Public Act 94-0502

HB 02379 Rep. Robert S. Molaro
(Sen. Don Harmon)

40 ILCS 5/13-301	from Ch. 108 1/2, par. 13-301
40 ILCS 5/13-302	from Ch. 108 1/2, par. 13-302
40 ILCS 5/13-305	from Ch. 108 1/2, par. 13-305
40 ILCS 5/13-306	from Ch. 108 1/2, par. 13-306
40 ILCS 5/13-308	from Ch. 108 1/2, par. 13-308
40 ILCS 5/13-309	from Ch. 108 1/2, par. 13-309
40 ILCS 5/13-310	from Ch. 108 1/2, par. 13-310
40 ILCS 5/13-314	from Ch. 108 1/2, par. 13-314
40 ILCS 5/13-402	from Ch. 108 1/2, par. 13-402
40 ILCS 5/13-403	from Ch. 108 1/2, par. 13-403
40 ILCS 5/13-502	from Ch. 108 1/2, par. 13-502
40 ILCS 5/13-601	from Ch. 108 1/2, par. 13-601
40 ILCS 5/13-603	from Ch. 108 1/2, par. 13-603
40 ILCS 5/13-706	from Ch. 108 1/2, par. 13-706

30 ILCS 805/8.29 new

Amends the Metropolitan Water Reclamation District Article of the Illinois Pension Code. Provides that a child's annuity is payable to a child who is over 18 years of age, but less than 23 years of age, if he or she is a full-time student. Eliminates the 3-day waiting period for the payment of a duty disability benefit for certain persons. Provides a minimum annuity for certain retirees and surviving spouses. Authorizes employer pickup and tax-deferred status for contributions made toward the alternative plan for commissioners. With respect to the 5 years of service needed to establish eligibility for a disability retirement annuity, excludes service credit earned while on disability for new employees. Clarifies the calculation of service with respect to the Optional Plan. Allows an employee who has returned to service to repay a prior refund within the 90 days following his or her final withdrawal from service. Allows payment of a refund to certain nonvested employees who are under age 55 (rather than 50). Makes changes concerning eligibility for a surviving spouse's annuity. Provides that certain early retirement discounts apply to the calculation of a surviving spouse's annuity. Provides that an employee may establish service credit for voluntary military service that commences after commencement of service with the Metropolitan Water Reclamation District. Adds to the powers and duties of the Board, the power to assess and collect interest on amounts due to the Fund using the annual rate as shall from time to time be determined by the Board, compounded annually from the date of notification to the date of payment. Makes other changes. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 1

Provides that an annuity to a spouse of a commissioner shall be the greater of (i) 66 2/3% of the amount of retirement annuity earned by the commissioner on the date of death or (ii) shall be commuted in the same manner as an annuity to a spouse of an employee.

Aug 18 05 H Public Act 94-0621

HB 02380 Rep. Elizabeth Coulson-Sidney H. Mathias-David E. Miller-Art Tenhouse-Karen A. Yarbrough and Kathleen A. Ryg
(Sen. Jeffrey M. Schoenberg-Donne E. Trotter-Mattie Hunter)

New Act

Creates the Arthritis Prevention, Control, and Cure Act. Directs the Department of Public Health to establish, promote, and maintain an Arthritis Prevention, Control, and Cure Program to raise public awareness, educate consumers, and educate and train health professionals, teachers, and human services providers. Provides for a pilot program for the study of arthritis public health innovation projects. Provides for an Advisory Council on Arthritis to provide non-governmental input regarding the program.

Senate Floor Amendment No. 1

Provides that implementation of the Arthritis Prevention, Control, and Cure Act is subject to appropriation.

Aug 22 05 H Public Act 94-0634

HB 02386 Rep. Careen M Gordon-John J. Millner-Karen A. Yarbrough-William Delgado-Robert F. Flider, Jack D. Franks, Linda Chapa LaVia, Naomi D. Jakobsson, John E. Bradley, Lisa M. Dugan, Daniel V. Beiser, Brandon W. Phelps, Patrick J Verschoore, Harry Osterman, Charles E. Jefferson, Kathleen A. Ryg, John D'Amico, Richard T. Bradley, Cynthia Soto, Patricia Bailey, Michelle Chavez, Edward J. Acevedo, James D. Brosnahan, Eileen Lyons, Maria Antonia Berrios, Susana A Mendoza, Jack McGuire, Jay C. Hoffman, Thomas Holbrook, Mike Boland, Dan Reitz, Gary Hannig, Robert Rita, Patricia Reid Lindner, David Reis, Paul D. Froehlich, Lovana Jones, Michael P. McAuliffe, Jim Watson, Ed Sullivan, Jr., Lou Lang, Robin Kelly, Ruth Munson, Aaron Schock, William Davis, Kevin A. McCarthy, Joseph M. Lyons, Karen May, Eddie Washington, Arthur L. Turner and Wyvetter H. Younge
(Sen. Don Harmon-Kirk W. Dillard-Jacqueline Y. Collins, William R. Haine, Edward D. Maloney-Martin A. Sandoval, James F. Clayborne, Jr., Mattie Hunter, Arthur J. Wilhelmi, Debbie DeFrancesco Halvorson, M. Maggie Crotty and Gary Forby)

730 ILCS 5/3-3-1 from Ch. 38, par. 1003-3-1

730 ILCS 5/3-3-2 from Ch. 38, par. 1003-3-2

730 ILCS 5/3-3-9 from Ch. 38, par. 1003-3-9

730 ILCS 5/3-3-10 from Ch. 38, par. 1003-3-10

730 ILCS 5/3-14-2.5 new

730 ILCS 5/5-8-1 from Ch. 38, par. 1005-8-1

Amends the Unified Code of Corrections. Provides that for a defendant convicted of predatory criminal sexual assault of a child, aggravated criminal sexual assault, or criminal sexual assault on or after July 1, 2005, the term of mandatory supervised release shall range from a minimum of 3 years to a maximum of the natural life of the defendant. Provides that the term of mandatory supervised release of these sex offenders shall toll during any period of incarceration. Provides that the Prisoner Review Board shall hear by at least one member and through a panel of at least 3 members, decide the conditions of mandatory supervised release and the time of discharge from mandatory supervised release, to impose sanctions for violations of mandatory supervised release and revoke mandatory supervised release for those sex offenders. Provides that the Department of Corrections shall retain custody of those sex offenders. Provides that the supervising officer of those sex offenders shall prepare a progress report commencing 180 days after the offender's release and continuing every 180 days thereafter for the duration of their supervised release. Provides that supervising officers of sex offenders shall receive specialized training in the supervision of sex offenders. Effective July 1, 2005.

Jul 11 05 H Public Act 94-0165

HB 02389 Rep. Careen M Gordon-Lisa M. Dugan-Daniel V. Beiser-John E. Bradley-Patrick J Verschoore and Jack McGuire
(Sen. Dan Rutherford-Jacqueline Y. Collins-Kwame Raoul-Mattie Hunter)

740 ILCS 45/6.1 from Ch. 70, par. 76.1

Amends the Crime Victims Compensation Act. Provides that "legal disability" includes posttraumatic stress disorder. Provides that, to qualify for the right to compensation for victims of specified offenses, the appropriate law enforcement officials were notified within 7 days of the perpetration of the crime allegedly causing death or injury to the victim or, if the notification was made more than 7 days after the perpetration of the crime, the applicant establishes that the notice was timely under the circumstances. Provides that, if the applicant has obtained an order of protection or a civil no contact order or has presented at a hospital for sexual assault evidence collection and medical care, the applicant's action shall constitute appropriate notification and cooperation under the Act. Requires the applicant to cooperate with law enforcement officials (instead of fully cooperate with law enforcement officials) in order to qualify for the right to compensate under the Act.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions of the original bill with the following changes. Provides that if an applicant has presented himself or herself to a hospital (instead of presented at the hospital) for sexual assault evidence collection and medical care, such action shall constitute appropriate notification to and cooperation with law enforcement officials.

House Amendment No. 2

Provides that an applicant who has obtained an order of protection or a civil no contact order or has presented himself or herself to a hospital for sexual assault evidence collection and medical case shall be considered to have cooperated with law enforcement officials in the apprehension and prosecution of the assailant.

Jul 12 05 H Public Act 94-0192

HB 02404 Rep. John E. Bradley-Thomas Holbrook
(Sen. John J. Cullerton)

205 ILCS 705/1

205 ILCS 705/5

205 ILCS 705/10

720 ILCS 5/17-3 from Ch. 38, par. 17-3

Amends the Financial Institutions Digital Signature Act. Changes the short title of the Act to the Financial Institutions Electronic Documents and Digital Signature Act and makes corresponding changes. Defines "substitute check" and makes changes to the definition of "financial institution". Includes a substitute check among those items that may be possessed, recorded, or generated by a financial institution by any electronic or computer-generated process and provides that the substitute check and all other documents, representations, images, and reproductions generated by an electronic or computer-generated process shall have the same force and effect under the laws of this State as one comprised, recorded, or created on paper or any other tangible form. Effective immediately.

Aug 04 05 H Public Act 94-0458

HB 02407 Rep. Dan Reitz, Shane Cultra and Thomas Holbrook
(Sen. John M. Sullivan)

30 ILCS 120/9 from Ch. 85, par. 659

30 ILCS 120/12 from Ch. 85, par. 662

30 ILCS 120/13 from Ch. 85, par. 663

30 ILCS 120/14 from Ch. 85, par. 664

30 ILCS 120/16 from Ch. 85, par. 666

30 ILCS 120/17 from Ch. 85, par. 667

30 ILCS 120/18 from Ch. 85, par. 668

30 ILCS 120/20 from Ch. 85, par. 670

Amends the Agricultural Fair Act. Removes the requirement that a county fair must notify the Department of Agriculture before making insurance and rehabilitation expenditures for which the fair intends to seek reimbursement from the Department. Increases the ceiling on the use of those reimbursements for liability and casualty insurance. Changes the procedures for disbursements to 4-H groups. Places agricultural education section fairs under the supervision of the Illinois Association of Vocational Agricultural Teachers. Makes other changes.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts House Bill 2407 with the following changes: Restores the requirements that a county fair must notify the Director, before obligating funds, that it intends to seek State reimbursements. Places agricultural education section fairs under the supervision of the Department of Agriculture instead of the Illinois Association of Vocational Agricultural Teachers. Changes the ownership requirement for use of funds to purchase land to those fairs owned by the fair association participating in the fund disbursement, an agricultural society, or a fair and exposition authority.

Jul 19 05 H Public Act 94-0261

HB 02408 Rep. Monique D. Davis-Constance A. Howard-Arthur L. Turner-Cynthia Soto-Annazette Collins, Milton Patterson and Karen A. Yarbrough

(Sen. Don Harmon-Kwame Raoul-Jacqueline Y. Collins-Kirk W. Dillard)

30 ILCS 105/5.640 new

30 ILCS 780/5-50 new

30 ILCS 780/5-55 new

Amends the Eliminate the Digital Divide Law. Provides that the Department of Commerce and Community Affairs shall administer the Computer Investment Program under which the Department shall assist low-income families in 5 digital divide impacted communities in the State in purchasing computers. Provides that under the Program, the Department shall give an applicant that is approved for a loan with a financial institution participating in the Program a $225 subsidy to be applied towards the purchase of a computer. Establishes the criteria for eligibility under the Program. Amends the State Finance Act. Creates the Computer Investment Program Fund.

Fiscal Note (Department of Commerce and Economic Opportunity)

House Bill 2408 is estimated to require at least two additional staff and associated resources with an estimated annual cost of $173,000 to solicit applications, work with applicants, lending institutions and retailers, process applications and disburse stipends. A more exact estimate of the fiscal impact of this legislation cannot be made at this time, because the amount to be provided by the General Assembly for the Computer Investment Program Fund is unknown.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Eliminate the Digital Divide Law. Provides that the Department of Commerce and Community Affairs shall administer the Computer Investment Program under which the Department may assist low-income families in 5 digital divide impacted communities in the State in reimbursing a portion of the cost for a recently purchased new or used home computer. Provides that the grant awarded by the Department shall not exceed $225 per applicant. Requires the applicant to show proof of purchase for the computer in the form of a store receipt. Requires the Department to prepare a store verification form to be filled out at the time of purchase by a store manager or assistant manager. Establishes the criteria for eligibility under the Program. Amends the State Finance Act. Creates the Computer Investment Program Fund.

State Mandates Fiscal Note (Department of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 2408 does not create a State mandate under the State Mandates Act.

Fiscal Note (H-AM 1)(Dept of Commerce and Economic Opportunity)

House Bill 2408 (H-AM 1) is estimated to require, subject to appropriation, at least two additional staff and associated resources with an estimated annual cost of $173,000 to develop program rules and forms, process applications and disburse grants. A more exact estimate of the fiscal impact of this legislation cannot be made at this time, because the amount of grant funding to be provided by the General Assembly for the Computer Investment Program Fund is unknown.

Jul 19 05 H Public Act 94-0262

HB 02411 Rep. John E. Bradley-Paul D. Froehlich-Brandon W. Phelps-Patricia Bailey-John A. Fritchey, Larry McKeon, Daniel V. Beiser, Patrick J Verschoore and Jack McGuire

(Sen. Gary Forby and Mike Jacobs-Jacqueline Y. Collins)

730 ILCS 5/Art. CH. III Art. 17 heading n

730 ILCS 5/3-17-5 new

Amends the Unified Code of Corrections. Creates the Methamphetamine Abusers Pilot Program at the Franklin County Juvenile Detention Center. Provides that the Program shall be established upon adoption of a resolution or ordinance by the Franklin County Board and with the consent of the Director of Corrections. Provides that a person convicted of the unlawful possession of methamphetamine under the Illinois Controlled Substances Act, after an assessment by a designated program licensed under the Alcoholism and Other Drug Abuse and Dependency Act that the person is a methamphetamine abuser or addict and may benefit from treatment for his or her abuse or addiction, may be ordered by the court to be committed to the Program. Provides that the Program shall consist of medical and psychiatric treatment for the abuse or addiction for a period of at least 90 days and not to exceed 180 days. Provides that a treatment plan for each person participating in the Program shall be approved by the court in consultation with the Department of Corrections and the Department of Human Services. Provides that the Director of Corrections shall appoint a Program Administrator to operate the Program who shall be licensed to provide residential treatment for alcoholism and other drug abuse and dependency. Provides that persons committed to the Program who are 17 years of age or older shall be separated from minors under 17 years of age who are detained in the Juvenile Detention Center and there shall be no contact between them. Provides that the Director of Corrections, after consultation with the Program Administrator, shall determine the effectiveness of the Program in rehabilitating methamphetamine abusers and addicts committed to the Program. Provides that the Director shall prepare a report based on his or her assessment of the effectiveness of the Program and shall submit the report to the Governor and General Assembly within one year after the effective date of the amendatory Act and each year thereafter that the Program continues operation.

House Amendment No. 1

Provides that the responsibilities imposed on the Department of Corrections and the Director of Corrections in relation to the pilot program shall be imposed on the Department of Human Services and the Secretary of Human Services.

Fiscal Note (H-AM1) (Department of Human Services)

Cost: $1.0 Million

House Bill 2411 (HA #1) has a total fiscal impact of $480,000 to $690,000. A break-down of this estimate is as follows: Employees to staff the program 24/7 = $300k-$475k; Start-up materials/equipment/misc. = $32k; Part-Time Psychiatrist = $20k; Part-Time Dentist - $35k; Part-Time MD = $25k; Program Administrator = $75k to $100k.

House Amendment No. 2

Adds reference to:

730 ILCS 5/3-17-10 new

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended. Also creates the Methamphetamine Abusers Pilot Program at the Franklin County Jail. Incorporates the same requirements and standards as the program created at the Franklin County Juvenile Detention Center.

Correctional Note (Dept of Corrections)

House Bill 2411 has a fiscal impact of $1,600,000. There is no corrections population impact.

Fiscal Note (Dept of Corrections)

House Bill 2411 has a fiscal impact of $1,600,000. There is no corrections population impact.

Aug 12 05 H Public Act 94-0549

HB 02417 Rep. Robin Kelly-Paul D. Froehlich-David E. Miller-Karen A. Yarbrough and Eddie Washington
(Sen. James T. Meeks-James A. DeLeo)

10 ILCS 5/1-8 new	
10 ILCS 5/6-9	from Ch. 46, par. 6-9
10 ILCS 5/6-11	from Ch. 46, par. 6-11
10 ILCS 5/6-74	from Ch. 46, par. 6-74
10 ILCS 5/7-56	from Ch. 46, par. 7-56
10 ILCS 5/7-58	from Ch. 46, par. 7-58
10 ILCS 5/7-59	from Ch. 46, par. 7-59
10 ILCS 5/7-60	from Ch. 46, par. 7-60
10 ILCS 5/7-60.1	from Ch. 46, par. 7-60.1
10 ILCS 5/7-63	from Ch. 46, par. 7-63
10 ILCS 5/22-1	from Ch. 46, par. 22-1
10 ILCS 5/22-8	from Ch. 46, par. 22-8
10 ILCS 5/22-9	from Ch. 46, par. 22-9
10 ILCS 5/22-9.1	from Ch. 46, par. 22-9.1
10 ILCS 5/22-12	from Ch. 46, par. 22-12
10 ILCS 5/22-15	from Ch. 46, par. 22-15
10 ILCS 5/22-17	from Ch. 46, par. 22-17
10 ILCS 5/22-18	from Ch. 46, par. 22-18
10 ILCS 5/22-1.2 rep.	
10 ILCS 5/22-14 rep.	
65 ILCS 20/21-27	from Ch. 24, par. 21-27

Amends the Election Code. Abolishes local canvassing boards and provides that canvasses must be done by election authorities. Requires election authorities to transmit, by fax, e-mail, or other electronic means, a certificate of the results of the election to the State Board of Elections. Amends the Revised Cities and Villages Act of 1941. Provides that recounts for the office of alderman in the City of Chicago must be filed and conducted in accordance with the Election Code (instead of within 5 days after the election).

House Amendment No. 1

Deletes reference to:

65 ILCS 20/21-27

Removes the changes to the Revised Cities and Villages Act of 1941.

House Amendment No. 2

Adds reference to:

10 ILCS 5/23-23 from Ch. 46, par. 23-23

Further amends the Election Code. With respect to court-ordered recounts in contested elections, changes references from the "board of election commissioners or canvassing board" to the "election authority".

Senate Floor Amendment No. 2

Specifies that the bill's substitution of the election authority in whose jurisdiction a political subdivision's principal office is located for statutory references to a canvassing board when the political subdivision is within 2 or more election authorities' jurisdictions is only with respect to elections for (i) offices other than statewide, legislative, judicial, county, and certain regional offices and (ii) public questions other than constitutional amendments and propositions submitted statewide.

Aug 22 05 H Public Act 94-0647

HB 02421 Rep. Aaron Schock-Patricia R. Bellock-Sidney H. Mathias-Mary E. Flowers-Tom Cross, Monique D. Davis, Milton Patterson, Barbara Flynn Currie, Arthur L. Turner, Lovana Jones and Robert Rita
(Sen. Susan Garrett-Mattie Hunter-Jacqueline Y. Collins)

305 ILCS 5/9A-15 new

Amends the Illinois Public Aid Code. Requires the Department of Human Services to establish a pilot program to provide TANF recipients with assistance in obtaining a post-secondary education degree. Provides that this assistance may include moneys for the payment of tuition, but the Department may not use any moneys appropriated for the operation of the TANF program to pay for tuition under the pilot program. Requires the Department to enter into an interagency agreement with the Illinois Student Assistance Commission for the administration of the pilot program. Requires the Department to evaluate whether having a post-secondary education degree increases a TANF recipient's earnings and to report the results of the evaluation to the General Assembly by January 1, 2008. Effective January 1, 2006.

House Amendment No. 1

Makes establishment of the pilot program subject to appropriation.

House Amendment No. 2

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code with provisions substantially similar to those of House Bill 2421 as amended by House Amendment No. 1, but with changes that include the following: (1) provides that assistance in obtaining a post-secondary education degree shall be to the extent permitted by the federal law governing the Temporary Assistance for Needy Families (TANF) Program; (2) provides that assistance is not limited to moneys for the payment of tuition; (3) provides that the Department of Human Services shall define the pilot program by rule, including a determination of its duration and scope, the nature of the assistance to be provided, and the criteria, standards, and procedures for participation; and (4) provides that the Department's report on the pilot program shall be after 2 years of the program's operation and shall include proposed rules to modify or extend the pilot program beyond the scope and schedule upon which it was originally established. Effective January 1, 2006.

Jul 29 05 H Public Act 94-0371

HB 02435 Rep. Gary Hannig-Mike Bost-Daniel V. Beiser-Jay C. Hoffman-Jim Watson, Kevin A. McCarthy, James D. Brosnahan, Kevin Joyce, John E. Bradley, Dan Reitz and Brandon W. Phelps
(Sen. Deanna Demuzio-David Luechtefeld-William R. Haine)

110 ILCS 520/8i new

Amends the Southern Illinois University Management Act. Subject to appropriation, requires the president of the University to create the Vince Demuzio Legislative Internship Program for full-time undergraduate students. Sets forth goals for the program. Provides that participating students shall receive academic credit and be compensated financially. Effective immediately.

House Amendment No. 1

Changes the program from a legislative to a governmental internship program.

Aug 05 05 H Public Act 94-0479

HB 02441 Rep. Careen M Gordon-Lisa M. Dugan-Kenneth Dunkin-Dan Brady, Daniel V. Beiser and John E. Bradley
(Sen. William R. Haine)

720 ILCS 5/21-3 from Ch. 38, par. 21-3

720 ILCS 5/21-5 from Ch. 38, par. 21-5

720 ILCS 5/21-7 from Ch. 38, par. 21-7

720 ILCS 5/21-8

720 ILCS 5/21-9

Amends the Criminal Code of 1961 relating to criminal trespass to real property, criminal trespass to State supported land, criminal trespass to restricted areas and restricted landing areas at airports, criminal trespass to a nuclear facility, and criminal trespass to a place of public amusement. Provides that a person who presents false documents or falsely represents his or her identity orally to a person who has authority to give permission to enter various lands, buildings, or facilities commits criminal trespass. Exempts peace officers and other government officials who enter or remain on the land, building, or facility in the performance of their official duties.

Jul 19 05 H Public Act 94-0263

HB 02445 Rep. Maria Antonia Berrios-Jack D. Franks-Calvin L. Giles-Edward J. Acevedo-Brandon W. Phelps, Annazette Collins, Jack McGuire, Patrick J Verschoore, Michelle Chavez, Cynthia Soto, Susana A Mendoza and William Delgado

(Sen. Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter and Gary Forby)

15 ILCS 305/16 new

20 ILCS 2505/2505-680 new

Amends the Secretary of State Act and the Department of Revenue Law of the Civil Administrative Code of Illinois. Requires the Secretary of State and the Department of Revenue, in consultation with the Department of State Police, to establish and maintain programs to mail information on missing children to Illinois residents. Provides that, under the program, the Secretary of State and the Department must include information on missing children with certain other forms that it mails to taxpayers in the State. Requires the Department of Revenue to publish on its Internet website photographs and other information concerning missing children.

House Amendment No. 1

Deletes reference to:

15 ILCS 305/16 new

Deletes reference to:

20 ILCS 2505/2505-680 new

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Find Our Children Act. Requires each State agency that maintains an Internet website to include (i) a hypertext link to the homepage website maintained and operated by the National Center For Missing And Exploited Children and (ii) a hypertext link to any State agency website that posts information concerning AMBER alerts or similar broadcasts concerning missing children. Effective immediately.

Fiscal Note (H-AM1) (Central Management Services)

The Department of Central Management Services anticipates that the fiscal impact from this bill, as amended, will be minimal.

Aug 08 05 H Public Act 94-0484

HB 02449 Rep. Eddie Washington-Jay C. Hoffman-Robert S. Molaro-Donald L. Moffitt-Mike Boland, David E. Miller, John A. Fritchey, Thomas Holbrook, Milton Patterson, Cynthia Soto, Lou Lang, Patricia Bailey, Jack McGuire, William Delgado, Patrick J Verschoore, Kenneth Dunkin and Dan Brady

(Sen. William R. Haine-John O. Jones-Debbie DeFrancesco Halvorson-Dale E. Risinger-Antonio Munoz, Adeline Jay Geo-Karis, Terry Link, M. Maggie Crotty, Martin A. Sandoval, James F. Clayborne, Jr., Iris Y. Martinez, Jacqueline Y. Collins, Dale A. Righter and Richard J. Winkel, Jr.)

625 ILCS 5/18c-7402.2 new

Amends the Illinois Vehicle Code. Provides that it is unlawful for a railroad or any of its employees to interfere in any way with a railroad employee's effort to obtain first aid or medical treatment for an injury suffered in the course of employment. Provides that it is unlawful for a railroad or any of its employees to discipline or threaten to discipline an employee for requesting treatment for a job-related injury. Provides that a violation is a business offense punishable by a fine of not more than $10,000.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/18c-7402.2 new

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Railroad Employees Medical Treatment Act. Inserts in the new Act the provisions of the original bill, with additions. Provides that the new Act does not require a railroad or railroad employee to perform first aid or medical care. Provides that the new Act does not prevent an employer from (i) noting in an employee's record that an injury occurred or (ii) offering light duty or an alternate work assignment to an injured employee, if the light duty or alternate work assignment does not conflict with the orders or treatment plan of the employee's treating physician.

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Economic Opportunity)

Does not create a state mandate under the State Mandates Act.

Fiscal Note (H-AM 1) (Illinois Commerce Commission)

No fiscal impact.

Senate Floor Amendment No. 1

Deletes language providing that a violation of the Act is a business offense. Provides that the Illinois Commerce Commission has exclusive jurisdiction to determine violations of the Act and shall impose, for each violation, a penalty in an amount not exceeding $10,000 as the exclusive remedy for any violation of the Act. Provides that the Commission shall give priority to any complaint alleging a violation of the Act and shall issue its decision promptly.

Jul 26 05 H Public Act 94-0318

HB 02451 Rep. Mary E. Flowers-Carolyn H. Krause-Constance A. Howard-Kathleen A. Ryg-Michael K. Smith, Sandra M. Pihos, Aaron Schock, Elizabeth Coulson, Jack D. Franks, Linda Chapa LaVia, George Scully, Jr., Annazette Collins and Gary Hannig

(Sen. Jeffrey M. Schoenberg-Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter-Donne E. Trotter)

225 ILCS 85/3 from Ch. 111, par. 4123

225 ILCS 85/41 new

Amends the Pharmacy Practice Act of 1987. Defines "current retail price". Provides that upon a request made in person or by telephone by any person, a pharmacist must disclose the current retail price of any brand or generic prescription drug or medical device that the pharmacy offers for sale to the public.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Pharmacy Practice Act of 1987. Defines "current usual and customary retail price". Provides that upon request, a pharmacy must disclose the current usual and customary retail price of any brand or generic prescription drug or medical device that the pharmacy offers for sale to the public. Provides that the disclosure requirement applies only to requests made in person or by telephone for the prices of no more than 10 prescription drugs or medical devices for which the person making the request has a prescription and requests made in writing by a State governmental office or agency for the purposes of conducting a survey.

Senate Floor Amendment No. 1

Removes the provision that states that the disclosure agreement applies to requests made in writing by a State governmental office or agency for the purpose of conducting a survey.

Aug 04 05 H Public Act 94-0459

HB 02453 Rep. Elizabeth Coulson-Angelo Saviano-Jerry L. Mitchell-Michelle Chavez-Rosemary Mulligan, Jack D. Franks, Naomi D. Jakobsson, Lisa M. Dugan, JoAnn D. Osmond, Careen M Gordon, Charles E. Jefferson, Karen A. Yarbrough, John E. Bradley, Jim Watson, Constance A. Howard, Kevin Joyce, Patricia R. Bellock and Robert F. Flider

(Sen. George P. Shadid-M. Maggie Crotty-Jacqueline Y. Collins, Martin A. Sandoval and Debbie DeFrancesco Halvorson)

210 ILCS 85/6.09 from Ch. 111 1/2, par. 147.09

Amends the Hospital Licensing Act. Requires a hospital's discharge planner to provide the patient with information to enable the patient to contact the Department on Aging's case coordination unit. Requires that hospital procedures in connection with giving a discharge notice include prohibitions against discharges or referrals to unlicensed, uncertified, or unregistered facilities or service providers that are required to be licensed, certified, or registered. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Hospital Licensing Act. Requires a hospital to provide the patient with information to enable the patient to contact the Department on Aging's case coordination unit if the patient is pending discharge to a skilled nursing facility or if home health services are ordered for the patient. Requires that hospital procedures in connection with giving a discharge notice include prohibitions against discharges or referrals to certain unlicensed, uncertified, or unregistered facilities. Requires the Department of Public Health to annually provide hospitals with a list of licensed, certified, or registered facilities and provides that a hospital is in compliance with the procedures for discharge or referral to certain facilities if it relies on that list. Effective immediately.

Jul 26 05 H Public Act 94-0335

HB 02455 Rep. Paul D. Froehlich-Mike Boland

(Sen. Susan Garrett-Richard J. Winkel, Jr., Larry K. Bomke and Pamela J. Althoff-Jeffrey M. Schoenberg-Don Harmon)

5 ILCS 420/4A-106 from Ch. 127, par. 604A-106

Amends the Illinois Governmental Ethics Act. Eliminates the requirement the county clerk must notify a person when his or her statement of economic interests is examined. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts House Bill 2455 with the following change: Removes the requirement that a person examining a statement of economic interests identify himself or herself and the reason for the examination. Effective immediately.

Aug 16 05 H Public Act 94-0603

HB 02459 Rep. Sidney H. Mathias-Robert F. Flider

(Sen. Terry Link)

725 ILCS 205/4.03 new

Amends the Sexually Dangerous Persons Act. Provides that "mental disorder" means a congenital or acquired condition affecting the emotional or volitional capacity that predisposes a person to engage in acts of sexual violence.

Dec 05 05 H Public Act 94-0705

HB 02460 Rep. Mike Boland-Larry McKeon-Eddie Washington-John D'Amico, William Davis, Milton Patterson, Jack D. Franks and Linda Chapa LaVia

(Sen. Iris Y. Martinez, Mike Jacobs-Jacqueline Y. Collins-Mattie Hunter, Arthur J. Wilhelmi and Don Harmon)

New Act

Creates the State Prohibition of Goods from Child Labor Act. Provides that each contract entered into by a State agency for the procurement of equipment, materials, or supplies must specify that any foreign-made goods produced under the contract were not made by child labor. Provides that a contractor who violates this provision shall be subject to suspension or a monetary penalty and the State may void the contract. Effective immediately.

Jul 19 05 H Public Act 94-0264

HB 02461 Rep. Sidney H. Mathias-Constance A. Howard, Angelo Saviano, Michael P. McAuliffe, Michael Tryon, Daniel V. Beiser, Jack D. Franks and Linda Chapa LaVia
(Sen. Kimberly A. Lightford-M. Maggie Crotty-Jacqueline Y. Collins, Martin A. Sandoval-Mattie Hunter and Debbie DeFrancesco Halvorson)

320 ILCS 65/10

320 ILCS 65/15

Amends the Family Caregiver Act. Makes the Act applicable to family caregivers for adults over age 18 who are disabled. Effective immediately.

House Amendment No. 1

Deletes reference to:

320 ILCS 65/10

Deletes reference to:

320 ILCS 65/15

Adds reference to:

20 ILCS 105/4.02 from Ch. 23, par. 6104.02

Adds reference to:

320 ILCS 65/27 new

Replaces everything after the enacting clause. Amends the Illinois Act on the Aging and the Family Caregiver Act. Provides that as part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities; provides that the content of the training shall be at the Department's discretion. Provides that subject to appropriation or to inclusion of this population in the federal Older Americans Act, the Department may provide support to caregivers who are age 60 or older and who are caring for their adult children with developmental disabilities, in collaboration with the Department of Human Services. Effective immediately.

Jul 26 05 H Public Act 94-0336

HB 02462 Rep. Susana A Mendoza-Daniel J. Burke-William B. Black-Barbara Flynn Currie-Sidney H. Mathias, Jack D. Franks, Linda Chapa LaVia, Joseph M. Lyons, Edward J. Acevedo, Maria Antonia Berrios and Jack McGuire
(Sen. Rickey R. Hendon-Edward D. Maloney-Mattie Hunter)

New Act

Creates the Residential Real Property Homestead Exemptions Disclosure Act. Requires the sellers of residential real property to disclose to the buyers of the property the amount of each homestead exemption that applies to the seller's ownership of the property. Sets forth the requirements and procedures for making the disclosure. Provides that a buyer may void the sales contract if the disclosure is defective. Provides that no action for a violation of the Act may be commenced more than one year after the date of the buyers occupancy or the date that the instrument of conveyance is recorded, whichever is less. Requires a copy of this Act must be included with each disclosure. Contains other provisions. Effective immediately.

House Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

35 ILCS 200/31-25

Deletes everything after the enacting clause. Amends the Property Tax Code. Provides that transfer declarations must include information concerning any homestead exemptions for the property. Effective immediately.

Senate Floor Amendment No. 1

Provides that the transfer declaration must include the homestead exemption information as that information is reflected on the most recent annual tax bill.

Aug 08 05 H Public Act 94-0489

HB 02467 Rep. Robin Kelly-Deborah L. Graham-Karen A. Yarbrough-David E. Miller-Monique D. Davis and Milton Patterson
(Sen. M. Maggie Crotty)

625 ILCS 5/3-806.6 new

Amends the Illinois Vehicle Code. Provides for immediate issuance of a new and different set of plates to a victim of domestic violence if specified conditions are met.

Fiscal Note (Office of the Secretary of State)

House Bill 2467 does not have a fiscal impact on the Secretary of State's Office.

Aug 08 05 H Public Act 94-0503

HB 02470 Rep. Constance A. Howard-Monique D. Davis-Lovana Jones
(Sen. Mattie Hunter-M. Maggie Crotty-Jacqueline Y. Collins-Kwame Raoul-Donne E. Trotter)

20 ILCS 2310/2310-403 new

30 ILCS 105/5.640 new

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Department of Public Health Powers and Duties Law, the State Finance Act, and the Illinois Income Tax Act. Creates the Sarcoidosis Research Fund. Allows the Department of Public Health to make grants for sarcoidosis research from appropriations to the Department from the Fund. Requires the Department of Revenue to include a checkoff on the standard individual income tax form for contributions to the Sarcoidosis Research Fund.

Jul 08 05 H Public Act 94-0141

HB 02480 Rep. Lovana Jones-Constance A. Howard-Monique D. Davis-Eddie Washington and Mary E. Flowers
(Sen. Kimberly A. Lightford-Jacqueline Y. Collins-Kwame Raoul-Mattie Hunter)

20 ILCS 2305/7.5 new

Amends the Department of Public Health Act. Requires the Department to provide grants for sarcoidosis research. Effective July 1, 2005.

Jul 29 05 H Public Act 94-0372

HB 02487 Rep. Constance A. Howard-Monique D. Davis-Lovana Jones
(Sen. M. Maggie Crotty and Kirk W. Dillard)

25 ILCS 5/3.1 from Ch. 63, par. 3.1

25 ILCS 130/10-6 from Ch. 63, par. 1010-6

Amends the General Assembly Organization Act and the Legislative Commission Reorganization Act of 1984. Requires an electronic copy of all reports filed with the General Assembly to be provided to the Legislative Research Unit. Requires the Unit to post reports on the General Assembly's website.

House Amendment No. 1

Deletes reference to:

25 ILCS 130/10-6 from Ch. 63, par. 1010-6

Deletes everything after the enacting clause. Amends the General Assembly Organization Act. Requires that an entity that is required to report to the General Assembly must post a copy of the report on the Internet.

Fiscal Note (H-AM 1) (Department of Central Management Services)

The Department of Central Management Services anticipates no fiscal impact from House Bill 2487 (H-AM 1).

Aug 12 05 H Public Act 94-0565

HB 02490 Rep. David E. Miller
(Sen. Mattie Hunter-Iris Y. Martinez)

305 ILCS 5/12-4.25 from Ch. 23, par. 12-4.25

Amends the Illinois Public Aid Code. Authorizes the Department of Public Aid to permit an individual practitioner to designate that Medicaid payments due to the practitioner be paid to an alternate payee, and requires that alternate payees register with the Department. Imposes certain requirements on alternate payees. Provides that the Department may seek revocation of an alternate payee under certain conditions and may permanently prohibit owners, officers, or persons with management responsibility for an alternate payee from participating in the Medicaid program.

Jul 19 05 H Public Act 94-0265

HB 02500 Rep. Naomi D. Jakobsson
(Sen. Richard J. Winkel, Jr. and Pamela J. Althoff)

65 ILCS 5/Art. 11 Div. 15.2 heading new

65 ILCS 5/11-15.2-1 new

65 ILCS 5/11-15.2-2 new

Amends the Illinois Municipal Code. Provides that territory in a drainage district that has been annexed to a municipality is disconnected from the drainage district, by operation of law, as of the effective date of the annexation, provided that the drainage district does not contain territory that drains directly into the Illinois, Ohio, or Mississippi River; the municipality has a population of 35,000 or more; and there is a disconnection agreement between the municipality and the drainage district that is in effect as of the time of the annexation or the municipality has on file with the county clerk and circuit clerk proof of mailing a notice to the drainage district commissioners. Provides that if there is no agreement between the parties after 180 days after the proof of mailing was filed, either party may petition the circuit court for a determination of the assessment that the municipality should pay. Provides that a drainage district and municipality may enter into an intergovernmental agreement dividing the responsibilities of the municipality and the district for maintenance of the drainage facilities.

House Amendment No. 1

Adds reference to:

65 ILCS 5/11-15.2-3 new

Further amends the Illinois Municipal Code. Provides that a municipality and a drainage district may enter into an agreement for the automatic detachment of territory from the drainage district and the annexation of that territory to the municipality, if the agreement is approved by a court after the drainage district mailed notice to affected landowners and published the notice in a newspaper of general circulation in the county. Provides that any implementing agreement that comes within the terms of the agreement approved by the court need not comply with the procedures for the detachment of territory from a drainage district. Upon the filing of a certificate executed by the drainage district and the municipality, the land described in the certificate is detached from the drainage district and annexed to the municipality. Provides for the filing of certificates with the drainage district clerk and the county clerk for the county in which the territory is located.

House Amendment No. 2

Deletes reference to:

65 ILCS 5/11-15.2-2 new

Deletes reference to:

65 ILCS 5/11-15.2-3 new

Deletes everything. Amends the Illinois Municipal Code. Provides that a municipality and a drainage district may enter into an agreement for the automatic detachment of territory from the drainage district and the annexation of that territory to the municipality, if the agreement is approved by a court after the drainage district mailed notice to affected landowners and published the notice in a newspaper of general circulation in the county. Provides that any implementing agreement that comes within the terms of the agreement approved by the court need not comply with the procedures for the detachment of territory from a drainage district. Upon the filing of a certificate executed by the drainage district and the municipality, the land described in the certificate is detached from the drainage district and annexed to the municipality. Provides for the filing of certificates with the drainage district clerk and the county clerk for the county in which the territory is located.

Senate Floor Amendment No. 1 (Senate recedes May 30, 2005)

Adds reference to:

65 ILCS 5/7-1-13 from Ch. 24, par. 7-1-13

Further amends the Illinois Municipal Code. Provides that in counties adjacent to another state, adjacent to a lake in excess of 20,000 square miles, and having a population of not less than 500,000 nor more than 1,000,000 persons, any territory that contains 75 acres or less and that is wholly bounded by one municipality that has a population of 500 persons or less may be annexed by that municipality by an ordinance passed on or before December 31, 2005. Effective immediately.

Senate Floor Amendment No. 3 (Senate recedes May 30, 2005)

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Further amends the Illinois Municipal Code by amending the Tax Increment Allocation Redevelopment Act. Provides that the redevelopment project in the TIF District created by an ordinance adopted on December 29, 1986 by the Village of Gardner must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted.

Jul 19 05 H Public Act 94-0266

HB 02509 Rep. Robert Rita-William Davis-Mike Boland-Bill Mitchell-Lovana Jones, David E. Miller, Marlow H. Colvin, William Delgado, Cynthia Soto, Elaine Nekritz, Dan Reitz, Donald L. Moffitt, Mary E. Flowers, Roger L. Eddy, David Reis, Brandon W. Phelps, Patrick J Verschoore, Gary Hannig and Daniel V. Beiser
(Sen. Donne E. Trotter-Kimberly A. Lightford-Mattie Hunter)

New Act

30 ILCS 105/5.640 new

Creates the Hospital Basic Services Preservation Act. Establishes the Hospital Basic Services Preservation Fund to collateralize basic services loans from financial institutions for capital projects necessary to maintain certain basic services required for the efficient and effective operation of essential community hospital providers that may not otherwise be able to meet the credit standards of the financial institution. Requires hospitals receiving the loans to account for moneys received and ensure that those moneys are used for the basic services for which the loan was provided. Requires the State Treasurer to promulgate rules to administer the loan program. Amends the State Finance Act to create the Hospital Basic Services Preservation Fund.

House Amendment No. 1

Provides that loans extended by a financial institution and collateralized under the Hospital Basic Services Preservation Act may be in the form of collateralized loans or in the form of subordinated debt.

Senate Floor Amendment No. 1

Adds reference to:

30 ILCS 105/8h

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill but makes the following changes. Establishes the Hospital Basic Services Review Board to review and make recommendations to the State Treasurer concerning essential community hospitals applying for collateralization of loans for completing, attaining, or upgrading basic services. Provides that applicants for collateralization of basic services loans must first apply to the Illinois Hospital Facilities Planning Board for plan approval and to the Hospital Basic Services Review Board for a recommendation of application approval for the collateralization program by the State Treasurer. Requires the applicant to submit certain information to the Hospital Basic Services Review Board. Makes other changes. Amends the State Finance Act. Exempts the Hospital Basic Services Preservation Fund from the Act's administrative charge-back provision.

Aug 22 05 H Public Act 94-0648

HB 02510 Rep. Jay C. Hoffman-William B. Black-James D. Brosnahan-Robert S. Molaro-Donald L. Moffitt, John A. Fritchey, Daniel V. Beiser, Thomas Holbrook and Lou Lang
(Sen. Antonio Munoz-John O. Jones-Debbie DeFrancesco Halvorson-Dale E. Risinger-George P. Shadid, Adeline Jay Geo-Karis, M. Maggie Crotty, Terry Link, Martin A. Sandoval, Dave Sullivan, Iris Y. Martinez, Dale A. Righter, Richard J. Winkel, Jr. and Pamela J. Althoff)

625 ILCS 5/8-101 from Ch. 95 1/2, par. 8-101

Amends the Illinois Vehicle Code. Provides that, as part of proof of its financial responsibility, a contract carrier transporting employees in the course of their employment is required to verify hit and run and uninsured motor vehicle coverage and underinsured motor vehicle coverage in a total amount of not less than $250,000 per passenger.

Jul 26 05 H Public Act 94-0319

HB 02515 Rep. Aaron Schock-Kevin A. McCarthy-Mike Bost-Roger L. Eddy-Naomi D. Jakobsson, Dan Brady, Raymond Poe, Constance A. Howard, Chapin Rose, Tom Cross, Robert W. Pritchard, David R. Leitch, Richard P. Myers, Julie Hamos, Mary E. Flowers, Jack D. Franks, Linda Chapa LaVia, Monique D. Davis, Arthur L. Turner, Milton Patterson, James H. Meyer, Shane Cultra, Calvin L. Giles, Suzanne Bassi and Renee Kosel

(Sen. Susan Garrett-Jacqueline Y. Collins)

110 ILCS 205/9.30 new

Amends the Board of Higher Education Act. Requires the Board to implement and administer a statewide program, using the World Wide Web, to assist students, advisors, faculty, and administrators from public and private institutions of higher education in obtaining consistent and accurate information about transfer courses and their applicability towards degree completion by publishing course equivalency guides, academic programs, courses offered, transfer course evaluations, and degree requirements. Effective immediately.

House Amendment No. 1

Provides that the implementation and administration of the statewide course transferability program is subject to appropriation.

Pension Note (H- AM1)(Comm on Gov't Forecasting & Accountability)

House Bill 2515 (H-AM 1) would not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (H-AM1) (Government Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Land Conveyance Appraisal Note (Department of Transportation)

As there are no parcels of land being conveyed in this bill, there are no appraisals to be filed by the Department of Transportation.

Fiscal Note (H-AM 1) (Board of Higher Education)

The Board of Higher Education estimates the cost of full-time staff and other operating expenses to ensure the continued success of the program to be $350,000 per year.

Judicial Note (H-AM 1) (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Fiscal Note (H-AM 1) (Dept of Corrections)

Corrections Population Impact: None. Fiscal Impact: None.

Housing Affordability Impact Note (Housing Development Authority)

This legislation will have no effect on constructing, purchasing, owning, or selling a single-family residence.

State Mandates Fiscal Note (H-AM 1) (Board of Higher Education)

Does not create a mandate on any local unit of government as defined by the State Mandates Act.

Home Rule Note (H-AM 1) (Dept of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 2515 (H-AM 1) contains language regarding the powers and duties of the Illinois Board of Higher Education Act and does not pertain to home rule units of local government.

Balanced Budget Note (H-AM 1) (Office of Management and Budget)

The Governor's Office of Management and Budget believes that the proposed legislation will adversely impact the state budget as funding is not included in the Governor's current balanced budget and no associated increase in state revenue or decrease in other appropriations has been proposed. The fiscal impact is estimated to be $350,000.00.

Aug 02 05 H Public Act 94-0420

HB 02525 Rep. Angelo Saviano

(Sen. Don Harmon and Dave Syverson-James A. DeLeo-Christine Radogno)

815 ILCS 645/2 from Ch. 29, par. 52

815 ILCS 645/6 from Ch. 29, par. 56

815 ILCS 645/8 from Ch. 29, par. 58

Amends the Physical Fitness Services Act. Provides that in the event of the relocation of a customer's residence and under specified conditions of his or her relocation, the customer may cancel his or her contract for physical fitness services and shall be liable for only that portion of the charges allocable to the time before reasonable evidence of such relocation is presented to the center, plus a reasonable fee if so provided in the contract, but such fee shall not exceed 50% (instead of 10%) of the unused balance, or $150 (instead of $50), whichever is less. Provides that a contract for "personal training services" is not subject to annual fee limits when purchased by a business entity or a fraternal or charitable organization. Effective immediately.

House Amendment No. 1

Deletes reference to:

815 ILCS 645/6 from Ch. 29, par. 56

Adds reference to:

815 ILCS 645/9 from Ch. 29, par. 59

Restores language providing that in the event a customer cancels his or her contract for physical fitness services he or she shall be liable for a reasonable fee not to exceed 10% of the unused balance or $50, whichever is less, if so provided in the contract. Deletes language providing that a contract for personal training services is not subject to annual fee limits when purchased by a business entity or a fraternal or charitable organization. Provides that a contract for family or couple memberships is not subject to annual fee limits when purchased by a business entity or a fraternal or charitable organization. Provides that no contract for family or couple memberships for basic physical fitness services shall require payment in excess of $2,500 per year per person covered under the membership. Defines "basic physical fitness services", "optional physical services", and "non-physical fitness services".

Governor Amendatory Veto Message

Recommends that the following be deleted: (1) language providing that the annual fee limit for physical fitness service contracts shall not apply to any contract for family or couple memberships, or group memberships where purchased by a business entity or a fraternal or charitable organization; and (2) language providing that no contract for family or couple memberships for basic physical fitness services shall require payment in excess of $2,500 per year per person covered under the membership.

Nov 09 05 H Public Act 94-0687

HB 02527 Rep. John E. Bradley-Patrick J Verschoore-Kevin Joyce-Jack D. Franks-Jack McGuire, Dan Reitz, Angelo Saviano, Michael P. McAuliffe and Michael Tryon

(Sen. Gary Forby-Kwame Raoul, M. Maggie Crotty-Susan Garrett, Iris Y. Martinez, Dale A. Righter, Mike Jacobs-Jacqueline Y. Collins and Martin A. Sandoval)

20 ILCS 105/4.02e new

Amends the Illinois Act on the Aging. Provides that an adult day service contract with the Department shall constitute certification by the Department of the adult day service. Defines "adult day service". Effective July 1, 2005.

Aug 02 05 H Public Act 94-0421

HB 02528 Rep. John E. Bradley-Careen M Gordon, Daniel V. Beiser-Lisa M. Dugan-Robert F. Flider-Kevin A. McCarthy, Patrick J Verschoore, Jack McGuire and Naomi D. Jakobsson

(Sen. Gary Forby, Deanna Demuzio and Arthur J. Wilhelmi)

30 ILCS 608/5-10

Amends the State Facilities Closure Act. Provides that recommendations for closure and public hearings are mandatory (now, at the discretion of the Commission on Government Forecasting and Accountability) for the proposed closure of certain facilities.

Fiscal Note (Government Forecasting & Accountability)

No fiscal impact.

Nov 09 05 H Public Act 94-0688

HB 02531 Rep. Kevin Joyce-Jack McGuire-Patrick J Verschoore-Mike Boland-John D'Amico, Eddie Washington, Michael K. Smith, Thomas Holbrook, Jack D. Franks, Linda Chapa LaVia, Michelle Chavez, Charles E. Jefferson, Maria Antonia Berrios and David E. Miller

(Sen. Edward D. Maloney-M. Maggie Crotty-Kwame Raoul-Susan Garrett, Jacqueline Y. Collins, Iris Y. Martinez, Martin A. Sandoval and George P. Shadid)

225 ILCS 46/5

225 ILCS 46/10

225 ILCS 46/15

225 ILCS 46/25

225 ILCS 46/30

225 ILCS 46/40

Amends the Health Care Worker Background Check Act to include all employees of licensed and certified long-term care facilities who have or may have contact with residents or have access to the living quarters or the financial, medical, or personal records of residents. Provides that beginning January 1, 2006, each long-term care facility operating in the State must initiate, or have initiated on its behalf, a UCIA criminal history record check for all employees with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents. Provides that a health care employer may conditionally employ an applicant for up to 3 months pending the results of a UCIA criminal history record check (now, a health care employer may conditionally employ the applicant to provide direct care for up to 3 months pending the results of the check). Provides that an individual shall not be employed from the time that an employer receives the results of a non-fingerprint check containing disqualifying conditions until the time that the individual receives a waiver from the Department (now, an individual shall not be employed in a direct care position from that time until he or she receives the waiver). Provides that if the individual challenges the results of the non-fingerprint check, the employer may continue to employ the individual if the individual presents convincing evidence to the employer that the non-fingerprint check is invalid (now, the employer may continue to employ the individual in a direct care position if the individual presents convincing evidence that the non-fingerprint check is invalid).

House Amendment No. 1

Provides that in addition to a facility licensed by the State or certified under federal law as a long-term care facility, "long-term care facility" also means a facility licensed by the State or certified under federal law as a supportive living facility, an assisted living establishment, or a shared housing establishment or registered as a board and care home.

Senate Committee Amendment No. 2 (Senate recedes May 29, 2005)

Provides that "selected health care employer" means certain facilities, agencies, programs, or arrangements selected to participate in the Centers for Medicare and Medicaid Services (CMMS) grant (instead of certain facilities, agencies, programs, or arrangements that are located in counties selected to participate in the CMMS grant). Provides that the Department of State Police shall forward applicant fingerprints to the Federal Bureau of Investigation for a national criminal history records check.

Senate Committee Amendment No. 3

Adds reference to:

225 ILCS 46/70 new

Further amends the Health Care Worker Background Check Act. Adds a provision concerning the Centers for Medicare and Medicaid Services (CMMS) grant. Provides that selected health care employees shall be phased in to participate in the CMMS grant between January 1, 2006 and January 1, 2007. Provides that selected health care employers must comply with provisions of the Act prohibiting an individual who has committed specified crimes from being hired, employed, or retained in a position involving direct care for clients, parents, or residents. Provides that each applicant for employment in a position with direct access to residents, patients, or clients of a selected health care employer shall submit to a fingerprint-based criminal history records check.

Senate Floor Amendment No. 4

Provides that beginning January 1, 2006, each long-term care facility operating in the State must initiate, or have initiated on its behalf, a criminal history record check (rather than a UCIA criminal history record check) for all employees hired on or after January 1, 2006 (rather than just all employees) with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents. Defines "Centers for Medicare and Medicaid Services (CMMS) grant". Provides that with regards to individuals hired on or after January 1, 2006 (rather than just with regards to individuals) who have direct access to residents, patients, or clients of the selected health care employer, selected health care employers must comply with the hiring eligibility provision of the Act. Provides that the fee charged by the Department of State Police for conducting the criminal history records check shall be deposited into the State Police Services Fund. Provides that the fingerprint-based criminal history records check submitted under the CMMS grant provision must meet the requirements for a UCIA criminal history records check, as set forth in the Act.

Senate Floor Amendment No. 5

HB 02531 (CONTINUED)

Amends the bill as it is amended by Senate Amendment No. 4. Provides that a fingerprint-based criminal history records check must be submitted as a fee applicant inquiry in the form and manner prescribed by the Department of State Police (rather than requiring the fingerprint-based criminal history records check to meet the requirements for a UCIA criminal history records check).

Senate Floor Amendment No. 6

Provides that "individuals who have direct access" does not include physicians.

Aug 23 05 H Public Act 94-0665

HB 02533 Rep. Lovana Jones-Deborah L. Graham-Robin Kelly-Karen A. Yarbrough-Marlow H. Colvin, Kenneth Dunkin, David E. Miller, Milton Patterson, Mary E. Flowers and John A. Fritchey

(Sen. Donne E. Trotter)

50 ILCS 525/5

Amends the Public Works Contract Change Order Act. Provides that if a change order for any public works contract (i) is entered into by a unit of local government or school district, (ii) is not procured in accordance with the Illinois Procurement Code and the State Finance Act, and (iii) authorizes or necessitates any increase in the price of a subcontract under the contract that is 50% or more of the original subcontract price, then the portion of the contract that is subject to the change order must be resubmitted for bidding in the same manner for which the original contract was bid. Effective immediately.

Fiscal Note (Central Management Services)

The Department of Central Management Services anticipates no fiscal impact from this bill.

Aug 04 05 H Public Act 94-0460

HB 02547 Rep. Mary E. Flowers

(Sen. James F. Clayborne, Jr.-Jacqueline Y. Collins)

775 ILCS 5/7A-102 from Ch. 68, par. 7A-102

Amends provisions of the Illinois Human Rights Act concerning the investigation of charges by the Department of Human Rights. Eliminates language providing that questions of credibility shall be considered in determining whether there is substantial evidence that an alleged civil rights violation has been committed. Effective immediately.

Jul 08 05 H Public Act 94-0146

HB 02550 Rep. Donald L. Moffitt-Jim Sacia-Brandon W. Phelps-Patrick J Verschoore-Richard P. Myers, Lisa M. Dugan, Linda Chapa LaVia and Jack D. Franks

(Sen. Dale E. Risinger, Gary Forby and Arthur J. Wilhelmi)

20 ILCS 805/805-305 was 20 ILCS 805/63a23

520 ILCS 5/3.1-4 new

Amends the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois and the Wildlife Code to allow members of the United States Armed Forces, the Illinois National Guard, and the Reserves of the United States Armed Forces returning from service abroad to camp and hunt without paying fees for one year after the member returns.

House Amendment No. 1

Adds reference to:

515 ILCS 5/20-47 new

Deletes everything after the enacting clause. Amends the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois, the Fish and Aquatic Life Code, and the Wildlife Code to allow Illinois residents who are members of the United States Armed Forces, the Illinois National Guard, and the Reserves of the United States Armed Forces returning from service abroad or mobilization by the President of the United States to camp, fish, and hunt without paying fees after the member returns for the period of time that the member was in service abroad if the member applies within 2 years of returning at the Department of Natural Resources office in Springfield and provides verification of service. Effective immediately.

House Amendment No. 2

Includes Deer Hunting Permits and State Habitat Stamps in a Section concerning free hunting licenses for military members returning from mobilization and service outside the United States.

Jul 25 05 H Public Act 94-0313

HB 02564 Rep. Charles E. Jefferson
(Sen. Carol Ronen-M. Maggie Crotty)

10 ILCS 5/9-1.14

Amends the Election Code. In the campaign finance Article, exempts communications exclusively between a labor organization and its members from the definition of electioneering communication. Effective immediately.

House Amendment No. 1

Exempts communications exclusively between an organization formed under Section 501(c)(6) of the Internal Revenue Code (business league, chamber of commerce, real estate board, board of trade, or professional football league) and its members from the definition of electioneering communication.

Aug 04 05 H Public Act 94-0461

HB 02566 Rep. Michael P. McAuliffe-Jim Watson-Ed Sullivan, Jr.-Aaron Schock-Michael Tryon and Patricia R. Bellock
(Sen. Arthur J. Wilhelmi)

330 ILCS 25/3	from Ch. 126 1/2, par. 203
330 ILCS 25/5	from Ch. 126 1/2, par. 205
330 ILCS 25/6	from Ch. 126 1/2, par. 206
330 ILCS 25/7	from Ch. 126 1/2, par. 207

Amends the Veterans' Employment Act. Assigns to the Department of Commerce and Economic Opportunity the powers and duties under the Act that were formerly assigned to the Department of Employment Security. Provides that the Director of Commerce and Economic Opportunity shall consult and cooperate with appropriate State agencies, including but not limited to the Department of Employment Security and the Department of Veterans' Affairs, to ensure that there is no duplication of services.

Jul 01 05 H Public Act 94-0099

HB 02572 Rep. Elaine Nekritz-Paul D. Froehlich-Elizabeth Coulson-John A. Fritchey-Robin Kelly, Mike Boland, Annazette Collins, Barbara Flynn Currie, Monique D. Davis, William Davis, Sara Feigenholtz, Mary E. Flowers, Deborah L. Graham, Julie Hamos, Jay C. Hoffman, Naomi D. Jakobsson, Kevin Joyce, Joseph M. Lyons, Karen May, Larry McKeon, David E. Miller, Harry Osterman, Kathleen A. Ryg, Cynthia Soto, Arthur L. Turner, Eddie Washington, Karen A. Yarbrough, Sandra M. Pihos, Linda Chapa LaVia, Jack D. Franks and Patricia R. Bellock

(Sen. Carol Ronen, Rickey R. Hendon-Don Harmon and William R. Haine)

New Act

Creates the Brominated Flame Retardant Prevention Act. Provides that effective January 1, 2006 a person may not manufacture, process, or distribute in commerce a product, or a flame-retarded part of a product containing more than one-tenth of 1% of pentaBDE or octaBDE by mass. Provides that effective January 1, 2008 a person may not manufacture, process, or distribute in commerce a product, or a flame-retarded part of a product containing more than one-tenth of 1% of decaBDE. Provides penalties for a violation of the Act.

House Amendment No. 1

Provides that the provisions restricting the use of brominated flame retardant do not apply to (1) the sale by a business, charity, or private party of any used product containing PBDE or (2) the manufacture, processing, or distribution in commerce of any new product or product component containing recycled or used materials with decaBDA (provides that products containing any new PBDEs do not qualify for this exemption). Provides that a manufacturer or user of decaBDE may apply for an exemption for a specific use of decaBDE by filing a written petition with the Illinois Environmental Protection Agency and making certain demonstrations; provides that the period of the exemption may not exceed 3 years, but the exemption may be renewed for one additional 3-year term. Provides that nothing in the Brominated Flame Retardant Prevention Act restricts a manufacturer, importer, or distributor from transporting products containing PBDEs through this State or storing PBDEs in this State for further distribution.

House Amendment No. 2

Replaces everything after the enacting clause with provisions substantially similar to the introduced version of House Bill 2572, except provides that the provisions restricting the use of brominated flame retardant do not apply to: (1) the sale by a business, charity, or private party of any used product containing PBDE; (2) the distribution in commerce of original equipment manufacturer replacement service parts manufactured prior to the effective date of the Act; or (3) the processing of recycled material containing pentaBDE or octaBDE in compliance with applicable State and federal laws. Deletes language prohibiting a person from manufacturing, processing, or distributing in commerce a product, or a flame-retarded part of a product, containing more than one-tenth of 1% of decaBDE by mass. Provides that by January 2, 2006, the Illinois Environmental Protection Agency, shall submit to the General Assembly and the Governor a report that reviews the latest available scientific research to address certain issues related to the effects of decaBDE. Provides that by February 28, 2006, the Illinois Department of Public Health, shall submit to the General Assembly and the Governor a report that reviews the Illinois Environmental Protection Agency's decaBDE study. Provides that nothing in the Act restricts a manufacturer, importer, or distributor from transporting products containing PBDEs through this State or storing PBDEs in this State for further distribution. Adds an immediate effective date.

State Debt Impact Note (H-AM 1) (Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore, would not affect the level of State indebtedness.

State Debt Impact Note (H-AM 2) (Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore, would not affect the level of State indebtedness.

Pension Note (H-AM 1) (Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Pension Note (H-AM 2) (Gov. Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

Home Rule Note (H-AM 1) (Dept. of Commerce & Economic Opportunity)

Does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Economic Opportunity)

Does not create a state mandate under the State Mandates Act.

Home Rule Note (H-AM 2) (Dept. of Commerce & Economic Opportunity)

Does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 2) (Dept. of Commerce & Economic Opportunity)

Does not create a state mandate under the State Mandates Act.

Judicial Note (H-AM 2) (Admin. Office of the Illinois Courts)

HB 02572 (CONTINUED)

This legislation may cause a minimal increase in judicial workloads. However, the bill would not increase the number of judges needed in the state.

Fiscal Note (H-AM 2) (Environmental Protection Agency)

Would not have any significant fiscal impact on the Illinois EPA. The Agency could complete the report mandated by this bill with its existing resources.

Housing Affordability Impact Note (H-AM 1) (Housing Development Authority)

No fiscal effect on a single-family residence.

Jul 01 05 H Public Act 94-0100

HB 02577 Rep. Angelo Saviano-Jack D. Franks-Linda Chapa LaVia
(Sen. William R. Haine)

20 ILCS 2105/2105-15 was 20 ILCS 2105/60

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Requires the Department to assess the costs incurred in the prosecution of authorized disciplinary actions, including any disciplinary action against any license or authority authorized in any licensing Act administered by the Department. Provides that the Department shall deny any license application or renewal authorized under any licensing Act administered by the Department to any person who has failed to file a return, or to pay the tax, penalty, or interest shown in a field return, or to pay any final assessment of tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until the requirements of any such tax Act are satisfied, or until the person establishes a satisfactory repayment record as determined by the Department of Revenue. Sets forth that a complaint filed with the Department of Revenue meeting certain requirements and attesting to the amount of the unpaid tax liability or the years for which a return was not filed, or both, is prima facia evidence of the licensee's failure to comply with the tax laws administered by the Department of Revenue. Provides for the enforcement of the suspensions of licenses for non-compliance with tax laws. Makes other changes. Effective immediately.

House Amendment No. 1

Removes the provision authorizing the Department to assess the costs incurred in the prosecution of disciplinary actions.

Aug 04 05 H Public Act 94-0462

HB 02578 Rep. Constance A. Howard-Lovana Jones-Patricia Bailey-Sara Feigenholtz-Milton Patterson, William Delgado, David E. Miller, Monique D. Davis, Annazette Collins and Eddie Washington

(Sen. Kimberly A. Lightford-Jacqueline Y. Collins-Kwame Raoul-Iris Y. Martinez-Mattie Hunter, Rickey R. Hendon, Susan Garrett, James T. Meeks, Don Harmon, James F. Clayborne, Jr., M. Maggie Crotty, Arthur J. Wilhelmi, Terry Link, Donne E. Trotter and Carol Ronen)

New Act

20 ILCS 2310/2310-321 new

305 ILCS 5/1-10

305 ILCS 5/5-2 from Ch. 23, par. 5-2

305 ILCS 5/5-5.04 new

305 ILCS 5/9A-4 from Ch. 23, par. 9A-4

730 ILCS 5/3-2-11 new

730 ILCS 5/3-6-2 from Ch. 38, par. 1003-6-2

730 ILCS 5/3-7-2 from Ch. 38, par. 1003-7-2

730 ILCS 5/3-8-2 from Ch. 38, par. 1003-8-2

730 ILCS 5/3-10-2 from Ch. 38, par. 1003-10-2

730 ILCS 5/3-14-4 from Ch. 38, par. 1003-14-4

730 ILCS 125/17.10 new

Creates the African-American HIV/AIDS Response Act. Requires that each of the following designate an African-American HIV/AIDS Response Officer, responsible for coordinating efforts to address the African-American AIDS crisis within his or her respective Office or Department and serving as a liaison to governmental and non-governmental entities: the Office of the Governor; the Department of Human Services; the Department of Public Health; and the Department of Corrections. Provides that a State agency that operates a facility that (i) is accessible to the public, (ii) is a high-traffic facility, and (iii) serves a high-risk community must provide the following in each such facility where space and security reasonably permit: space for free HIV counseling and antibody testing. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois; provides that on its official Web site, the Department shall provide Web-friendly and printer-friendly versions of educational materials in connection with HIV and AIDS, targeted to persons presently or previously committed to the Department of Corrections or confined in a county jail, as well as family members and friends of such persons. Amends the Illinois Public Aid Code; provides that certain prohibitions against eligibility for cash assistance under the Code for persons convicted of certain drug offenses do not apply to an individual who has tested positive for HIV; requires the Department of Public Aid to seek federal approval to expand access to health care under the Medicaid program for persons living with HIV/AIDS. Amends the Unified Code of Corrections; requires the Department of Corrections to provide committed persons, their family members, and visitors with certain materials and services in connection with HIV/AIDS, including testing, counseling, and medical care. Amends the County Jail Act, and imposes similar requirements on sheriffs and wardens of county jails. Makes other changes. Effective January 1, 2006.

House Amendment No. 1

Adds provisions to the African-American HIV/AIDS Response Act. Provides that a State agency that is required to provide space for free HIV counseling and testing shall make appropriate arrangements with one or more local health organizations to conduct the counseling or testing; provides that such testing shall be the rapid testing authorized under the AIDS Confidentiality Act. Provides for a study by the HIV/AIDS Policy and Research Institute at Chicago State University to determine whether there is a correlation between incarceration and HIV infection. Provides for an HIV/AIDS Response Review Panel within the Department of Corrections to oversee the implementation of the African-American HIV/AIDS Response Act. Requires the Department of Human Services, the Department of Public Health, the Department of Corrections, and the Department of Central Management Services to adopt rules to ensure implementation of the Act within 6 months after the Act's effective date. In the provisions amending the Unified Code of Corrections, provides that: (1) an employee of the Department of Corrections may not directly or indirectly disclose the HIV/AIDS status of a person committed to the Department, or any other information related to HIV/AIDS testing, medical care, counseling, or case management with respect to a person committed to the Department, to any other person unless authorized to do so by the person committed to the Department; and (2) the Department shall ensure that written materials provided to visitors concerning HIV and AIDS are culturally sensitive and reflect cultural diversity as appropriate.

House Amendment No. 2

Deletes reference to:

305 ILCS 5/1-10

Deletes reference to:

305 ILCS 5/3-14-4 from Ch. 23, par. 5-2

HB 02578 (CONTINUED)

Replaces everything after the enacting clause with provisions substantially similar to those of House Bill 2578 as amended by House Amendment No. 1, creating the African-American HIV/AIDS Response Act and amending certain Acts, but with changes that include the following: (1) in the African-American HIV/AIDS Response Act, (i) provides that "high traffic facility" means such a facility as defined by the State agency operating the facility (instead of by CMS) and (ii) establishes the HIV/AIDS Response Review Panel within the Office of the Governor (instead of within the Department of Corrections); (2) deletes changes to the Illinois Public Aid Code in connection with ineligibility for cash assistance on account of certain drug convictions; (3) provides that the Department of Public Aid may (instead of shall) seek federal approval to expand access to health care for persons living with HIV/AIDS; (4) provides that TANF recipients may request a reasonable modification to the requirement of participation in the education, training, and employment program in order to accommodate a qualified individual with a disability (deletes a provision for an exemption from such participation based on a physician's determination); (5) in provisions amending the Unified Code of Corrections, (i) deletes certain references to "any other identified causative agent of" AIDS, (ii) requires the Department of Corrections to offer an inmate certain services (instead of providing such services), (iii) deletes a provision prohibiting the declaration of condoms as contraband, (iv) deletes certain references to the provision of services to inmates at no charge, and (v) deletes amendatory changes in connection with half-way houses; and (6) under the County Jail Act, provides that a warden shall obtain certain HIV/AIDS materials from the Department of Public Health (instead of developing such materials in consultation with the Department). Effective January 1, 2006.

House Amendment No. 3

Provides that implementation of the African-American HIV/AIDS Response Act is subject to appropriation. Provides that the amendatory changes to the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, the Illinois Public Aid Code, the Unified Code of Corrections, and the County Jail Act are subject to appropriation.

Fiscal Note (H-AM 2)(Office of the Secretary of State)

If House Bill 2578 (H-AM 2) become law, the Secretary of State's office may be compelled to build, lease or otherwise obtain additional space adjacent to any facility designated a high-traffic facility in a high risk community.

State Mandates Fiscal Note (H-AM 1)(Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, House Bill 2578 (H-AM 1) creates a service mandate under for which reimbursement of 50%-100% of the increased costs to units of local government is required under the State Mandates Act. An estimate of the increased costs to units of local government is not available.

Fiscal Note (Dept of Corrections)

House Bill 2578 has a fiscal impact of $750,000. There is no corrections populations impact.

Correctional Note (Dept of Corrections)

House Bill 2578 has a fiscal impact of $750,000. There is no corrections populations impact.

Fiscal Note (H-AM 2)(Dept of Corrections)

House Bill 2578 (H-AM 2) has a fiscal impact of $2,250,000. There is no corrections populations impact.

Correctional Note (H-AM 2)(Dept of Corrections)

House Bill 2578 (H-AM 2) has a fiscal impact of $2,250,000. There is no corrections populations impact.

Fiscal Note (H-AM 2) (Dept. of Labor)

This legislation will have little, if any, impact to the Department of Labor as it is not specifically mentioned in the legislation and it does not have high-traffic facilities that serve a high-risk community.

Correctional Note (H-AM 3) (Dept. of Corrections)

Corrections Population Impact: None. Fiscal Impact: Minimal.

Fiscal Note (H-AM 3) (Dept. of Corrections)

Corrections Population Impact: None. Fiscal Impact: Minimal.

Fiscal Note (H-AM 2) (Dept. of Children & Family Services)

The legislation would have minimal impact on the Department.

Senate Floor Amendment No. 1

HB 02578 (CONTINUED)

In the African-American HIV/AIDS Response Act, provides that the Department of Public Health must adopt certain rules by March (instead of January) 15, 2006. Replaces the provisions amending the County Jail Act. Provides that in each county other than Cook, during the medical admissions exam, a correctional officer at the jail or a member of the jail's medical staff (as alternatives to the warden of the jail) must provide the prisoner with information concerning HIV and AIDS. Provides that the Department of Public Health and community-based organizations certified to provide HIV/AIDS testing must provide the informational materials to the warden at no cost to the county. Provides that the warden, a correctional officer, or a member of the jail medical staff must inform the prisoner of the option of being tested for infection with HIV by a certified local community-based agency or other available medical provider at no charge to the prisoner. Sets forth similar provisions for Cook County, but requires that the informational materials be provided by an employee of the Cook County Bureau of Health Services and requires that prisoners be provided with the option of counseling in connection with HIV/AIDS testing; also provides that HIV/AIDS testing is to be conducted by the Cook County Bureau of Health Services and shall consist of an enzyme-linked immunosorbent assay (ELISA) test or any other test approved by the Department of Public Health; provides that if the test result is positive, the Western Blot Assay or more reliable confirmatory test shall be administered. Provides that in each county, the warden must make HIV/AIDS information available to jail visitors (instead of must offer such information to visitors). Provides that the Department of Public Health and community-based organizations certified to provide HIV/AIDS testing must provide these informational materials to the warden at no cost to the office of the county sheriff. Provides that implementation of these provisions is subject to appropriation. Eliminates provisions concerning (1) signing of a form by prisoners, (2) the specific type of test required, and (3) a prisoner's entitlement to medical care.

Senate Floor Amendment No. 2

In provisions amending the Unified Code of Corrections: (1) provides that a person committed to the Department of Corrections who has tested positive for infection with HIV (instead of a committed person who has tested positive for infection with HIV or any other identified causative agent of AIDS) is entitled to medical care while incarcerated (instead of simply "medical care"), counseling, and referrals to support services; and (2) requires the Department of Corrections to offer visitors information concerning how to contact the Illinois Department of Public Health for counseling information (instead of concerning persons or entities to contact for local counseling).

Aug 19 05 H Public Act 94-0629

HB 02580 Rep. Joseph M. Lyons-John D'Amico, Jack D. Franks and Linda Chapa LaVia
(Sen. James A. DeLeo)

20 ILCS 2630/3 from Ch. 38, par. 206-3

65 ILCS 5/Art. 11 Div. 117.1 heading ne

65 ILCS 5/11-117.1-1 new

220 ILCS 5/4-101 from Ch. 111 2/3, par. 4-101

Amends the Criminal Identification Act. Authorizes the Department of State Police to furnish to a peace officer certain information pertaining to the identification of any person for the purpose of determining whether that person may be granted or denied access to municipal utility facilities. Amends the Illinois Municipal Code to create a new Division concerning terrorism prevention. Authorizes the appropriate agency of a municipality to promulgate rules for the exclusion of any person from all or a portion of any water treatment facility, water pumping station, electrical transfer station, electrical generation facility, natural gas facility, or any other utility facility owned or operated by the municipality, based on criminal conviction information about that person obtained under the Criminal Identification Act. Amends the Public Utilities Act. Requires the Illinois Commerce Commission to require all electric public utilities to establish a security policy that includes on-site safeguards to restrict physical or electronic access to critical infrastructure and computerized control and data systems by personnel employed by or under contract with the electric public utility company or by personnel of any entity regulated by the Commission that supplies power to wholesale or residential markets. Requires the Commission to maintain a record of and requires each regulated entity that supplies power to wholesale or residential markets to provide to the Commission an annual affidavit signed by a representative of the regulated entity that states that the entity follows, at a minimum, the most current security guidelines set forth by the North American Energy Reliability Council.

House Amendment No. 1

Provides that the Illinois Commerce Commission shall maintain a record of and each regulated entity must provide to the Illinois Commerce Commission a signed affidavit stating that the entity follows, at a minimum, current security standards (now, guidelines) set forth by the North American Electric Reliability Council (now, North American Energy Reliability Council).

Aug 05 05 H Public Act 94-0480

HB 02589 Rep. Monique D. Davis-Constance A. Howard-Edward J. Acevedo-Lovana Jones-Jerry L. Mitchell, Jack D. Franks, Linda Chapa LaVia and Charles E. Jefferson

(Sen. Carol Ronen)

105 ILCS 5/2-3.136

Amends the School Code. Under the K-3 class size reduction grant program, provides that if a school board determines that a school is using funds awarded under the program for purposes not authorized by the program, then the school board, rather than the school, shall determine how the funds are used.

Aug 12 05 H Public Act 94-0566

HB 02593 Rep. Robin Kelly-Monique D. Davis-Lovana Jones-William Davis-Deborah L. Graham

(Sen. M. Maggie Crotty-Debbie DeFrancesco Halvorson-Jacqueline Y. Collins)

625 ILCS 5/12-601.2 new

Amends the Illinois Vehicle Code. Provides that any authorized emergency vehicle must be equipped with a traffic control signal preemption device. Provides that the Department of Commerce and Economic Opportunity shall adopt rules regarding the reimbursement of any unit of local government that may not be able to afford the expense of the required equipment.

House Amendment No. 1

Adds reference to:

30 ILCS 105/5.640 new

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code and the State Finance Act. Provides that, in a county with a population over 2,000,000, every ambulance owned or operated by a municipality with a population over 50,000 must be equipped with a traffic control signal preemption device, if any other vehicle owned or operated by the municipality is equipped with one of those devices. Creates the Traffic Control Signal Preemption Devices for Ambulances Fund in the State treasury. Provides that all moneys in the Fund shall be paid as grants to municipalities subject to the provision to assist them in meeting the new requirement. Provides that the moneys in the Fund may not be used for any other purpose.

House Amendment No. 3

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code and the State Finance Act. Provides that, in a county with a population of 2,000,000 or more, subject to appropriation, any ambulance owned or operated by a municipality with a population of less than 500,000 must be equipped with a traffic control signal preemption device, if any route used by that ambulance includes any roadway that is equipped with traffic control signal preemption technology. Provides that, in counties with a population of less than 2,000,000, subject to appropriation, any ambulance owned or operated by a municipality with a population of more than 50,000 must be equipped with the device, if any route used by that ambulance includes any roadway that is equipped with traffic control signal preemption technology. Re-inserts the provisions of the amended bill regarding the Traffic Control Signal Preemption Devices for Ambulances Fund, with an addition. Provides that the fund may receive private gifts and contributions.

Jul 29 05 H Public Act 94-0373

HB 02594 Rep. William Delgado and Richard T. Bradley

(Sen. John J. Cullerton-Martin A. Sandoval)

815 ILCS 513/15

815 ILCS 513/15.1 new

815 ILCS 513/30

Amends the Home Repair and Remodeling Act. Requires a person engaged in the business of home repair and remodeling, that prepares or presents a written offer for home repair and remodeling to a consumer, to advise the consumer before the contract or agreement is accepted and executed of the presence of any contractual provision that requires the consumer to: (i) submit all contract or agreement disputes to binding arbitration in place of a hearing in court before a judge or jury; and (ii) waive his or her right to a trial by jury. Provides that the consumer shall be given the option of accepting or rejecting both the binding arbitration clause and the jury trial waiver clause before the contract or agreement is accepted and executed by the consumer. Provides that failure to advise a consumer of the presence of the binding arbitration clause or the jury trial waiver clause or to secure the necessary acceptance, rejection or consumer signature shall render null and void each clause that has not been accepted or rejected and signed by the consumer. Makes other changes. Effective January 1, 2006.

House Amendment No. 1

Provides that a person engaged in the business of home repair and remodeling shall have the right to reject the proposed contract or agreement if the consumer rejects either the binding arbitration clause or the jury trial waiver clause, or both.

Aug 08 05 H Public Act 94-0490

HB 02595 Rep. Bob Biggins-Barbara Flynn Currie
(Sen. Don Harmon-Chris Lauzen and Pamela J. Althoff)

35 ILCS 200/27-87 new

Amends the Special Service Area Tax Law in the Property Tax Code. Provides that a municipality may propose a special service area as provided in this Law for the purpose of providing improvements to any one or more buildings if the improvements are required by municipal ordinance in order to protect the health and safety of workers, tenants, and visitors in the buildings. Sets forth requirements for establishing the special service area.

House Amendment No. 1

Requires that 100% (instead of "51% or more") of the owners of the real estate that is to be subject to the tax must file the petition agreeing to the establishment of the special service area. Provides that if the property owners file such a petition, then the municipality may (instead of "shall") establish the special service area.

Nov 09 05 H Public Act 94-0689

HB 02611 Rep. Robert S. Molaro, Lou Lang, Sidney H. Mathias, Harry Osterman and Angelo Saviano
(Sen. Terry Link and Pamela J. Althoff-James F. Clayborne, Jr.-Wendell E. Jones-Martin A. Sandoval)

65 ILCS 5/11-12-9 from Ch. 24, par. 11-12-9

Amends the Illinois Municipal Code. Prohibits the corporate authorities of a municipality from entering into a jurisdictional boundary line agreement unless written notice is provided to the owners of all property affected by the proposed agreement.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Municipal Code. Prohibits a corporate authority from entering into an agreement unless it provides public notice of the proposed boundary agreement by (i) the posting of a public notice for not less than 15 consecutive days in the same location at which notices of village board or city council meetings are posted and (ii) publication on at least one occasion in a newspaper of general circulation within the territory that is subject to the proposed agreement (rather than notice to owners of property affected by the proposed agreement). Provides that the validity of a boundary agreement may not be legally challenged on the grounds that the notice was not properly given unless the challenge is initiated within 12 months after the formal approval of the boundary agreement. Provides that an agreement that addresses jurisdictional boundary lines shall be entirely unenforceable for any party thereto that subsequently enters into another agreement that addresses jurisdictional boundary lines that is in conflict with any of the terms of the first agreement without the consent of all parties to the first agreement. Provides that, except for those provisions that take effect prospectively, the provisions are declarative of existing law and shall not be construed to modify existing boundary line agreements or to create municipal powers not already in existence. Effective immediately.

Jul 29 05 H Public Act 94-0374

HB 02612 Rep. Frank J. Mautino
(Sen. Kwame Raoul)

730 ILCS 5/5-3-1 from Ch. 38, par. 1005-3-1

730 ILCS 5/5-3-2 from Ch. 38, par. 1005-3-2

Amends the Unified Code of Corrections. Provides that an offender being considered for probation for any felony offense that is sexually motivated need not submit to an evaluation where the State's Attorney, the probation department, and the Court agree to waive such evaluation, provided that the Sex Offender Management Board has adopted uniform statewide standards to waive such an evaluation and the Chief Judge of the circuit has issued a judicial order endorsing the uniform standard promulgated by the Sex Offender Management Board.

House Amendment No. 1

Deletes reference to:

730 ILCS 5/5-3-1

Deletes reference to:

730 ILCS 5/5-3-2

Adds reference to:

20 ILCS 4026/19

Deletes everything after the enacting clause. Amends the Sex Offender Management Board Act relating to the Sex Offender Management Board Fund. Eliminates references to the Department of Human Services. Provides that the agency providing supervision of a sex offender or the Department of Corrections (rather than the Sex Offender Management Board) shall develop factors to be considered and criteria to determine a person's ability to pay for evaluation, treatment, and monitoring programs. Provides that the Board shall allocate (rather than develop a plan for allocating) moneys deposited in the Fund among the agency providing supervision of the sex offender or the Department of Corrections.

Dec 05 05 H Public Act 94-0706

HB 02613 Rep. Robert S. Molaro, Lou Lang, Sidney H. Mathias and Angelo Saviano
(Sen. John J. Cullerton, William E. Peterson-Dale E. Risinger-James F. Clayborne, Jr.-Wendell E. Jones-Martin A. Sandoval and Louis S. Viverito)

60 ILCS 1/115-10

60 ILCS 1/115-20

Amends the Township Code. Provides that when a petition is filed, signed by not less than 5% or 50 of the registered voters of the township, whichever is greater, that recommends that the board commence the preparation of an open space plan, the township clerk shall provide a public notice within 5 business days after the petition is filed, by the regular notice procedures, of the existence of the filed petition. Provides that a hearing shall be conducted no less than 30 days after the petition was filed to determine the validity of the petition, which may be challenged in accord with the general election law. Provides that a subsequent petition to adopt the open space plan that the township board adopted shall be approved if the petition is determined to be valid following a public notice and a public hearing. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

60 ILCS 1/120-10

Adds reference to:

60 ILCS 1/125-10

Adds reference to:

60 ILCS 1/125-12 new

Adds reference to:

60 ILCS 1/125-15

Amends the Township Code. Provides that when a petition is filed that recommends that the township board prepare an open space plan, the township clerk shall provide public notice of the petition and the hearing on the petition within 5 business days after the petition is filed. Provides that there must be a hearing to determine the validity of the petition under the general election law within 30 days after the petition filing. Provides that a subsequent petition to adopt the proposed open space plan shall be approved if, after notice and a hearing, the petition is determined to be valid. Provides that a township may not exercise its eminent domain power as to land located within a municipality if the land is served by a recreation department, or a park district. Provides that when a petition is filed, signed by the greater of 5% of or 50 registered township voters, for a referendum to authorize the issuance of bonds to purchase and improve parks in the township, the township clerk shall give notice of the petition within 5 business days after the petition filing. Provides that the petition must also be filed on the same day with the circuit clerk. Provides that there must be a court hearing on the validity of the petition under the general election law within 30 days after the petition filing. Provides that if the court approves the referendum, the notice of the referendum shall state the amount of the bonds proposed and identify any park acquisition or improvements to be funded by the bonds. Provides an additional form of referendum ballot for specific park acquisitions or improvements to be funded by bonds. Provides that after a referendum passes the township board shall hold a public hearing on how the bond proceeds may be expended subject to the limitations created by the form of the referendum ballot used in the election. Provides that the bond proceeds may be used to support parks operated by the township, a municipality, or a park district. Makes other changes. Effective immediately.

Aug 18 05 H Public Act 94-0622

HB 02689 Rep. Dan Brady
(Sen. Dan Rutherford)

55 ILCS 5/3-3034 from Ch. 34, par. 3-3034

765 ILCS 1025/17 from Ch. 141, par. 117

Amends the Uniform Disposition of Unclaimed Property Act. Provides that the State Treasurer shall deliver any unclaimed human remains to the coroner of the county in which the human remains were abandoned. The only human remains that may be delivered to and received by the Treasurer are those that are reported and delivered as contents of a safe deposit box. Amends the Counties Code. Provides that the coroner shall deliver the remains to the family of the deceased or, if none, then to the friends of the deceased. If that is not possible, the coroner shall arrange for a decent burial in the same manner as is done under current law. Effective immediately.

Aug 02 05 H Public Act 94-0422

HB 02693 Rep. Michael K. Smith-Eddie Washington-Mike Boland-Calvin L. Giles-Thomas Holbrook
(Sen. Arthur J. Wilhelmi)

New Act

105 ILCS 5/2-3.129 rep.

105 ILCS 5/10-20.22 rep.

105 ILCS 5/10-20.23 rep.

105 ILCS 5/10-20.32 rep.

105 ILCS 5/27-26 rep.

105 ILCS 5/34-18.19 rep.

105 ILCS 120/Act rep.

30 ILCS 805/8.29 new

Creates the School Safety Drill Act to establish minimum requirements and standards for public and private schools to follow when conducting school safety drills and reviewing school emergency and crisis response plans. Sets forth the types and number of school safety drills that schools are required to conduct each academic year and provides for emergency responder participation. Allows schools to conduct additional safety drills. Sets forth the incidents addressed by each type of safety drill. Contains provisions concerning an annual review, reporting, duties of the State Fire Marshal, regional superintendents, and the State Board of Education, a reporting and recording mechanism for fires, immunity, and the establishment of common rules. Repeals certain Sections concerning school safety drills, plans, audits, and courses. Repeals the Fire Drill Act. Amends the State Mandates Act to require implementation without reimbursement. Effective June 1, 2005.

House Amendment No. 1

Defines "public facility", as the term is used in the definition of "school". Removes the Section concerning immunity.

State Mandates Fiscal Note (Illinois State Board of Education)

House Bill 2693 requires school districts to conduct anywhere from 1 to 8 less drills than previously required. The legislation requires school officials to meet with first responders to review emergency response and drill plans annually. School Boards are to report to Regional Superintendents annually that they have conducted the annual review. The Regional Superintendents are required to provide a compliance report to the Illinois State Board of Education. The Illinois State Board of Education is required to file, maintain, and ensure access to records concerning compliance of school districts with the annual school safety review requirement.

House Bill 2693 requires school districts to conduct anywhere from 1 to 8 less drills than previously required. The legislation requires school officials to meet with first responders to review emergency response and drill plans annually. School Boards are to report to Regional Superintendents annually that they have conducted the annual review. The Regional Superintendents are required to provide a compliance report to the Illinois State Board of Education. The Illinois State Board of Education is required to file, maintain, and ensure access to records concerning compliance of school districts with the annual school safety review requirement.

Aug 16 05 H Public Act 94-0600

HB 02696 Rep. Ruth Munson-Carolyn H. Krause-Rosemary Mulligan-Patricia Bailey-JoAnn D. Osmond, Patricia Reid Lindner, Sandra M. Pihos, Patricia R. Bellock, William B. Black, Thomas Holbrook, Michael K. Smith, Daniel V. Beiser, John E. Bradley, William Davis, Karen May, Terry R. Parke, Suzanne Bassi, Jack D. Franks, Linda Chapa LaVia, Richard T. Bradley, Elizabeth Coulson and Roger L. Eddy

(Sen. Pamela J. Althoff-Jacqueline Y. Collins, James F. Clayborne, Jr.-M. Maggie Crotty, Edward D. Maloney, Gary Forby and Don Harmon)

815 ILCS 505/2VV new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for a person to deny credit or public utility service to or reduce the credit limit of a consumer solely because the consumer has been a victim of identity theft, if the person had prior knowledge that the consumer has been a victim of identity theft. Provides that a consumer is presumed to be a victim of identity theft if he or she provides certain information. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of HB 2696, except deletes language providing that it is an unlawful practice for a person to deny credit or public utility service to or reduce the credit limit of a consumer solely because the consumer has been a victim of identity theft, if the person had prior knowledge that the consumer has been a victim of identity theft. Deletes language providing that a consumer is presumed to be a victim of identity theft if he or she provides certain information. Provides that it is an unlawful practice for a person to deny credit or public utility service to or reduce the credit limit of a consumer solely because the consumer has been a victim of identity theft, if the consumer: (i) has provided a copy of an identity theft report as defined under the federal Fair Credit Reporting Act and implementing regulations (instead of a police report) evidencing the consumer's claim of identity theft; (ii) has provided a properly completed copy of a standardized affidavit of identity theft or an affidavit of fact that is acceptable to the person for that purpose; (iii) has obtained placement of an extended fraud alert in his or her file maintained by a nationwide consumer reporting agency, in accordance with the requirements of the federal Fair Credit Reporting Act; and (iv) is able to establish his or her identity and address to the satisfaction of the person providing credit or utility services.

Jun 16 05 H Public Act 94-0037

HB 02697 Rep. Sandra M. Pihos-Ruth Munson-Renee Kosel-Elizabeth Coulson-Roger Jenisch, Jack D. Franks, Linda Chapa LaVia and Carolyn H. Krause

(Sen. Carole Pankau-Jacqueline Y. Collins-Pamela J. Althoff)

720 ILCS 5/16G-10

720 ILCS 5/16G-14 new

Amends the Criminal Code of 1961. Provides that a person who is not a party to a transaction that involves the use of a financial transaction device may not secretly or surreptitiously photograph, or otherwise capture or record, electronically or by any other means, or distribute, disseminate, or transmit, electronically or by any other means, personal identifying information from the transaction without the consent of the person whose information is photographed, or otherwise captured, recorded, distributed, disseminated, or transmitted. Provides that a violation is a Class A misdemeanor. Effective immediately.

Jun 16 05 H Public Act 94-0038

HB 02699 Rep. Ruth Munson-Sidney H. Mathias-Sandra M. Pihos-Jack D. Franks-Patricia Bailey, Elizabeth Coulson, Roger L. Eddy, Rosemary Mulligan, Milton Patterson and Linda Chapa LaVia

(Sen. Edward D. Maloney, Ira I. Silverstein-Pamela J. Althoff-M. Maggie Crotty-Kwame Raoul and Don Harmon-Jacqueline Y. Collins)

720 ILCS 5/16G-15

720 ILCS 5/16G-20

Amends the Criminal Code of 1961. Increases the penalties for identity theft and aggravated identity theft by one class higher than the current law. Effective immediately.

Correctional Note (Dept of Corrections)

The total impact of House Bill 2699 would result in an increase of 38 inmates, with additional operating costs of $7,175,200 and construction costs of $2,198,000 over ten years.

Jun 16 05 H Public Act 94-0039

HB 02700 Rep. Sandra M. Pihos-Ruth Munson-Carolyn H. Krause-Elizabeth Coulson-Roger Jenisch and Patricia Reid Lindner
(Sen. Christine Radogno)

720 ILCS 5/1-6 from Ch. 38, par. 1-6

Amends the Criminal Code of 1961. Provides that a person who commits the offense of identity theft or aggravated identity theft may tried in any one of the following counties in which: (1) the offense occurred; (2) the information used to commit the offense was illegally used; or (3) the victim resides. Provides that if a person is charged with more than one violation of identity theft or aggravated identity theft and those violations may be tried in more than one county, any of those counties is a proper venue for all of the violations.

Jun 17 05 H Public Act 94-0051

HB 02853 Rep. Michael Tryon-Marlow H. Colvin-Patricia R. Bellock-Mark H. Beaubien, Jr.-JoAnn D. Osmond, Sandra M. Pihos, Jim Watson, Ronald A. Wait, Shane Cultra, Jack D. Franks, Roger Jenisch, Dan Brady, Kathleen A. Ryg, Daniel J. Burke, Karen May, Sidney H. Mathias, Elaine Nekritz, Milton Patterson, John J. Millner and Eileen Lyons
(Sen. Pamela J. Althoff)

815 ILCS 413/15

Amends the Telephone Solicitations Act. Makes a technical change in a Section concerning the method of operation for telephone solicitations.

House Amendment No. 1

Deletes reference to:

815 ILCS 413/15

Adds reference to:

815 ILCS 505/2VV new

Deletes everything after the enacting clause. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a wireless telephone service provider shall provide a contact telephone number and address for all third-party billings on the consumer's bill, to the extent allowed by federal law, or through a customer service representative.

Senate Floor Amendment No. 1

Provides that a wireless telephone service provider shall provide a contact telephone number and brief description of the service (instead of contact telephone number and address) for all third-party billings on the consumer's bill, to the extent allowed by federal law, or through a customer service representative. Defines "third-party billings".

Aug 12 05 H Public Act 94-0567

HB 02892 Rep. David R. Leitch-Frank J. Mautino-Carolyn H. Krause-Elizabeth Coulson-Sara Feigenholtz, Bill Mitchell, Jack D. Franks, Julie Hamos, Aaron Schock, Patricia R. Bellock, Robert W. Pritchard, James H. Meyer, Ruth Munson, Eileen Lyons, Rosemary Mulligan, Jerry L. Mitchell, Dan Reitz, Brandon W. Phelps, Robert Rita, Kathleen A. Ryg, Michael K. Smith, Cynthia Soto, Patrick J Verschoore, Eddie Washington, William Delgado, Deborah L. Graham, Constance A. Howard, Kevin Joyce, Robin Kelly, Joseph M. Lyons, Karen May, Jack McGuire, Edward J. Acevedo, Patricia Bailey, Daniel V. Beiser, Maria Antonia Berrios, Richard T. Bradley, John E. Bradley, Monique D. Davis and William Davis

(Sen. Jeffrey M. Schoenberg)

305 ILCS 5/5-4.1 from Ch. 23, par. 5-4.1

Amends the Illinois Public Aid Code. Makes a technical change in a Section regarding Medicaid co-payments.

House Amendment No. 2

Deletes reference to:

305 ILCS 5/5-4.1

Adds reference to:

305 ILCS 5/12-4.201

Adds reference to:

305 ILCS 5/12-4.202 new

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. In provisions concerning the Department of Public Aid's data warehouse concerning medical and related services, provides that the Department shall perform all necessary administrative functions to expand its linearly-scalable data warehouse to encompass other healthcare data sources at both the Department of Human Services and the Department of Public Health. Provides that the Department shall leverage the inherent capabilities of the data warehouse to accomplish this expansion with marginal additional technical administration. Provides that the purpose of this expansion is to allow for programmatic review and analysis including the interrelatedness among the various healthcare programs in order to ascertain effectiveness toward, and ultimate impact on, clients. Provides that beginning July 1, 2005, the Department shall supply quarterly reports to the Commission on Government Forecasting and Accountability detailing progress toward this mandate. Creates the Data Warehouse Inter-Agency Coordination of Client Care Task Force to gather information and make recommendations relating to: (1) the most effective flow of information between agencies that serve the same clients through one-stop shopping across State government; (2) the creation of an overarching system to respond to requests by the General Assembly, the Office of the Governor, and the general public; and (3) the most effective use of State moneys in leveraging the current system to accommodate the ever-growing information base in State government. Requires the task force to report by December 31, 2005, and repeals the task force provisions on January 1, 2006. Effective immediately.

Jul 19 05 H Public Act 94-0267

HB 02920 Rep. Jerry L. Mitchell

(Sen. Todd Sieben)

735 ILCS 5/4-103 from Ch. 110, par. 4-103

Amends the Code of Civil Procedure. Makes a technical change in a Section concerning venue for attachment proceedings.

House Amendment No. 1

Deletes reference to:

735 ILCS 5/4-103

Adds reference to:

735 ILCS 5/21-103 from Ch. 110, par. 21-103

Deletes everything after the enacting clause. Amends the Code of Civil Procedure. Provides that notice by publication for a name change shall be for 3 consecutive weeks after filing (instead of 3 consecutive weeks), the first insertion to be at least 6 weeks before the return day upon which the petition is to be heard (instead of filed). Provides that the notice shall set forth the return day of court on which the petition is to be heard (instead of filed).

Jul 08 05 H Public Act 94-0147

HB 02943 Rep. John J. Millner-Sandra M. Pihos, Jack D. Franks and Linda Chapa LaVia
(Sen. Martin A. Sandoval-Don Harmon and Edward D. Maloney-John J. Millner-M. Maggie Crotty)

720 ILCS 5/5-1 from Ch. 38, par. 5-1

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning a person's accountability for another person's conduct.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/5-1

Adds reference to:

720 ILCS 5/16-22 new

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Creates the offense of tampering with a security, fire, or life safety system. Provides that a person commits the offense when he or she knowingly damages, sabotages, destroys, or causes a permanent or temporary malfunction in any physical or electronic security, fire, or life safety system or any component part of any of those systems. Provides that a violation is a Class 4 felony.

Dec 05 05 H Public Act 94-0707

HB 03022 Rep. Jim Sacia
(Sen. Todd Sieben)

235 ILCS 5/1-1 from Ch. 43, par. 93.9

Amends the Liquor Control Act of 1934. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

235 ILCS 5/1-1

Adds reference to:

235 ILCS 5/6-15 from Ch. 43, par. 130

Deletes everything after the enacting clause. Amends the Liquor Control Act of 1934. Provides that alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more persons and if the person or facility selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold harmless the Apple River Fire Protection District, the Village of Apple River, and the Apple River Community Association from all financial loss, damage, and harm. Effective immediately.

Aug 04 05 H Public Act 94-0463

HB 03033 Rep. JoAnn D. Osmond-Mark H. Beaubien, Jr.-Ed Sullivan, Jr.-Ruth Munson, Jack D. Franks and Linda Chapa LaVia
(Sen. Adeline Jay Geo-Karis)

210 ILCS 30/1 from Ch. 111 1/2, par. 4161

Amends the Abused and Neglected Long Term Care Facility Residents Reporting Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

210 ILCS 30/1

Adds reference to:

210 ILCS 50/3.50

Replaces everything after the enacting clause. Amends the Emergency Medical Services (EMS) Systems Act. Provides that the education requirements prescribed by the Department of Public Health for emergency medical technicians (EMTs) must allow for a suspension of those requirements in the case of a person who is on active military duty at the time he or she would otherwise be required to fulfill a particular education requirement. Provides that such a person must fulfill the education requirement within 6 months after his or her release from active duty. Effective immediately.

Aug 08 05 H Public Act 94-0504

HB 03045 Rep. Kevin Joyce-Angelo Saviano
(Sen. Antonio Munoz)

205 ILCS 670/8 from Ch. 17, par. 5408

Amends the Consumer Installment Loan Act. Makes a technical change in a Section concerning annual license fees.

House Amendment No. 1

Deletes reference to:

205 ILCS 670/8

Adds reference to:

225 ILCS 320/2 from Ch. 111, par. 1102

Adds reference to:

225 ILCS 320/2.5

Adds reference to:

225 ILCS 320/29.5

Deletes everything after the enacting clause. Amends the Illinois Plumbing License Law. Defines "irrigation employee". Removes county population requirements from and adds control systems, low voltage wiring, and moisture or rainfall sensing equipment to the definition of "lawn sprinkler system". Provides that every irrigation contractor must provide to the Department of Public Health an original certificate of insurance documenting that the contractor carries general liability insurance with a minimum of $100,000 per occurrence, bodily injury insurance with a minimum of $300,000 per occurrence, property damage insurance with a minimum of $50,000, and worker's compensation insurance with a minimum of $500,000. Provides that every irrigation contractor must provide to the Department an indemnification bond in the amount of $20,000 or an irrevocable letter of credit from a financial institution guaranteeing that funds shall be available only to the Department and shall be released upon written notification by the Department in the same amount for the installation of lawn sprinkler systems performed by the licensed irrigation contractor. Provides that each registered irrigation contractor must provide proof that he or she employs at least one irrigation employee who has successfully completed a class in the design and installation of lawn sprinkler systems. Provides that a college, university, trade school, vocational school, or association that has established a program providing a course of instruction in lawn sprinkler design and installation may submit a letter to the Department requesting approval of the program or course of instruction. Sets forth new civil penalties for violation of the Law. Effective January 1, 2008.

Jul 01 05 H Public Act 94-0101

HB 03048 Rep. Renee Kosel
(Sen. William R. Haine)

205 ILCS 5/3 from Ch. 17, par. 309

Amends the Illinois Banking Act. Makes a technical change in a Section concerning the primary powers of banks.

House Amendment No. 1

Deletes reference to:

205 ILCS 5/3

Adds reference to:

225 ILCS 225/5b new

Deletes everything. Amends the Private Sewage Disposal Licensing Act. Requires the Department of Public Health to establish and issue, by rule, a separate and independent license for the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets to qualified persons responsible for the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets. Provides that beginning 6 months after the date of the adoption of the Department rules, no person may engage in the pumping, hauling, or disposal of wastes removed from the sewage disposal systems of portable toilets in a manner that does not comply with the requirements of the Act and the rules established by the Department. Provides that the Department shall consider and make any necessary amendments to the private sewage disposal code in relation to a license issued for the pumping, hauling, and disposal of wastes removed from the sewage disposal systems of portable toilets and that the Department shall establish and enforce standards of cleanliness for companies that sell, lease, rent, or otherwise maintain portable toilet units for commercial purposes. Effective immediately.

Senate Committee Amendment No. 1

Further amends the Private Sewage Disposal Licensing Act. Sets forth that the Portable Sanitation Association International's Health and Safety Certification Program is an acceptable educational and testing program for obtaining a license under the Act. Provides that the minimum cleanliness standards for portable toilets include refilling soap or anti-bacterial hand cleanser and paper products at each pumping, if required.

Jul 07 05 H Public Act 94-0138

HB 03066 Rep. Angelo Saviano, Daniel J. Burke and Deborah L. Graham
(Sen. Don Harmon and Dan Cronin)

65 ILCS 5/11-74.4-1 from Ch. 24, par. 11-74.4-1

Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

65 ILCS 5/11-74.4-1

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Deletes everything. Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Adds to the definition of "municipality", as that term is used in the Tax Increment Allocation Redevelopment Act, a township that is located in an unincorporated area of a county with 3 million or more inhabitants if the county adopted an ordinance that approved the township's redevelopment plan. Effective immediately.

Jul 19 05 H Public Act 94-0268

HB 03092 Rep. Shane Cultra-Roger L. Eddy-Jerry L. Mitchell-Michael K. Smith-Calvin L. Giles
(Sen. Debbie DeFrancesco Halvorson, Dan Rutherford and Gary G. Dahl)

105 ILCS 5/1-2 from Ch. 122, par. 1-2

Amends the School Code. Makes a technical change in a Section concerning the School Code's construction.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/1-2

Adds reference to:

105 ILCS 5/17-3 from Ch. 122, par. 17-3

Deletes everything after the enacting clause. Amends the School Code. For school districts having a population of less than 500,000 inhabitants, provides that the maximum tax rate for certain recently formed community unit school districts that have a combined rate of more than 4% is as follows: for 2 years, the same as the actual combined rate of the previous elementary and secondary district; and in each subsequent year the rate shall be reduced by 0.10% or reduced to 4.00%, whichever is less. The school board may seek to increase the reduced rate by referendum. Effective immediately.

Jun 17 05 H Public Act 94-0052

HB 03095 Rep. JoAnn D. Osmond
(Sen. William E. Peterson)

105 ILCS 5/2-3.12 from Ch. 122, par. 2-3.12

Amends the School Code. Makes a technical change in a Section concerning a school building code.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/2-3.12

Adds reference to:

105 ILCS 5/17-2.2d

Deletes everything after the enacting clause. Amends the School Code. In provisions concerning special taxing and bonding for temporary relocation expense and emergency replacement purposes, removes the limit on application only to districts having a population of less than 500,000 inhabitants and to districts that had a total enrollment of at least 1,075 students as shown on the 2003 Illinois State Report Card and had a school building condemned after January 1, 2004 and prior to June 30, 2004 (instead, the building must have been condemned within 10 years after the building's initial occupancy). Allows the levy of the tax for the purpose of providing for the repayment of moneys paid to the district (instead of distributed) for temporary relocation expenses. Allows bonds to be issued for the costs of providing for the payment of any obligations entered into to finance the repair, reconstruction, or replacement of the condemned building. Provides that bonds issued under these provisions are not subject to any debt limitation imposed by any law. Effective immediately.

Nov 09 05 H Public Act 94-0690

HB 03121 Rep. Suzanne Bassi-Julie Hamos-Sidney H. Mathias-David E. Miller-Michael Tryon, Kathleen A. Ryg, Elizabeth Coulson, Carolyn H. Krause, John J. Millner, Robin Kelly, Harry Osterman, Robert W. Churchill, Kenneth Dunkin, Roger Jenisch, Joseph M. Lyons, Michelle Chavez, Sandra M. Pihos, Karen May, Cynthia Soto, Ed Sullivan, Jr., Patricia R. Bellock, Eddie Washington, Elaine Nekritz, Patricia Reid Lindner, William Davis, Milton Patterson, Patricia Bailey, Constance A. Howard, Shane Cultra and Timothy L. Schmitz

(Sen. Debbie DeFrancesco Halvorson-Dave Sullivan-Susan Garrett-Terry Link)

605 ILCS 5/1-101 from Ch. 121, par. 1-101

Amends the Illinois Highway Code. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/15-101

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Regional Planning Act. Establishes a Regional Planning Board responsible for developing and adopting a funding and implementation strategy for an integrated land use and transportation planning process for the northeastern Illinois region. Requires the implementation strategy to include a process for the orderly transition of the Chicago Area Transportation Study (CATS) Policy Committee to be a standing transportation planning body of the Board and the Northeastern Illinois Planning Commission (NIPC) to be a standing comprehensive planning body of the Board. Sets forth requirements for the membership, duties, operation, jurisdiction, and general powers and authority of the Board. Requires the Board to: (i) develop, implement, and maintain a process of public participation and to create a Citizens' Advisory Committee; (ii) develop a regional plan at least every 5 years in cooperation with the CATS Policy Committee and NIPC and other public and private entities; (iii) identify and advocate for regional priorities; (iv) prepare and adopt a transportation financial plan for the region; and (v) prepare, publish, and distribute an annual report. Provides that the CATS Policy Committee shall continue as the federally-designated Metropolitan Planning Organization for the region. Effective immediately.

Aug 09 05 H Public Act 94-0510

HB 03158 Rep. Brent Hassert

(Sen. Kirk W. Dillard)

225 ILCS 450/0.01 from Ch. 111, par. 5500.01

Amends the Illinois Public Accounting Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

225 ILCS 450/0.01

Adds reference to:

5 ILCS 80/4.16

Adds reference to:

5 ILCS 80/4.26 new

Deletes everything after the enacting clause. Amends the Regulatory Sunset Act to extend the repeal of the Professional Geologist Licensing Act to January 1, 2016. Effective immediately.

Dec 05 05 H Public Act 94-0708

HB 03258 Rep. Raymond Poe-Rich Brauer-Renee Kosel-Jerry L. Mitchell-David R. Leitch
(Sen. Mike Jacobs)

40 ILCS 5/16-101 from Ch. 108 1/2, par. 16-101

Amends the Illinois Pension Code. Makes a technical change in a Section concerning downstate teachers.

House Amendment No. 1

Deletes reference to:

40 ILCS 5/16-101

Adds reference to:

40 ILCS 5/16-163 from Ch. 108 1/2, par. 16-163

Adds reference to:

40 ILCS 5/16-165 from Ch. 108 1/2, par. 16-165

Replaces everything after the enacting clause. Amends the Downstate Teacher Article of the Illinois Pension Code. Provides that an active teacher member of the Board of Trustees who ceases teaching may serve out the remainder of his or her term. Provides that a vacancy occurring in the elective membership of the board shall be filled by a qualified person selected by the remaining elected members of the board, rather than by the board as a whole. Effective immediately.

Aug 02 05 H Public Act 94-0423

HB 03272 Rep. David R. Leitch-Art Tenhouse-Frank J. Mautino-Julie Hamos-Aaron Schock, Mike Bost, Keith P. Sommer, Jerry L. Mitchell, Ronald A. Wait, Raymond Poe, Lee A. Daniels, Rich Brauer, Robert W. Churchill, William B. Black, Mark H. Beaubien, Jr., Elizabeth Coulson, Jack D. Franks, Thomas Holbrook, Linda Chapa LaVia, Michael K. Smith, Dan Reitz, Daniel V. Beiser, John E. Bradley, Donald L. Moffitt, Sidney H. Mathias, Paul D. Froehlich, Jim Sacia, Kathleen A. Ryg, Karen May and Naomi D. Jakobsson
(Sen. Dale E. Risinger, Kirk W. Dillard, Dan Cronin, Christine Radogno, Edward Petka, Gary G. Dahl-Adeline Jay Geo-Karis-Cheryl Axley-Pamela J. Althoff, Bill Brady, Carole Pankau, J. Bradley Burzynski, David Luechtefeld, Frank C. Watson-Dave Syverson, Dale A. Righter, Dan Rutherford, Larry K. Bomke, John O. Jones, Chris Lauzen, Peter J. Roskam and Don Harmon)

30 ILCS 105/8.12 from Ch. 127, par. 144.12

Amends the State Finance Act. Makes a technical change in a Section concerning the State Pensions Fund.

House Amendment No. 1

Deletes reference to:

30 ILCS 105/8.12

Adds reference to:

30 ILCS 105/8h

Replaces everything after the enacting clause. Amends the State Finance Act. Exempts the Teacher Health Insurance Security Fund from the provisions allowing the Governor to direct the State Treasurer and Comptroller to transfer a specified sum from any fund held by the State Treasurer to the General Revenue Fund in order to help defray the State's operating costs for the fiscal year. Effective immediately.

Governor Amendatory Veto Message

Recommends that the language exempting the Teacher Health Insurance Security Fund from provisions allowing the Governor to authorize transfers to the General Revenue Fund be deleted and replaced by language providing that, in fiscal year 2006 only, prior to calculating the July 1, 2005 final balances, the Governor may calculate and direct the State Treasurer with the Comptroller to transfer additional amounts determined by applying a stated formula to the fund balances on July 1, 2004.

Nov 09 05 H Public Act 94-0691

HB 03415 Rep. Mary E. Flowers-Sidney H. Mathias-Suzanne Bassi-James H. Meyer-Patricia R. Bellock, Barbara Flynn Currie, Daniel V. Beiser, Michelle Chavez, Charles E. Jefferson and Linda Chapa LaVia
(Sen. Donne E. Trotter-Jacqueline Y. Collins)

755 ILCS 5/11-5 from Ch. 110 1/2, par. 11-5

Amends the Probate Act of 1975. Prohibits the court from appointing a person who is currently listed or required to be listed on the sex offender database as the legal guardian of a minor. Effective immediately.

House Amendment No. 2

Deletes reference to:

755 ILCS 5/11-5

Adds reference to:

755 ILCS 5/11-3 from Ch. 110 1/2, par. 11-3

Adds reference to:

755 ILCS 5/11a-5 from Ch. 110 1/2, par. 11a-5

Deletes everything after the enacting clause. Amends the Probate Code. In provisions prohibiting a person convicted of a felony from acting as the guardian of a minor or disabled person, creates an exception if the court finds that the appointment of the person convicted of a felony is in the best interests of the minor or disabled person. Provides that the court shall consider the nature of the offense, the date of the offense, and the evidence of the proposed guardian's rehabilitation as part of the determination that appointment of a person who has been convicted of a felony is in the minor's or disabled person's best interest. Provides that, in appointing a guardian for a minor, no person shall be appointed who has been convicted of a felony, including a felony sexual offense, involving harm or threat to a child. Provides that, in appointing a guardian for a disabled person, no person shall be appointed who has been convicted of a felony, including a felony sexual offense, involving harm or threat to an elderly or disabled person. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

755 ILCS 5/11-3

Deletes reference to:

755 ILCS 5/11a-5

Adds reference to:

705 ILCS 405/2-10 from Ch. 37, par. 802-10

Adds reference to:

705 ILCS 405/2-10.1 from Ch. 37, par. 802-10.1

Deletes everything after the enacting clause. Amends the Juvenile Court Act of 1987. Provides that where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, the Department of Children and Family Services shall file with the court and serve on the parties a parent-child visiting plan, within 5 days, excluding weekends and holidays, after the appointment. Provides that the parent-child visiting plan shall set out the time and place of visits, the frequency of visits, the length of visits, who shall be present at the visits, and where appropriate, the minor's opportunities to have telephone and mail communication with the parents. Provides that for good cause, the court may waive the requirement to file the parent-child visiting plan or extend the time for filing the parent-child visiting plan.

Aug 16 05 H Public Act 94-0604

HB 03420 Rep. Larry McKeon-William Delgado-Lovana Jones-Sara Feigenholtz-Barbara Flynn Currie
(Sen. Martin A. Sandoval-Mattie Hunter-Jacqueline Y. Collins and Iris Y. Martinez)

410 ILCS 305/9	from Ch. 111 1/2, par. 7309
410 ILCS 310/Act title	
410 ILCS 310/1	from Ch. 111 1/2, par. 7351
410 ILCS 310/2	from Ch. 111 1/2, par. 7352
410 ILCS 310/3	from Ch. 111 1/2, par. 7353
410 ILCS 310/4	from Ch. 111 1/2, par. 7354

Amends provisions of the AIDS Confidentiality Act prohibiting the disclosure of the identity of a test subject or the results of a test in a manner that permits identification of the test subject, with specified exceptions. Adds an exception permitting disclosure to local health authorities serving a population of over 1,000,000 residents or other local health authorities designated by the Department of Public Health. Provides that a local health authority shall not disclose information and records held by it relating to known or suspected cases of AIDS or HIV infection. Amends the AIDS Registry Act. Changes the short title of the Act to the "HIV/AIDS Registry Act". Changes the name of the "AIDS Registry" to the "HIV/AIDS Registry" (makes reference to "HIV" accordingly). Defines "HIV" and "registry".

Jul 01 05 H Public Act 94-0102

HB 03449 Rep. Aaron Schock and Patricia R. Bellock
(Sen. William R. Haine and Mike Jacobs-Jacqueline Y. Collins)

720 ILCS 5/12-3.2	from Ch. 38, par. 12-3.2
730 ILCS 5/5-5-6	from Ch. 38, par. 1005-5-6

Amends the Criminal Code of 1961 and the Unified Code of Corrections. Provides that a person convicted of domestic battery in which the domestic battery is committed in the presence of a child must pay the counseling costs of any child under 18 (rather than 16) years of age in whose presence the domestic battery was committed (rather than a child who is the defendant's or victim's child or step-child or who is a minor child residing within the household of the defendant or victim).

House Amendment No. 1

Restores the definition of "child" for purposes of the provision relating to the commission of a domestic battery committed in the presence of a child, except changes the age to a person under 18 (rather than 16) but also includes a person under 18 years of age who visits the household of the defendant or victim.

Jul 08 05 H Public Act 94-0148

HB 03451 Rep. Patricia R. Bellock-Bob Biggins-Renee Kosel-Roger Jenisch-Sidney H. Mathias (Sen. Kirk W. Dillard)

20 ILCS 2605/2605-325	was 20 ILCS 2605/55a in part
105 ILCS 5/2-3.51.5	
105 ILCS 5/10-21.9	from Ch. 122, par. 10-21.9
105 ILCS 5/27A-5	
105 ILCS 5/34-18.5	from Ch. 122, par. 34-18.5
730 ILCS 152/123 new	

Amends the School Code and the Department of State Police Law of the Civil Administrative Code. Provides that in addition to fingerprint-based criminal history records checks, the Department of State Police, at the request of a school board or regional superintendent, shall conduct sex offender registration data checks and orders of protection records checks on applicants for employment with a school district, and requires applicants to have these checks performed. Amends the Sex Offender and Child Murderer Community Notification Law to provide for the sex offender registration data check, which shall include the release of the name, address, date of birth, and offense or adjudication of a sex offender required to register under the Sex Offender Registration Act to the president of a school board or a regional superintendent. Effective immediately.

State Mandates Fiscal Note (Illinois State Board of Education)

The Illinois State Police will be required to conduct, in addition to a fingerprint-based background check, a check of the Sex Offender Registry (SOR) under the Sex Offender and Child Murderer Community Notification Law, and a check of all valid and recorded orders of protection issued under the Domestic Violence Act of 1986. The School Safety and Educational Improvement Block Grant (also known as the ADA Block Grant) may be used by school districts to fund the cost of the background checks, the SOR checks and the check for orders of protection. There will not be an additional fee to check the SOR and it will not be performed by the ISP. Access to the ISP SOR website is free (other than Internet subscriber fees and personnel time). School districts, and regional superintendents in the case of substitutes, concurrent part-time teachers or concurrent educational support personnel, will be required to initiate a fingerprint-based background check, an SOR check and a check for orders or protection on an applicant for hire. The SOR and order of protection checks will be performed at the school district or the ROE.

House Amendment No. 1

Deletes reference to:

20 ILCS 2605/2605-325

Deletes reference to:

105 ILCS 5/2-3.51.5

Deletes reference to:

730 ILCS 152/123 new

Deletes everything after the enacting clause. Amends the School Code. Provides that in addition to fingerprint-based criminal history records checks performed by the Department of State Police, the school district or regional superintendent of schools shall further perform a check of the Statewide Sex Offender Database for each applicant for employment with the school district. Effective immediately.

Jul 14 05 H Public Act 94-0219

HB 03471 Rep. Cynthia Soto-Karen A. Yarbrough-Edward J. Acevedo-William Delgado-Daniel J. Burke, Robert Rita, Ruth Munson and Susana A Mendoza

(Sen. Miguel del Valle and Mattie Hunter)

820 ILCS 175/2 new

820 ILCS 175/5

820 ILCS 175/10

820 ILCS 175/12 new

820 ILCS 175/15

820 ILCS 175/20

820 ILCS 175/30

820 ILCS 175/35

820 ILCS 175/40

820 ILCS 175/45

820 ILCS 175/50

820 ILCS 175/55

820 ILCS 175/70

820 ILCS 175/75

820 ILCS 175/85

820 ILCS 175/90 new

820 ILCS 175/95 new

820 ILCS 175/97 new

Amends the Day and Temporary Labor Services Act. Adds legislative findings and provisions concerning recordkeeping, retaliation, private rights of action, and severability. Makes numerous changes concerning definitions, employment notices, meals, transportation, wage payment, notices to laborers, regulation of day and temporary labor service agencies, registration of day and temporary labor service agencies, violations, enforcement, penalties, regulation of third party employers, and other matters.

House Amendment No. 1

Adds reference to:

30 ILCS 105/8h

Adds reference to:

820 ILCS 175/25

Deletes everything and re-inserts similar provisions, except as follows: changes all references to "third party employers" in the Day and Temporary Labor Services Act to "third party clients"; makes various changes concerning legislative findings, recordkeeping, notices to laborers, transportation, wage payment, registration of day and temporary labor service agencies, violations, penalties, prohibition of fees when a day or temporary laborer is offered permanent work following the suspension or revocation of a day and temporary labor service agency's registration, regulation of third party clients, private rights of action, and other matters; and amends the State Finance Act to provide that the Child Labor and Day and Temporary Labor Enforcement Fund is not subject to the administrative charge-back provisions of the State Finance Act.

House Amendment No. 2

Deletes everything and re-inserts similar provisions as in the bill as amended, except provides that no motor vehicle that is owned or operated by a day and temporary labor service agency or a third party client, or a contractor or agent of either, or to which a day and temporary labor service agency refers a day or temporary laborer, which is used for the transportation of day or temporary laborers may be operated if it does not have a seat and a safety belt for each passenger.

Aug 09 05 H Public Act 94-0511

HB 03472 Rep. Mike Boland-Thomas Holbrook, Kevin A. McCarthy, Robert S. Molaro, Harry Osterman, Joseph M. Lyons, Karen May, Jack McGuire, Edward J. Acevedo, Richard T. Bradley, Daniel J. Burke, Marlow H. Colvin, William Delgado, Michael P. McAuliffe, Susana A Mendoza, Patrick J Verschoore, Charles E. Jefferson and Wyvetter H. Younge

(Sen. Debbie DeFrancesco Halvorson, Mike Jacobs and Adeline Jay Geo-Karis-Martin A. Sandoval)

20 ILCS 1605/2 from Ch. 120, par. 1152

20 ILCS 1605/20 from Ch. 120, par. 1170

20 ILCS 1605/21.6 new

30 ILCS 105/5.640 new

Amends the Illinois Lottery Law. Requires the Department of Revenue to offer a special instant scratch-off game for the benefit of Illinois veterans, to commence on January 1, 2006. Provides that the net revenue from the game shall be deposited into the Illinois Veterans Assistance Fund for making grants, funding additional services, or conducting additional research projects relating to certain veterans issues. Provides that moneys collected from the special instant scratch-off game shall be used as a supplemental financial resource and shall not supplant existing moneys that the Department of Veterans Affairs may currently expend. Amends the State Finance Act to create the Illinois Veterans Assistance Fund. Effective immediately.

Aug 15 05 H Public Act 94-0585

HB 03478 Rep. Robert S. Molaro, Lou Lang, Jack D. Franks, Linda Chapa LaVia, Patrick J Verschoore, Kathleen A. Ryg, Naomi D. Jakobsson, Karen May and Daniel V. Beiser

(Sen. Louis S. Viverito-Pamela J. Althoff)

20 ILCS 2310/2310-391 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Requires the Department of Public Health to develop educational materials on meningitis for distribution in elementary and secondary schools. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

20 ILCS 2310/2310-391

Adds reference to:

305 ILCS 5/5-5.4 from Ch. 23, par. 5-5.4

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. In provisions concerning Medicaid rates for nursing homes, provides that for facilities licensed by the Department of Public Health as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%. Effective immediately.

Nov 21 05 H Public Act 94-0697

HB 03480 Rep. Renee Kosel-Aaron Schock-Elizabeth Coulson-Suzanne Bassi and Jerry L. Mitchell
(Sen. Christine Radogno-Carole Pankau-Dan Cronin)

105 ILCS 5/10-20.21 from Ch. 122, par. 10-20.21

105 ILCS 5/17-1 from Ch. 122, par. 17-1

30 ILCS 805/8.29 new

Amends the School Code. Provides that the annual budget of a school district under 500,000 inhabitants shall separately identify revenue from taxes and revenue from all other sources, including without limitation vending machines, and disclose all school board-sanctioned contractual agreements and the estimated revenue to be received as a result of these contracts. Requires all contracts and agreements that pertain to goods and services and that are intended to generate additional revenue and other remunerations for a school district, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services to be approved by the school board. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

House Amendment No. 1

Requires the approval of the school board for all contracts and agreements that pertain to goods and services and that are intended to generate additional revenue and other remunerations for the school district in excess of $1,000 (now, no limit). Provides that the annual budget shall contain a statement of the cash on hand, an estimate of the cash expected to be received, an estimate of the expenditures from revenues, and a statement of the estimated cash from all other itemized sources (rather than all other sources).

State Mandates Fiscal Note (Illinois State Board of Education)

No specific dollar amount can be given as to the costs inherent to, and/or associated with, this legislation. Taking that into account, the provisions would require (1) the Illinois State Board of Education to amend the School District Form to provide for the specific revenue/expenditure itemizations and contractual statement disclosures, as necessary; and (2) the board of education for school districts under 500,000 inhabitants to implement such additional accounting/fiscal procedures and policies, as necessary, to make available for review, disclosure and approval the budgetary estimates by specific revenue/expenditure itemizations and contractual statement disclosures, as required.

Senate Floor Amendment No. 2 (Senate recedes May 30, 2005)

Adds reference to:

50 ILCS 105/3 from Ch. 102, par. 3

Adds reference to:

105 ILCS 5/10-9 from Ch. 122, par. 10-9

Amends the Public Officer Prohibited Activities Act and further amends the School Code. Provides that nothing contained in provisions prohibiting a public officer or school board member from having certain interests in contracts may preclude the person from participating in a group health insurance program provided to an employee of the entity that the person serves if the person is a spouse or dependent of that employee.

Senate Floor Amendment No. 3 (Senate recedes May 30, 2005)

With respect to the annual budget provisions, restores current law. Provides instead that all districts and joint agreements shall include a separate statement that lists each contract or agreement that pertains to goods and services or licenses that are intended to generate $1,000 or more in additional revenue or other remunerations or considerations for the school district or a school, class, or association authorized by the district.

Governor Amendatory Veto Message

Recommends that the changes to the Section of the School Code concerning the annual budget take effect on July 1, 2006 (instead of immediately).

Nov 03 05 H Bill Dead - No Positive Action Taken - Amendatory Veto

HB 03485 Rep. John A. Fritchey-Harry Osterman-William Delgado-Marlow H. Colvin-Larry McKeon, Lou Lang, Daniel V. Beiser, John E. Bradley, Robert Rita and Milton Patterson
(Sen. Ira I. Silverstein-Martin A. Sandoval, Mattie Hunter and Antonio Munoz-Jacqueline Y. Collins)

820 ILCS 140/3.1 new

Amends the One Day Rest In Seven Act. Provides that a hotel room attendant shall receive specified break periods. Provides that an employer may not require an employee to work during a break period. Provides that an employer of hotel room attendants shall make available a break room meeting specified requirements. Provides that an employer of hotel room attendants shall keep a complete and accurate record of the break periods. Provides for enforcement and penalties. Effective immediately.

House Amendment No. 1

Provides that the new provisions apply only to hotels and other establishments licensed for transient occupancy that are located in a county with a population greater than 3,000,000. Adds a severability clause.

Judicial Note (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

State Mandates Fiscal Note (Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, this legislation does not create a State mandate under the State Mandates Act.

Fiscal Note (Dept. of Labor)

Total fiscal impact: $121,700.

Fiscal Note (H-AM 1) (Dept. of Labor)

Total fiscal impact: $121,700.

Judicial Note (H-AM 1) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the State.

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Economic Opportunity)

Does not create a state mandate under the State Mandates Act.

Judicial Note (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Aug 15 05 H Public Act 94-0593

HB 03488 Rep. Kevin A. McCarthy
(Sen. Edward D. Maloney)

110 ILCS 215/2 from Ch. 111 1/2, par. 822

110 ILCS 215/4 from Ch. 111 1/2, par. 824

110 ILCS 215/5.5 new

Amends the Health Services Education Grants Act. Provides that the Board of Higher Education is authorized to distribute funds to non-profit health service educational institutions in the State by grants under the Act (now, the Board is authorized to distribute funds equitably to the institutions). Provides that all grants under the Act shall be administered subject to funding availability and that nothing in the Act shall be construed to mandate that grants be given to any one class of institution or to every institution within a class. Provides that in determining grant eligibility and amounts, the Board shall consider public demand for health services, workforce needs and shortages, and programmatic priorities. Effective immediately.

House Amendment No. 1

Further amends the Health Services Education Grants Act. Provides that at the discretion of the Board of Higher Education, program priority grants based on State residents enrolled in eligible programs that address public demand for health services, workforce needs and shortages, and other programmatic priorities may be made for a class of institution. Provides that every institution offering eligible, accredited programs that received grant support in fiscal year 2005 shall continue to receive grant support at a comparable level in subsequent years. Removes the provision that requires the Board to consider public demand for health services, workforce needs and shortages, and programmatic priorities in determining grant eligibility and amounts.

Jul 12 05 H Public Act 94-0193

HB 03498 Rep. Ed Sullivan, Jr.
(Sen. M. Maggie Crotty)

225 ILCS 110/3 from Ch. 111, par. 7903
225 ILCS 110/3.5
225 ILCS 110/4 from Ch. 111, par. 7904
225 ILCS 110/5 from Ch. 111, par. 7905
225 ILCS 110/7.1
225 ILCS 110/8 from Ch. 111, par. 7908

Amends the Illinois Speech-Language Pathology and Audiology Practice Act. Makes changes in the definition of "the practice of audiology". Provides that the Act does not prohibit the performance of balance testing (rather than vestibular function testing) by an appropriately trained person under the supervision of a physician licensed to practice medicine in all its branches. Provides that the Department of Financial and Professional Regulation has the power to discipline the supervisor of a graduate speech-language pathology student for the student's violation of the Act. Provides that the Secretary of Financial and Professional Regulation shall give consideration to the recommendations of the Illinois Academy of Audiology in making appointments to the Board of Speech-Language Pathology and Audiology. Removes the requirement that a graduate student enrolled in a program of audiology be a full-time student in order to engage in the dispensing of hearing instruments as part of the program without a license under the Act. Makes changes in provisions concerning the qualifications for licenses to practice speech-language pathology and audiology. Effective immediately.

House Amendment No. 1

Deletes reference to:

225 ILCS 110/3.5

Provides that "the practice of audiology" includes instruction related to hearing and disorders of hearing (rather than instruction related to hearing and balance and disorders of hearing and balance). Restores references to vestibular function in provisions concerning the definition of "the practice of audiology" and exemptions from the Act.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 03504 Rep. Robert W. Pritchard-Randall M. Hultgren-Patricia R. Bellock-David Reis-Chapin Rose and Jim Sacia
(Sen. Dale A. Righter-J. Bradley Burzynski)

30 ILCS 105/5.640 new
730 ILCS 5/5-9-1.1 from Ch. 38, par. 1005-9-1.1
730 ILCS 5/5-9-1.2 from Ch. 38, par. 1005-9-1.2

Amends State Finance Act. Creates the Methamphetamine Law Enforcement Fund in the State treasury. Amends the Unified Code of Corrections. Provides for the imposition of an additional $100 fine upon a person adjudged guilty of a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance. Provides that the moneys from this additional fine shall be deposited into the Methamphetamine Law Enforcement Fund and equitably allocated to local law enforcement agencies to: (1) reimburse those agencies for the costs of securing and cleaning up sites and facilities used for the illegal manufacture of methamphetamine; (2) defray the costs of employing full-time or part-time peace officers from a Metropolitan Enforcement Group or other local drug task force, including overtime costs for those officers; and (3) defray the costs associated with medical or dental expenses incurred by the county resulting from the incarceration of methamphetamine addicts in the county jail or County Department of Corrections.

House Amendment No. 1

Adds reference to:

730 ILCS 5/5-9-1.1-5 new

Deletes everything after the enacting clause. Amends the State Finance Act and the Unified Code of Corrections. Reinserts the provisions of the bill except provides that the $100 fine, the proceeds of which are deposited into the Methamphetamine Law Enforcement Fund, shall be imposed only for methamphetamine related offenses.

Aug 12 05 H Public Act 94-0550

HB 03507 Rep. David Reis-Chapin Rose, Jack D. Franks and Linda Chapa LaVia
(Sen. Dale A. Righter-Jacqueline Y. Collins)

720 ILCS 570/411.3

Amends the Illinois Controlled Substances Act. Provides that the methamphetamine restitution shall also be made to cover regular and overtime costs incurred by local law enforcement agencies and private contractors paid by public agencies in securing the site in which the methamphetamine was manufactured. Provides that the restitution payments shall be disbursed equitably as follows: (1) first, to the local agencies involved in the emergency response; (2) second, to the State agencies involved in the emergency response; and (3) third, to the federal agencies involved in the emergency response.

Correctional Note (Dept of Corrections)

Corrections population impact: None. Fiscal impact: None.

Fiscal Note (Dept of Corrections)

Corrections population impact: None. Fiscal impact: None.

Land Conveyance Appraisal Note (Department of Transportation)

As there are no parcels of land being conveyed in this bill, there are no appraisals to be filed by the Department of Transportation.

Balanced Budget Note (Office of Management and Budget)

The Governor's Office of Management and Budget (GOMB) estimates that the proposed legislation will have no cost to the state and will generate insignificant revenue. It is likely that the persons responsible for methamphetamine restitution payments will have minimal assets. Additionally, the statute specifies that restitution payments be to the local agencies involved in the emergency response before they are made to involved state agencies. These factors indicate that there is little chance that state agencies will receive funds from methamphetamine restitution payments. Therefore, it is GOMB's assessment that this legislation will have an immaterial impact on the state budget.

Pension Note (Government Forecasting & Accountability)

Would not impact any public pension fund or retirement system in Illinois.

State Debt Impact Note (Government Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore would not affect the level of State indebtedness.

State Mandates Fiscal Note (Dept. of Commerce and Economic Opportunity)

In the opinion of the Department of Commerce and Economic Opportunity, this legislation creates a local government organization and structure mandate for which reimbursement of the increased costs to units of local government is not required under the State Mandates Act.

Judicial Note (Admin Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the state.

Home Rule Note (Dept. of Commerce and Economic Opportunity)

House Bill 3507 does not pre-empt home rule authority.

Housing Affordability Impact Note (Housing Development Authority)

No fiscal effect on a single-family residence.

Aug 12 05 H Public Act 94-0551

HB 03515 Rep. Dan Brady-Chapin Rose-Robert W. Pritchard-Sandra M. Pihos-James H. Meyer, Careen M Gordon, Lisa M. Dugan, Kevin A. McCarthy, Dan Reitz, Mike Bost and Richard T. Bradley
(Sen. Mattie Hunter and Gary Forby-M. Maggie Crotty-Jacqueline Y. Collins)

730 ILCS 166/40 new

Amends the Drug Court Treatment Act. Provides that the Administrative Office of the Illinois Courts shall conduct education seminars for judges throughout the State on how to operate drug court programs with a specific emphasis on cases involving the illegal possession of methamphetamine. Effective July 1, 2005.

Aug 12 05 H Public Act 94-0552

HB 03526 Rep. Chapin Rose and Mike Boland

(Sen. Richard J. Winkel, Jr., Gary G. Dahl, John O. Jones-John M. Sullivan, Gary Forby, James F. Clayborne, Jr. and Debbie DeFrancesco Halvorson)

20 ILCS 205/205-450 new

Amends the Department of Agriculture Law of the Civil Administrative Code of Illinois. Provides that the Department of Agriculture shall establish a grant program to encourage farmers to add additives to anhydrous ammonia for the purpose of acting as a marking agent, leak detector, and theft detector to prevent the use of anhydrous ammonia in the illegal manufacture of methamphetamine, and to add additives to anhydrous ammonia that render it inert for the purposes of methamphetamine production. Provides that the Department shall determine the eligibility of applicants for grants under this program. Provides that subject to appropriations made for this purpose by the General Assembly, the Department shall award grants to eligible farmers in accordance with rules adopted by the Department. Effective July 1, 2005.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Department of Agriculture Law of the Civil Administrative Code of Illinois. Provides that the Department of Agriculture shall establish a grant program to improve security at anhydrous ammonia facilities by encouraging the industry to utilize industry approved ammonia additives, install tank locking devices, or install security systems to prevent the use of anhydrous ammonia in the illegal manufacture of methamphetamine. Provides that the Department shall determine the eligibility of applicants for grants under this provision. Provides that subject to appropriation made for this purpose by the General Assembly, the Department shall award grants to eligible recipients in accordance with rules adopted by the Department. Effective immediately.

Aug 12 05 H Public Act 94-0553

HB 03531 Rep. Roger L. Eddy-David Reis-William B. Black-Dan Brady-Chapin Rose, Lisa M. Dugan and Careen M Gordon

(Sen. Dale A. Righter-Carol Ronen-Jacqueline Y. Collins)

20 ILCS 505/6.5 new

20 ILCS 2605/2605-212 new

105 ILCS 5/1A-11 new

Amends the Children and Family Services Act, the Department of State Police Law of the Civil Administrative Code of Illinois, and the School Code. Requires DCFS, the Department of State Police, and the State Board of Education to jointly develop a sample protocol for handling situations involving (i) the arrest of a person or persons for the manufacture of methamphetamine at a place where a child resides or (ii) a child's exposure to an environment in which methamphetamine is manufactured or used. Requires that the protocol be developed within one year. Requires that the protocol be posted on the Web sites maintained by DCFS, the Department of State Police, and the State Board of Education.

Aug 12 05 H Public Act 94-0554

HB 03532 Rep. Donald L. Moffitt-Michael K. Smith-Jim Sacia-Mike Boland-Sidney H. Mathias, Chapin Rose, Patrick J Verschoore and Jack McGuire

(Sen. Dale E. Risinger-Dave Sullivan and Mike Jacobs)

20 ILCS 2605/2605-211 new

415 ILCS 5/22.50 new

Amends the Department of State Police Law of the Civil Administrative Code of Illinois and the Environmental Protection Act. Provides that the Department of State Police and the Environmental Protection Agency shall jointly develop a protocol to be followed in determining whether a dwelling, structure, or other site at which methamphetamine had been illegally manufactured may again be safely put to its intended legal use. Provides that the Department of State Police and the Environmental Protection Agency must develop the protocol by January 1, 2006 and post the protocol on their official Web sites. Provides that the owner or lessor of a dwelling, structure, or other site at which methamphetamine had been illegally manufactured without the knowledge of the owner or lessor is immune from any civil liability that may result from conditions arising from the illegal manufacture of methamphetamine if the owner or lessor cleaned up the dwelling, structure, or other site in accordance with the protocol.

House Amendment No. 1

Deletes language providing that the owner or lessor of a dwelling, structure, or other site at which methamphetamine had been illegally manufactured without the knowledge of the owner or lessor is immune from any civil liability resulting from conditions arising from the illegal manufacture if the owner or lessor cleaned up the dwelling, structure, or other site in accordance with the protocol developed under the new provisions.

House Amendment No. 3

Deletes everything after the enacting clause. Reinserts the provisions of the introduced bill. Provides that the Department of Public Health shall jointly develop the protocol with the Department of State Police and the Environmental Protection Agency. Provides that if the contaminated site is inside a dwelling or structure used as a dwelling the implementation of the protocol shall be the purview of the Department of Public Health. Provides that if the contaminated site is outdoors or in a structure not used as a dwelling, the protocol shall be the purview of the Illinois Environmental Protection Agency. Deletes language providing that the owner or lessor of a dwelling, structure, or other site at which methamphetamine had been illegally manufactured without the knowledge of the owner or lessor is immune from any civil liability resulting from conditions arising from the illegal manufacture if the owner or lessor cleaned up the dwelling, structure, or other site in accordance with the protocol developed under the new provisions. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

415 ILCS 5/22.50 new

Deletes everything after the enacting clause. Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Department of State Police shall develop a protocol to be followed in performing gross remediation of clandestine laboratory sites not to exceed the standards established by the United States Drug Enforcement Administration. Defines "gross remediation" as the removal of any and all identifiable clandestine laboratory ingredients and apparatus. Provides that the Department of State Police must post the protocol on its official Web site. Effective immediately.

Aug 12 05 H Public Act 94-0555

HB 03538 Rep. Angelo Saviano-Deborah L. Graham-Karen A. Yarbrough

(Sen. Don Harmon)

765 ILCS 605/30.5 new

Amends the Condominium Property Act. Provides that, in the case of the conversion of an apartment building into condominium units, a municipality shall have the right to inspect the apartment building prior to the conversion to condominium units and may require that each new proposed condominium unit comply with the current life safety, building, and zoning codes of the municipality. Effective immediately.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 03544 Rep. Bill Mitchell
(Sen. Pamela J. Althoff and Dale E. Risinger)

15 ILCS 505/18

Amends the State Treasurer Act. Provides that the Treasurer may enter into written agreements with financial institutions for the provision of automatic teller machine services at any location under the control of a State agency (now, State office buildings, State parks, and State tourism centers). Prohibits any State agency from procuring these services without the approval of the Treasurer.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the State Treasurer Act. Provides that the State Treasurer may enter into written agreements with financial institutions for the provision of automatic teller machine services at State fairs at Springfield and DuQuoin (instead of at any location under the control of a State Agency). Prohibits any State agency from procuring automated teller machine services without the approval of the Treasurer.

Aug 09 05 H Public Act 94-0513

HB 03564 Rep. Harry Osterman-Sidney H. Mathias-Paul D. Froehlich-John J. Millner-Donald L. Moffitt, Naomi D. Jakobsson, Elizabeth Coulson, Michelle Chavez, Charles E. Jefferson, Maria Antonia Berrios, John E. Bradley, Sara Feigenholtz, Robert F. Flider, Linda Chapa LaVia, Patricia R. Bellock, Karen May, Cynthia Soto and Richard T. Bradley
(Sen. Debbie DeFrancesco Halvorson-Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter and Don Harmon)

20 ILCS 2310/2310-353

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Creates the Cervical, Breast, and Ovarian Cancer Elimination Task Force (rather than the Cervical Cancer Elimination Task Force). Makes other changes accordingly.

House Amendment No. 1

Adds reference to:

20 ILCS 2310/2310-350 was 20 ILCS 2310/55.70

Adds reference to:

30 ILCS 105/5.362

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of HB 3564, except provides that the Department of Public Health shall appropriate funds from the Penny Severns Breast, Cervical, and Ovarian Cancer Research Fund (instead of the Penny Severns Breast and Cervical Cancer Research Fund) for the purpose of conducting breast, cervical, and ovarian cancer research. Amends the State Finance Act. Changes the name of the "Penny Severns Breast and Cervical Cancer Research Fund" to the "Penny Severns Breast, Cervical, and Ovarian Cancer Research Fund".

House Amendment No. 2

Deletes reference to:

20 ILCS 2310/2310-353

Deletes everything after the enacting clause. Inserts provisions substantially similar to those of House Amendment No. 1 to HB 3564, except deletes a Section that creates the Cervical, Breast, and Ovarian Cancer Elimination Task Force.

Jul 06 05 H Public Act 94-0119

HB 03576 Rep. Frank J. Mautino-Bob Biggins
(Sen. Deanna Demuzio-Chris Lauzen)

30 ILCS 105/6z-27

Amends the State Finance Act. Provides for the transfer of specified amounts from various special funds in the State treasury to the Audit Expense Fund. Effective immediately.

Fiscal Note (Office of the Auditor General)

Does not require the expenditure of State funds or increase or decrease State revenues. The transferred amounts are deposited into the Audit Expense Fund, a State Treasury fund, and monies in the fund are expended only as authorized by a separate appropriation bill.

Aug 08 05 H Public Act 94-0505

HB 03595 Rep. James D. Brosnahan
(Sen. John J. Cullerton)

745 ILCS 10/1-206 from Ch. 85, par. 1-206

Amends the Local Government and Governmental Employees Tort Immunity Act. Changes the definition of "local public entity" to include trustees of schools of townships and the treasurers of schools of townships. Effective immediately.

Aug 02 05 H Public Act 94-0424

HB 03597 Rep. Jim Sacia-Paul D. Froehlich-Donald L. Moffitt-Aaron Schock, Edward J. Acevedo, William Delgado, Robert F. Flider, Dan Brady and James H. Meyer
(Sen. William R. Haine)

50 ILCS 705/10.4 new

50 ILCS 710/1 from Ch. 85, par. 515

50 ILCS 710/2.5 new

50 ILCS 720/2 from Ch. 85, par. 562

50 ILCS 720/4 from Ch. 85, par. 564

Amends the Illinois Police Training Act. Authorizes the Illinois Law Enforcement Training Standards Board to initiate, administer, and conduct annual firearm certification courses for retired law enforcement officers that are qualified under federal law to carry a concealed weapon. Amends the Peace Officer Firearm Training Act. Provides that the annual range qualification for peace officers shall consist of range fire approved by the Illinois Law Enforcement Training Standards Board. Changes the definition of "peace officer" to include any retired law enforcement officer who is qualified under federal law to carry a concealed weapon. Amends the Intergovernmental Law Enforcement Officer's In-Service Training Act. Includes retired law enforcement officers qualified under federal law to carry a concealed weapon among the law enforcement personnel to whom a Mobile Team In-Service Training Unit may provide in-service training in order to be eligible for State funding. Effective July 1, 2005.

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 03622 Rep. Kathleen A. Ryg
(Sen. Mike Jacobs)

420 ILCS 25/Act rep. Personnel Radiation Monitoring Act.

Repeals the Personnel Radiation Monitoring Act. Effective immediately.

Jul 12 05 H Public Act 94-0194

HB 03628 Rep. Sara Feigenholtz-Patricia Reid Lindner-Lovana Jones-Keith P. Sommer-Naomi D. Jakobsson, Sidney H. Mathias, Lou Lang, Linda Chapa LaVia, Annazette Collins, Angelo Saviano, Mary E. Flowers, Cynthia Soto, John A. Fritchey, David E. Miller, Arthur L. Turner, Kenneth Dunkin, Patricia R. Bellock, Elizabeth Coulson, Monique D. Davis, Michael Tryon, Elaine Nekritz, Karen May, Kathleen A. Ryg, Eileen Lyons, Julie Hamos, Deborah L. Graham, Barbara Flynn Currie, Karen A. Yarbrough, Patricia Bailey, William Davis, Thomas Holbrook, Calvin L. Giles, Lisa M. Dugan, Robert F. Flider, Patrick J Verschoore and Robin Kelly

(Sen. John J. Cullerton-Donne E. Trotter, Kimberly A. Lightford-Susan Garrett and Pamela J. Althoff-Mattie Hunter)

225 ILCS 10/2	from Ch. 23, par. 2212
225 ILCS 10/2.05	from Ch. 23, par. 2212.05
225 ILCS 10/2.08	from Ch. 23, par. 2212.08
225 ILCS 10/2.24 new	
225 ILCS 10/2.25 new	
225 ILCS 10/4	from Ch. 23, par. 2214
225 ILCS 10/7	from Ch. 23, par. 2217
225 ILCS 10/7.4 new	
225 ILCS 10/7.5 new	
225 ILCS 10/7.6 new	
225 ILCS 10/7.7 new	
225 ILCS 10/7.8 new	
225 ILCS 10/7.9 new	
225 ILCS 10/8.3 new	
225 ILCS 10/9.1a new	
225 ILCS 10/9.1b new	
225 ILCS 10/11	from Ch. 23, par. 2221
225 ILCS 10/11.1	from Ch. 23, par. 2221.1
225 ILCS 10/12	from Ch. 23, par. 2222
720 ILCS 525/1	from Ch. 40, par. 1701
720 ILCS 525/2	from Ch. 40, par. 1702
720 ILCS 525/3	from Ch. 40, par. 1703
720 ILCS 525/4	from Ch. 40, par. 1704
720 ILCS 525/4.1	from Ch. 40, par. 1704.1
720 ILCS 525/4.9 new	
750 ILCS 50/4.1	from Ch. 40, par. 1506
750 ILCS 50/21	from Ch. 40, par. 1526

Amends the Child Care Act of 1969. Defines "adoption services" and "unlicensed pre-adoptive and adoptive home". Provides that any agency, person, group of persons, association, organization, corporation, institution, center, or group engaging in adoption services for compensation must be licensed by the Department of Children and Family Services as a child welfare agency. Provides that the Department shall not issue or renew the license of any child welfare agency providing adoption services, unless that agency (i) is officially recognized by the United States Internal Revenue Service as a tax-exempt organization and (ii) is in compliance with all of the standards necessary to maintain its status as a tax-exempt organization. Adds provisions concerning disclosures, a parent training program, an annual report, documents concerning waivers, preferential treatment, and other requirements. Requires the Department to establish a complaint registry and a toll-free telephone number and to post registry information on its website to assist in the monitoring of child welfare agencies providing adoption services. Further requires the Department to adopt rules concerning the complaint policies and procedures of child welfare agencies that provide adoption services. Makes changes concerning child care facility and child welfare agency advertising. Amends the Adoption Compensation Prohibition Act. Provides that the fees, wages, salaries, or other compensation of any description paid to those persons or entities acting on behalf of a child welfare agency providing adoption services shall not be unreasonably high in relation to the services actually rendered. Provides that the Department of Children and Family Services may adopt rules setting forth the criteria to determine what constitutes unreasonably high fees and compensation. Amends the Adoption Act to refer to the provision of adoption services. Makes other changes.

HB 03628 (CONTINUED)

House Amendment No. 1

Deletes reference to:

225 ILCS 10/7.9 new

Adds reference to:

225 ILCS 10/8

Adds reference to:

225 ILCS 10/8.4 new

Adds reference to:

225 ILCS 10/14.6 new

Adds reference to:

225 ILCS 10/14.7 new

Adds reference to:

750 ILCS 50/10

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Makes changes to the definitions of "child welfare agency", "adoption services", and "unlicensed pre-adoptive and adoptive home". Provides that any person or specified entity providing adoption services must be licensed by the Department of Children and Family services as a child welfare agency (now, any person or specified entity providing adoption services for any type of compensation or thing of value, directly or indirectly, must by licensed by the Department as a child welfare agency). Provides that the Department shall grant a grace period of 24 months (rather than 18 months) from the effective date of the amendatory Act for existing child welfare agencies providing adoption services to obtain the required 501(c)(3) status and sets forth provisions allowing an existing agency to retain or to transfer its current license upon conversion of its current structure to be recognized as a 501(c)(3) organization. Provides that every licensed child welfare agency providing adoption services shall meet minimum standards set forth by the Department prior to taking or acknowledging a consent from a prospective birth parent. Provides that the adoptive parent training may be provided by an agent or independent contractor of the child welfare agency or by a Department-approved training individual or entity. Removes the provision concerning professional requirements for child welfare agencies providing adoption services. Provides that nothing in the Section concerning the prohibition of certain waivers shall require an agency to assume risks that are not within the reasonable control of the agency. Provides that complaint procedures must be filed with the Department within 6 months of the effective date of the amendatory Act. Provides that any agency that maintains a website shall post its complaint procedures and its license number, as well as the statewide toll-free complaint registry telephone number on its website. Sets forth provisions concerning the advertising of out-of-state agencies that have a written interagency agreement with one or more Illinois licensed child welfare agencies. Adds provisions concerning reasonable fees, wages, salaries, or other compensation and payments to biological parents. Makes other changes. Effective immediately.

House Amendment No. 2

Deletes reference to:

750 ILCS 50/10

Deletes everything after the enacting clause. Reinserts the contents of House Amendment No. 1 with the following changes. Changes references from "birth parent"to "biological parent". Makes other changes. Provides that the Department of Children and Family Services shall have the sole discretion to grant a one year extension to any agency unable to obtain the required 501(c)(3) status within the timeframe specified in the Act, provided that such agency has filed an application for 501(c)(3) status with the Internal Revenue Service within the required 2-year timeframe. Excludes proceedings filed pursuant to a Section of the Adoption Act concerning notice to the putative father from the proceeding required to be included in the annual report of a licensed child welfare agency providing adoption services. Provides that the advertising provisions shall apply to advertisements that are published and actions that take place after the effective date of this amendatory Act. Removes changes to the Section concerning forms of consent and surrender and execution and acknowledgement of forms and consent. Makes other changes. Effective immediately.

House Amendment No. 3

Removes the provision concerning rules regarding required surrender or consent in the placement of a newborn.

Senate Committee Amendment No. 2

Adds reference to:

225 ILCS 10/2.26 new

Adds reference to:

225 ILCS 10/2.27 new

Adds reference to:

225 ILCS 10/7.9 new

HB 03628 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Further amends the Child Care Act of 1969, the Adoption Compensation Prohibition Act, and the Adoption Act. Defines "eligible agency" and "deemed compliant". Provides that eligible agencies may be deemed compliant with certain provisions concerning disclosures, an adoptive parent training program, preferential treatment in child placement, excessive adoption services fees, and agency payment of salaries and other compensation. Provides that the required annual reports of every licensed child welfare agency providing adoption services for the preceding 2 years shall be made available, upon request, to the public by the Department of Children and Family Services and every licensed agency and shall be included on the website of the Department. Adds a provision prohibiting excessive fees in adoption services. Provides that if the Department has reasonable cause to believe that any person, group of persons, corporation, agency, association, organization, institution, center, or group is engaged or is about to engage in any act or practice that constitutes or may constitute a violation of any rule adopted under the authority of the Act, the Department may inform the Attorney General or the State's Attorney of the appropriate county, who may initiate the appropriate civil or criminal proceedings. Provides that a person, group of persons, agency, association, organization, corporation, institution, center, or group who advertises or causes to be published any advertisement offering, soliciting, or promising to perform adoption services is guilty of a Class A misdemeanor, unless that person, group of persons, agency, association, organization, corporation, institution, center, or group is (i) licensed or operating under a permit issued by the Department as a child care facility or child welfare agency, (ii) a biological parent or a prospective adoptive parent acting on his or her own behalf, or (iii) a licensed attorney advertising his or her availability to provide legal services relating to adoption, as permitted by law (rather than just licensed or operating under a permit issued by the Department as a child care facility or child welfare agency). Provides that an advertiser, publisher, or broadcaster who knowingly or recklessly advertises or publishes any advertisement offering, soliciting, or promising to perform adoption services on behalf of a person, group of persons, agency, association, organization, corporation, institution, center, or group not authorized to advertise under the Act is guilty of a Class A misdemeanor, and that the Department shall maintain a website listing child welfare agencies licensed by the Department that provide adoption services and other general information for biological parents and adoptive parents. Provides that an agency providing adoption services in the State that is licensed as a child placement agency in a state that is a party to the Interstate Compact on the Placement of Children or is licensed in a non-compact state and files the required surety bond with the Department must be approved by the Department as an out-of-state private placing agency to place children in Illinois. Sets forth requirements for out-of-state private placing agencies. Makes other changes. Effective immediately.

Senate Committee Amendment No. 3

In the Section concerning tax exempt agencies, provides that a licensed child welfare agency shall not be prohibited from using the services of any person, group of persons, agency, association, organization, corporation, institution, center, or group as an independent contractor to perform services on behalf of that licensed agency, provided that the agency has a written agreement with the independent contractor specifying the terms of remuneration, the services to be performed, the personnel performing those services, and the qualifications of the personnel, in addition to any other information or requirements the Department of Children and Family Services may specify by rule. Grants the Department the authority to disapprove the use of any contractor if the Department is not satisfied with the agency's agreement with the contractor, the personnel of the contractor who are performing the services, or the qualifications of the personnel or if the contractor violates any provision of the Child Care Act of 1969 or the Adoption Act.

Aug 15 05 H Public Act 94-0586

HB 03646 Rep. Robert W. Pritchard-Rosemary Mulligan-Ruth Munson-Carolyn H. Krause, William Davis and James H. Meyer
(Sen. John M. Sullivan)

New Act

Creates the Vocational Academies Act. Allows a school district, in partnership with community colleges, local employers, and community-based organizations, to establish a vocational academy that is eligible for a grant from the State Board of Education if the vocational academy meets specified requirements. Effective immediately.

Jul 14 05 H Public Act 94-0220

HB 03648 Rep. Joe Dunn-James H. Meyer-Paul D. Froehlich-Sidney H. Mathias-Sandra M. Pihos
(Sen. Peter J. Roskam)

625 ILCS 5/11-501.6 from Ch. 95 1/2, par. 11-501.6

625 ILCS 5/11-503 from Ch. 95 1/2, par. 11-503

730 ILCS 5/5-6-1 from Ch. 38, par. 1005-6-1

Amends the Illinois Vehicle Code and the Unified Code of Corrections. Provides that a person involved as a driver in a fatal accident or an accident involving severely bleeding wounds, distorted extremities, or injuries that required the injured party to be carried from the scene (rather than any person arrested after being involved as a driver in a fatal accident or an accident involving personal injury) is deemed to have consented to undergo chemical testing for alcohol, drugs, or intoxicating compounds. Provides that unlawful operation of a vehicle that is 25 or 40 miles per hour in excess of the applicable speed limit, depending on the type of highway involved, is prima facie evidence of reckless driving. Provides that a person previously convicted of a misdemeanor or felony under the Illinois Vehicle Code or reckless homicide under the Criminal Code of 1961 is not eligible for probation or conditional discharge if convicted of reckless homicide or a misdemeanor or felony under the Vehicle Code committed within one year of the date of the previous conviction.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/11-503

Adds reference to:

730 ILCS 5/5-5-3.2 from Ch. 38, par. 1005-5-3.2

Deletes everything after the enacting clause. Reinserts only the provisions of the original bill dealing with chemical testing for alcohol, drugs, or intoxicating compounds and with eligibility for probation or conditional discharge. Changes the language regarding testing to provide that a person shall be tested if he or she is involved as a driver in an accident involving death or personal injury. Adds language providing that, in cases involving a person convicted of reckless driving or aggravated reckless driving, the fact that the defendant was driving at a speed in excess of 20 miles per hour over the posted speed limit shall be considered as an aggravating factor in sentencing.

Senate Committee Amendment No. 1

Deletes reference to:

625 ILCS 5/11-501.6 from Ch. 95 1/2, par. 11-501.6

Deletes everything after the enacting clause. Re-inserts the provisions of the engrossed bill, with a deletion. Deletes language providing that a person involved as a driver in a fatal accident or an accident involving specified types of injuries is deemed to have consented to undergo chemical testing.

Jul 29 05 H Public Act 94-0375

HB 03651 Rep. James H. Meyer-Joe Dunn-Sandra M. Pihos-Randall M. Hultgren
(Sen. Peter J. Roskam)

60 ILCS 1/30-20

605 ILCS 5/6-620 new

Amends the Illinois Highway Code. Validates township road district tax levies after 1980 that were authorized by the electors at an annual or special town meeting during the years 1975 through 1979 for a period not exceeding 5 years, but that were not re-authorized within 5 years due to certain Public Acts that repealed the 5-year limitation for levy approvals. Provides that certain petition requirements do not apply to these tax levy authorizations. Effective immediately.

Nov 09 05 H Public Act 94-0692

HB 03678 Rep. Aaron Schock-Calvin L. Giles-David R. Leitch-Ruth Munson, Monique D. Davis, Suzanne Bassi, Daniel V. Beiser, Linda Chapa LaVia, Marlow H. Colvin, Lisa M. Dugan, Roger L. Eddy, Robert F. Flider, Kevin Joyce, David E. Miller, Jerry L. Mitchell, Donald L. Moffitt, Rosemary Mulligan, Harry Osterman, Sandra M. Pihos, Robert W. Pritchard, David Reis, Michael K. Smith, Jim Watson, Jack D. Franks, Ronald A. Wait and Rich Brauer
(Sen. Kimberly A. Lightford-Kwame Raoul-Dan Cronin-Mattie Hunter)

105 ILCS 5/14C-12 from Ch. 122, par. 14C-12

Amends the School Code. Removes the requirement that school districts file estimated reimbursement claims for costs of transitional bilingual education by certain dates and that the State Superintendent of Education transmit vouchers of the estimated claims to the Comptroller by certain dates. Effective July 1, 2005.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/14C-12

Adds reference to:

105 ILCS 5/2-3.25a from Ch. 122, par. 2-3.25a

Adds reference to:

105 ILCS 5/2-3.25d from Ch. 122, par. 2-3.25d

Deletes everything after the enacting clause. Amends the School Code. Provides that the indicators to determine adequate yearly progress for children with disabilities shall be based on their individualized education plans. Provides that placing a school or school district on academic early warning status for not meeting adequate yearly progress criteria for 2 consecutive annual calculations shall not begin until the 2005-2006 school year. Removes the requirement that the adequate yearly progress criteria be specified by the State Board of Education. Provides instead that the criteria must not be met in the same subgroup and in the same subject or in the school's or school district's participation rate, attendance rate, or graduation rate in order for the school or school district to be placed on academic early warning or watch status. Provides that a school or school district on academic early warning or watch status that meets adequate yearly progress criteria for one annual calculation (instead of 2 consecutive annual calculations) shall be considered as having met expectations and shall be removed from any status designation. Provides that these provisions are contingent upon the federal government not formally disapproving through the submission and review process for the Illinois Accountability Workbook. Effective immediately.

Aug 23 05 H Public Act 94-0666

HB 03680 Rep. Milton Patterson-Mary E. Flowers, Sandra M. Pihos, Jerry L. Mitchell, Suzanne Bassi, Roger L. Eddy, Calvin L. Giles, Jack D. Franks and Linda Chapa LaVia
(Sen. Jacqueline Y. Collins)

105 ILCS 5/29-3 from Ch. 122, par. 29-3

Amends the School Code. In a provision allowing a school board to provide free transportation when conditions are such that walking constitutes a serious safety hazard, provides that the school board shall annually review the conditions and determine (rather than certify to the State Superintendent of Education) whether or not the hazardous conditions remain unchanged. Effective July 1, 2005.

Aug 04 05 H Public Act 94-0439

HB 03694 Rep. Michael P. McAuliffe-John J. Millner
(Sen. James A. DeLeo)

65 ILCS 5/11-149-1 from Ch. 24, par. 11-149-1

Amends the Illinois Municipal Code. Provides that if a municipality has extended sewers or water mains, or both, to another body corporate and politic, the municipality cannot thereafter require the annexation of the property to the municipality as a prerequisite to the continuation and maintenance of such service. Effective immediately.

House Amendment No. 1

Provides that the prohibition against requiring annexation of property owned by a unit of local government as a condition and maintenance of service applies to non-home rule municipalities. Changes references of "body corporate and politic" to "unit of local government".

Nov 03 05 H Total Veto Stands - No Positive Action Taken

HB 03724 Rep. Roger Jenisch-Mike Bost-James H. Meyer-Dan Brady-David R. Leitch, Elizabeth Coulson, Constance A. Howard, Eddie Washington, Kevin Joyce, Michael K. Smith, John D'Amico, Monique D. Davis, James D. Brosnahan, Jack D. Franks, Linda Chapa LaVia and Sandra M. Pihos
(Sen. Susan Garrett, Debbie DeFrancesco Halvorson and Antonio Munoz-Jacqueline Y. Collins)

110 ILCS 305/35 new

110 ILCS 520/20 new

110 ILCS 660/5-130 new

110 ILCS 665/10-130 new

110 ILCS 670/15-130 new

110 ILCS 675/20-135 new

110 ILCS 680/25-130 new

110 ILCS 685/30-140 new

110 ILCS 690/35-135 new

110 ILCS 805/3-21 from Ch. 122, par. 103-21

110 ILCS 805/3-26.5 new

Amends various Acts relating to the governance of public universities in Illinois and amends the Public Community College Act. Requires public institutions of higher education to allow a currently enrolled student who is called to active military service to complete any unfinished courses at a later date at no additional charge, unless course credit has already been given or the student received a full refund upon withdrawing from the course (in which case the student's record shall reflect that the withdrawal is due to active military service). Provides that the student must be given priority over other students in reenrolling in the course or courses. Effective immediately.

House Amendment No. 1

Provides that the governing board of the public institution of higher education may adopt any rules necessary to implement the provisions.

Aug 15 05 H Public Act 94-0587

HB 03738 Rep. Robert Rita
(Sen. Terry Link)

625 ILCS 5/15-111 from Ch. 95 1/2, par. 15-111

Amends the Illinois Vehicle Code. Provides that certain specially equipped vehicles used solely for recycling (as well as those used solely for garbage or refuse) hauls or operations are subject to special weight limits when not operating on interstate highways.

Aug 04 05 H Public Act 94-0464

HB 03740 Rep. Robert S. Molaro
(Sen. Iris Y. Martinez)

40 ILCS 5/17-151.1 new

Amends the Chicago Teacher Article of the Illinois Pension Code. Provides that the Board may retain out of any annuity or benefit payable to any person any amount that the Board determines is owing to the Fund because (i) required employee contributions were not made in whole or in part, (ii) employee or member obligations to return refunds were not met, or (iii) money was paid to any employee, member, or annuitant through misrepresentation, fraud, or error. Effective immediately.

Aug 02 05 H Public Act 94-0425

HB 03742 Rep. Lovana Jones-Patricia R. Bellock
(Sen. Kwame Raoul)

30 ILCS 705/13	from Ch. 127, par. 2313
50 ILCS 205/3a	from Ch. 116, par. 43.103a
65 ILCS 5/4-5-16	from Ch. 24, par. 4-5-16
65 ILCS 5/11-65-9	from Ch. 24, par. 11-65-9
65 ILCS 5/11-67-9	from Ch. 24, par. 11-67-9
65 ILCS 5/11-117-13	from Ch. 24, par. 11-117-13
65 ILCS 5/11-122-5	from Ch. 24, par. 11-122-5
65 ILCS 5/11-123-14	from Ch. 24, par. 11-123-14
70 ILCS 3705/14	from Ch. 111 2/3, par. 201

Amends the Illinois Grant Funds Recovery Act, the Local Records Act, the Illinois Municipal Code, and the Public Water District Act to change certain references to accountants to refer to licensed Certified Public Accountants permitted to perform audits under the Illinois Public Accounting Act. Effective immediately.

Aug 04 05 H Public Act 94-0465

HB 03749 Rep. Angelo Saviano-John A. Fritchey
(Sen. Debbie DeFrancesco Halvorson)

765 ILCS 835/16

Amends the Cemetery Protection Act. Allows a living heir with vested rights to a cemetery plot or mausoleum crypt to give or convey his or her inherited plot or crypt to the spouse, child, or legal dependent of another living heir without the agreement or consent of the other listed heirs.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Provides that a 2/3 majority of the living heirs may agree to sell a specific interment right to the spouse of a living or deceased heir (instead of allowing a living heir to give or convey his or her inherited plot or crypt to the spouse, child, or legal dependent of another living heir without the agreement or consent of the other listed heirs). Effective immediately.

Aug 10 05 H Public Act 94-0520

HB 03755 Rep. Jack McGuire-Patrick J Verschoore
(Sen. Arthur J. Wilhelmi)

220 ILCS 50/2 from Ch. 111 2/3, par. 1602
220 ILCS 50/2.2 from Ch. 111 2/3, par. 1602.2
220 ILCS 50/2.9 new
220 ILCS 50/2.10 new
220 ILCS 50/4 from Ch. 111 2/3, par. 1604
220 ILCS 50/6 from Ch. 111 2/3, par. 1606
220 ILCS 50/10 from Ch. 111 2/3, par. 1610

Amends the Illinois Underground Utility Facilities Damage Prevention Act. Defines "forty-eight hours" as 2 business days beginning at 8 a.m. and ending at 4 p.m. (exclusive of Saturdays, Sundays, and holidays recognized by the State-Wide One-Call Notice System or a municipal One-Call Notice System). Makes corresponding changes. Defines "open cut utility locate". Provides that an open cut utility locate shall be deemed an emergency for purposes of emergency excavation or demolition requirements. Designates certain colors of flags, stakes, and paint used to mark an underground utility facility or CATS facility for use only by a facility owner or agent or for use only by an excavator. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

220 ILCS 50/2.3 from Ch. 111 2/3, par. 1602.3

Adds reference to:

220 ILCS 50/2.11 new

Adds reference to:

220 ILCS 50/11

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill but makes the following changes. Further amends the Illinois Underground Utility Facilities Damage Prevention Act. Defines "roadway surface milling" and excludes roadway surface milling from the definition of "excavation". Requires certain notices to include a fax number, if available (now, a fax number is required). Provides that a 2-hour wait period or a longer period, if requested on the notice, is required after an emergency locate notification request is made through the State-Wide One-Call Notice System (now, a 2-hour wait period is required). Requires the person owning or operating underground utility facilities or CATS facilities in or near an excavation or demolition area to communicate with the person engaging in excavation or demolition within 2 hours after receipt of the notice, or a longer period if requested on the notice. Provides that the communication may be provided by phone or phone message or by marking the excavation or demolition area. Provides that the owner's or operator's attempt to communicate with the person engaging in excavation or demolition is sufficient if the owner or operator attempts the communication but is unable to do so because the person engaging in excavation or demolition does not answer the phone or does not have an answering service. Provides that a busy signal is not sufficient to discharge the owner's or operator's duty to communicate notice. Makes changes concerning penalties. Effective immediately.

Aug 18 05 H Public Act 94-0623

HB 03757 Rep. Donald L. Moffitt-Jack D. Franks-Michael K. Smith-Sidney H. Mathias-Mike Boland, Thomas Holbrook, Lisa M. Dugan, Daniel V. Beiser, John E. Bradley, Careen M Gordon, Michelle Chavez, Charles E. Jefferson, Naomi D. Jakobsson, Kevin Joyce, Patrick J Verschoore, Jack McGuire, Shane Cultra, Jim Sacia, Patricia Reid Lindner, Ruth Munson, Eileen Lyons and Robert F. Flider
(Sen. George P. Shadid, Deanna Demuzio, Arthur J. Wilhelmi and Debbie DeFrancesco Halvorson)

20 ILCS 3501/825-80 new

Amends the Illinois Finance Authority Act. Provides for the continuation and re-enactment of the fire truck revolving loan program, formerly administered under the Rural Bond Bank Act (now repealed). Provides for joint administration of the program by the Illinois Finance Authority and the State Fire Marshal. Validates loans made and actions taken under the original enactment after its repeal. Effective immediately.

Jul 14 05 H Public Act 94-0221

HB 03763 Rep. Arthur L. Turner-Kenneth Dunkin
(Sen. Mattie Hunter)

35 ILCS 200/18-177

Amends the Property Tax Code. In a Section concerning tax abatements for leased, low-rent housing, provides that if the property of a housing authority is improved with an eligible multifamily dwelling or multi-building development containing residential units that are individually assessed, no more than 50% (now, 40%) of those residential units may be certified. Provides that, if the property is improved with an eligible multifamily dwelling or multi-building development containing residential units that are not individually assessed, the portion of the property certified shall represent no more than 50% (now, 40%) of those residential units.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Property Tax Code. In a Section concerning tax abatements for leased, low-rent housing, provides that the percentage limitation on the certification of residential units shall be deemed to be satisfied in the case of a development described in resolutions adopted by the Board of Commissioners of the Chicago Housing Authority on September 19, 2000, December 17, 2002, or September 16, 2003, as amended, approving the disposition of certain land and buildings, if no more than 50% of the units in the development are so certified. Effective immediately.

Jul 21 05 H Public Act 94-0296

HB 03770 Rep. Daniel V. Beiser-Sidney H. Mathias-William B. Black-Lisa M. Dugan, Roger L. Eddy, Careen M Gordon, Aaron Schock, John E. Bradley, Brandon W. Phelps, Robert F. Flider, Mike Boland and Naomi D. Jakobsson
(Sen. Mike Jacobs-Chris Lauzen)

20 ILCS 405/405-292

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. With respect to savings realized from the implementation of State agency business processing efficiency initiatives, provides that savings realized by the Department of Transportation shall be deposited into the Construction Fund, rather than the Efficiency Initiatives Revolving Fund. Effective immediately.

Fiscal Note (Central Management Services)

The Department of Central Management Services anticipates a significant impact from this bill, in the form of decreased revenues. Between FY04 and what is projected for FY06, payments from the Illinois Department of Transportation range from $21 million in FY04 to a projected amount of $4.4 million in FY06.

House Amendment No. 1

Changes the reference from the Construction Fund to the State Construction Account Fund.

Jul 07 05 H Public Act 94-0139

HB 03785 Rep. Angelo Saviano-Robert S. Molaro
(Sen. John M. Sullivan-Dale E. Risinger)

515 ILCS 5/20-35 from Ch. 56, par. 20-35

520 ILCS 5/3.5 from Ch. 61, par. 3.5

Amends the Fish and Aquatic Life Code. Provides that in a Section concerning taxidermy, only violation of the provision concerning licensing shall be a Class B misdemeanor and that violation of any other provision of the Section shall be a petty offense (now, violation of any provision of the Section is a Class B misdemeanor). Amends the Wildlife Code. Provides that in a Section concerning taxidermy, only violation of the provision concerning licensing shall be a Class B misdemeanor and that violation of any other provision of the Section shall be a petty offense (now, violation of any provision of the Section is a Class B misdemeanor). Effective immediately.

Jul 14 05 H Public Act 94-0222

HB 03800 Rep. Robin Kelly
(Sen. M. Maggie Crotty)

70 ILCS 2605/294 new

Amends the Metropolitan Water Reclamation District Act. Provides for the annexation of land to the District. Effective immediately.

House Amendment No. 1

Amends the Metropolitan Water Reclamation District Act. Provides that the corporate limits of the Metropolitan Water Reclamation District are extended to include certain described tracts of land.

Senate Floor Amendment No. 1

Further amends the Metropolitan Water Reclamation District Act. Changes the legal description for one parcel to be annexed and deletes exceptions from the legal description of another parcel.

Jul 14 05 H Public Act 94-0223

HB 03801 Rep. Robin Kelly-Deborah L. Graham
(Sen. Jacqueline Y. Collins)

New Act

20 ILCS 2605/2605-327 new

Creates the Medical School Applicant Criminal Background Check Act. Provides that an applicant for admission to a medical school in the State must submit to, and each medical school located in the State must require, a criminal background check for felony convictions by the Department of State Police and the Federal Bureau of Investigation as part of the medical school admissions application process. Sets forth procedures for conducting the criminal background check. Provides that the Department of State Police shall charge a fee for conducting the criminal background check and that the medical school requesting the check shall be responsible for paying the fee. Provides that the medical school may, in turn, impose a fee on applicants to cover the cost of the background check. Provides that a felony conviction shall not preclude an applicant from gaining admission to any medical school located in the State, but shall be used as a factor in determining whether or not to admit an applicant. Amends the Department of State Police Law of the Civil Administrative Code of Illinois to make a corresponding change. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Provides that each medical school located in the State must require a criminal background check for violent felony convictions and any adjudication of an applicant as a sex offender, rather than a background check for felony convictions. Provides that the name, sex, race, date of birth, and social security number of an applicant shall be searched against the Statewide Sex Offender Database, in addition to the Illinois criminal history records database. Provides that an applicant who has been adjudicated a sex offender shall be precluded from gaining admission to any medical school in Illinois. Effective immediately.

House Amendment No. 2

Sets forth specific criminal offenses that constitute sex offenses within the definition of "sex offender". Defines "violent felony" and sets forth specific criminal offenses that constitute a violent felony.

Senate Committee Amendment No. 1

Deletes reference to:

20 ILCS 2605/2605-327 new

Deletes everything after the enacting clause. Creates the Medical School Applicant Criminal Background Check Act. Contains only a short title provision.

Senate Floor Amendment No. 2

Adds reference to:

20 ILCS 2605/2605-327 new

Deletes everything after the enacting clause. Reinserts the contents of the bill as engrossed with the following changes. Changes the definition of "sex offender". Changes references from "violent felony" to "forcible felony" and from "applicant" to "matriculant". Defines "matriculant" as an individual who is admitted as a student to a medical school located in Illinois. Provides that a medical school located in Illinois may (rather than must) require a criminal background check for forcible felony convictions and any adjudication of a matriculant as a sex offender. Provides that a matriculant's fingerprints, in addition to his or her name, sex, race, date of birth, and social security number, may be forwarded to the Department of State Police to be searched against the Illinois criminal history records database and the Statewide Sex Offender Database (rather than requiring a fingerprint-based criminal history records check only if a search of the databases indicates that the matriculant has a conviction record or has been adjudicated a sex offender). Provides that a forcible felony conviction or an adjudication as a sex offender may preclude a matriculant from gaining admission to a medical school located in Illinois. Adds a provision concerning civil immunity. Makes related changes. Effective immediately.

Conference Committee No. 1

Deletes everything after the enacting clause. Creates the Medical School Matriculant Criminal History Records Check Act. Defines "matriculant" as an individual who is conditionally admitted as a student to a medical school located in Illinois pending the medical school's consideration of his or her criminal history records check. Provides that a medical school located in Illinois must require that each matriculant submit to a criminal history records check for violent felony convictions and any adjudication of a matriculant as a sex offender. Sets forth procedures for conducting the criminal history records check. Provides that a medical school's required consideration of a matriculant's criminal history records check may preclude a matriculant with a violent felony conviction or an adjudication as a sex offender from gaining official admission to that medical school, but that a violent felony conviction or an adjudication as a sex offender shall not serve as an automatic bar to official admission to a medical school located in Illinois. Provides that no medical school acting under the provisions of the Act shall be civilly liable to any matriculant for any decision made pursuant to the provisions of the Act. Amends the Department of State Police Law of the Civil Administrative Code of Illinois to make a corresponding change. Effective immediately.

Dec 05 05 H Public Act 94-0709

HB 03812 Rep. Julie Hamos-Calvin L. Giles
(Sen. Carol Ronen)

405 ILCS 5/3-801 from Ch. 91 1/2, par. 3-801

405 ILCS 5/3-801.5 new

Amends the Mental Health and Developmental Disabilities Code. Adds provisions concerning a facility director's approval of a respondent's request for informal or voluntary admission. Provides that at any time before the conclusion of a hearing concerning admission to a mental health facility and the entry of the court's findings, a respondent may enter into an agreement to be subject to an order for alternative treatment or care and custody. States the conditions required for approval of such an agreed order and states other provisions concerning the entry of such an order.

Aug 10 05 H Public Act 94-0521

HB 03814 Rep. Jim Sacia-Rich Brauer-Mike Bost-Michael Tryon-Ron Stephens
(Sen. John M. Sullivan)

625 ILCS 5/15-107 from Ch. 95 1/2, par. 15-107

Amends the Illinois Vehicle Code. Provides that a combination of 3 commercial vehicles is allowed on the highways of this State if the overall length of the combination of vehicles does not exceed 65 feet and other specified conditions are met.

House Amendment No. 1

Provides that a combination of vehicles not exceeding 65 feet in length is also allowed if the towing vehicle is a properly registered vehicle capable of towing another vehicle using a goose-neck hitch ball.

House Amendment No. 2

Provides that the combination of vehicles must be operated by a person holding a commercial driver's license (CDL). Provides that a combination of 3 vehicles is allowed access to any State designated highway if the length of neither towed vehicle exceeds 28.5 feet and the overall wheel base of the combination of vehicles does not exceed 62 feet. Provides that a combination of 3 vehicles is allowed access from any State designated highway onto any county, township, or municipal highway under specified conditions.

Senate Floor Amendment No. 1

Provides that the provisions of the bill apply only when the combination of vehicles is en route to a location where new or used trailers are sold by an Illinois or out-of-state licensed new or used trailer dealer.

Dec 13 05 H Public Act 94-0713

HB 03816 Rep. Sandra M. Pihos-Sidney H. Mathias-Paul D. Froehlich-Carolyn H. Krause, Jack D. Franks, Linda Chapa LaVia, Renee Kosel, Roger Jenisch, Eileen Lyons, Patricia R. Bellock and Monique D. Davis
(Sen. Peter J. Roskam-Jacqueline Y. Collins-Martin A. Sandoval)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that a person convicted a third time of driving under the influence of alcohol, drugs, or intoxicating compounds is guilty of a Class 2 felony. Provides that a person convicted of the offense a fourth time is guilty of a Class 2 felony, and not eligible for a sentence of probation or conditional discharge. Provides that a person convicted of the offense a fifth or subsequent time is guilty of a Class 1 felony and not eligible for a sentence of probation or conditional discharge.

Correctional Note (Dept of Corrections)

The total impact of House Bill 3816, as engrossed, would result in an increase of 288 inmates, with additional operating costs of $55,446,300 and construction costs of $16,853,400 over ten years.

Jul 05 05 H Public Act 94-0116

HB 03819 Rep. Roger Jenisch-Renee Kosel-Sidney H. Mathias-Sandra M. Pihos, Naomi D. Jakobsson-Elizabeth Coulson, Robert F. Flider and Rosemary Mulligan
(Sen. Mattie Hunter and Pamela J. Althoff)

20 ILCS 2310/2310-145 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health shall establish a registry of all active and retired health care professionals to be accessed in the event of an act of bioterrorism or other public health emergency. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health shall maintain a registry of all active-status health care professionals to be accessed in the event of an act of bioterrorism or other public health emergency. Provides that the registry must consist of information shared between the Department of Public Health and the Department of Financial and Professional Regulation via a secure communication link. Requires that the registry be updated on a quarterly basis. Effective immediately.

Jul 22 05 H Public Act 94-0308

HB 03821 Rep. Kevin A. McCarthy
(Sen. Edward D. Maloney)

110 ILCS 20/1 from Ch. 144, par. 2601

Amends the College Student Immunization Act. Excludes private colleges and universities that do not provide on-campus housing from a definition of "post-secondary educational institution". Effective immediately.

Jul 12 05 H Public Act 94-0195

HB 03822 Rep. Marlow H. Colvin-Barbara Flynn Currie-Calvin L. Giles-Karen A. Yarbrough-Deborah L. Graham, Robert Rita, Sandra M. Pihos, Donald L. Moffitt, Monique D. Davis, Harry Osterman and Milton Patterson
(Sen. Kwame Raoul-Dave Sullivan-Susan Garrett-Martin A. Sandoval-Christine Radogno, Kimberly A. Lightford, Don Harmon, Jacqueline Y. Collins, Debbie DeFrancesco Halvorson and M. Maggie Crotty)

105 ILCS 5/1C-2

105 ILCS 5/2-3.71 from Ch. 122, par. 2-3.71

105 ILCS 5/2-3.71a from Ch. 122, par. 2-3.71a

105 ILCS 5/2-3.89 from Ch. 122, par. 2-3.89

Amends the School Code. With respect to school districts other than Chicago, provides that early childhood education block grant funds shall be distributed through a grant approval process (instead of on a competitive basis). Makes changes regarding grants for preschool educational and related model research-training programs, model pilot early childhood parental training programs, and pilot programs concerning services to at-risk children and their families (including allowing grants to be provided to other entities besides school districts and providing that grants must be used to supplement, not supplant, funds received from any other source). Effective July 1, 2005.

House Amendment No. 1

Deletes reference to:

105 ILCS 5/1C-2

Removes the provision concerning block grants for districts other than Chicago. Makes changes with regard to requiring a teacher to hold an early childhood teaching certificate, funding parental training programs, and allowing the State Board of Education to enter into contracts to establish programs that provide services to at-risk children and their families.

Aug 08 05 H Public Act 94-0506

HB 03831 Rep. Paul D. Froehlich and Donald L. Moffitt
(Sen. Kathleen L. Wojcik-Pamela J. Althoff)

70 ILCS 705/16d new

Amends the Fire Protection District Act. Allows 2 fire protection districts by ordinance to disconnect and annex a territory of up to 60 acres when the annexing district can provide better fire protection. Requires that the district disconnecting the area must notify the owners of the land that is to be disconnected. Provides that the notice shall be given 30 days before adoption of an ordinance by either of the districts. The notice shall include a map of the territory and describe the area to be disconnected, the annexing fire district, and the reasons for taking the action.

House Amendment No. 1

Reinserts the provisions of the bill as introduced, but makes the following changes: Provides that notice must be given to affected landowners at least 60 days (instead of 30 days) before the adoption of an ordinance to disconnect and annex the property to another fire protection district, and provides that the notice must also set forth the time and place of each meeting at which the ordinance will be an agenda item and must state that there will be an opportunity for public comment at each of those meetings. Makes technical changes.

Jul 26 05 H Public Act 94-0337

HB 03843 Rep. Dan Brady
(Sen. Terry Link)

70 ILCS 5/3.1 from Ch. 15 1/2, par. 68.3a

Amends the Airport Authorities Act. Provides, with respect to the appointment of boards of commissioners for airport authorities, that if an authority has 2 or more municipalities each with a population of 5,000 or more within the authority, then each municipality shall appoint one commissioner and the county board president in the county in which the airport authority is located shall appoint, with the advice and consent of the county board, 3 (now, 2) commissioners at large (now, one commissioner is appointed from areas outside of the municipalities that each have a population of 5,000 or more). Deletes a requirement that a commissioner representing the area within an authority that is located outside of municipalities of that size shall reside within the area.

Aug 04 05 H Public Act 94-0466

HB 03850 Rep. Frank J. Mautino
(Sen. Gary G. Dahl)

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on December 31, 1986 by the City of Oglesby must be completed by December 31 of the 35th year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

Jul 21 05 H Public Act 94-0297

HB 03851 Rep. Joseph M. Lyons-Susana A Mendoza-John D'Amico-JoAnn D. Osmond-Jerry L. Mitchell, Dan Reitz, Jack McGuire, Angelo Saviano, Michael P. McAuliffe, Michael Tryon, Naomi D. Jakobsson, John E. Bradley, Lisa M. Dugan, Charles E. Jefferson, Michelle Chavez, Careen M Gordon, Jim Watson, Kevin Joyce, Robert F. Flider, Milton Patterson, Richard T. Bradley and Marlow H. Colvin
(Sen. Rickey R. Hendon-M. Maggie Crotty, Martin A. Sandoval-Jacqueline Y. Collins, Debbie DeFrancesco Halvorson and Gary Forby)

20 ILCS 105/4.02 from Ch. 23, par. 6104.02

Amends the Illinois Act on the Aging. Creates the Community Care Program Advisory Committee in the Department on Aging to advise the Department on issues related to the Department's programs of service to prevent unnecessary institutionalization. Sets forth the terms and conditions of membership on the Committee. Provides that Committee reports and recommendations are advisory only. Effective July 1, 2005.

House Amendment No. 1

Further amends the Illinois Act on the Aging. Provides that the Community Care Program Advisory Committee shall serve at their own expense. Provides that members of the Committee must abide by all applicable ethics laws.

House Amendment No. 2

Further amends the Illinois Act on the Aging. Provides that the Community Care Program Advisory Committee shall also include at least 2 representatives of statewide trade or labor unions that represent in-home direct care service staff.

Jul 19 05 H Public Act 94-0269

HB 03874 Rep. James D. Brosnahan-Milton Patterson-Marlow H. Colvin, Richard T. Bradley, Kevin A. McCarthy, Harry Osterman, William Delgado, Patricia Bailey and Kevin Joyce
(Sen. Ira I. Silverstein-Martin A. Sandoval and Kirk W. Dillard-Jacqueline Y. Collins)

720 ILCS 5/33-3 from Ch. 38, par. 33-3

720 ILCS 5/33-7 new

Amends the Criminal Code of 1961. Increases the penalty for official misconduct committed by a public officer or employee from a Class 3 felony to a Class 2 felony. Creates the offense of public contractor misconduct. Defines the offense. Provides that a violation is a Class 2 felony.

Senate Floor Amendment No. 1

Provides that a special government agent may be guilty of official misconduct as well as a public officer or employee.

Senate Floor Amendment No. 2

Changes the penalty for official misconduct back to a Class 3 felony. Makes various changes in the elements of the new offense of public contractor misconduct, and changes the penalty to a Class 3 felony.

Jul 26 05 H Public Act 94-0338

HB 04014 Rep. Bob Biggins-Lee A. Daniels
(Sen. Carole Pankau)

210 ILCS 50/3.10

Amends the Emergency Medical Services (EMS) Systems Act. Changes a defined term from "non-emergency medical care" to "non-emergency medical services". Provides that "non-emergency medical services" includes medical care or monitoring (instead of medical services) rendered to a patient during treatment of such persons at health care facilities or at events at which the presence of health care personnel has been requested for public safety purposes, as well as during transportation of the patient to or from health care facilities (instead of only to such facilities). Eliminates a provision that the Act does not apply to the use of an ambulance or SEMSV for a non-medical transport (for example, to an individual's residence), unless and until emergency or non-emergency medical services are needed during such transport.

Fiscal Note (Department of Public Health)

Estimated fiscal impact on the Illinois Department of Public Health in the amount of $898,461.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause with provisions similar to those of House Bill 4014, amending the Emergency Medical Services (EMS) Systems Act, but with changes that include the following: (1) provides that "non-emergency medical services" means medical care or monitoring rendered before or during (instead of only during) transportation to or from health care facilities (eliminates amendatory provisions concerning treatment at health care facilities or at events at which the presence of health care personnel has been requested for public safety purposes); and (2) restores a provision that the Act does not apply to the use of an ambulance or SEMSV (instead of the use of such a vehicle for a non-medical transport) unless and until emergency or non-emergency medical services are needed during the use of the ambulance or SEMSV (instead of during such non-medical transport).

Aug 12 05 H Public Act 94-0568

HB 04020 Rep. Ed Sullivan, Jr.-Jim Watson
(Sen. John M. Sullivan)

720 ILCS 5/21-3 from Ch. 38, par. 21-3

Amends the Criminal Code of 1961. Provides that a person may be liable in any civil action for money damages to the owner of the land he or she entered upon with a motor vehicle. Provides the measure of damages an owner may recover. Provides that if the person operating the vehicle is under the age of 16, the owner of the vehicle and the parent or legal guardian of the minor are jointly and severally liable. Defines "land", "owner", and "vehicle".

Aug 09 05 H Public Act 94-0512

HB 04023 Rep. Linda Chapa LaVia-John A. Fritchey-Paul D. Froehlich-Monique D. Davis-Charles E. Jefferson, Patricia Bailey, Donald L. Moffitt, Jay C. Hoffman, Cynthia Soto, Michael K. Smith, Jack D. Franks, Patrick J Verschoore, Jack McGuire, Mike Boland, Thomas Holbrook, Karen May, Kurt M. Granberg, John D'Amico, Shane Cultra, Michael Tryon, Susana A Mendoza, Roger L. Eddy, Kenneth Dunkin, William Davis, Milton Patterson, Joseph M. Lyons, Karen A. Yarbrough, Robin Kelly, George Scully, Jr., Elizabeth Coulson, Eddie Washington, Constance A. Howard, Dan Reitz, Brandon W. Phelps, Lisa M. Dugan, Richard T. Bradley and David E. Miller

(Sen. Deanna Demuzio-Kwame Raoul-Jacqueline Y. Collins-Wendell E. Jones-Kathleen L. Wojcik, Dale A. Righter, Jeffrey M. Schoenberg, Martin A. Sandoval and Mattie Hunter)

720 ILCS 5/Art. 12A heading new

720 ILCS 5/12A-1 new

720 ILCS 5/12A-5 new

720 ILCS 5/12A-10 new

720 ILCS 5/12A-15 new

720 ILCS 5/12A-20 new

720 ILCS 5/12A-25 new

720 ILCS 5/Art. 12B heading new

720 ILCS 5/12B-1 new

720 ILCS 5/12B-5 new

720 ILCS 5/12B-10 new

720 ILCS 5/12B-15 new

720 ILCS 5/12B-20 new

720 ILCS 5/12B-25 new

720 ILCS 5/12B-30 new

720 ILCS 5/12B-35 new

Amends the Criminal Code of 1961. Creates the Violent Video Games Law. Provides that a person who sells, rents, or permits to be sold or rented, any violent video game to any minor, commits a Class A misdemeanor for which a fine of $5,000 may be imposed. Provides that a family member's purchase of a violent video game for another family member who is a minor does not constitute a violation of this provision. Establishes labeling requirements for violent video games. Creates the Sexually Explicit Video Games Law. Provides that a person who sells, rents, or permits to be sold or rented, any sexually explicit video game to any minor, commits a Class A misdemeanor for which a fine of $5,000 may be imposed. Provides that a family member's purchase of a sexually explicit video game for another family member who is a minor does not constitute a violation of this provision. Establishes labeling requirements for sexually explicit video games. Provides that these laws are severable. Effective January 1, 2006.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill with these changes: (1) provides that a person who sells, rents, or permits to be sold or rented any violent or sexually explicit video game via electronic scanner must program the electronic scanner to prompt sales clerks to check identification before the sale or rental transaction is completed; (2) provides that a person may not sell or rent, or permit to be sold or rented, any violent or sexually explicit video game through a self-scanning checkout mechanism. Provides that a person who violates these provisions commits a Class A misdemeanor for which a fine of $5,000 may be imposed; and (3) provides that it is an affirmative defense to a violation of selling or renting violent or sexually explicit video games to minors that the defendant was a family member of the minor for whom the game was purchased or that the minor who purchased the game exhibited a draft card, driver's license, birth certificate or other official or apparently official document purporting to establish that the minor was 18 years of age or older, which the defendant reasonably relied on and reasonably believe to be authentic. Effective immediately.

House Amendment No. 2

Adds reference to:

720 ILCS 5/11-21 from Ch. 38, par. 11-21

HB 04023 (CONTINUED)

Further amends the Criminal Code of 1961. Deletes provisions concerning the distribution and exhibition of harmful material to minors and replaces it with the following provisions: (i) provides that a person is guilty of distributing harmful material to a minor when he or she knowingly sells, lends, distributes, or gives away certain material knowing that the minor is a person under the age of 18 or failing to exercise reasonable care in ascertaining the person's true age, or he or she admits a minor to premises where there is exhibited or to be exhibited such harmful material, (ii) provides that distribution of harmful material to a minor is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense, and (iii) establishes several affirmative defenses. Makes other changes.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended with these changes: (1) changes various penalties for violations of the amendatory provisions and (2) changes the effective date of the bill to January 1, 2006.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended with these changes: (1) changes various penalties for violations of the amendatory provisions from a business offense with a $1,001 fine to a petty offense with a $1,000 fine and (2) provides an affirmative defense for the video game retailer if the retail sales clerk had complete knowledge that the party to whom he or she sold or rented the game was a minor and the clerk sold or rented the video game to the minor with the specific intent to do so.

Senate Floor Amendment No. 3

Provides that it is an affirmative defense to selling or renting a sexually explicit or violent video game to a minor that the video game sold or rented was pre-packaged and rated EC, E10+, E, or T by the Entertainment Software Ratings Board.

Jul 25 05 H Public Act 94-0315

HB 04025 Rep. Frank J. Mautino-Jack D. Franks-Linda Chapa LaVia, Roger L. Eddy, Patrick J Verschoore and Jack McGuire

(Sen. Deanna Demuzio)

40 ILCS 5/16-165 from Ch. 108 1/2, par. 16-165

Amends the Downstate Teachers Article of the Illinois Pension Code. Provides that if a vacancy occurs in the elective membership of the Board for a term that has more than 6 months remaining, that vacancy shall be filled by a person elected pursuant to an election instituted by the Director of the Teachers' Retirement System of the State of Illinois. Effective immediately.

Dec 05 05 H Public Act 94-0710

HB 04030 Rep. James D. Brosnahan-William Delgado-John D'Amico, Jack D. Franks, Linda Chapa LaVia, Michael K. Smith, Eddie Washington, Richard T. Bradley and Kevin A. McCarthy

(Sen. Edward D. Maloney-Don Harmon-Iris Y. Martinez-Jacqueline Y. Collins)

730 ILCS 150/2	from Ch. 38, par. 222
730 ILCS 150/3	from Ch. 38, par. 223
730 ILCS 150/6	from Ch. 38, par. 226
730 ILCS 150/7	from Ch. 38, par. 227
730 ILCS 150/8	from Ch. 38, par. 228

Amends the Sex Offender Registration Act. Provides that the information submitted by the sex offender at registration shall include his or her employer's telephone number, extensions of the time period for registering and, if an extension was granted, the reason why the extension was granted and the date the sex offender was notified of the extension. Provides that a person who has been adjudicated a juvenile delinquent for an act which, if committed by an adult, would be a sex offense shall register as an adult sex offender within 10 days after attaining 17 years of age. Provides that a sex offender who changes his or her address, place of employment, or school attended must report in person rather than by mail to the law enforcement agency or agencies where he or she is registered. Provides that a sex offender must report to the law enforcement agency or agencies where he or she is required to register at the request of the agency. Establishes procedures for sex offenders whose registration periods are extended because of noncompliance with the Act. Provides that a child sex offender must sign a statement that, as a child sex offender, he or she may not reside within 500 feet of a school, park, playground, or any facility providing services directed exclusively toward persons under 18 years of age unless the sex offender meets specified exemptions.

Correctional Note (Dept of Corrections)

Corrections Population Impact: 42 Inmates. Fiscal Impact: $10,983,100.

Senate Floor Amendment No. 2

Provides that the registration of juveniles upon attaining 17 years of age shall not extend the original registration of 10 years from the date of conviction. Provides that a sex offender shall report to the law enforcement agency with whom he or she last registered at the request of the law enforcement agency not to exceed 4 times a year.

Senate Floor Amendment No. 3

Provides that a child sex offender may also not reside within 500 feet of any facility providing services directed exclusively toward persons under 18 years of age unless the sex offender meets specified exemptions.

Jul 11 05 H Public Act 94-0166

HB 04050 Rep. Michael J. Madigan-Susana A Mendoza-Barbara Flynn Currie-Eddie Washington-Harry Osterman, Lisa M. Dugan, Daniel J. Burke, Mary E. Flowers, Milton Patterson, Kenneth Dunkin, Deborah L. Graham, Patricia Bailey, David E. Miller, Richard T. Bradley, Karen A. Yarbrough, Arthur L. Turner, Lovana Jones and William Davis
(Sen. Martin A. Sandoval-Jacqueline Y. Collins-Miguel del Valle-James T. Meeks, Louis S. Viverito-Mattie Hunter and Kimberly A. Lightford)

765 ILCS 77/20

Amends the Residential Real Property Disclosure Act. Makes a technical change in a Section concerning completion and delivery of the seller's disclosure statement.

House Amendment No. 1

Deletes reference to:

765 ILCS 77/20

Adds reference to:

5 ILCS 140/7 from Ch. 116, par. 207

Adds reference to:

765 ILCS 77/70 new

Adds reference to:

765 ILCS 77/72 new

Adds reference to:

765 ILCS 77/74 new

Adds reference to:

765 ILCS 77/76 new

Adds reference to:

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Deletes everything after the enacting clause. Amends the Residential Real Property Disclosure Act. Establishes a predatory lending database pilot program within certain zip code areas. Requires the Department of Financial and Professional Regulation to maintain and administer a predatory lending database based on information submitted by any broker, originator, credit counselor, and title insurance company or closing agent involved in a mortgage transaction on residential real property within the pilot program area. Sets forth required information to be submitted by those entities to the database and authorizes the Department to require additional information by rule. Based on information submitted to the Department by the originator, requires the Department to make a determination as to whether credit counseling is recommended to the borrower. Requires the Department to notify each borrower for which it recommends counseling of all HUD-certified counseling agencies located within the State and direct the borrower to interview with a counselor associated with one of those agencies. Requires the borrower to select an agency from the notice and to interview with a counselor associated with that agency within 10 days after receipt of the notice. Prohibits the borrower from waiving the recommended credit counseling. Requires the title insurance company or closing agent to record simultaneously with the mortgage a certificate of its compliance with database reporting requirements and, if it fails to do so, provides that the mortgage is not recordable. Requires a certificate of service upon the Department to be recorded simultaneously with any lis pendens recorded on the property and, if no certificate is recorded, provides that the lis pendens is not recordable and is of no force and effect. Provides that information provided to the database is confidential and exempt from disclosure under the Freedom of Information Act, with certain exceptions. Amends the Freedom of Information Act to make corresponding changes. Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person that violates the predatory lending database provisions of the Residential Real Property Disclosure Act commits an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act. Contains other provisions.

House Amendment No. 3

Changes the definition of "pilot program area" to expand the area included within that definition.

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

State Mandates Fiscal Note (H-AM 3) (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

Senate Floor Amendment No. 1

HB 04050 (CONTINUED)

Changes the definition of "pilot program area" to all areas designated by the Department of Financial and Professional Regulation because of high foreclosure rates due to predatory lending practices. Deletes a requirement that a broker or originator provide each borrower with a notice disclosing the names of at least 3 lenders and comparing the rates and terms of those lenders. Provides that nothing in the predatory lending database provisions is intended to prevent a borrower from making his or her own decision as to whether to proceed with a transaction. Requires the Department to report to the Governor and to the General Assembly concerning its administration and the effectiveness of the pilot program not later than year after the Department designates the pilot program area and annually thereafter during the existence of the pilot program.

Senate Floor Amendment No. 2

Limits the pilot program area to within Cook County.

Jul 21 05 H Public Act 94-0280

HB 04053 Rep. Michael J. Madigan-Barbara Flynn Currie-Eddie Washington-Susana A Mendoza-Karen A. Yarbrough, Marlow H. Colvin, Jim Watson, Robert F. Flider, Naomi D. Jakobsson, John E. Bradley, Maria Antonia Berrios, Linda Chapa LaVia, Robin Kelly, Charles E. Jefferson, Edward J. Acevedo, Annazette Collins, Careen M Gordon, Kathleen A. Ryg, Tom Cross, Lisa M. Dugan, Kenneth Dunkin, Mary E. Flowers, Dan Reitz and Jack D. Franks
(Sen. Jeffrey M. Schoenberg-Martin A. Sandoval)

New Act

20 ILCS 605/605-610 rep.

20 ILCS 605/605-615 rep.

20 ILCS 605/605-620 rep.

20 ILCS 605/605-625 rep.

20 ILCS 605/605-630 rep.

Creates the Illinois International Business Council Act. Provides for the appointment by the Governor of an International Business Council to encourage the development of international business opportunities for Illinois companies. Provides for the Directors of Agriculture and of Commerce and Economic Opportunity and the 4 legislative leaders, or the designee of each, to be non-voting ex officio members. Requires the Council to represent the State in marketing and promoting Illinois products and businesses. Requires State agencies to consult with the Council before continuing or undertaking international marketing programs authorized by law. Amends the Department of Commerce and Economic Opportunity Law to transfer to the Council the functions of the Department's Trade Office. Effective July 1, 2005.

House Amendment No. 1

Deletes everything after the enacting clause. Creates the Illinois Global Partnership Act. Establishes the Illinois Global Partnership (IGP) to be incorporated as a not-for-profit entity with authority and responsibility for the State's international trade and international tourism efforts. Establishes IGP's board of directors, consisting of (i) members appointed by the Governor and (ii) the 4 legislative leaders, the Lieutenant Governor, and the Directors of Agriculture, Commerce and Economic Opportunity, and the Illinois Finance Authority, or their designees. Provides for the corporation's and the board's powers and duties, use of State resources, and operations. Effective July 1, 2005.

House Amendment No. 2

In the new Act, with respect to IGP's assumption of the Office of Trade and Investment and the Board of Marketing, provides that the assumption is of (i) contractual personnel (now, personnel) and (ii) the international functions of the Board of Marketing.

Senate Floor Amendment No. 3

Deletes reference to:

20 ILCS 605/605-610 rep.

Deletes reference to:

20 ILCS 605/605-615 rep.

Deletes reference to:

20 ILCS 605/605-620 rep.

Deletes reference to:

20 ILCS 605/605-625 rep.

Deletes reference to:

20 ILCS 605/605-630 rep.

Deletes everything after the enacting clause. Reinserts the engrossed bill with the following changes: Adds the chairperson of the Illinois Arts Council as an ex officio non-voting IGP board member. Requires the IGP board to adopt a policy for contracting with businesses owned by minorities, females, and persons with disabilities. Leaves within the Department of Commerce and Economic Opportunity's jurisdiction its Bureau of Tourism and Office of Trade and Investment. Removes IGP's control over the State's international tourism activities. Removes IGP's authority to hire Department of Commerce and Economic Opportunity employees.

Jul 29 05 H Public Act 94-0388

HB 04058 Rep. Lisa M. Dugan-Thomas Holbrook-Michael K. Smith-William B. Black, Daniel V. Beiser, John E. Bradley, Careen M Gordon, Michelle Chavez, Charles E. Jefferson, Naomi D. Jakobsson, Robert F. Flider, Linda Chapa LaVia, Patrick J Verschoore, Jack McGuire and Jack D. Franks

(Sen. Debbie DeFrancesco Halvorson and Gary Forby)

20 ILCS 2805/2.01 from Ch. 126 1/2, par. 67.01

Amends the Department of Veterans Affairs Act. Removes provisions that now allow a right of admission to veterans of the Spanish American War or World War One. Provides that a veteran is entitled to admission to an Illinois Veterans Home for purposes of eligibility for domiciliary or nursing home care if he or she (i) has served in the armed forces of the United States at least one day in the Global War on Terrorism, (ii) has served and was honorably discharged or retired from the armed forces of the United States for a service connected disability or injury, (iii) has served as an enlisted person at least 90 days on active duty in the armed forces of the United States, excluding service on active duty for training purposes only, and entered active duty before September 8, 1980, (iv) has served as an officer at least 90 days on active duty in the armed forces of the United States, excluding service on active duty for training purposes only, and entered active duty before October 17, 1981, (v) has served on active duty in the armed forces of the United States for 24 months of continuous service or more, excluding active duty for training purposes only, and enlisted after September 7, 1980, (vi) has served as a reservist in the armed forces of the United States or the National Guard and the service included being called to federal active duty, excluding service on active duty for training purposes only, and who completed the term, or (vii) has been discharged for reasons of hardship or released from active duty due to a reduction in the United States armed forces prior to the completion of the required period of service, regardless of the actual time served. Provides that an individual who served during a time of conflict has preference over all other qualifying candidates, for purposes of eligibility for domiciliary or nursing home care at any Illinois Veterans Home. Makes other changes. Effective immediately.

House Amendment No. 1

Further amends the Department of Veterans Affairs Act. Deletes a provision entitling veterans of the Global War on Terrorism to domiciliary or nursing home care in an Illinois veterans home.

Aug 15 05 H Public Act 94-0588

HB 04067 Rep. Karen May-Paul D. Froehlich-Sidney H. Mathias-Mary E. Flowers, Lou Lang, Kathleen A. Ryg, Naomi D. Jakobsson, Mike Boland, Michael K. Smith, Daniel V. Beiser, Linda Chapa LaVia, Monique D. Davis, John D'Amico, Julie Hamos, Elaine Nekritz, Eddie Washington, Patricia Bailey, Milton Patterson, William Davis, Annazette Collins, Daniel J. Burke, Susana A Mendoza, Robert F. Flider, Careen M Gordon, Lisa M. Dugan, Wyvetter H. Younge, Karen A. Yarbrough, Deborah L. Graham, Patricia R. Bellock, Rosemary Mulligan, John J. Millner, James H. Meyer, Suzanne Bassi, Jim Sacia, Constance A. Howard, Kurt M. Granberg, Patricia Reid Lindner, Aaron Schock, Sara Feigenholtz, Roger L. Eddy, Elizabeth Coulson, Carolyn H. Krause, Bob Biggins, Timothy L. Schmitz and Chapin Rose

(Sen. Mattie Hunter-Iris Y. Martinez-Jacqueline Y. Collins, Arthur J. Wilhelmi and Edward D. Maloney)

New Act

Creates the Children's Environmental Health Office Act. Provides that, subject to appropriation, the Illinois Department of Public Health shall create and maintain the Children's Environmental Health Office within the Department to advise the Agency and assess how various environmental and other conditions impact the health of children. Requires the Office to review various cancer risk assessment guidelines to establish guidance values that address carcinogenic exposures to the fetus and to infants and children. Sets forth requirements for this assessment. Requires the Office to finalize and publish children's cancer guidelines based upon their findings. Provides that the Office shall review and assess children's contaminant exposures and health risks at existing and proposed school sites. Requires the Office to report annually as to the results of its findings on school contaminants and to report biannually to the Governor and to the General Assembly concerning its activities.

House Amendment No. 1

Deletes everything after the enacting clause. Creates the Children's Environmental Health Officer Act. Provides that subject to specific appropriations for this purpose, the Department of Public Health shall create and maintain a Children's Environmental Health Officer within the Office of Health Protection. Sets forth certain duties of the Children's Environmental Health Officer. Provides that the Children's Environmental Health Officer shall report annually to the Governor and the General Assembly regarding his or her activities.

Fiscal Note (H-AM 1) (Department of Public Health)

The estimated fiscal impact to the Illinois Department of Public Health for full year implementation of House Bill 4067 as amended will be minimal to the Department.

Aug 04 05 H Public Act 94-0467

SB 00001 Sen. Mattie Hunter-Emil Jones, Jr.-James A. DeLeo-Jacqueline Y. Collins, M. Maggie Crotty-Adeline Jay Geo-Karis, Kimberly A. Lightford, Edward D. Maloney, Iris Y. Martinez, Martin A. Sandoval, Terry Link, James F. Clayborne, Jr., Kathleen L. Wojcik, Miguel del Valle, Kwame Raoul, Arthur J. Wilhelmi, Rickey R. Hendon, Louis S. Viverito, William R. Haine, Deanna Demuzio, Debbie DeFrancesco Halvorson, Don Harmon, Gary Forby, Pamela J. Althoff, Christine Radogno, Larry K. Bomke, Ira I. Silverstein and Antonio Munoz

(Rep. Sara Feigenholtz-Constance A. Howard-Eileen Lyons-Robin Kelly-Mike Boland, Deborah L. Graham, Marlow H. Colvin, Jack McGuire, Kurt M. Granberg, Monique D. Davis, Eddie Washington, Cynthia Soto, William Delgado, Michael Tryon, Robert Rita, Lou Lang, Kenneth Dunkin, John A. Fritchey, Karen May, Richard T. Bradley, Joseph M. Lyons and Maria Antonia Berrios)

20 ILCS 1605/2 from Ch. 120, par. 1152

20 ILCS 1605/20 from Ch. 120, par. 1170

20 ILCS 1605/21.5 new

20 ILCS 2310/2310-347 new

30 ILCS 105/5.640 new

Amends the Illinois Lottery Law. Requires the Department of Revenue to offer a special instant scratch-off game, with the title of "Ticket For The Cure", to commence on January 1, 2006 and to be discontinued on December 31, 2011. Provides that the net revenue from the game shall be deposited into the Ticket For The Cure Fund for appropriation by the General Assembly solely to the Department of Public Health, in consultation with the Ticket For The Cure Board, for the purpose of making grants to public or private entities in Illinois for the purpose of funding research concerning breast cancer and for funding services for breast cancer victims. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois to create the Ticket For The Cure Board as an advisory board within the Department of Public Health. Amends the State Finance Act to create the Ticket For The Cure Fund. Sets forth procedures for the appointment of Board members and for the operation of the Board. Effective immediately.

Senate Committee Amendment No. 2

Adds reference to:

30 ILCS 105/8h

In a provision concerning the Ticket For The Cure Fund, provides that grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies (instead of "institutional overhead costs, indirect costs, other organizational levies, or costs of community-based support services"). Further amends the State Finance Act to exempt the Ticket For The Cure Fund from the Act's administrative charge-back provisions. Makes technical changes.

Jul 06 05 S Public Act 94-0120

SB 00003 Sen. Emil Jones, Jr.-Don Harmon, Louis S. Viverito-Edward D. Maloney-Jacqueline Y. Collins, Ira I. Silverstein, Kirk W. Dillard-Susan Garrett, Jeffrey M. Schoenberg, Carole Pankau, Mattie Hunter, Carol Ronen, Kwame Raoul, Iris Y. Martinez, M. Maggie Crotty, Martin A. Sandoval, Antonio Munoz, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, James T. Meeks, James A. DeLeo and George P. Shadid

(Rep. Patricia R. Bellock-Eddie Washington-Eileen Lyons-William Delgado-Sara Feigenholtz, Ed Sullivan, Jr., Kathleen A. Ryg, Sandra M. Pihos, Robin Kelly, Monique D. Davis, Robert W. Pritchard, Edward J. Acevedo, Jack D. Franks, Linda Chapa LaVia, Karen May, John D'Amico and Donald L. Moffitt)

105 ILCS 5/2-3.123

Amends the School Code. Provides that the State Board of Education shall implement and administer a Giant Steps Autism Center for Excellence pilot program for the study and evaluation of autism and to provide related training for teachers, paraprofessionals, and respite workers, therapist training, and consultative services. Provides that the State Board of Education is authorized to make grants to school districts and other programs that apply to participate in the Giant Steps Autism Center for Excellence program. Effective immediately.

Jul 12 05 S Public Act 94-0196

SB 00010 Sen. Miguel del Valle-Kimberly A. Lightford, Martin A. Sandoval-M. Maggie Crotty, Antonio Munoz, Ira I. Silverstein, Iris Y. Martinez, Jacqueline Y. Collins, Terry Link, James T. Meeks-Donne E. Trotter-Kwame Raoul, Gary G. Dahl and Mattie Hunter

(Rep. William Delgado-Monique D. Davis and Wyvetter H. Younge)

30 ILCS 105/5.640 new

105 ILCS 5/2-3.137 new

Amends the School Code. Provides that by the beginning of the 2006-2007 school year, the State Board of Education shall by rule establish a parental participation pilot project to provide grants to the lowest performing school districts to help these districts improve parental participation through certain activities. Provides that the pilot project shall be for a period of at least 4 school years. Provides that the Board shall select 4 school districts to participate in the pilot project, and sets forth criteria for the Board to consider when selecting participating school districts. Sets forth requirements for participants. Provides for a review and final evaluation of the project. Amends the State Finance Act to create the Parental Participation Pilot Project Fund as a special fund in the State treasury. Repeals these provisions on December 31, 2010. Effective immediately.

Aug 08 05 S Public Act 94-0507

SB 00012 Sen. Mattie Hunter-James A. DeLeo-Arthur J. Wilhelmi-Jacqueline Y. Collins-Ira I. Silverstein, Donne E. Trotter, Martin A. Sandoval, M. Maggie Crotty, Susan Garrett, Iris Y. Martinez, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, James T. Meeks, Kwame Raoul, Carol Ronen and John J. Cullerton

(Rep. Sara Feigenholtz-Michelle Chavez-Charles E. Jefferson-Eddie Washington, Linda Chapa LaVia, Edward J. Acevedo, Daniel V. Beiser, Lisa M. Dugan, Mary E. Flowers, John E. Bradley, David E. Miller, Milton Patterson, Wyvetter H. Younge, William Davis, Arthur L. Turner, Monique D. Davis, Gary Hannig, Annazette Collins, Kathleen A. Ryg, Kevin Joyce, Harry Osterman, Patrick J Verschoore, John A. Fritchey, Jack McGuire, Eileen Lyons, Patricia Bailey, Brandon W. Phelps, Jack D. Franks, Careen M Gordon, Naomi D. Jakobsson, Cynthia Soto and William Delgado)

215 ILCS 5/356g from Ch. 73, par. 968g

215 ILCS 125/4-6.1 from Ch. 111 1/2, par. 1408.7

Amends the Illinois Insurance Code and the Health Maintenance Organization Act. Requires coverage of mammograms for women under 40 years of age with a family history of breast cancer or other risk factors at the age and intervals deemed medically necessary by the woman's health care provider. Effective immediately.

Jul 06 05 S Public Act 94-0121

SB 00013 Sen. Jacqueline Y. Collins-Martin A. Sandoval-Iris Y. Martinez-Kwame Raoul-Mattie Hunter
(Rep. Arthur L. Turner-Gary Hannig-Milton Patterson-Kenneth Dunkin)

30 ILCS 540/7 from Ch. 127, par. 132.407

Amends the State Prompt Payment Act. Requires a State official or agency responsible for administering a contract, when submitting a voucher to the Comptroller for payment to a contractor, to promptly make available electronically the voucher number, the fate of the voucher, and the amount of the voucher. Provides that the State official or agency responsible for administering the contract shall provide subcontractors and material suppliers, known to the State official or agency, with instructions on how to access the electronic information. Provides that if a contractor, without reasonable cause, fails to make a full (now, any) payment of certain amounts due to his subcontractors and material supplier within 15 days after receipt of payment under a public construction contract, the contractor must pay the subcontractors and material suppliers 4% (now, 2%) interest each months in addition to the payments due until the amount is fully paid. Provides procedures for subcontractors and material suppliers to follow. Provides that if a State official or agency responsible for administering a contract determines, after notice to appropriate parties and a hearing, that a contractor has failed to make a payment in full within 45 days under a public construction contract, then that contractor must make payment within 15 days after the finding; if not, the contractor is barred from entering into a State public construction contract for one year.

Fiscal Note (Capital Development Board)

A staff person would need to be hired to collect information and review filings from the subcontractors. That cost would be about $70,000. A hearing officer would need to be hired off the State master contract to hear cases that require the hearing. That cost would be about $100,000. This penalty fee of 4% if placed on only 1% of the agency's construction spending could amount to as much as $80,000 per fiscal year.

Fiscal Note (Illinois Department of Transportation)

If Senate Bill 13 was passed, additional expenses would be incurred by IDOT. Additional time and staffing would be required to track complaints and hold hearings for non-payment. These expenses are presently indeterminate.

Fiscal Note (Illinois Commerce Commission)

In the past 10 years, the ICC has only had 1 public construction contract under our direct jurisdiction, therefore, this amendment will likely affect us minimally. If the Comptroller's Office does not handle the access to the contract information on their website, we will need to add that information to the ICC website which will have minimal impact to our operations. If the Commission were required to hold hearings pursuant to Section 7(b)(2) of the bill, there would be some costs associated with this responsibility.

Fiscal Note (Department of Natural Resources)

Currently there are no systems in place to perform these functions. Systems and personnel costs will certainly be involved, but the amount cannot be determined at this time. It would take time to determine what systems would be needed to comply, how many people it would take to run those systems. Currently, the Department processes several thousand vouchers for contractors. The fiscal cost to DNR could be significant.

Fiscal Note (Department of Human Services)

Cost: Minimum $200,000

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts Senate Bill 13 with the following changes: Requires that the State official's or agency's hearing be convened by an administrative law judge and that the contractor, subcontractors, and material suppliers have the right to be represented by counsel and to cross-examine witnesses and challenge documents. Changes references from the State official's or agency's determinations to the administrative law judge's findings.

House Amendment No. 2

Deletes everything after the enacting clause. Reinserts Senate Bill 13 with the following changes: Restores the 2% interest penalty. Requires that the State official's or agency's hearing be convened by an administrative law judge and that the contractor, subcontractors, and material suppliers have the right to be represented by counsel and to cross-examine witnesses and challenge documents. Changes references from the State official's or agency's determinations to the administrative law judge's findings.

Fiscal Note (H-AM 1) (Admin. Office of the Ill. Courts)

No fiscal impact on the judicial branch.

Judicial Note (H-AM 1) (Admin. Office of the Ill. Courts)

Would neither increase nor decrease the number of judges needed in the state.

Aug 23 05 S Public Act 94-0672

SB 00015 Sen. John M. Sullivan-Deanna Demuzio-Jeffrey M. Schoenberg, Antonio Munoz and Arthur J. Wilhelmi-Martin A. Sandoval

(Rep. Robert F. Flider-Daniel V. Beiser-John E. Bradley-Kurt M. Granberg-Lisa M. Dugan, Gary Hannig, Careen M Gordon and Cynthia Soto)

20 ILCS 605/605-412 new

30 ILCS 105/5.640 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Creates the Rural Microbusiness Loan Program to provide $250,000 per fiscal year in loans for the establishment or support of businesses that: (i) employ 5 or fewer employees; (ii) are located in rural counties with a population of 100,000 or less; and (iii) are based on the production, processing, or marketing of agricultural products, forest products, cottage and craft products, or tourism. Limits the total amount of loans made to any borrower to $25,000 per fiscal year. Requires the Department to adopt rules concerning the administration of the program and to create a competitive application procedure. Requires a borrower to provide a certain portion of the financing for the project. Limits the term of the loan to no more than 5 years. Contains provisions concerning the interest rate, security required for the loan, and other terms. Provides that all interest generated by the loans shall be deposited into the Rural Microbusiness Loan Program Administrative Fund, a special fund in the State treasury, for the purpose of paying expenses related to the administration of the Rural Microbusiness Loan Program. Amends the State Finance Act to create the Rural Microbusiness Loan Program Administrative Fund. Effective immediately.

Fiscal Note (Department of Commerce and Economic Opportunity)

The fiscal impact of Senate Bill 15 on the Department of Commerce and Economic Opportunity is estimated to be up to $250,000 per fiscal year to make Rural Microbusiness Loans. The Department estimates that existing staff can be used to address all administrative duties associated with this new program.

Senate Floor Amendment No. 1

Deletes reference to:

20 ILCS 605/605-412 new

Deletes reference to:

30 ILCS 105/5.640 new

Adds reference to:

30 ILCS 750/9-4.2 from Ch. 127, par. 2709-4.2

Adds reference to:

30 ILCS 750/9-4.2a new

Deletes everything after the enacting clause. Amends the Build Illinois Act. Establishes guidelines for the Department of Commerce and Economic Opportunity in the making of loans for rural micro-businesses and requires the Department to adopt rules for the administration of those loans. Defines "rural micro-business" as any business that (i) employees 5 or fewer full-time employees, including the owner if the owner is an employee of the business, and (ii) is based on the production, processing, or marketing of agricultural products, forest products, cottage and craft products, or tourism. Provides that certain direct appropriations from the General Revenue Fund by the General Assembly shall be deposited into the Illinois Capital Revolving Loan Fund. Effective immediately.

Aug 01 05 S Public Act 94-0392

SB 00021 Sen. James A. DeLeo and Martin A. Sandoval-Iris Y. Martinez
(Rep. Richard T. Bradley)

40 ILCS 5/5-174 from Ch. 108 1/2, par. 5-174

30 ILCS 805/8.29 new

Amends the Chicago Police Article of the Illinois Pension Code to provide that the provision prohibiting certain policemen who are assigned to non-civil service positions from making certain contributions does not apply to a policeman assigned to a non-civil service position with the title of Captain. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Pension Note (Commission on Gov't Forecasting and Accountability)

The fiscal impact of Senate Bill 21 is expected to be very minor, as the number of members affected by the bill is very small.

Pension Note (H-AM 1) (Gov. Forecasting & Accountability)

The fiscal impact is expected to be very minor, as the number of members affected by the bill is very small.

Aug 18 05 S Public Act 94-0624

SB 00022 Sen. Louis S. Viverito, Wendell E. Jones, William E. Peterson and Dale E. Risinger
(Rep. William B. Black-Arthur L. Turner-Mark H. Beaubien, Jr.)

70 ILCS 2605/297 new

Amends the Metropolitan Water Reclamation District Act. Enlarges the Metropolitan Water Reclamation District. Effective immediately.

Aug 12 05 S Public Act 94-0569

SB 00023 Sen. Jacqueline Y. Collins-Mattie Hunter-Peter J. Roskam, Martin A. Sandoval-M. Maggie Crotty, Iris Y. Martinez, Terry Link, James T. Meeks, Edward Petka-Kwame Raoul, Donne E. Trotter and Carol Ronen

(Rep. Lovana Jones-Mike Boland, Kenneth Dunkin, Constance A. Howard, Monique D. Davis, Eddie Washington, Tom Cross-Michelle Chavez, Edward J. Acevedo, Charles E. Jefferson, Bob Biggins, Jack D. Franks, Robin Kelly, Deborah L. Graham, Karen A. Yarbrough, Mary E. Flowers, David E. Miller, Linda Chapa LaVia, Terry R. Parke, Harry Osterman, Arthur L. Turner, Barbara Flynn Currie, Rosemary Mulligan and Wyvetter H. Younge)

15 ILCS 520/7.5 new

15 ILCS 520/15 from Ch. 130, par. 34

15 ILCS 520/22.5 from Ch. 130, par. 41a

40 ILCS 5/1-110 from Ch. 108 1/2, par. 1-110

Amends the Deposit of State Moneys Act. Provides that a bank or savings and loan association is disqualified as a State depository upon making a loan to certain entities doing business in or with the government of Sudan until such time as the United Nations determines that the government of Sudan has taken sufficient and demonstrable steps to end human rights abuses in that nation. Amends the Illinois Pension Code. Prohibits the investment or deposit from the retirement system or pension fund to certain entities doing business in or with the government of Sudan until such time as the United Nations determines that the government of Sudan has taken sufficient and demonstrable steps to end human rights abuses in that nation. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

15 ILCS 520/7.5 new

Deletes reference to:

15 ILCS 520/15

Deletes reference to:

15 ILCS 520/22.5

Deletes reference to:

40 ILCS 5/1-110

Adds reference to:

15 ILCS 520/22.5 from Ch. 130, par. 41a

Adds reference to:

15 ILCS 520/22.6 new

Adds reference to:

40 ILCS 5/1-110.5 new

Deletes everything after the enacting clause. Amends the Deposit of State Moneys Act. Provides that the State Treasurer may not deposit any funds or otherwise transact any business with any financial institution unless an expressly authorized officer of that financial institution certifies that the financial institution has not, during any time following the effective date, loaned to or invested in certain entities involved with the Republic of Sudan. Amends the Illinois Pension Code. Provides that a fiduciary with respect to a retirement system or pension fund established under that Code shall not, directly or through a fund manager, transact any business with any company unless an expressly authorized officer of that company certifies that the company has not engaged in certain activities concerning the Republic of Sudan. Amends the Uniform Deceptive Trade Practices Act. Provides that any person regulated by the Division of Financial Institutions of the Department of Financial and Professional Regulation or by the United States Securities Exchange Commission engages in a deceptive trade practice when, in the course of his or her business, vocation, or occupation, that person represents that he or she does not support nations that sponsor terrorism, if that person has, at any time following the effective date, issued a credit or loan to, purchased bonds or commercial paper issued by, invested in, agreed to tender goods or services to, or agreed to obtain goods or services from certain nations identified by the United States as a terrorism sponsoring nation or certain entities doing business with those nations. Effective 7 months after becoming law.

Pension Note (Commission on Gov't Forecasting and Accountability)

Senate Bill 23 would not have a fiscal impact.

Fiscal Note (S-AM1) (State Treasurer)

SB 23, as amended, would have a minimal fiscal impact based on administrative and/or clerical costs associated with the bill's implementation.

Jun 27 05 S Public Act 94-0079

SB 00025 Sen. Terry Link

(Rep. Jim Sacia-Eddie Washington-Thomas Holbrook-Kathleen A. Ryg-Paul D. Froehlich)

625 ILCS 5/11-1426.1 new

Amends the Illinois Vehicle Code. Prohibits a person from driving or operating a neighborhood electric vehicle upon any street, highway, or roadway in the State, except under certain conditions. Provides that a person operating a neighborhood electric vehicle may not make a direct crossing upon or across any highway under the jurisdiction of the State, tollroad, interstate highway, or controlled access highway in the State. Permits a municipality, township, county, or other unit of local government to authorize, by ordinance or resolution, the operation of neighborhood electric vehicles on roadways under its jurisdiction. Permits the Department of Transportation to authorize the operation of neighborhood electric vehicles on the roadways under its jurisdiction. Establishes conditions under which the Department of Transportation or a unit of local government may authorize the operation of neighborhood electric vehicles on its roadways. Defines a "neighborhood electric vehicle" as a self-propelled, electronically powered four-wheeled motor vehicle which is capable of attaining in one mile a speed of more than 20 miles per hour, but not more than 25 miles per hour, and which conforms to federal regulations under Title 49 C.F.R. Part 571.500.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced with the following changes: (1) provides that if the operation of a neighborhood electric vehicle is authorized, the neighborhood electric vehicle may be operated only on streets where the posted speed limit is 35 miles per hour or less; (2) permits a neighborhood electric vehicle to cross a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour; and (3) provides that in determining whether to authorize the operation of a neighborhood electric vehicle, the unit of local government or the Department of Transportation must determine that public safety will not be jeopardized.

Senate Committee Amendment No. 2

Provides that a person may not operate a neighborhood electric vehicle unless he or she has a valid Illinois driver's license.

Jul 21 05 S Public Act 94-0298

SB 00026 Sen. James F. Clayborne, Jr. and Debbie DeFrancesco Halvorson-Mattie Hunter
(Rep. Suzanne Bassi-Mark H. Beaubien, Jr.-Mary E. Flowers-Barbara Flynn Currie-Julie Hamos, Thomas Holbrook and Dan Reitz)

210 ILCS 60/3	from Ch. 111 1/2, par. 6103
210 ILCS 60/4	from Ch. 111 1/2, par. 6104
210 ILCS 60/5	from Ch. 111 1/2, par. 6105
210 ILCS 60/8	from Ch. 111 1/2, par. 6108
210 ILCS 60/8.5 new	
210 ILCS 60/9	from Ch. 111 1/2, par. 6109

Amends the Hospice Licensing Act. Adds a definition of "hospice" and deletes the definition of "full hospice"; also changes the definition of "palliative care". Deletes specific requirements with which full hospices must comply, and instead provides that hospices must comply with the requirements of the Act, including the standards adopted by the Department of Public Health. Deletes certain items that must be included in the Department's standards. Provides that the separate standards currently applicable to volunteer hospices are inoperative after June 30, 2006 and that the new standards to be adopted for all hospice programs do not apply to volunteer hospices until July 1, 2006. Provides that the hospice program must meet the minimum standards for certification under Medicare. Effective July 1, 2005.

House Amendment No. 1

Adds reference to:

210 ILCS 9/75

Adds reference to:

210 ILCS 60/2	from Ch. 111 1/2, par. 6102

Adds reference to:

210 ILCS 60/4.5 new

Adds reference to:

210 ILCS 60/8.10 new

Adds reference to:

225 ILCS 46/15

Replaces everything after the enacting clause with provisions similar to those of Senate Bill 26, but with changes that include the following: (1) adds definitions of "bereavement services", "attending physician", "hospice care", "hospice program", "comprehensive hospice", "employee", and "representative", and deletes definition of "full hospice"; (2) provides for the licensure of comprehensive hospice programs (instead of full hospices) and volunteer hospice programs, including provisions for provisional licenses, and sets forth particular requirements with which each type of hospice program must comply; (3) adds provisions concerning the composition and role of hospice care teams; (4) adds provisions concerning plans of care for patients; (5) provides that nursing services, medical social work services, bereavement services, and volunteer services must be provided in a manner consistent with the standards for certification under the Medicare program, and provides that hospice services may be provided in a home or inpatient setting with the intent of minimizing the length of inpatient care; (6) requires a hospice program to fully disclose in writing the hospice services available from the hospice program and the hospice services for which a patient may be eligible under his or her third-party payer plan, and requires a hospice program to provide information regarding other hospice care providers available in the hospice program's service area; (7) adds provisions concerning informed consent; (8) provides that recordkeeping and the use of volunteers must be in accordance with the standards for certification under the Medicare program; (9) adds provisions concerning professional management responsibility, quality assurance, and employee training; (10) amends the Health Care Worker Background Check Act to provide that "health care employer" includes a comprehensive hospice program or volunteer hospice program (instead of a full hospice); and (11) amends the Assisted Living and Shared Housing Act to make a conforming change in terminology relating to hospice programs. Effective July 1, 2005.

Aug 12 05 S Public Act 94-0570

SB 00027 Sen. Jeffrey M. Schoenberg-Martin A. Sandoval
(Rep. Robert S. Molaro-Calvin L. Giles)

40 ILCS 5/8-152 from Ch. 108 1/2, par. 8-152

40 ILCS 5/8-152.1 new

30 ILCS 805/8.29 new

Amends the Chicago Municipal Article of the Illinois Pension Code. Provides that if (1) a member has a spouse who would have qualified for a minimum annuity for widows at the time of the member's retirement, (2) the qualifying spouse dies, (3) the member subsequently remarries, and (4) the member does not receive a refund of widow's annuity deductions, then the member's widow shall be entitled to a widow's annuity if (i) the member dies after May 1, 2004 and before November 1, 2004 and (ii) the widow was married to the member for at least the last 10 years prior to the member's death. Provides that if a widow who is receiving a widow's annuity under the provisions of this amendatory Act of the 94th General Assembly remarries, that widow's annuity shall be terminated. Requires application on or before July 1, 2006. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Pension Note (Commission on Gov't Forecasting and Accountability)

The fiscal impact of Senate Bill 27 cannot be calculated, but is estimated to be very minor as only a small number of widows would be affected by the bill.

Balanced Budget Note (H-AM 1) (Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that the sum certain contribution for FY06 is $1.038 billion. In addition, the pension bond payment is also to be paid in FY06 in the amount of $496 million, for a total pension contribution of $1.534 billion.

Fiscal Note (H-AM 1) (Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that the sum certain contribution for FY06 is $1.038 billion. In addition, the pension bond payment is also to be paid in FY06 in the amount of $496 million, for a total pension contribution of $1.534 billion.

Judicial Note (H-AM 1) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the State.

State Debt Impact Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

Senate Bill 27 (H-AM 1) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Pension Note (H-AM 1)(Comm on Gov't Forecasting & Accountability)

Senate Bill 27 (H-AM 1) reduces the required State contributions to the retirement systems by $1,077.9 million in FY 2006 and $1,031.6 million in FY 2007. Reducing contributions in FY 2006 and FY 2007 will result in larger required employer contributions for the remainder of the funding plan (FY 2008 - FY 2045). These increases in future required State contributions have not yet been calculated. The bill also makes several changes to the Pension Code which may reduce the growth in accrued liabilities. A reduction in the growth rate of the accrued liabilities will result in lower required annual State contributions over the life of the funding plan. The amount of the annual reductions has not been calculated.

Home Rule Note (H-AM 1)(Dept. of Commerce and Economic Opportunity)

Senate Bill 27 (H-AM 1) does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 1)(Dept. of Commerce and Economic Opportunity)

Under the State Mandates Act, a "State mandate" means any State-initiated statutory or executive action that requires a unit of local government to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenues. Senate Bill 27 (H-AM 1) pertains to the various State pension systems. In the opinion of the Department of Commerce and Economic Opportunity, Senate Bill 27 (H-AM 1) does not create a State mandate in regard to units of local government that are not school districts. This note does not address provisions of the legislation pertaining to the Teachers' Retirement System. Because those provisions are related to school districts, they are therefore outside of DCEO's purview under the State Mandates Act.

House Amendment No. 2

Adds reference to:

40 ILCS 5/1A-201 new

Adds reference to:

40 ILCS 5/2-124 from Ch. 108 1/2, par. 2-124

Adds reference to:

40 ILCS 5/2-134 from Ch. 108 1/2, par. 2-134

SB 00027 (CONTINUED)

Adds reference to:
40 ILCS 5/2-162 new
Adds reference to:
40 ILCS 5/14-108.3
Adds reference to:
40 ILCS 5/14-110 from Ch. 108 1/2, par. 14-110
Adds reference to:
40 ILCS 5/14-131 from Ch. 108 1/2, par. 14-131
Adds reference to:
40 ILCS 5/14-135.08 from Ch. 108 1/2, par. 14-135.08
Adds reference to:
40 ILCS 5/14-152.1 new
Adds reference to:
40 ILCS 5/15-125 from Ch. 108 1/2, par. 15-125
Adds reference to:
40 ILCS 5/15-136 from Ch. 108 1/2, par. 15-136
Adds reference to:
40 ILCS 5/15-155 from Ch. 108 1/2, par. 15-155
Adds reference to:
40 ILCS 5/15-165 from Ch. 108 1/2, par. 15-165
Adds reference to:
40 ILCS 5/15-198 new
Adds reference to:
40 ILCS 5/16-128 from Ch. 108 1/2, par. 16-128
Adds reference to:
40 ILCS 5/16-133 from Ch. 108 1/2, par. 16-133
Adds reference to:
40 ILCS 5/16-133.2 from Ch. 108 1/2, par. 16-133.2
Adds reference to:
40 ILCS 5/16-133.3 from Ch. 108 1/2, par. 16-133.3
Adds reference to:
40 ILCS 5/16-152 from Ch. 108 1/2, par. 16-152
Adds reference to:
40 ILCS 5/16-158 from Ch. 108 1/2, par. 16-158
Adds reference to:
40 ILCS 5/16-176 from Ch. 108 1/2, par. 16-176
Adds reference to:
40 ILCS 5/16-203 new
Adds reference to:
40 ILCS 5/17-116.1 from Ch. 108 1/2, par. 17-116.1
Adds reference to:
40 ILCS 5/18-131 from Ch. 108 1/2, par. 18-131
Adds reference to:
40 ILCS 5/18-140 from Ch. 108 1/2, par. 18-140
Adds reference to:
40 ILCS 5/18-169 new
Adds reference to:
30 ILCS 805/8.29 new

SB 00027 (CONTINUED)

Deletes everything. Amends the Illinois Pension Code. In the 5 State-funded retirement systems, places funding limitations on new benefit increases and sunsets them after 5 years. Also makes changes relating to the required State contributions. Specifies the required State contribution amounts for fiscal years 2006 and 2007. Recalculates the ramp for fiscal years 2008, 2009, and 2010. Requires recertification of the 2006 amounts. In the State Employee and Downstate Teacher Articles, deletes the accelerated amortization provisions for costs arising from the 2002 early retirement incentive program and rolls those costs into the calculation of the regular required State contribution. In the State Employee Article, makes changes relating to the eligibility of new employees of the Department of Corrections for the alternative formula. In the State Universities Article, provides for the State Comptroller (rather than the Board of the System) to determine the effective rate of interest for purposes of calculating the money-purchase formula. In the Downstate Teacher and State Universities Articles, in certain cases where a retiring member's retirement annuity is based on a salary increase in excess of 6% per year, requires the employer that granted the excess salary increase to make an additional contribution to the System. Also, eliminates the money-purchase formula for persons who first become participants on or after July 1, 2005. In the Downstate Teacher Article, extends the early retirement without discount option (ERO), with certain changes, to persons who retire after June 30, 2005. Requires all active members to pay an additional employee contribution for ERO purposes, and provides for refund of that contribution if the ERO option is not exercised. Requires a periodic actuarial evaluation of ERO costs and funding; directs the Commission on Government Forecasting and Accountability to recommend to the General Assembly any necessary adjustments to the required ERO employer and member contributions; and terminates the ERO if the General Assembly fails to act in response to those recommendations. In the Chicago Teacher Article, extends the early retirement without discount option (ERO), with certain changes, to persons who retire after June 30, 2005 and on or before June 30, 2010. In the Article on regulation of pension funds, creates an Advisory Commission on Pension Benefits. Directs the Commission to consider changing the age and service requirements, automatic annual increase benefits, and employee contribution rates of the State-funded retirement systems. Authorizes the Commission to request actuarial data from those retirement systems. Amends the State Mandates Act to require implementation without reimbursement. Includes a separate severability provision. Effective immediately.

Balanced Budget Note (H-AM 2) (Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that the sum certain contribution for FY06 is $938 billion. In addition, the pension bond payment is also to be paid in FY06 in the amount of $496 million, for a total pension contribution of $1.434 billion.

Fiscal Note (H-AM 2) (Gov. Office of Management & Budget)

The Governor's Office of Management and Budget estimates that the sum certain contribution for FY06 is $938 billion. In addition, the pension bond payment is also to be paid in FY06 in the amount of $496 million, for a total pension contribution of $1.434 billion.

Judicial Note (H-AM 2) (Admin. Office of the Illinois Courts)

Would neither increase nor decrease the number of judges needed in the State.

State Mandates Fiscal Note (H-AM 2)(Dept. of Commerce and Economic Opportunity)

Under the State Mandates Act, a "State mandate" means any State-initiated statutory or executive action that requires a unit of local government to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenues. Senate Bill 27 (H-AM 1) pertains to the various State pension systems. In the opinion of the Department of Commerce and Economic Opportunity, Senate Bill 27 (H-AM 1) does not create a State mandate in regard to units of local government that are not school districts. This note does not address provisions of the legislation pertaining to the Teachers' Retirement System. Because those provisions are related to school districts, they are therefore outside of DCEO's purview under the State Mandates Act.

Home Rule Note (H-AM 2)(Dept. of Commerce and Economic Opportunity)

Senate Bill 27 (H-AM 2) does not pre-empt home rule authority.

Housing Affordability Impact Note (H-AM 2)(Housing Development Authority)

SB 27 (H-AM 2) will have no effect on constructing, purchasing, owning, or selling a single-family residence.

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

Senate Bill 27 (H-AM 2) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Pension Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

SB 00027 (CONTINUED)

Senate Bill 27 (H-AM 2) reduces the required State contributions to the retirement systems by $1,177.9 million in FY 2006 and $1,131.6 million in FY 2007. Reducing contributions in FY 2006 and FY 2007 will also reduce contributions in FY 2008 and FY 2009. as those contributions are based in part on the FY 2007 contribution amounts. In addition, removing the separate ERI funding for SERS may result in lower contributions to SERS through FY 2015. Reducing contributions in the early years of a funding plan increases the contributions that will be required in later years. The FY 2008 through FY 2045 required State contributions have not yet been calculated.

The bill also makes several changes to the Pension Code which may reduce the growth in accrued liabilities. A reduction in the growth rate of the accrued liabilities will result in lower required annual State contributions over the life of the funding plan. The amount of the annual reductions has not been calculated.

Senate Bill 27 (H-AM 2) reduces the required State contributions to the retirement systems by $1,177.9 million in FY 2006 and $1,131.6 million in FY 2007. Reducing contributions in FY 2006 and FY 2007 will also reduce contributions in FY 2008 and FY 2009, as those contributions are based in part on the FY 2007 contribution amounts. In addition, removing the separate ERI funding for SERS may result in lower contributions to SERS through FY 2015. Reducing contributions in the early years of a funding plan increases the contributions that will be required in later years. The FY 2008 through FY 2045 required State contributions have not yet been calculated.

The bill also makes several changes to the Pension Code which may reduce the growth in accrued liabilities. A reduction in the growth rate of the accrued liabilities will result in lower required annual State contributions over the life of the funding plan. The amount of the annual reductions has not been calculated.

State Debt Impact Note (H-AM 2)(Comm on Gov't Forecasting & Accountability)

Senate Bill 27 (H-AM 2) would not change the amount of authorization for any type of State-issued or State-supported bond, and, therefore, would not affect the level of State indebtedness.

Fiscal Note (H-AM 2)(Dept of Corrections)

There is no corrections population or fiscal impact on the Department.

Correctional Note (H-AM 2)(Dept of Corrections)

There is no corrections population or fiscal impact on the Department.

Jun 01 05 S Public Act 94-0004

SB 00040 Sen. Miguel del Valle-Jacqueline Y. Collins-Susan Garrett-Dale E. Risinger-Deanna Demuzio, Larry K. Bomke, Mattie Hunter, Pamela J. Althoff, M. Maggie Crotty, Kathleen L. Wojcik, Gary Forby, Edward D. Maloney, Martin A. Sandoval, Antonio Munoz, Ira I. Silverstein, Iris Y. Martinez, James F. Clayborne, Jr., Debbie DeFrancesco Halvorson, Terry Link, James T. Meeks, Kirk W. Dillard and Carol Ronen

(Rep. Linda Chapa LaVia-Edward J. Acevedo-Michelle Chavez-Charles E. Jefferson-Patricia Bailey, Daniel V. Beiser, John E. Bradley, Careen M Gordon, Michael P. McAuliffe, Brandon W. Phelps, Robin Kelly, Jim Sacia, Robert F. Flider, Naomi D. Jakobsson, Kurt M. Granberg, Kevin A. McCarthy, Richard T. Bradley, James D. Brosnahan, Kevin Joyce, John D'Amico, Eddie Washington, Lisa M. Dugan, Gary Hannig, Annazette Collins, Kathleen A. Ryg, Milton Patterson, Jack D. Franks, William Delgado, Lovana Jones, Michael K. Smith and David Reis)

20 ILCS 2805/2 from Ch. 126 1/2, par. 67

Amends the Department of Veterans Affairs Act. Requires the Department of Veterans' Affairs to conduct an annual review comparing the benefits that Illinois veterans receive with those benefits received by veterans in other states and U.S. territories. Provides that this benefits review shall be annually reported to the Governor, the General Assembly, and the Illinois Congressional delegation. Effective January 1, 2006.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Reinstates the provisions of the bill as introduced, but sets forth additional requirements for the annual review of benefits. Effective January 1, 2006.

Jul 11 05 S Public Act 94-0167

SB 00045 Sen. John J. Cullerton

(Rep. Paul D. Froehlich-Sidney H. Mathias-Thomas Holbrook)

725 ILCS 225/5 from Ch. 60, par. 22

Amends the Uniform Criminal Extradition Act. Provides that a person incarcerated in any federal facility may be released to the custody of the duly accredited officers or designees of those officers of a foreign state if: (1) the person has violated the terms of his or her probation, post-release supervision, parole, or has an unexpired sentence in the foreign state; (2) the foreign state has personal jurisdiction over that person; and (3) the foreign state has issued a valid warrant for the apprehension of that person or has issued a commitment order to serve a sentence in a state or local correctional facility. Provides that all legal requirements to obtain extradition of fugitives from justice are expressly waived by the State of Illinois as to those persons. Effective October 1, 2005.

Jul 08 05 S Public Act 94-0149

SB 00046 Sen. Ira I. Silverstein-Jacqueline Y. Collins, Martin A. Sandoval-M. Maggie Crotty and James T. Meeks-Mattie Hunter

(Rep. Sidney H. Mathias, Jack D. Franks-Eddie Washington-Monique D. Davis-Patricia Bailey, Robin Kelly and William Delgado)

425 ILCS 55/1.5 new

Amends the Public Building Egress Act. Provides that stairwell enclosures in buildings greater than 4 stories shall comply with one of the following requirements: (1) no stairwell enclosure door shall be locked at any time; or (2) stairwell enclosure doors that are locked shall be equipped with an electronic lock release system that is activated upon loss of power. Provides that stairwell enclosure doors at the main egress level of the building shall remain unlocked from the stairwell enclosure side at all times. Provides that building owners who lock stairwell enclosure doors shall comply with specific requirements during the time necessary to install a lock release system and two-way communication system. Limits the concurrent exercise of home rule powers.

House Amendment No. 1

Provides that a Section concerning stairwell door access shall not apply to any stairwell enclosure door that opens directly into a dwelling unit, provided the dwelling unit door has a self-closer, latch, and no self-locking hardware. Provides that where all doors in the stairwell meet specific criteria, the stairwell shall be provided with either a two-way communication system or readily operable windows on each landing or intermediate landing.

House Amendment No. 2

Provides that the provision does not apply in a home rule municipality that, on or before January 1, 2005, has passed an ordinance regulating building access from stairwell enclosures in buildings that are more than 4 stories in height.

Aug 19 05 S Public Act 94-0630

SB 00052 Sen. Don Harmon-Kirk W. Dillard-Dan Rutherford

(Rep. Kurt M. Granberg)

5 ILCS 140/7 from Ch. 116, par. 207

Amends the Freedom of Information Act. In the Act's existing exemption of certain trade secrets and commercial or financial information obtained by a public body from inspection and copying requirements, states that the exemption specifically includes certain information relating to private equity funds.

Senate Floor Amendment No. 1

Deletes a provision that certain financial information obtained by a public body concerning a private equity fund is exempt from disclosure only if the disclosure of the information may jeopardize the value of the public body's investment or impair the public body's ability to obtain such information in the course of monitoring current investments or evaluating potential investments. Provides that the exemption concerning the financial information does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Fiscal Note (Dept. of Commerce & Economic Opportunity)

Does not impose a fiscal impact on the DCEO. In regard to units of local government, it is anticipated that the legislation will not incur a cost.

Aug 08 05 S Public Act 94-0508

SB 00053 Sen. William E. Peterson-John M. Sullivan-Gary Forby, Pamela J. Althoff and Martin A. Sandoval
(Rep. Ed Sullivan, Jr.-David Reis, Daniel V. Beiser and John E. Bradley)

430 ILCS 65/3 from Ch. 38, par. 83-3

Amends the Firearm Owners Identification Card Act. Provides that an Illinois resident may purchase ammunition from a person outside of Illinois. Provides that a resident purchasing ammunition outside the State of Illinois must provide the seller with a copy of his or her Firearm Owner's Identification Card and either his or her Illinois driver's license or Illinois State Identification Card prior to the shipment of the ammunition. Provides that the ammunition may be shipped only to an address on either of those 2 documents. Effective immediately.

House Amendment No. 1

Provides that an Illinois resident purchasing ammunition outside the State of Illinois must provide the seller with a copy of his or her valid Firearm Owner's Identification Card rather than providing the seller with a copy of his or her Firearm Owner's Identification Card.

Aug 12 05 S Public Act 94-0571

SB 00054 Sen. William E. Peterson
(Rep. Ed Sullivan, Jr.)

625 ILCS 5/1-105 from Ch. 95 1/2, par. 1-105

625 ILCS 5/12-215 from Ch. 95 1/2, par. 12-215

625 ILCS 5/15-101 from Ch. 95 1/2, par. 15-101

Amends the Illinois Vehicle Code. Provides that privately owned firefighting vehicles are authorized emergency vehicles. Provides that firefighting vehicles that are not owned by a local fire department, the State, or the federal government may be equipped with red or white oscillating, rotating, or flashing lights. Provides that motorized equipment or vehicles not owned by the State of Illinois or any of its political subdivisions that are designed and used for removal of snow and ice from highways and parking lots and are equipped with a snow plow 12 feet in width may be equipped with amber lights of that type. Provides that the provisions of the Code limiting the size, weight, and load of vehicles do not apply to snow and ice removal equipment that is no more than 12 feet in width, if the equipment displays flags and is equipped with lighting that meet specified requirements.

Senate Committee Amendment No. 1

Deletes reference to:

625 ILCS 5/1-105

Deletes language providing that privately owned firefighting vehicles are authorized emergency vehicles. Deletes language providing that firefighting vehicles not owned by a local fire department, the State, or the federal government may be equipped with red or white, oscillating, rotating, or flashing lights.

House Amendment No. 1

Provides that amber oscillating, rotating, or flashing lights on snow and ice removal equipment may be lighted only when the equipment is actually being used for snow and ice removal on behalf of a unit of government.

Jul 19 05 S Public Act 94-0270

SB 00057 Sen. John J. Millner-Christine Radogno-Bill Brady
(Rep. Mike Bost)

430 ILCS 65/1.1	from Ch. 38, par. 83-1.1
430 ILCS 65/3	from Ch. 38, par. 83-3
430 ILCS 65/3.1	from Ch. 38, par. 83-3.1
430 ILCS 65/3a	from Ch. 38, par. 83-3a
720 ILCS 5/24-3	from Ch. 38, par. 24-3

Amends the Firearm Owners Identification Card Act. Provides that a person who is not a federally licensed firearm dealer and who desires to purchase a firearm while that person is on the grounds of a gun show must, before obtaining that firearm, request the Department of State Police to conduct a background check to verify the validity of his or her Firearm Owner's Identification Card. Provides that if the receipt of a firearm does not violate federal or State law, the Department of State Police shall (1) assign a unique number to the transfer; (2) provide the licensee with the number; if the background check is being conducted at a gun show, the State Police shall provide that unique number to the person and that person shall use it for any purchases made at the gun show; and (3) destroy all records of the system with respect to the call or request, other than the identifying number and the date the number was assigned, and all records of the system relating to the person or the transfer within 24 hours. Provides that the Department of State Police may not retain, copy, or distribute any such information previously collected. Provides that if the transfer of a firearm is denied by the Department of State Police, the Department may keep the records of a denial until the denial is appealed and overturned, or as long as necessary for a criminal prosecution. Provides that approvals issued by the Department of State Police for the purchase of a firearm from a federal firearms licensee are valid for 30 days from the date of issue. Provides that approvals issued by the Department of State Police for the purchase of a firearm from a non-licensed individual at a gun show shall be good for that calendar day. Amends the Criminal Code of 1961. Provides that the waiting period for obtaining a firearm after its purchase does not apply to the sale of a firearm at a gun show. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

720 ILCS 5/24-3

Adds reference to:

430 ILCS 65/5 from Ch. 38, par. 83-5

Adds reference to:

720 ILCS 5/24-11 new

Deletes everything after the enacting clause. Reinserts the provisions of the bill with the following exceptions: (1) changes the definition of "gun show"; (2) provides that if a transfer of a firearm takes place at a gun show, the record of transfer must include the unique identification number assigned to the transfer by the Department of State Police; (3) provides that records of firearms transfers maintained by the Department of State Police must be destroyed within 90 days rather 24 hours of the transfer; (4) provides that the Department of State Police may (rather than shall) charge a fee for use of the dial up system; (5) eliminates provision that the waiting period for withholding delivery of a firearm after application for its purchase has been made does not apply to the sale of a firearm at a gun show; and (6) provides for home rule preemption of local governmental regulation of the acquisition, possession, transportation, storage, purchase, sale, or other dealings in firearms and ammunition in a manner other than as provided by State law in municipalities of less than 2,000,000 inhabitants. Effective immediately.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/24-11 new

Deletes the home rule preemption provisions from the bill.

Nov 04 05 S Total Veto Stands

SB 00058 Sen. J. Bradley Burzynski, Martin A. Sandoval and Antonio Munoz-Mattie Hunter
(Rep. JoAnn D. Osmond and Wyvetter H. Younge)

105 ILCS 5/3-11	from Ch. 122, par. 3-11

Amends the School Code. Provides that a teachers' institute may include training in First Aid. Effective immediately.

Jul 12 05 S Public Act 94-0197

SB 00061 Sen. Don Harmon-Chris Lauzen-George P. Shadid-Deanna Demuzio, Martin A. Sandoval, M. Maggie Crotty, Adeline Jay Geo-Karis, Antonio Munoz-Susan Garrett, Ira I. Silverstein, Iris Y. Martinez, James F. Clayborne, Jr., Terry Link, James T. Meeks, Donne E. Trotter, Jacqueline Y. Collins and Mattie Hunter

(Rep. John A. Fritchey-Mike Boland-John D'Amico-Eddie Washington-Michael K. Smith, Daniel V. Beiser, Careen M Gordon, Naomi D. Jakobsson, Lisa M. Dugan, Edward J. Acevedo, Linda Chapa LaVia, Jack D. Franks, William Davis and Monique D. Davis)

20 ILCS 2310/2310-359 new

30 ILCS 105/5.640 new

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Illinois Income Tax Act. Creates a tax checkoff for the Illinois Brain Tumor Research Fund. Amends the State Finance Act to create the Fund. Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that, from appropriations to the Department from the Fund, the Department shall make grants to the American Brain Tumor Association for the purpose of research dedicated to the elimination of brain tumors. Effective immediately.

House Amendment No. 1

Provides that, from moneys from the Illinois Brain Tumor Research Fund, the Department must make grants to public and private entities (instead of to the American Brain Tumor Association) for the purpose of research dedicated to the elimination of brain tumors.

Aug 22 05 S Public Act 94-0649

SB 00063 Sen. Ira I. Silverstein-Dan Rutherford, Pamela J. Althoff-Donne E. Trotter, Martin A. Sandoval and Mattie Hunter

(Rep. Lou Lang-Dan Brady-Aaron Schock-Patricia R. Bellock-William Delgado, Shane Cultra, Robert Rita, Michelle Chavez, Annazette Collins, Elizabeth Coulson, Joe Dunn, Mary E. Flowers, Constance A. Howard, Naomi D. Jakobsson, Roger Jenisch, Lovana Jones, Jack D. Franks, Linda Chapa LaVia and Wyvetter H. Younge)

305 ILCS 5/5-5.4 from Ch. 23, par. 5-5.4

Amends the Illinois Public Aid Code. In provisions concerning Medicaid payment rates for nursing homes, provides that the transition period for implementing the new MDS payment methodology for the nursing component of the rate may not exceed 3 (instead of 2) years. Effective immediately.

Jun 28 05 S Public Act 94-0085

SB 00064 Sen. Dave Sullivan-Edward D. Maloney, Martin A. Sandoval, Pamela J. Althoff, Adeline Jay Geo-Karis, Antonio Munoz, Ira I. Silverstein, Iris Y. Martinez, Jacqueline Y. Collins, Kirk W. Dillard, Mattie Hunter and Susan Garrett

(Rep. Sidney H. Mathias-Lisa M. Dugan-Monique D. Davis, Careen M Gordon, Naomi D. Jakobsson, Robin Kelly, William Delgado and John D'Amico)

105 ILCS 5/27-23.3 from Ch. 122, par. 27-23.3

Amends the School Code. Requires a school district to provide steroid abuse prevention education to students who participate in interscholastic athletic programs.

Jun 09 05 S Public Act 94-0014

SB 00066 Sen. Terry Link

(Rep. William B. Black-Raymond Poe)

625 ILCS 5/4-203 from Ch. 95 1/2, par. 4-203

Amends the Illinois Vehicle Code. Provides that vehicles that are towed or relocated at the request of the owner or operator (as well as those towed or relocated because they are abandoned, lost, stolen, or unclaimed) are subject to a lien under the Labor and Storage Lien (Small Amount) Act. Provides that the provisions of that Act regarding the maximum amount of the lien do not apply to liens covered by the Vehicle Code provision. Provides that with certain enumerated exceptions, personal property in a vehicle subject to a lien under the Code provision is also subject to that lien. Limits the amounts of liens under the provision. Provides that a relocator or other towing service that accepts a properly signed credit card receipt becomes a holder in due course, and neither the holder of the credit card nor the company that issued the credit card may refuse to pay the amount charged, minus the processing charge assessed by the credit card company. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

625 ILCS 5/18a-300 from Ch. 95 1/2, par. 18a-300

Adds reference to:

625 ILCS 5/18a-402.1 new

Adds reference to:

625 ILCS 5/18a-402 rep. from Ch. 95 1/2, par. 18a-402

Amends the Illinois Vehicle Code. Deletes language providing that the provisions of the Labor and Storage Lien (Small Amount) Act regarding the maximum amount of the lien do not apply to liens covered by the Vehicle Code provision. Provides that it is a violation of the Code for a commercial vehicle relocator in a county with a population of more than 2,000,000 to fail to make relocated vehicles available to their owners or operators 24 hours per day, 7 days per week, and 52 weeks per year. Provides for expedited transfer of a vehicle relocator's license under specified conditions, in specified circumstances. Repeals a provision providing that a relocator's license is not transferable.

Senate Floor Amendment No. 2

Deletes language providing that a relocator or other towing service that accepts a properly signed credit card becomes a holder in due course. Provides that it is a violation of the Illinois Vehicle Code for a commercial vehicle relocator in a municipality with a population of more than 1,000,000 (rather than in a county with a population of more than 2,000,000) to fail to make vehicles available to their owners 24 hours per day, 7 days per week, and 52 weeks per year.

House Amendment No. 1

Deletes reference to:

625 ILCS 5/18a-300

Deletes reference to:

625 ILCS 5/18a-402.1

Deletes reference to:

625 ILCS 5/18a-402 rep.

Deletes everything after the enacting clause. Re-inserts the provisions of the engrossed bill with deletions. Deletes language providing that it is a violation of the Illinois Vehicle Code for a commercial vehicle relocator in a municipality with a population of more than 1,000,000 to fail to make vehicles available to their owners 24 hours per day, 7 days per week, and 52 weeks per year. Deletes language providing for expedited transfer of a vehicle relocator's license under specified conditions, in specified circumstances. Deletes language repealing a provision that a relocator's license is not transferable. Effective immediately.

House Amendment No. 2

Provides that only personal property belonging to the owner of the vehicle subject to the lien is also subject to the lien.

Aug 10 05 S Public Act 94-0522

SB 00067 Sen. Debbie DeFrancesco Halvorson

(Rep. Julie Hamos-Thomas Holbrook-Karen May-Eddie Washington and Patricia R. Bellock)

415 ILCS 5/3.330 was 415 ILCS 5/3.32

415 ILCS 5/21 from Ch. 111 1/2, par. 1021

Amends the Environmental Protection Act. In the definitions, provides that a facility accepting exclusively general construction or demolition debris and that as of January 1, 2000 is located in a county with a population of 700,000 or more persons is not a pollution control facility under the Act (now, the definition does not have the January 1, 2000 restriction). Makes a similar change regarding waste-storage, waste-treatment, or waste-disposal permits to provide that no permit shall be required for a facility in a county with a population over 700,000 as of January 1, 2000 (now, the January 1, 2000 date is not specified). Effective immediately.

House Amendment No. 1

Deletes reference to:

415 ILCS 5/3.330 was 415 ILCS 5/3.32

Deletes reference to:

415 ILCS 5/21 from Ch. 111 1/2, par. 1021

Adds reference to:

415 ILCS 5/22.51

Adds reference to:

415 ILCS 5/39 from Ch. 111 1/2, par. 1039

Deletes everything after the enacting clause. Amends the Environmental Protection Act. Exempts current or former quarries, mines, and other excavations that do not use clean construction or demolition debris as fill material from complying with requirements of the Act relating to clean construction or demolition debris. Defines who an "operator" or "owner" may be for purposes of a clean construction or demolition debris fill operation. Sets forth that before issuing a permit or interim authorization for a clean construction or demolition debris fill operation the Agency shall conduct an evaluation of the prospective owner's or operator's prior experience in waste management operations and clean construction or demolition debris fill operations. Authorizes the Agency to deny a permit, or deny or revoke an interim authorization, if the prospective owner or operator or an employee of the owner or operator has a history of: (i) repeated violations of federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites or clean construction or demolition debris fill operation facilities or sites (now, just in the operation of waste management facilities or sites); (ii) conviction of forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition (now, just felony); or (iii) proof of gross carelessness or incompetence in handling, storing, processing, transporting or disposing of waste or clean construction or demolition debris, or proof of gross carelessness or incompetence in using clean construction or demolition debris as fill (now, just waste).

Fiscal Note (H-AM 1)(Illinois Environmental Protection Agency)

Senate Bill 67 (H-AM 1) would not impose any additional costs on the Illinois EPA.

Jan 20 06 S Public Act 94-0725

SB 00069 Sen. Bill Brady and Adeline Jay Geo-Karis

(Rep. Dan Brady-Paul D. Froehlich-Monique D. Davis)

105 ILCS 5/27-23 from Ch. 122, par. 27-23

Amends the School Code. In a provision concerning driver education, removes the $50 limit on the amount that a school district may charge a participant.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the School Code. In a provision concerning driver education, increases the limit on the amount that a school district may charge a participant from $50 to $300. Provides that the total amount from driver education fees and reimbursement from the State for driver education must not exceed the total cost of the driver education program in any year and must be deposited into the school district's driver education fund as a separate line item budget entry. Provides that all moneys deposited into the school district's driver education fund must be used solely for the funding of a high school driver education program approved by the State Board of Education that uses instructors certified by the State Board of Education.

House Amendment No. 1

Restores the maximum fee that a school district may charge students who participate in the school district's driver education course to $50 (rather than $300).

Aug 02 05 S Public Act 94-0426

SB 00072 Sen. Don Harmon-Martin A. Sandoval

(Rep. Patricia Reid Lindner, Jack D. Franks and Linda Chapa LaVia)

725 ILCS 5/100-1 from Ch. 38, par. 100-1

Amends the Code of Criminal Procedure of 1963. Makes a technical change in a Section concerning the short title Section.

Senate Floor Amendment No. 1

Deletes reference to:

725 ILCS 5/100-1

Adds reference to:

705 ILCS 405/5-401.5

Adds reference to:

725 ILCS 5/103-2.1

Deletes everything after the enacting clause. Amends the Juvenile Court Act of 1987 and the Code of Criminal Procedure of 1963. Provides that the provisions requiring the videotaping of custodial interrogations in homicide cases also applies to cases involving driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof that resulted in death when the violation was the proximate cause of death. Effective immediately.

Jul 05 05 S Public Act 94-0117

SB 00074 Sen. Don Harmon

(Rep. Kevin Joyce-Paul D. Froehlich-Jim Sacia-Mary E. Flowers-Jim Watson, Jack D. Franks, Linda Chapa LaVia, Michael P. McAuliffe, Angelo Saviano, James D. Brosnahan, Wyvetter H. Younge, John D'Amico, Michael K. Smith and Eddie Washington)

725 ILCS 5/108B-3 from Ch. 38, par. 108B-3

Amends the Code of Criminal Procedure of 1963. Provides that the State's Attorney, or a person designated in writing or by law to act for the State's Attorney and to perform his or her duties during his or her absence or disability, may authorize, in writing, an ex parte application to the chief judge of a court of competent jurisdiction for an order authorizing the interception of a private communication (rather than a private oral communication) in specified cases. Effective immediately.

Aug 04 05 S Public Act 94-0468

SB 00075 Sen. Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter-Christine Radogno, Kwame Raoul, Martin A. Sandoval-M. Maggie Crotty, Antonio Munoz, Miguel del Valle and James T. Meeks

(Rep. Julie Hamos-Terry R. Parke-Raymond Poe-Karen A. Yarbrough-Deborah L. Graham, John J. Millner, Eileen Lyons, Constance A. Howard, Edward J. Acevedo, William Delgado, William Davis, Annazette Collins, Patricia Bailey, Cynthia Soto, Arthur L. Turner, Maria Antonia Berrios, John A. Fritchey, Barbara Flynn Currie, Harry Osterman, Sara Feigenholtz, Eddie Washington, Paul D. Froehlich, Milton Patterson, Wyvetter H. Younge, Calvin L. Giles, Kenneth Dunkin, Sidney H. Mathias, Monique D. Davis, Richard T. Bradley and Lovana Jones)

New Act

30 ILCS 105/5.640 new

55 ILCS 5/3-5018 from Ch. 34, par. 3-5018

55 ILCS 5/4-12002 from Ch. 34, par. 4-12002

Creates the Rental Housing Support Program Act. Provides for grants from the Illinois Housing Development Authority to local administering agencies to provide subsidies for landlords in order to allow them to charge rent that is affordable for low-income tenants. Also provides for grants from the Illinois Housing Development Authority to developers of affordable rental housing. Sets forth criteria for the awarding of grants. Requires the Authority to establish an operating reserve for the program. Amends the State Finance Act to create the Rental Housing Support Program Fund, a special fund in the State treasury. Amends the Counties Code. Provides that the county recorder shall collect a $10 surcharge for the recordation of any real estate-related document, one dollar of which shall be deposited into the county's general revenue fund and $9 of which shall be deposited into the Rental Housing Support Program Fund. Sets forth the conditions upon which and purposes for which expenditures may be made from the Accounts. Effective July 1, 2005.

Senate Committee Amendment No. 3

Deletes everything. Reinserts the provisions of the bill as introduced but makes the following changes. Provides that up to 20% of the funds allocated for rural areas may be awarded to one administering agency for distribution throughout the rural areas in the State. Amends the Counties Code. Provides that one dollar of the Rental Housing Support Program surcharge shall be deposited into the county's general revenue fund and fifty cents of that amount shall be used to administer the surcharge and pay any other lawful expenses of the recorder. Provides that the county shall not offset or reduce any appropriation to the recorder because of the surcharge funds received. Provides that units of local government and school districts shall not pay the surcharge. Effective July 1, 2005.

Senate Floor Amendment No. 4

Provides that the recorder may not collect the Rental Housing Support Program State surcharge from any State agency.

Fiscal Note (Department of Revenue)

Senate Bill 75 imposes a $10 surcharge for the recordation of any real estate-related document. The Illinois Dept. of Revenue records approximately 16,000 to 18,000 liens and lien releases each year. The surcharge would cost the Dept. of Revenue approximately $160,000 to $180,000 per year. Additionally, the Dept. of Revenue would incur a one-time cost of approximately $30,000 to make system changes for the administration of the program and an annual cost of between $13,000 and $60,000 to print the receipts required under the program. The Dept. of Revenue would also incur payroll costs of approximately $50,000 to $100,000 per year to administer the program. The Dept. of Revenue cannot determine costs to other agencies because we do not know how many real estate-related documents they record. There would also be a fiscal impact to local governments and school districts, which the Dept. of Revenue cannot determine.

Fiscal Note (S-AM4) (Department of Revenue)

As amended, removes the requirement for the $10 surcharge. Therefore there is no significant fiscal impact on the Department of Revenue.

Jul 05 05 S Public Act 94-0118

SB 00078 Sen. William R. Haine and Edward D. Maloney

(Rep. Chapin Rose-Paul D. Froehlich-Sidney H. Mathias-Thomas Holbrook-Monique D. Davis)

725 ILCS 5/115-10.2

725 ILCS 5/115-10.4

Amends the Code of Criminal Procedure of 1963. Provides that prior statements of a witness who refuses to testify despite a court order to testify and of a deceased witness are admissible only if the prior statements were under oath and subject to cross-examination by the adverse party at the prior trial, hearing, or other proceeding. Effective immediately.

Jun 17 05 S Public Act 94-0053

SB 00087 Sen. Susan Garrett-Jacqueline Y. Collins-Mattie Hunter
(Rep. Karen May-Jim Watson-Eddie Washington-Elaine Nekritz)

105 ILCS 5/14-8.02 from Ch. 122, par. 14-8.02

30 ILCS 805/8.29 new

Amends the School Code. In a provision concerning the notification of a child's possible eligibility to receive services from the Illinois School for the Deaf or the Illinois School for the Visually Impaired, requires the school district to further notify parents and guardians of eligible children of the existence of other, local facilities that provide services similar to these schools and the services that the facilities provide. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

30 ILCS 805/8.29 new

Deletes everything after the enacting clause. Amends the School Code. In a provision concerning the notification of a child's possible eligibility to receive services from the Illinois School for the Deaf or the Illinois School for the Visually Impaired, provides that the school district shall make a reasonable effort to further inform parents and guardians of eligible children of the existence of other, local schools that provide services similar to these schools and the services that these other schools provide. Effective immediately.

Jul 29 05 S Public Act 94-0376

SB 00088 Sen. Mattie Hunter
(Rep. William Delgado-Tom Cross-Monique D. Davis and Wyvetter H. Younge)

105 ILCS 5/2-3.25g from Ch. 122, par. 2-3.25g

105 ILCS 5/27-6 from Ch. 122, par. 27-6

Amends the School Code. Provides that the Spring mandate waiver report the State Board of Education files with the General Assembly shall be filed before each March 1 (instead of May 1). Gives the General Assembly 60 days (instead of 30 days) to disapprove the report in whole or in part. Makes an exception to the daily physical education requirement on block scheduled days if a school is engaged in block scheduling.

Jul 12 05 S Public Act 94-0198

SB 00090 Sen. James F. Clayborne, Jr.-Dave Sullivan-Martin A. Sandoval-John O. Jones-David Luechtefeld and Antonio Munoz

(Rep. Kurt M. Granberg-Dan Reitz-Thomas Holbrook-James H. Meyer-David Reis, Gary Hannig, Michelle Chavez, Daniel V. Beiser, Brandon W. Phelps, Daniel J. Burke, Patrick J Verschoore, Jack McGuire, John E. Bradley, Careen M Gordon, Shane Cultra, Chapin Rose, Jack D. Franks and Linda Chapa LaVia)

220 ILCS 5/9-220 from Ch. 111 2/3, par. 9-220

Amends the Public Utilities Act. Authorizes any gas utility to enter into a long-term contract with any company for synthetic natural gas produced from coal through the gasification process. Provides guidelines for determining if the cost for the synthetic natural gas is reasonable and prudent and recoverable through the purchased gas adjustment clause.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Public Utilities Act. Authorizes any gas utility to enter into a long-term contract with any company for synthetic natural gas produced from coal through the gasification process. Provides guidelines for determining if the cost for synthetic natural gas is reasonable and prudent and recoverable through the purchased gas adjustment clause. Provides that Article VII of the Public Utilities Act applies to any gas utility or any affiliate of a gas utility that has an ownership interest in any entity that produces or sells synthetic natural gas. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Public Utilities Act. Makes a technical change in a Section concerning rate changes based on changes in fuel costs.

House Amendment No. 2

Deletes everything after the enacting clause. Amends the Public Utilities Act. Provides that any gas utility may enter into a 20-year supply contract with any company for synthetic natural gas produced from coal through the gasification process if the company has commenced construction of a coal gasification facility by July 1, 2008. Provides that the cost of synthetic natural gas is reasonable and prudent and recoverable through the purchased gas adjustment clause for years one through 10 of the contract based on certain criteria. Requires the company supplying the synthetic natural gas to reimburse the utility for the difference between the cost deemed reasonable and prudent by the Illinois Commerce Commission and the cost imposed by the company under the contract if, at any time during years 11 through 20 of the contract, the Commission determines that the cost imposed under the contract is not reasonable and prudent. Effective immediately.

Jun 21 05 S Public Act 94-0063

SB 00092 Sen. John J. Cullerton, Carol Ronen-Don Harmon-Jacqueline Y. Collins-John J. Millner, Dan Cronin-Peter J. Roskam, Mattie Hunter, Kirk W. Dillard, Iris Y. Martinez, Donne E. Trotter, Kimberly A. Lightford and Kwame Raoul

(Rep. Annazette Collins-Lovana Jones-Patricia R. Bellock-Patricia Reid Lindner-David R. Leitch, William Delgado, Rosemary Mulligan, Elizabeth Coulson, Sandra M. Pihos, Carolyn H. Krause, Calvin L. Giles, George Scully, Jr., Jay C. Hoffman, Joseph M. Lyons, David E. Miller, Barbara Flynn Currie, John A. Fritchey, Daniel J. Burke, Harry Osterman, Kurt M. Granberg, Lou Lang, Karen May, Kathleen A. Ryg, Arthur L. Turner, Susana A Mendoza, Richard T. Bradley, Karen A. Yarbrough, Marlow H. Colvin, Deborah L. Graham, Robin Kelly, Wyvetter H. Younge, Sara Feigenholtz, Constance A. Howard, Eddie Washington, Patricia Bailey, Julie Hamos, Robert Rita, Robert S. Molaro, Eileen Lyons, Kenneth Dunkin, Charles E. Jefferson, Monique D. Davis, Jack D. Franks, William Davis and Milton Patterson)

720 ILCS 375/4 from Ch. 121 1/2, par. 157.35

Amends the Ticket Scalping Act. Makes a technical change in a Section concerning service charges.

Senate Floor Amendment No. 1

Deletes reference to:

720 ILCS 375/4

Adds reference to:

720 ILCS 375/0.01 from Ch. 121 1/2, par. 157.30

Adds reference to:

720 ILCS 375/1 from Ch. 121 1/2, par. 157.31

Adds reference to:

720 ILCS 375/1.5 from Ch. 121 1/2, par. 157.32

Deletes everything after the enacting clause. Amends the Ticket Scalping Act. Changes the short title of the Act to the Ticket Sale and Resale Act. Establishes additional requirements for ticket brokers, Internet auction listing services, and Internet operator resellers of tickets who are exempt from the prohibitions on selling tickets over face value provisions. Provides that the exemption from the prohibitions on selling tickets over face value only apply to the resale of a ticket after the initial sale of that ticket. Provides that a reseller of a ticket may not refuse to sell tickets to another ticket reseller solely on the basis that the purchaser is a ticket reseller or ticket broker authorized to resell tickets. Effective immediately.

House Amendment No. 1

Deletes provisions that require the operator to publish a written notice on the website after the sale of one or more tickets that automatically informs the ticket reseller of the ticket reseller's potential legal obligation to pay any applicable local amusement tax in connection with the reseller's sale of tickets, and discloses to law enforcement or other government tax officials, without subpoena, the name, city, state, telephone number, e-mail address, user ID history, fraud complaints, and bidding and listing history of any specifically identified reseller or purchaser upon the receipt of a verified request from law enforcement or other government tax officials relating to a criminal investigation or alleged illegal activity.

Fiscal Note (H-AM 1) (Secretary of State)

Minimal fiscal impact on the Secretary of State's Office.

Judicial Note (Admin Office of the Illinois Courts)

Based on a review of Senate Bill 92 it has been determined that this legislation would neither increase nor decrease the number of judges needed in the State.

Judicial Note (H-AM 1)(Admin Office of the Illinois Courts)

Based on a review of Senate Bill 92 (H-AM 1) it has been determined that this legislation would neither increase nor decrease the number of judges needed in the State.

Pension Note (Gov. Forecasting & Accountability)

No impact on any public pension fund or retirement system in Illinois.

Pension Note (H-AM 1) (Gov. Forecasting & Accountability)

No impact on any public pension fund or retirement system in Illinois.

State Debt Impact Note (Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore, would not affect the level of State indebtedness.

State Debt Impact Note (H-AM 1) (Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of State-issued or State-supported bond, and therefore, would not affect the level of State indebtedness.

Home Rule Note (H-AM 1) (Dept. of Commerce & Econ Opportunity)

Does not pre-empt home rule authority.

SB 00092 (CONTINUED)

State Mandates Fiscal Note (H-AM 1) (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

Housing Affordability Impact Note (Housing Development Authority)

This legislation will have no fiscal effect on constructing, purchasing, owning, or selling a single-family residence.

Housing Affordability Impact Note (H-AM 1)(Housing Development Authority)

This legislation will have no fiscal effect on constructing, purchasing, owning, or selling a single-family residence.

Correctional Note (H-AM 1) (Dept. of Corrections)

Corrections population impact: None. Fiscal impact: None.

Balanced Budget Note (Gov. Office of Management & Budget)

Fiscal impact: None.

Balanced Budget Note (H-AM 1) (Gov. Office of Management & Budget)

Fiscal impact: None.

House Amendment No. 6

Deletes reference to:

720 ILCS 375/0.01 from Ch. 121 1/2, par. 157.30

Deletes reference to:

720 ILCS 375/1 from Ch. 121 1/2, par. 157.31

Deletes reference to:

720 ILCS 375/1.5 from Ch. 121 1/2, par. 157.32

Adds reference to:

20 ILCS 5/5-15 was 20 ILCS 5/3

Adds reference to:

20 ILCS 5/5-20 was 20 ILCS 5/4

Adds reference to:

20 ILCS 5/5-335 was 20 ILCS 5/9.11a

Adds reference to:

20 ILCS 5/5-362 new

Adds reference to:

20 ILCS 505/17a-11 from Ch. 23, par. 5017a-11

Adds reference to:

40 ILCS 5/14-110 from Ch. 108 1/2, par. 14-110

Adds reference to:

55 ILCS 5/3-6039

Adds reference to:

55 ILCS 75/2 from Ch. 23, par. 2682

Adds reference to:

55 ILCS 75/9.1 from Ch. 23, par. 2689.1

Adds reference to:

105 ILCS 5/2-3.13a from Ch. 122, par. 2-3.13a

Adds reference to:

105 ILCS 5/prec. Sec. 13-40 heading

Adds reference to:

105 ILCS 5/13-40 from Ch. 122, par. 13-40

Adds reference to:

105 ILCS 5/13-41 from Ch. 122, par. 13-41

Adds reference to:

105 ILCS 5/13-42 from Ch. 122, par. 13-42

Adds reference to:

SB 00092 (CONTINUED)

105 ILCS 5/13-43.8 from Ch. 122, par. 13-43.8
Adds reference to:
105 ILCS 5/13-43.11 from Ch. 122, par. 13-43.11
Adds reference to:
105 ILCS 5/13-43.18 from Ch. 122, par. 13-43.18
Adds reference to:
105 ILCS 5/13-43.19 from Ch. 122, par. 13-43.19
Adds reference to:
105 ILCS 5/13-43.20 from Ch. 122, par. 13-43.20
Adds reference to:
105 ILCS 5/13-44 from Ch. 122, par. 13-44
Adds reference to:
105 ILCS 5/13-44.3 from Ch. 122, par. 13-44.3
Adds reference to:
105 ILCS 5/13-44.5 from Ch. 122, par. 13-44.5
Adds reference to:
105 ILCS 5/13-45 from Ch. 122, par. 13-45
Adds reference to:
105 ILCS 5/13B-20.15
Adds reference to:
105 ILCS 5/13B-35.5
Adds reference to:
105 ILCS 5/13B-35.10
Adds reference to:
225 ILCS 10/2.22
Adds reference to:
305 ILCS 5/12-10.4
Adds reference to:
405 ILCS 49/5
Adds reference to:
705 ILCS 35/2b from Ch. 37, par. 72.2b
Adds reference to:
705 ILCS 405/5-130
Adds reference to:
705 ILCS 405/5-705
Adds reference to:
705 ILCS 405/5-710
Adds reference to:
705 ILCS 405/5-750
Adds reference to:
705 ILCS 405/5-815
Adds reference to:
705 ILCS 405/5-820
Adds reference to:
705 ILCS 405/5-901
Adds reference to:
705 ILCS 405/5-905
Adds reference to:

SB 00092 (CONTINUED)

705 ILCS 405/5-915

Adds reference to:

725 ILCS 120/4.5

Adds reference to:

725 ILCS 120/5 from Ch. 38, par. 1405

Adds reference to:

725 ILCS 120/8.5

Adds reference to:

725 ILCS 120/9 from Ch. 38, par. 1408

Adds reference to:

725 ILCS 207/15

Adds reference to:

725 ILCS 207/75

Adds reference to:

730 ILCS 5/3-1-2 from Ch. 38, par. 1003-1-2

Adds reference to:

730 ILCS 5/3-2-2 from Ch. 38, par. 1003-2-2

Adds reference to:

730 ILCS 5/3-2-5 from Ch. 38, par. 1003-2-5

Adds reference to:

730 ILCS 5/3-2-6 from Ch. 38, par. 1003-2-6

Adds reference to:

730 ILCS 5/Ch. III Art. 2.5 heading new

Adds reference to:

730 ILCS 5/3-2.5-1 new

Adds reference to:

730 ILCS 5/3-2.5-5 new

Adds reference to:

730 ILCS 5/3-2.5-10 new

Adds reference to:

730 ILCS 5/3-2.5-15 new

Adds reference to:

730 ILCS 5/3-2.5-20 new

Adds reference to:

730 ILCS 5/3-2.5-30 new

Adds reference to:

730 ILCS 5/3-2.5-35 new

Adds reference to:

730 ILCS 5/3-2.5-40 new

Adds reference to:

730 ILCS 5/3-2.5-40.1 new

Adds reference to:

730 ILCS 5/3-2.5-45 new

Adds reference to:

730 ILCS 5/3-2.5-50 new

Adds reference to:

730 ILCS 5/3-2.5-60 new

Adds reference to:

SB 00092 (CONTINUED)

730 ILCS 5/3-2.5-65 new
Adds reference to:
730 ILCS 5/3-3-3 from Ch. 38, par. 1003-3-3
Adds reference to:
730 ILCS 5/3-3-4 from Ch. 38, par. 1003-3-4
Adds reference to:
730 ILCS 5/3-3-5 from Ch. 38, par. 1003-3-5
Adds reference to:
730 ILCS 5/3-3-9 from Ch. 38, par. 1003-3-9
Adds reference to:
730 ILCS 5/3-4-3 from Ch. 38, par. 1003-4-3
Adds reference to:
730 ILCS 5/3-5-1 from Ch. 38, par. 1003-5-1
Adds reference to:
730 ILCS 5/3-5-3.1 from Ch. 38, par. 1003-5-3.1
Adds reference to:
730 ILCS 5/3-6-2 from Ch. 38, par. 1003-6-2
Adds reference to:
730 ILCS 5/Ch. III Art. 9 heading
Adds reference to:
730 ILCS 5/3-9-1 from Ch. 38, par. 1003-9-1
Adds reference to:
730 ILCS 5/3-9-2 from Ch. 38, par. 1003-9-2
Adds reference to:
730 ILCS 5/3-9-3 from Ch. 38, par. 1003-9-3
Adds reference to:
730 ILCS 5/3-9-4 from Ch. 38, par. 1003-9-4
Adds reference to:
730 ILCS 5/3-9-5 from Ch. 38, par. 1003-9-5
Adds reference to:
730 ILCS 5/3-9-6 from Ch. 38, par. 1003-9-6
Adds reference to:
730 ILCS 5/3-9-7 from Ch. 38, par. 1003-9-7
Adds reference to:
730 ILCS 5/3-10-1 from Ch. 38, par. 1003-10-1
Adds reference to:
730 ILCS 5/3-10-2 from Ch. 38, par. 1003-10-2
Adds reference to:
730 ILCS 5/3-10-3 from Ch. 38, par. 1003-10-3
Adds reference to:
730 ILCS 5/3-10-4 from Ch. 38, par. 1003-10-4
Adds reference to:
730 ILCS 5/3-10-5 from Ch. 38, par. 1003-10-5
Adds reference to:
730 ILCS 5/3-10-6 from Ch. 38, par. 1003-10-6
Adds reference to:
730 ILCS 5/3-10-7 from Ch. 38, par. 1003-10-7
Adds reference to:

SB 00092 (CONTINUED)

730 ILCS 5/3-10-8 from Ch. 38, par. 1003-10-8
Adds reference to:
730 ILCS 5/3-10-9 from Ch. 38, par. 1003-10-9
Adds reference to:
730 ILCS 5/3-10-10 from Ch. 38, par. 1003-10-10
Adds reference to:
730 ILCS 5/3-10-11 from Ch. 38, par. 1003-10-11
Adds reference to:
730 ILCS 5/3-10-12 from Ch. 38, par. 1003-10-12
Adds reference to:
730 ILCS 5/3-10-13
Adds reference to:
730 ILCS 5/3-15-2 from Ch. 38, par. 1003-15-2
Adds reference to:
730 ILCS 5/3-16-5
Adds reference to:
730 ILCS 5/5-8-6 from Ch. 38, par. 1005-8-6
Adds reference to:
730 ILCS 110/15 from Ch. 38, par. 204-7
Adds reference to:
730 ILCS 110/16.1
Adds reference to:
730 ILCS 140/3 from Ch. 38, par. 1583
Adds reference to:
820 ILCS 315/2 from Ch. 48, par. 282

Deletes all. Amends various Acts to: create the Department of Juvenile Justice from the Juvenile Division of the Department of Corrections; transfer personnel, books, records, property, and appropriations pertaining to the Juvenile Division of the Department of Corrections to the Department of Juvenile Justice; impose requirements for newly hired personnel; transfer the Department of Corrections school district to the Department of Juvenile Justice; create a Juvenile Advisory Board; and make other changes.

Judicial Note (Economic and Fiscal Commission)

Based on a review of Senate Bill 92 (H-AM 5) it has been determined that this legislation would neither increase nor decrease the number of judges needed in the State.

Housing Affordability Impact Note (H-AM 5) (Housing Development Authority)

No fiscal effect on a single-family residence.

Balanced Budget Note (H-AM 5) (Gov. Office of Management & Budget)

The GOMB estimates that the proposed legislation will have no impact to the state budget, as decreases from the Department of Corrections appropriations will account for the proposed FY07 appropriation of $124,860,000 ($118,560,000 GRF, $6,3,000,000 OSF).

State Mandates Fiscal Note (H-AM 5) (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

Home Rule Note (H-AM 5) (Dept. of Commerce & Econ Opportunity)

Does not pre-empt home rule authority.

Home Rule Note (H-AM 6) (Dept. of Commerce & Econ Opportunity)

Does not pre-empt home rule authority.

State Mandates Fiscal Note (H-AM 6) (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

Housing Affordability Impact Note (H-AM 6) (Housing Development Authority)

No fiscal effect on a single-family residence.

State Debt Impact Note (H-AM 5) (Gov. Forecasting & Accountability)

SB 00092 (CONTINUED)

Would not change the amount of authorization for any type of state-issued or state-supported bond, and therefore would not affect the level of State indebtedness.

State Debt Impact Note (H-AM 6) (Gov. Forecasting & Accountability)

Would not change the amount of authorization for any type of state-issued or state-supported bond, and therefore would not affect the level of State indebtedness.

Pension Note (H-AM 5) (Gov. Forecasting & Accountability)

Senate Bill 92, as amended by House Amendment 5, would not increase the accrued liability or annual costs of SERS, as the bill is not expected to increase the number of SERS members covered by the SERS alternative formula.

Pension Note (H-AM 6) (Gov. Forecasting & Accountability)

Senate Bill 92, as amended by House Amendment 6, would not increase the accrued liability or annual costs of SERS, as the bill is not expected to increase the number of SERS members covered by the SERS alternative formula.

Judicial Note (H-AM 6)(Admin Office of the Illinois Courts)

Based on a review of Senate Bill 92 (H-AM 6) it has been determined that this legislation would neither increase nor decrease the number of judges needed in the State.

Housing Affordability Impact Note (H-AM 5) (Housing Development Authority)

No fiscal effect on a single-family residence.

Housing Affordability Impact Note (H-AM 6) (Housing Development Authority)

No fiscal effect on a single-family residence.

Nov 17 05 S Public Act 94-0696

SB 00095 Sen. Susan Garrett-Jacqueline Y. Collins-Carol Ronen

(Rep. Patricia Reid Lindner-Patricia R. Bellock, Jack D. Franks and Linda Chapa LaVia)

750 ILCS 5/504 from Ch. 40, par. 504

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that any maintenance obligation including any unallocated maintenance and child support obligation that becomes due and remains unpaid for 30 days or more shall accrue simple interest at the rate of 9% per annum.

Senate Committee Amendment No. 1

Provides that any new or existing order including any unallocated maintenance and child support order entered by the court under the Section concerning maintenance and support shall be deemed to be a series of judgments against the person obligated to pay support. Provides that each judgment shall be in the amount of each payment or installment of support and shall be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order, except that no judgment may arise as to any installment coming due after the termination of maintenance. Provides that each judgment shall have the full force, effect, and attributes of any other judgment of this State, including the ability to be enforced. Provides that a lien arises by operation of law against the real and personal property of the obligor for each installment of overdue support owed by the obligor.

Senate Floor Amendment No. 2

Provides that any maintenance obligation or any portion of any support obligation that becomes due and remains unpaid shall accrue simple interest as set forth in the listed Section (instead of that becomes due and remains unpaid for 30 days for more shall accrue simple interest at a rate of 9% per annum).

Jun 30 05 S Public Act 94-0089

SB 00096 Sen. James F. Clayborne, Jr.-Martin A. Sandoval

(Rep. James D. Brosnahan-James H. Meyer-Julie Hamos-Kevin A. McCarthy-Edward J. Acevedo and Daniel J. Burke)

220 ILCS 5/3-105 from Ch. 111 2/3, par. 3-105

Amends the Public Utilities Act. Provides that the term "public utility" does not include the ownership or operation of a facility that distributes primarily propane by pipeline and sells it at retail, except in cases where there is no alternative source of propane reasonably available to the customers being served. Effective immediately.

House Amendment No. 1

Replaces everything after the enacting clause. Amends the Public Utilities Act. Makes a technical change in a Section concerning the definition of "public utility".

House Amendment No. 3

Deletes reference to:

220 ILCS 5/3-105

Adds reference to:

220 ILCS 5/13-1200

Deletes everything after the enacting clause. Amends the Public Utilities Act. Provides that the Telecommunications Article is repealed on July 1, 2007 (now, July 1, 2005). Effective immediately.

Jun 24 05 S Public Act 94-0076

SB 00098 Sen. Wendell E. Jones and Pamela J. Althoff

(Rep. Sidney H. Mathias-Lisa M. Dugan-Jack D. Franks-Suzanne Bassi-Kenneth Dunkin, Linda Chapa LaVia, Patricia R. Bellock and Michael Tryon)

750 ILCS 5/601	from Ch. 40, par. 601
750 ILCS 5/602	from Ch. 40, par. 602
750 ILCS 5/602.1	from Ch. 40, par. 602.1
750 ILCS 5/604	from Ch. 40, par. 604
750 ILCS 5/604.5	
750 ILCS 5/605	from Ch. 40, par. 605
750 ILCS 5/607	from Ch. 40, par. 607

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that a guardian ad litem appointed in a child custody proceeding shall have completed 3 hours of training that relates to the functions and duties of a guardian ad litem and that includes training on the dynamics of domestic violence on partners and children. Requires a guardian ad litem in a child custody proceeding to investigate whether there is evidence that either partner engaged in domestic violence and to report to the court on the results of the investigation. Creates a rebuttable presumption that it is not in the best interest of the child for the court to grant sole or joint custody or visitation to a parent who: (i) has been adjudicated guilty of domestic violence as defined in the Illinois Domestic Violence Act of 1986 on multiple incidents of domestic violence or of a single incident of domestic violence that resulted in serious physical injury, as determined by the trier of fact, against the parent's partner or against the child; or (ii) has been convicted of violating an order of protection entered under the specified Sections of the Illinois Domestic Violence Act of 1986. Lists evidence that may be used to rebut the presumption. Provides that, in cases where the presumption is rebutted, the court shall state the evidence upon which the court determined that the presumption was rebutted and its findings relating to the reason that legal custody with that party is in the best interest of the child. Provides that, if there is a danger to the health or safety of a partner, joint mediation for custody shall not be required by the court. Requires that professional personnel, evaluators, and investigators, who advise the court concerning child interview or child custody, must have 3 hours of training in domestic violence and its effects on the partner and the child. Makes other changes. Effective immediately.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that a guardian ad litem appointed in a child custody proceeding shall have completed 3 hours of training that relates to the functions and duties of a guardian ad litem and that includes training on the dynamics of domestic violence on partners and children. Requires a guardian ad litem in a child custody proceeding to investigate whether there is evidence that either partner engaged in domestic violence and to report to the court on the results of the investigation. Provides that, in any proceeding for legal custody, joint custody, or modification of an order granting or denying visitation rights of a parent, where the court hears evidence concerning physical violence or threat of physical violence by the child's potential custodian or the occurrence of ongoing or repeated abuse as defined in the listed Section of the Illinois Domestic Violence Act of 1986, whether directed against the child or directed against another person, the court shall state in writing the reason that the court determined that legal custody, joint custody, or granting or denying visitation with that party is in the best interest of the child. Provides that, if there is a danger to the health or safety of a partner, joint mediation for custody shall not be required by the court. Requires that professional personnel, evaluators, and investigators, who advise the court concerning child interview or child custody, must have 3 hours of training in domestic violence and its effects on the partner and the child. Effective immediately.

House Amendment No. 1

Deletes reference to:

750 ILCS 5/601

Deletes reference to:

750 ILCS 5/604

Deletes reference to:

750 ILCS 5/604.5

Deletes reference to:

750 ILCS 5/605

Deletes reference to:

750 ILCS 5/607

Adds reference to:

750 ILCS 5/601.5 new

SB 00098 (CONTINUED)

Deletes everything after the enacting clause. Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that, in the list of relevant factors that the court shall consider when determining the best interest of the child, the court shall consider whether there is an occurrence of ongoing or repeated abuse as defined in the listed Section of the Illinois Domestic Violence Act of 1986. Provides that if there is a danger to the health or safety of a partner, joint mediation shall not be required by the court. Provides that the Supreme Court of Illinois, through its Administrative Office of the Illinois Courts, shall approve 3 hours of training for guardians ad litem, professional personnel, evaluators, and investigators. Requires the training to have a component on the dynamics of domestic violence and its effect on parents and children. Effective immediately.

House Amendment No. 2

Provides that the chief circuit judge or designated presiding judge may approve 3 hours of training for the listed persons (instead of the Supreme Court of Illinois, through its Administrative Office of the Illinois Courts, shall approve 3 hours of training for the listed persons.)

Jul 29 05 S Public Act 94-0377

SB 00100 Sen. Wendell E. Jones-J. Bradley Burzynski

(Rep. Suzanne Bassi-Roger L. Eddy-Aaron Schock-Sidney H. Mathias-Paul D. Froehlich, Edward J. Acevedo, Linda Chapa LaVia, Michelle Chavez, Gary Hannig, Annazette Collins, Kathleen A. Ryg, Daniel V. Beiser, John E. Bradley and Jack D. Franks)

720 ILCS 5/11-9.3

Amends the Criminal Code of 1961. In provisions making it unlawful for a child sex offender to knowingly be present on school property or a school vehicle when persons under the age of 18 are present, eliminates an exception for an offender who is the parent or guardian of a student who is present. Effective immediately.

House Amendment No. 1

Provides that a child sex offender who is the parent or guardian of a child attending the school may be present in the school or on school grounds to (i) attend a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participate in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attend conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school. Provides that nothing in the Section prohibiting child sex offenders from being present in a school building or on school grounds shall be construed to infringe upon the constitutional right of a child sex offender to be present in a school building that is used as a polling place for the purpose of voting.

Jul 11 05 S Public Act 94-0170

SB 00101 Sen. Miguel del Valle, John J. Cullerton-Kwame Raoul-Jacqueline Y. Collins, Martin A. Sandoval, Ira I. Silverstein, Iris Y. Martinez and James T. Meeks

(Rep. Sara Feigenholtz-Sidney H. Mathias-Jim Watson-Julie Hamos-Marlow H. Colvin, Angelo Saviano, Jack McGuire, John A. Fritchey and Kathleen A. Ryg)

New Act

Creates the Assistive Technology Protection Act. Requires a physical evaluation of a consumer by a health care professional and a technology assessment by a qualified rehabilitation professional before an assistive device is sold or leased to the consumer. Provides that a manufacturer who sells an assistive device shall furnish the consumer with an express warranty that the assistive device will be free from any condition or defect that substantially impairs the value of the assistive device to the consumer. Provides that the consumer is entitled to a refund from the manufacturer if the manufacturer fails to repair the assistive device. Establishes procedures for receiving a refund. Prohibits the resale or lease of an assistive device returned by a consumer without full disclosure of the reasons for the return. Provides for arbitration of disputes under the Act, under rules adopted by the Attorney General. Requires the Attorney General to prepare a written statement of a consumer's rights under the Act and to make copies of the statement available to assistive device manufacturers, dealers, and lessors. Provides that a consumer's purported waiver of any of his or her rights under the Act is void. Authorizes the Attorney General to impose civil penalties for violations of the Act, and provides for damages caused by a violation of the Act.

Senate Committee Amendment No. 2

Adds reference to:

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Replaces everything after the enacting clause. Creates the Assistive Technology Warranty Act and amends the Consumer Fraud and Deceptive Business Practices Act. Provides that a manufacturer or assistive technology device lessor who sells or leases an assistive technology device to a consumer, either directly or through an assistive technology device dealer, must furnish the consumer with an express warranty for the assistive technology device warranting that the device is free of any nonconformity. Provides that the duration of the express warranty shall be not less than one year after the date of the initial delivery of the assistive technology device to the consumer. Provides that if a new assistive technology device does not conform to an applicable express warranty, a reasonable attempt to repair the nonconformity shall be made at no charge to the consumer. Provides for a refund to a consumer if the nonconformity is not repaired after a reasonable attempt to do so. Provides for arbitration in accordance with rules adopted by the Attorney General. Provides that any waiver by a consumer of rights under the Assistive Technology Warranty Act is void. Provides for civil remedies. Provides that a violation of the Assistive Technology Warranty Act is an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act.

Senate Floor Amendment No. 3

Deletes reference to:

815 ILCS 505/2Z from Ch. 121 1/2, par. 262Z

Replaces everything after the enacting clause. Creates the Assistive Technology Warranty Act with provisions substantially similar to those of Senate Bill 101 as amended by Senate Amendment No. 2, except eliminates provisions concerning arbitration of disputes arising under the Act. Also eliminates amendatory changes made to the Consumer Fraud and Deceptive Business Practices Act.

Fiscal Note (S-AM 2) (Department of Revenue)

Senate Bill 101, as amended by Senate Amendment 2, does not have a fiscal impact on the Illinois Department of Revenue.

Fiscal Note (S-AM 3) (Department of Revenue)

Senate Bill 101, as amended by Senate Amendment 3, does not have a fiscal impact on the Illinois Department of Revenue.

Fiscal Note (S-AM 2 & 3) (Dept. of Central Management Services)

CMS anticipates no fiscal impact from this bill.

Fiscal Note (Department of Human Services)

Senate Bill 101 has no fiscal impact to the Department of Human Services.

Fiscal Note (S-AM 2)(Department of Human Services)

Senate Bill 101 (S-AM 2) has no fiscal impact to the Department of Human Services.

Fiscal Note (S-AM 3)(Department of Human Services)

Senate Bill 101 (S-AM 3) has no fiscal impact to the Department of Human Services.

House Amendment No. 1

SB 00101 (CONTINUED)

Provides that "assistive technology device" does not include a "hearing instrument" or "hearing aid" as defined in the Hearing Instrument Consumer Protection Act. Deletes a provision that "consumer" does not include a public school district or special education joint agreement. In provisions concerning an assistive technology device replacement or refund, replaces references to "manufacturer" with references to "person from whom the assistive technology device was purchased or leased". Deletes a provision concerning a manufacturer's cause of action against a dealer or lessor in connection with an assistive technology device replacement or refund.

Jul 29 05 S Public Act 94-0378

SB 00102 Sen. John J. Cullerton, Martin A. Sandoval, Antonio Munoz, Ira I. Silverstein, Iris Y. Martinez, Jacqueline Y. Collins, Terry Link and James T. Meeks

(Rep. Sara Feigenholtz-Sidney H. Mathias-Paul D. Froehlich-Robert S. Molaro)

720 ILCS 570/218 new

Amends the Illinois Controlled Substances Act. Provides that it is a Class A misdemeanor for any manufacturer, wholesaler, retailer, or other person to sell, transfer, or otherwise furnish, to a person under 18 years of age, a dietary supplement containing an ephedrine group alkaloid or a dietary supplement containing androstanediol, androstanedione, androstenedione, norandrostenediol, dehydroepiandrosterone, or dehydroepiandrosterone. Provides that a seller shall request valid identification from any individual who attempts to purchase such a dietary supplement if that individual reasonably appears to the seller to be under 18 years of age. Effective immediately.

Jul 26 05 S Public Act 94-0339

SB 00104 Sen. Kwame Raoul, Martin A. Sandoval, Antonio Munoz and James T. Meeks

(Rep. John D'Amico-Paul D. Froehlich-Sidney H. Mathias-Milton Patterson, Jack D. Franks and Linda Chapa LaVia)

720 ILCS 5/20-1.1 from Ch. 38, par. 20-1.1

Amends the Criminal Code of 1961. Provides that a person also commits aggravated arson when in the course of committing an arson he or she knowingly damages a building or structure and a correctional officer who is present at the scene acting in the line of duty is injured as a result of the fire or explosion. Effective immediately.

Aug 01 05 S Public Act 94-0393

SB 00122 Sen. M. Maggie Crotty-Louis S. Viverito

(Rep. Kevin A. McCarthy-Renee Kosel)

Authorizes the Secretary of Human Services to convey the specified property to the Village of Tinley Park for public roadway purposes and other non-profit uses. Provides that any part of the specified property that ceases to be used for public roadway purposes or non-profit uses shall revert back to the State. Effective immediately.

Senate Committee Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced and authorizes the Secretary of Human Services to convey the specified property to the United Cerebral Palsy Association of Greater Chicago for non-profit uses. Provides that any part of the specified property that ceases to be used for non-profit uses shall revert back to the State. Effective immediately.

House Amendment No. 1

Changes a conveyance of all of the State's right, title, and interest to a conveyance of a permanent easement for the listed property. Authorizes the Secretary of Human Services to convey the listed property to the Village of Tinley Park (instead of to the United Cerebral Palsy Association) for construction of a public roadway and utilities including, but not limited to, water sanitary sewer, and storm sewer (instead of for public roadway and other non-profit uses).

Jul 20 05 S Public Act 94-0278

SB 00123 Sen. Todd Sieben, Gary G. Dahl, Richard J. Winkel, Jr., David Luechtefeld, John O. Jones, Martin A. Sandoval and Pamela J. Althoff

(Rep. William B. Black-Naomi D. Jakobsson, Careen M Gordon-Ruth Munson-Lisa M. Dugan, Daniel V. Beiser, John E. Bradley, Kurt M. Granberg, Brandon W. Phelps, Robert F. Flider-Eddie Washington, Michelle Chavez, Gary Hannig, Annazette Collins, Kathleen A. Ryg, Karen May, Jack D. Franks and Linda Chapa LaVia)

5 ILCS 100/10-65 from Ch. 127, par. 1010-65

20 ILCS 801/1-17 new

Amends the Illinois Administrative Procedure Act and the Department of Natural Resources Act. Requires the Department of Natural Resources as soon as practicable to assign a customer identification number to each applicant for a hunting or fishing license. Provides that after the applicant has been assigned a customer identification number, the applicant may use that customer identification number in place of his or her social security number on any subsequent application for a hunting or fishing license. Requires the Department to keep a record of the social security number of each applicant and to notify each applicant that his or her social security number is kept on file with the Department. Provides that a licensee's social security number shall not appear on the face of his or her hunting or fishing license.

Jun 16 05 S Public Act 94-0040

SB 00127 Sen. Christine Radogno-John O. Jones and Dale A. Righter-Donne E. Trotter

(Rep. Renee Kosel and David Reis)

625 ILCS 5/12-208 from Ch. 95 1/2, par. 12-208

Amends the Illinois Vehicle Code. Provides that an antique vehicle may display a blue light or lights of up to one inch in diameter as part of the vehicle's rear stop lamp or lamps. Effective immediately.

House Amendment No. 1

Specifically provides that an antique motorcycle may display a light of this type.

Jul 21 05 S Public Act 94-0299

SB 00133 Sen. Deanna Demuzio-George P. Shadid-Gary Forby-William R. Haine-Louis S. Viverito, Donne E. Trotter, Jeffrey M. Schoenberg, Kimberly A. Lightford and Kirk W. Dillard

(Rep. Gary Hannig-Thomas Holbrook-Jim Watson-Sidney H. Mathias-Eddie Washington, Daniel V. Beiser, John E. Bradley, Linda Chapa LaVia, Monique D. Davis, Edward J. Acevedo, William Delgado, Careen M Gordon, Lisa M. Dugan, Michael K. Smith, John D'Amico, Cynthia Soto, Dan Reitz, Brandon W. Phelps, Robert F. Flider, Chapin Rose, Jack D. Franks, Lou Lang, Mike Boland and Arthur L. Turner)

20 ILCS 2310/2310-399 new

30 ILCS 105/5.625 new

35 ILCS 5/507EE new

35 ILCS 5/509 from Ch. 120, par. 5-509

35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois and the State Finance Act. Creates the Vince Demuzio Memorial Colon Cancer Research Fund and provides that, from appropriations from the Fund, the Department of Public Health must make grants to public or private entities in Illinois for the purpose of funding research applicable to colon cancer patients. Amends the Illinois Income Tax Act to create a tax checkoff for the Fund.

Senate Committee Amendment No. 1

Requires the Department of Public Health to establish and maintain a public awareness campaign to target areas in Illinois with high colon cancer mortality rates and provides that the campaign must be developed in conjunction with recommendations made by the American Cancer Society. Changes the name of the "Vince Demuzio Memorial Colon Cancer Research Fund" to the "Vince Demuzio Memorial Colon Cancer Fund". Provides that the Department of Public Health must use the moneys in the Fund to operate the public awareness campaign (instead of using the moneys for grants to public and private entities for colon cancer research).

Jul 08 05 S Public Act 94-0142

SB 00139 Sen. M. Maggie Crotty-Edward D. Maloney-Christine Radogno, William R. Haine, Kimberly A. Lightford-Kathleen L. Wojcik and Pamela J. Althoff

(Rep. Angelo Saviano-Kurt M. Granberg)

5 ILCS 80/4.16

5 ILCS 80/4.26 new

225 ILCS 106/10

225 ILCS 106/15

225 ILCS 106/20

225 ILCS 106/50

225 ILCS 106/55

Amends the Regulatory Sunset Act to extend the repeal of the Respiratory Care Practice Act to January 1, 2016. Amends the Respiratory Care Practice Act. Replaces the definition of "respiratory care" and "cardiorespiratory care". Eliminates certain exemptions concerning the activities of unlicensed persons who do not represent themselves as respiratory care practitioners, qualified members of other professional groups, and organizations or institutions that provide respiratory care. Adds exemptions concerning (i) polysomnographic technologists, technicians, and trainees and (ii) family members providing respiratory care services. Provides that no person shall, without a valid license, (i) hold himself or herself out to the public as a respiratory care practitioner; (ii) use the title "respiratory care practitioner"; or (iii) perform the duties of a respiratory care practitioner, except as provided in the Section of the Act concerning exemptions. Provides that beginning 6 months after December 31, 2005, all individuals who provide satisfactory evidence to the Department of 3 years of experience in the practice of respiratory care during the 5 years immediately preceding December 31, 2005 shall be issued a license. Effective December 31, 2005.

Senate Committee Amendment No. 1

Deletes reference to:

225 ILCS 106/55

Adds reference to:

225 ILCS 106/35

Adds reference to:

225 ILCS 106/95

Adds reference to:

225 ILCS 106/55 rep.

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Adds definitions of "advanced practice nurse", "order", and "licensed health care professional". Replaces references to "licensed physician" with "licensed health care professional" throughout the Act. Removes diagnostic services, diagnostic agents related to respiratory care services, respiratory care protocols, and clinical pathways from the definition of "respiratory care" and "cardiorespiratory care" and adds evaluation and assessment services to the definition. Provides that a respiratory care practitioner shall refer to a licensed health care professional any patient whose condition, at the time of evaluation or treatment, is determined to be beyond the scope of practice of the respiratory care practitioner. Provides that nothing in the Act shall be construed to prevent a person who is a registered nurse, an advanced practice nurse, a licensed practical nurse, a physician assistant, or a physician licensed to practice medicine in all its branches from providing respiratory care (now, provides that nothing in the Act shall be construed to prevent a person who is a registered nurse, a certified registered nurse anesthetist, or a licensed practical nurse from providing respiratory care). Provides that nothing in the Act shall prohibit other personnel of a licensed health care professional, in addition to polysomnographic technologists, technicians, and trainees, from performing activities within the scope of practice adopted by the American Academy of Sleep Medicine or within the scope of practice of the personnel, while under the direction of a licensed health care professional. Provides that the Department may issue a license authorizing the practice of respiratory care to an applicant who has successfully passed an examination authorized by the Department, within 5 years of making application (now, no time limit). Repeals a Section concerning the requirement of licensure. Makes other changes. Effective immediately.

Senate Floor Amendment No. 3

SB 00139 (CONTINUED)

Deletes everything after the enacting clause. Amends the Regulatory Sunset Act to extend the repeal of the Respiratory Care Practice Act to January 1, 2016. Amends the Respiratory Care Practice Act. Replaces the definition of "respiratory care" and "cardiorespiratory care" and adds definitions for "advanced practice nurse", "basic respiratory care services", "licensed health care professional", "order", "other authorized licensed personnel", and "proximate supervision". Replaces references to "licensed physician" with "licensed health care professional" throughout the Act. Provides that a respiratory care practitioner shall refer to a licensed health care professional any patient whose condition, at the time of evaluation or treatment, is determined to be beyond the scope of practice of the respiratory care practitioner. Eliminates certain exemptions concerning the activities of unlicensed persons who do not represent themselves as respiratory care practitioners, qualified members of other professional groups, and organizations or institutions that provide respiratory care. Adds exemptions concerning (i) polysomnographic technologists, technicians, and trainees, (ii) family members providing respiratory care services, (iii) unlicensed practitioners working under the proximate supervision of a licensed health care professional or other authorized licensed personnel, and (iv) persons enrolled in an approved course of study leading to a degree or certification in a health care-related discipline that provides respiratory care activities within his or her scope of practice. Provides that no person shall, without a valid license, (i) hold himself or herself out to the public as a respiratory care practitioner; (ii) use the title "respiratory care practitioner"; or (iii) perform the duties of a respiratory care practitioner, except as provided in the Section of the Act concerning exemptions. Provides that beginning 6 months after December 31, 2005, all individuals who provide satisfactory evidence to the Department of 3 years of experience, with a minimum of 400 hours per year, in the practice of respiratory care during the 5 years immediately preceding December 31, 2005 shall be issued a license. Provides that a person may practice as a respiratory care practitioner if he or she has applied in writing to the Department for a license as a registered respiratory care practitioner and has complied with certain requirements except for the passing of an examination to be eligible to receive the license, until the Department has made the decision that the applicant has failed to pass the next available examination or has failed, without an approved excuse, to take the next available examination or until the withdrawal of the application, but not to exceed 6 months. Repeals a Section concerning the requirement of licensure. Makes other changes. Effective immediately.

House Amendment No. 1

In the provision concerning the exemption from the Respiratory Care Practice Act of a person who is credentialed by the National Society for Cardiopulmonary Technology or the National Board for Respiratory Care who performs pulmonary function tests and respiratory care procedures related to the pulmonary function test, removes the requirement that appropriate competencies have been demonstrated regarding the tests. In the provision concerning the exemption from the Act of a supervised unlicensed practitioner in a licensed hospital, provides that the unlicensed practitioner must (i) have been trained to perform the basic respiratory care activities at the facility that employs or contracts with the individual and (ii) have annually received an evaluation of the unlicensed practitioner's performance of basic respiratory care activities documented by the facility. Removes the provision requiring the Respiratory Care Board to conduct a study and submit a report every 3 years on the effects of the Act on the access, quality, and cost of respiratory care services in the State. Provides that beginning 6 months after December 31, 2005, all individuals who provide satisfactory evidence to the Department of 3 years of experience, with a minimum of 400 hours per year, in the practice of respiratory care during the 5 years immediately preceding December 31, 2005 shall be issued a license, unless the license may be denied based on certain disciplinary grounds (rather than providing that beginning 6 months after December 31, 2005, all individuals who provide satisfactory evidence to the Department of 3 years of experience, with a minimum of 400 hours per year, in the practice of respiratory care during the 5 years immediately preceding December 31, 2005 shall be issued a license, without exception). Changes the effective date to January 1, 2006.

House Amendment No. 2

Provides that "order" includes a written, oral, or telecommunicated authorization for respiratory care services for a patient by a certified registered nurse anesthetist in a licensed hospital or ambulatory surgical treatment center (rather than just in a licensed hospital). Provides that a person may practice as a respiratory care practitioner if he or she has applied in writing to the Department of Financial and Professional Regulation in form and substance satisfactory to the Department for a license as a licensed (rather than registered) respiratory care practitioner.

Aug 10 05 S Public Act 94-0523

SB 00143 Sen. Carol Ronen-Jacqueline Y. Collins, James T. Meeks-Dave Sullivan-M. Maggie Crotty-Mattie Hunter, William R. Haine, Larry K. Bomke, Dale E. Risinger, Don Harmon, John O. Jones, Kimberly A. Lightford and Kirk W. Dillard (Rep. Harry Osterman-Elizabeth Coulson-Aaron Schock-Calvin L. Giles, Marlow H. Colvin, William Davis, Donald L. Moffitt, Deborah L. Graham, Angelo Saviano, Michael P. McAuliffe, Art Tenhouse, Constance A. Howard, Jay C. Hoffman, Cynthia Soto, Mike Boland, Lou Lang, Robin Kelly, Jack D. Franks, Annazette Collins, Brandon W. Phelps, Julie Hamos, William Delgado, Thomas Holbrook, Robert F. Flider, Charles E. Jefferson, Monique D. Davis, Kathleen A. Ryg, Frank J. Mautino, John E. Bradley, Kenneth Dunkin, Jim Sacia, Daniel J. Burke, Linda Chapa LaVia, Karen May, Maria Antonia Berrios, Michelle Chavez, Joseph M. Lyons, Richard T. Bradley, Susana A Mendoza, Karen A. Yarbrough, Careen M Gordon, Lisa M. Dugan and Patrick J Verschoore)

5 ILCS 315/3 from Ch. 48, par. 1603

Amends the Illinois Public Labor Relations Act. Makes a technical change in a Section concerning definitions.

House Amendment No. 1

Adds reference to:

5 ILCS 315/7 from Ch. 48, par. 1607

Adds reference to:

305 ILCS 5/9A-11 from Ch. 23, par. 9A-11

Deletes everything after the enacting clause. Amends the Illinois Public Labor Relations Act and the Illinois Public Aid Code. Provides that child and day care home providers participating in the Department of Public Aid's child care assistance program are public employees and that the State is their employer for purposes of collective bargaining of employment terms and conditions under the State's control. Specifies that the exclusive representative of those providers is the organization that won an election held pursuant to Executive Order 2005-1 before the bill's effective date.

Jul 26 05 S Public Act 94-0320

SB 00157 Sen. Jeffrey M. Schoenberg-Jacqueline Y. Collins-Kwame Raoul-Mattie Hunter, M. Maggie Crotty, Susan Garrett, Terry Link and Edward D. Maloney

(Rep. Barbara Flynn Currie-Mary E. Flowers-Milton Patterson)

New Act

Creates the Fiscal Year 2006 Hospital Assessment Act. Contains only a short title provision.

House Amendment No. 1

Adds reference to:

210 ILCS 5/10d from Ch. 111 1/2, par. 157-8.10d

Adds reference to:

210 ILCS 85/7 from Ch. 111 1/2, par. 148

Adds reference to:

305 ILCS 5/5A-1 from Ch. 23, par. 5A-1

Adds reference to:

305 ILCS 5/5A-2 from Ch. 23, par. 5A-2

Adds reference to:

305 ILCS 5/5A-3 from Ch. 23, par. 5A-3

Adds reference to:

305 ILCS 5/5A-4 from Ch. 23, par. 5A-4

Adds reference to:

305 ILCS 5/5A-5 from Ch. 23, par. 5A-5

Adds reference to:

305 ILCS 5/5A-7 from Ch. 23, par. 5A-7

Adds reference to:

305 ILCS 5/5A-8 from Ch. 23, par. 5A-8

Adds reference to:

305 ILCS 5/5A-10 from Ch. 23, par. 5A-10

Adds reference to:

305 ILCS 5/5A-12.1 new

Adds reference to:

305 ILCS 5/5A-13

Adds reference to:

305 ILCS 5/5A-14

SB 00157 (CONTINUED)

Replaces everything after the enacting clause. Creates the Public Health Program Beneficiary Employer Disclosure Law; provides that applicants for Medicaid or Children's Health Insurance Program benefits, or persons requesting uncompensated care in a hospital, may identify their employers, and requires the Department of Public Aid or its successor agency, in collaboration with the Department of Human Services and the Department of Financial and Professional Regulation, to annually report to the General Assembly the names and addresses and other information with respect to such identified employers that have more than 100 employees and 25 or more public health access program beneficiaries; repeals the Law on January 1, 2009. Creates the Illinois Adverse Health Care Events Reporting Law of 2005. Requires hospitals and ambulatory surgical treatment centers to report to the Department of Public Health the following types of adverse health care events: surgical events; product or device events; patient protection events; care management events; environmental events; and physical security events. Requires facilities to conduct a root cause analysis of adverse health care events and either implement a corrective action plan or report to the Department any reasons for not taking corrective action. Requires the Department to establish an adverse health care event reporting system to facilitate quality improvement in the health care system, to be fully operational by January 1, 2008. Requires the Department to appoint a Health Care Event Reporting Advisory Committee to make recommendations for potential quality improvement practices and modifications to the list of reportable adverse health care events consistent with national standards. Requires the Department to conduct a testing period of at least 6 months to identify problems or deficiencies with the planned reporting process, and requires that the Department complete this and other actions by January 1, 2007. Authorizes the Department to contract with an entity for receiving all adverse health care event reports, root cause analysis findings, and corrective action plans that must be reported to the Department. Amends the Ambulatory Surgical Treatment Center Act and the Hospital Licensing Act to require compliance with the Illinois Adverse Health Care Events Reporting Law of 2005. Amends the Illinois Public Aid Code in connection with hospital provider assessments. Adds a definition of "adjusted gross hospital revenue". Provides that for the privilege of engaging in the occupation of hospital provider, an annual assessment is imposed on each hospital provider for State fiscal years 2006, 2007, and 2008, in an amount equal to 2.5835% of the hospital provider's adjusted gross hospital revenue for inpatient services and 2.5835% of the hospital provider's adjusted gross hospital revenue for outpatient services. Makes certain existing exemptions from assessments applicable only to State fiscal years 2004 and 2005. Makes changes concerning the payment of assessments. Provides that in the case of a hospital provider that did not conduct, operate, or maintain a hospital in 2003, the assessment for that State fiscal year shall be computed on the basis of hypothetical adjusted gross hospital revenue for the hospital's first full fiscal year as determined by the Department of Healthcare and Family Services. Requires hospital providers to keep certain records. Provides for a clarification or correction of errors in the calculation of an assessment. Authorizes disbursements from the Hospital Provider Fund for State fiscal years 2006, 2007 and 2008 for making transfers to the Health and Human Services Medicaid Trust Fund of up to $130,000,000 per year of the moneys received from hospital providers. Makes changes in the circumstances under which assessments shall not take effect or shall cease to be imposed. Provides for the following hospital access improvement payments for hospital services rendered on or after August 1, 2005: Medicaid eligibility payments; Medicaid high volume adjustments; intensive care adjustments; and other payments. Provides that the provisions imposing assessments are repealed on July 1, 2008 (instead of 2005). Provides that the provisions for hospital access improvement payments for hospital services rendered on or after August 1, 2005 are repealed on July 1, 2008. Makes other changes. Adds a severability provision. Effective immediately.

House Amendment No. 2

Provides that the report of employer-provided health insurance information to the General Assembly under the Public Health Program Beneficiary Employer Disclosure Law shall include a description of the methodology used in the collection of the data and an analysis regarding the effect of employment and health coverage on the assistance programs provided by the State, as well as specified information concerning employees and employers. For purposes of the Illinois Adverse Health Care Events Reporting Law of 2005, provides that the term "death" means patient death related to an adverse event and not related solely to the natural course of the patient's illness or underlying condition (instead of patient death that would not have occurred but for an event described in a Section of the Law concerning the disclosure requirements of a health care facility). Provides that the term "serious disability" means a physical or mental impairment, including loss of a body part, related to an adverse event and not related solely to the natural course of the patient's illness or underlying condition, that substantially limits one or more of the major life activities (instead of a physical or mental impairment that would not have occurred but for an event described in a Section of the Law concerning the disclosure requirements of a health care facility that substantially limits one or more of the major life activities) of an individual. Provides that the annual report published by the Department shall summarize, in aggregate form, the corrective action plans and findings of root cause analyses submitted by health care facilities (instead of summarize, in aggregate form, the types of corrective action plans implemented by health care facilities collectively). Makes other changes.

Jul 18 05 S Public Act 94-0242

SB 00158 Sen. M. Maggie Crotty-Donne E. Trotter-Edward D. Maloney-Jacqueline Y. Collins-Dan Rutherford and Mattie Hunter

(Rep. Angelo Saviano-Kurt M. Granberg)

225 ILCS 100/19 from Ch. 111, par. 4819

Amends the Podiatric Medical Practice Act of 1987. Provides that of the moneys deposited into the Illinois State Podiatric Disciplinary Fund, during each 2-year renewal period, $200,000 (rather than 15%) of the money received from the payment of renewal fees shall be used for certain scholarships, residency programs, and other expenses. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

30 ILCS 105/8h

Amends the State Finance Act and further amends the Podiatric Medical Practice Act of 1987 to provide that moneys set aside in the Illinois State Podiatric Disciplinary Fund for podiatric scholarships and residency programs under the Podiatric Scholarship and Residency Act may not be transferred to the General Revenue Fund under the State Finance Act.

House Amendment No. 1 (House recedes Nov 02, 2005)

Deletes reference to:

30 ILCS 105/8h

Restores current law with respect to the provision of the State Finance Act concerning transfers to the General Revenue Fund and removes the provision in the Podiatric Medical Practice Act of 1987 that prohibits the transfer of moneys set aside for podiatric scholarships and residency programs under the State Finance Act.

Jan 20 06 S Public Act 94-0726

SB 00159 Sen. M. Maggie Crotty and Todd Sieben-Jeffrey M. Schoenberg-Jacqueline Y. Collins

(Rep. Sidney H. Mathias-Susana A Mendoza-Karen A. Yarbrough-Thomas Holbrook-Jim Watson, Mike Boland, David E. Miller, Constance A. Howard, Jerry L. Mitchell, Elaine Nekritz, Monique D. Davis, Edward J. Acevedo, Maria Antonia Berrios, James D. Brosnahan, Daniel J. Burke, Sara Feigenholtz, Robert F. Flider, Mary E. Flowers, Angelo Saviano, Jay C. Hoffman, Lovana Jones, Kevin Joyce, Lou Lang, Joseph M. Lyons, Karen May, John A. Fritchey, Robert S. Molaro, Harry Osterman, Brandon W. Phelps, Dan Reitz, Robert Rita, George Scully, Jr., Dave Winters, Cynthia Soto, JoAnn D. Osmond, Elizabeth Coulson, Jack D. Franks, Linda Chapa LaVia, Jack McGuire, Patricia R. Bellock, Careen M Gordon, Kathleen A. Ryg, Wyvetter H. Younge, Arthur L. Turner and Calvin L. Giles)

New Act

Creates the Home Care Consumer and Worker Protection Act. If an agency places a home care worker with a consumer to provide home care services, requires the agency to give the worker and the consumer a notice setting forth the rights and responsibilities of each of them as well as appropriate phone numbers and addresses of the Department on Aging. Provides that the Act does not apply to nursing homes, home health agencies, and certain other agencies. Provides that an agency subject to the Act must comply with the Health Care Worker Background Check Act and must ensure that every home care worker placed by the agency for hire by a consumer has the appropriate credentials and is appropriately licensed or certified as required by law. Authorizes the Department on Aging to investigate complaints of violations of the Act, issue cease-and-desist orders, and seek injunctive relief. Provides for a civil penalty of $1,000 per day for each day that a violation continues. Effective January 1, 2006.

Senate Floor Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

30 ILCS 105/5.650 new

Adds reference to:

210 ILCS 55/Act title

Adds reference to:

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

Adds reference to:

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

Adds reference to:

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

Adds reference to:

210 ILCS 55/2.03a new

Adds reference to:

210 ILCS 55/2.08 new

Adds reference to:

210 ILCS 55/2.09 new

Adds reference to:

210 ILCS 55/2.10 new

Adds reference to:

210 ILCS 55/2.11 new

Adds reference to:

210 ILCS 55/2.12 new

Adds reference to:

210 ILCS 55/3.3 new

Adds reference to:

210 ILCS 55/3.7 new

Adds reference to:

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

Adds reference to:

210 ILCS 55/6.3 new

Adds reference to:

SB 00159 (CONTINUED)

210 ILCS 55/6.7 new
Adds reference to:
210 ILCS 55/7 from Ch. 111 1/2, par. 2807
Adds reference to:
210 ILCS 55/8 from Ch. 111 1/2, par. 2808
Adds reference to:
210 ILCS 55/9.01 from Ch. 111 1/2, par. 2809.01
Adds reference to:
210 ILCS 55/9.02 from Ch. 111 1/2, par. 2809.02
Adds reference to:
210 ILCS 55/9.03 from Ch. 111 1/2, par. 2809.03
Adds reference to:
210 ILCS 55/9.04 from Ch. 111 1/2, par. 2809.04
Adds reference to:
210 ILCS 55/10.01 from Ch. 111 1/2, par. 2810.01
Adds reference to:
210 ILCS 55/10.05 new
Adds reference to:
210 ILCS 55/12 from Ch. 111 1/2, par. 2812
Adds reference to:
210 ILCS 55/14 from Ch. 111 1/2, par. 2814
Adds reference to:
210 ILCS 62/15
Adds reference to:
225 ILCS 46/15
Adds reference to:
225 ILCS 510/3 from Ch. 111, par. 953
Adds reference to:
225 ILCS 510/4 from Ch. 111, par. 954
Adds reference to:
405 ILCS 30/4.3

Replaces everything after the enacting clause. Amends the State Finance Act, the Home Health Agency Licensing Act, and the Health Care Worker Background Check Act. Changes the short title of the Home Health Agency Licensing Act to the Home Health, Home Services, and Home Nursing Agency Licensing Act, and requires the licensure of home services agencies and home nursing agencies on and after September 1, 2008; provides for the licensure of such agencies in conjunction with the licensure of a home health agency. Requires the Department of Public Health to adopt standards for the licensure and operation of home services agencies and home nursing agencies. Creates the Home Care Services Agency Licensure Fund as a special fund in the State treasury, and provides for the deposit of fees and fines collected in relation to the licensure of home services agencies and home nursing agencies into the fund; provides that moneys in the fund shall be used for administering the licensure of such agencies. Changes the name of the Home Health Advisory Committee to the Home Health and Home Services Advisory Committee, and adds 4 members to represent the home services agency profession; also specifies the constituencies to be represented by the 4 members appointed to represent the general public; adds duties of the committee in relation to the licensure of home services agencies and home nursing agencies. Provides that for purposes of the Health Care Worker Background Check Act, "health care employer" includes home services agencies and home nursing agencies. Amends the End Stage Renal Disease Facility Act, the Nurse Agency Licensing Act, and the Community Services Act to make conforming changes. Makes other changes. Effective January 1, 2006.

House Amendment No. 1

SB 00159 (CONTINUED)

Makes additional changes in provisions amending the Home Health Agency Licensing Act. Provides that "home services agency" does not include agencies licensed under the Hospital Licensing Act. Deletes provisions concerning a system or schedule of graduated licensing for home services agencies. Provides that the fee for "each single home health agency license" (instead of "each license") shall be $25. Provides that the Department of Public Health shall establish, by rule, a system whereby an entity that meets the requirements for licensure may obtain licensure singly or in any combination for the categories authorized under the Act. Provides that the Department shall develop and implement one application to be used even if a combination of licenses authorized under the Act is sought. Provides that applicants for multiple licenses under this system shall pay the higher of the licensure fees applicable. Provides that fees collected under this system shall be deposited into the Home Care Services Agency Licensure Fund. Restores provisions of current law concerning members of the Home Health and Home Services Advisory Committee representing the home health agency profession.

Jul 29 05 S Public Act 94-0379

SB 00162 Sen. Mattie Hunter-Kimberly A. Lightford-Iris Y. Martinez, Martin A. Sandoval, Antonio Munoz, Kwame Raoul-Susan Garrett-Jacqueline Y. Collins, Miguel del Valle, Terry Link, James T. Meeks and Deanna Demuzio
(Rep. William Delgado-Aaron Schock-Cynthia Soto-Milton Patterson-Edward J. Acevedo and Wyvetter H. Younge)

105 ILCS 5/2-3.137 new

Amends the School Code. Requires the State Board of Education to establish a State goal that all school districts have a wellness policy that is consistent with recommendations of the Centers for Disease Control and Prevention. Requires the Department of Public Health and the State Board to form an interagency working group to publish model wellness policies and sample programs. Requires the State Board to establish a pilot project to implement model wellness policies. Creates the School Wellness Policy Taskforce to identify barriers to implementing wellness policies, recommend how to reduce those barriers, recommend statewide school nutrition standards, and evaluate the effectiveness of wellness policies. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Removes a provision concerning sample programs. Removes a provision concerning a pilot project. Adds a member representing the Illinois Association for Health, Physical Education, Recreation and Dance to the taskforce. Provides that the taskforce's evaluation of the effectiveness of school wellness policies shall review a sample size of 5 to 10 school districts. Effective immediately.

Senate Floor Amendment No. 3

Deletes everything after the enacting clause. Reinserts the contents of the bill as amended by Senate Amendment No. 1, with the following changes. Adds the Department of Human Services to the interagency working group that is required to be formed to publish model wellness policies and recommendations. Makes changes concerning membership on the taskforce. Provides that nothing in the provisions may be construed as a curricular mandate on any school district. Effective immediately.

Jul 12 05 S Public Act 94-0199

SB 00169 Sen. Terry Link

(Rep. Robert F. Flider and Wyvetter H. Younge)

65 ILCS 5/11-20-8 from Ch. 24, par. 11-20-8

Amends the Illinois Municipal Code. Provides that the corporate authorities of each municipality may provide for the extermination of pests (now, rats only). Defines "pests" to mean undesirable arthropods (including certain insects, spiders, mites, ticks, and related organisms), wood infesting organisms, rats, mice, birds, and any other obnoxious or undesirable animals. Effective immediately.

Senate Committee Amendment No. 4

Further amends the Illinois Municipal Code. Replaces the definition of "pests" with this definition: undesirable arthropods (including insects, spiders, mites, ticks, and related organisms), wood infesting organisms, rats, mice and other obnoxious or undesirable animals, but does not include a feral cat, a "companion animal" as that term is defined in the Humane Care for Animals Act, "animals" as that term is defined in the Illinois Diseased Animals Act, or animals protected by the Wildlife Code.

Aug 12 05 S Public Act 94-0572

SB 00171 Sen. Terry Link

(Rep. Kathleen A. Ryg-Eddie Washington-Ed Sullivan, Jr.-Jack D. Franks, Linda Chapa LaVia and Wyvetter H. Younge)

60 ILCS 1/115-66 new

Amends the Township Code. Provides that a township with an open space plan may receive and retain funds in surplus of the amount actually necessary to maintain that township's open spaces. Effective immediately.

Senate Floor Amendment No. 3

Further amends the Township Code. Provides that any surplus of funds necessary for the annual maintenance and operation of the township's open spaces shall be maintained in a separate fund and not commingled with the township general fund. Provides that the surplus funds shall not be derived from any township levy.

Aug 04 05 S Public Act 94-0469

SB 00173 Sen. Terry Link

(Rep. Angelo Saviano-Joseph M. Lyons-Thomas Holbrook-Kurt M. Granberg and Mike Boland)

205 ILCS 305/13	from Ch. 17, par. 4414
205 ILCS 305/42	from Ch. 17, par. 4443
205 ILCS 305/47	from Ch. 17, par. 4448
205 ILCS 305/70	from Ch. 17, par. 4471

Amends the Illinois Credit Union Act. Authorizes a credit union to: (i) make reasonable contributions to certain civic, charitable, religious, or service organizations and to fundraisers to benefit persons in the credit union's service area and (ii) to act as a trustee or custodian under health savings accounts and similar tax-advantaged plans established under the federal Internal Revenue Code. Provides that loan applications shall be made in the manner prescribed by the Credit Committee, credit manager, or loan officer (now, the applications are made in writing upon a prescribed form) and may be evidenced by an electronically stored or generated record. Provides that the signature on a loan application includes any symbol executed or adopted, or any security procedure employed or adopted, using electronic means or otherwise, by or on behalf of a person with intent to authenticate a record. Prohibits any individual, firm, association, or body politic and corporate, including, without limitation, any corporation, limited liability company, general partnership, limited partnership, or joint venture that is not an authorized user from using any name or title that contains the words "credit union" or any abbreviation thereof. Authorizes the Director of the Division of Financial Institutions of the Department of Financial and Professional Regulation to impose a penalty of up to $10,000 for each violation. Effective immediately.

Jul 08 05 S Public Act 94-0150

SB 00189 Sen. William R. Haine-George P. Shadid, Dale A. Righter-Richard J. Winkel, Jr., Dan Rutherford and Pamela J. Althoff-James A. DeLeo

(Rep. Donald L. Moffitt-Lisa M. Dugan-Daniel V. Beiser-John E. Bradley, Careen M Gordon, Robert F. Flider, Dan Brady and Patricia R. Bellock)

50 ILCS 705/10.4 new

50 ILCS 710/1 from Ch. 85, par. 515

50 ILCS 710/2.5 new

50 ILCS 720/2 from Ch. 85, par. 562

50 ILCS 720/4 from Ch. 85, par. 564

Amends the Illinois Police Training Act. Authorizes the Illinois Law Enforcement Training Standards Board to initiate, administer, and conduct annual firearm certification courses for retired law enforcement officers that are qualified under federal law to carry a concealed weapon. Amends the Peace Officer Firearm Training Act. Provides that the annual range qualification for peace officers shall consist of range fire approved by the Illinois Law Enforcement Training Standards Board. Changes the definition of "peace officer" to include any retired law enforcement officer who is qualified under federal law to carry a concealed weapon. Amends the Intergovernmental Law Enforcement Officer's In-Service Training Act. Includes retired law enforcement officers qualified under federal law to carry a concealed weapon among the law enforcement personnel to whom a Mobile Team In-Service Training Unit may provide in-service training in order to be eligible for State funding. Effective July 1, 2005.

Senate Floor Amendment No. 1

Adds reference to:

50 ILCS 705/10 from Ch. 85, par. 510

Adds reference to:

50 ILCS 705/10.2

Adds reference to:

50 ILCS 710/3 from Ch. 85, par. 517

Adds reference to:

50 ILCS 720/3 from Ch. 85, par. 563

Further amends the Illinois Police Training Act, the Peace Officer Firearm Training Act, and the Intergovernmental Law Enforcement Officer's In-Service Training Act. Provides that the Illinois Law Enforcement Training Standards Board may make rules concerning the annual training certification of retired law enforcement officers qualified under federal law to carry a concealed weapon. Provides that retired officers applying for this certification must authorize a criminal background investigation. Provides that no law enforcement agency may knowingly certify a retired officer if the investigation reveals convictions of certain offenses. Makes other changes.

House Amendment No. 1 (Tabled 5/24/2005)

Further amends the Peace Officer Firearm Training Act. Provides that the annual range qualification for retired peace officers (now, peace officers) shall consist of range fire approved by the Illinois Law Enforcement Training Standards Board.

Jul 01 05 S Public Act 94-0103

SB 00190 Sen. William R. Haine, Martin A. Sandoval and Antonio Munoz

(Rep. Dan Reitz-Paul D. Froehlich-Robert S. Molaro-John A. Fritchey, Daniel V. Beiser, John E. Bradley, Careen M Gordon, Brandon W. Phelps, Lisa M. Dugan, Wyvetter H. Younge, Michael K. Smith and John D'Amico)

720 ILCS 5/2-6.6 new	
720 ILCS 5/12-2	from Ch. 38, par. 12-2
720 ILCS 5/12-4	from Ch. 38, par. 12-4
720 ILCS 5/12-4.2	from Ch. 38, par. 12-4.2
720 ILCS 5/12-4.2-5	
720 ILCS 5/24-1.2	from Ch. 38, par. 24-1.2
720 ILCS 5/24-1.2-5	
720 ILCS 5/31-9 new	
730 ILCS 5/5-8-1	from Ch. 38, par. 1005-8-1

Amends the Criminal Code of 1961. Provides for various enhanced penalties for assaulting or harming an emergency management worker that is acting in the course of performing his or her official duties or in retaliation for performing his or her official duties. Creates the offense of obstructing an emergency management worker. Amends the Unified Code of Corrections to provide that a person convicted of the first degree murder of an emergency management worker in the course of performing his or her official duties or in retaliation for performing his or her official duties shall be sentenced to a term of natural life imprisonment. Effective January 1, 2006.

Jul 18 05 S Public Act 94-0243

SB 00201 Sen. Donne E. Trotter-M. Maggie Crotty-Jeffrey M. Schoenberg, Ira I. Silverstein, Jacqueline Y. Collins, Terry Link, James T. Meeks, Deanna Demuzio, Christine Radogno, Mattie Hunter, John M. Sullivan, Martin A. Sandoval, Carol Ronen, Susan Garrett, Edward D. Maloney, William R. Haine, Gary Forby, Kimberly A. Lightford, Antonio Munoz, Mike Jacobs, Iris Y. Martinez, Arthur J. Wilhelmi, Kwame Raoul, George P. Shadid, Debbie DeFrancesco Halvorson, Rickey R. Hendon, Louis S. Viverito and James F. Clayborne, Jr.

(Rep. Angelo Saviano-Monique D. Davis-John D'Amico-John A. Fritchey)

210 ILCS 85/7 from Ch. 111 1/2, par. 148

210 ILCS 85/10.9 new

210 ILCS 86/25

Amends the Hospital Licensing Act and the Hospital Report Card Act. Provides that a nurse or unlicensed hospital worker may not be required to work overtime except in the case of an unforeseen emergent situation. Provides that a nurse or unlicensed worker may not be disciplined, discriminated against, dismissed, discharged, or retaliated against or made subject to any other adverse employment decision for refusing to work overtime. Provides that a nurse may not be required to work more than 12 consecutive hours in a 24-hour period. Provides that work schedules must be posted at least one month in advance and may not be changed after posting except by mutual agreement between nurses or unlicensed workers and the hospital. Provides that when a nurse or unlicensed worker works 12 consecutive hours, the nurse or unlicensed worker must be allowed at least 8 consecutive hours of off-duty time immediately following the completion of the shift. Authorizes a hospital employee to file a complaint with the Department of Public Health alleging a violation of these provisions, and authorizes the Director of Public Health to impose a monetary civil penalty if he or she determines that a violation has occurred. Provides that civil penalties shall be paid to the Department of Public Health and used by the Department for the purpose of funding scholarships awarded under the Nursing Education Scholarship Law. Provides that a hospital must post a summary of these provisions approved by the Director of Labor in a conspicuous and accessible place in or about the hospital premises wherever any person subject to these provisions is employed; provides that the Department of Labor must furnish copies of the summary to hospitals on request, without charge. Provides that violations of these overtime provisions must be reported to the Department of Public Health under the Hospital Report Card Act. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

210 ILCS 85/7

Deletes reference to:

210 ILCS 86/25

Replaces everything after the enacting clause with provisions similar to those of Senate Bill 201, amending the Hospital Licensing Act, but with changes that include the following: (1) provides a definition of "mandated overtime" (instead of "overtime"); (2) provides that the nurse overtime provisions do not apply to a certified registered nurse anesthetist who is primarily engaged in performing the duties of a nurse anesthetist, and eliminates the application of the overtime provisions to unlicensed hospital employees; (3) provides that mandated overtime shall not exceed 4 hours beyond an agreed-to, predetermined work shift, and eliminates a provision that a nurse may not be required to work more than 12 consecutive hours in a 24-hour period; (4) provides that a complaint alleging a violation of the overtime provisions must be filed with the Department of Public Health within 45 (instead of 30) days following the occurrence of the incident giving rise to the alleged violation; (5) provides that upon receiving a complaint of a violation, the Department may take any action authorized under provisions of the Act concerning denial, suspension, or revocation of a hospital's permit or license or inspections and investigations by the Department (eliminates provisions concerning imposition of a monetary penalty); (6) provides that a violation of the overtime provisions, or the existence of an unforeseen emergent circumstance requiring overtime work, must be proved by clear and convincing evidence; (7) eliminates provisions requiring that a hospital post a summary of the overtime provisions; and (8) eliminates provisions amending the Hospital Report Card Act. Effective immediately.

Jul 28 05 S Public Act 94-0349

SB 00210 Sen. John J. Cullerton
(Rep. Paul D. Froehlich)

625 ILCS 5/12-610.1 new

Amends the Illinois Vehicle Code. Provides that a person who holds an instruction permit or a graduated license may not use a wireless phone while driving a vehicle. Provides that the prohibition does not apply to use of a wireless phone to contact a law enforcement agency, health care provider, or emergency services agency for emergency purposes. Effective immediately.

Senate Committee Amendment No. 1

Provides that the provision applies only to persons under the age of 18.

House Amendment No. 1

Provides that the prohibition applies only to driving a vehicle on a roadway while using a wireless telephone.

Jul 15 05 S Public Act 94-0240

SB 00211 Sen. Mattie Hunter and Martin A. Sandoval
(Rep. Lou Lang-Tom Cross, Elaine Nekritz and Wyvetter H. Younge)

105 ILCS 5/27-6 from Ch. 122, par. 27-6

105 ILCS 5/27-7 from Ch. 122, par. 27-7

Amends the School Code. Allows a school board to excuse pupils in grades 9 through 12 from engaging in physical education courses if those pupils must utilize the time set aside for physical education to receive special education support and services. Changes requirements with regard to a physical education course of study. Requires a physical education course of study to provide students with an opportunity for an appropriate amount of daily physical activity. Requires a physical education course of study to be part of the regular school curriculum and not extra-curricular in nature or organization. Makes other changes. Effective immediately.

Jul 12 05 S Public Act 94-0200

SB 00214 Sen. John M. Sullivan
(Rep. Dan Reitz-Jim Watson-Kurt M. Granberg-Brandon W. Phelps and Donald L. Moffitt)

240 ILCS 40/10-15

Amends the Grain Code. Requires the Department of Agriculture to prescribe or authorize price later contract forms in electronic document format. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

240 ILCS 40/10-15

Adds reference to:

240 ILCS 40/20-20

Adds reference to:

240 ILCS 40/25-20

Adds reference to:

240 ILCS 40/30-5

Adds reference to:

240 ILCS 40/30-15

Adds reference to:

240 ILCS 40/35-5

Deletes everything after the enacting clause. Amends the Grain Code. Creates the Asset Preservation Account to be funded by the income earned on assets in the Illinois Grain Insurance Fund. Provides that this new Account may be used by the Fund Trustee for reasonable expenses incurred by the Department on or after a failure for preserving and liquidating grain assets, equity assets, collateral, and guarantees of or relating to a failed licensee, if the benefits of such preservation or liquidation outweigh the costs and all moneys in the Grain Indemnity Trust Account relating to the failure have been exhausted. Sets forth that the Asset Preservation Account shall not exceed $50,000. Requires the Trustee to file a report of all receipts by and disbursements from the Asset Preservation Account with the Illinois Grain Insurance Corporation prior to each meeting of their Board. Prohibits payments from the Fund for claims based on fraud or illegal Acts. Authorizes payment of the costs of certain Department activities prior to the return of any remaining grain assets, equity assets, or other guarantees to the failed licensee. Amends certain other provisions to facilitate the payments from the Fund to the Asset Preservation Account.

Jun 17 05 S Public Act 94-0054

SB 00223 Sen. Miguel del Valle-Susan Garrett-Antonio Munoz, Bill Brady and Dan Rutherford

(Rep. Renee Kosel-Sidney H. Mathias-Sandra M. Pihos, Careen M Gordon, Jack D. Franks, Linda Chapa LaVia and Wyvetter H. Younge)

105 ILCS 5/Art. 14A heading new

105 ILCS 5/14A-5 new

105 ILCS 5/14A-10 new

105 ILCS 5/14A-15 new

105 ILCS 5/14A-20 new

105 ILCS 5/14A-25 new

105 ILCS 5/14A-30 new

105 ILCS 5/14A-35 new

105 ILCS 5/14A-40 new

105 ILCS 5/14A-45 new

105 ILCS 5/14A-50 new

105 ILCS 5/14A-55 new

105 ILCS 5/14A-60 new

105 ILCS 5/14A-65 new

Amends the School Code. Sets forth provisions concerning education programs for gifted and talented children. Includes provisions concerning early identification, eligibility, program supervision, monitoring, and oversight, school improvement plans, an advisory council, grants for services and materials, contracts for experimental projects and institutes, and professional development for teachers as it relates to the education of gifted and talented children. Grants rulemaking authority to the State Board of Education. Effective July 1, 2005.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/14A-60 new

Deletes reference to:

105 ILCS 5/14A-65 new

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Provides that the Article applies beginning with the 2006-2007 school year, rather than the 2005-2006 school year. Provides that school districts shall continue to have the authority and flexibility to design (rather than the authority and responsibility to develop) education programs for gifted and talented children in response to community needs and that these programs must comply with the requirements established in the Article by no later than September 1, 2006 in order to merit recognition by the State Board of Education and to qualify for State funding for the education of gifted and talented children, should such funding become available. Provides that a child shall be considered gifted and talented in any area of aptitude and, specifically, in language arts and mathematics, by scoring in the top 5% locally in that area of aptitude. Removes the provisions concerning early identification, eligibility, State supervision, monitoring, and oversight, annual reports, school improvement plans, and teacher certification and professional development. Sets forth minimum requirements that must be met by local programs for the education of gifted and talented children in order for the programs to be recognized by the State Board of Education and to qualify for State funding and requires the local educational agency operating the program to submit a written program description to the State Board demonstrating the fulfillment of the requirements. Sets forth the administrative functions of the State Board, including the designation of a staff person who shall be in charge of educational programs for gifted and talented children. Makes other changes. Effective immediately.

House Amendment No. 1

SB 00223 (CONTINUED)

Changes certain references from recognition by the State Board of Education to approval by the State Board of Education. Provides that a local program for the education of gifted and talented children must use a minimum of 3 assessment measures used to identify gifted and talented children in each area in which a program for gifted and talented children is established (rather than in each area of aptitude) and provide a fair and impartial appeal process within the school, school district, or cooperative of school districts operating a program (rather than within the local educational agency) for parents or guardians of aggrieved children. Provides that a local program for the education of gifted and talented children must provide a description of how gifted and talented children will be grouped and instructed in order to maximize the educational benefits the children derive from participation in the program (rather than a description of how the children will be grouped and instructed in language arts and in mathematics in order to maximize the educational benefits they derive from participation in a program addressing those areas of aptitude) and a showing that the certified teachers who are assigned to teach gifted and talented children understand the characteristics and educational needs of the children and are able to differentiate the curriculum (rather than are qualified to address the educational needs of the children and to differentiate the curriculum). Provides that initially, 4 members of the Advisory Council shall serve terms through January 1, 2007 and 3 members will serve terms through January 1, 2009. Makes other changes.

Jul 08 05 S Public Act 94-0151

SB 00226 Sen. John J. Cullerton

(Rep. Paul D. Froehlich-Monique D. Davis)

5 ILCS 120/2.02 from Ch. 102, par. 42.02

5 ILCS 120/2.06 from Ch. 102, par. 42.06

Amends the Open Meetings Act. Requires that public bodies with websites maintained by their own staff must post on their websites the following information, for the specified periods, with respect to their meetings: (i) the agenda of a regular meeting, until the meeting is conducted; (ii) the annual schedule of regular meetings, until public notice of another schedule is approved; (iii) notice of a regular meeting, until the meeting is conducted; and (iv) minutes of an open meeting, for at least 60 days after posting. Changes the deadline for any type of public notice of the agenda of a regular meeting from 48 to 72 hours before the meeting.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Open Meetings Act. With respect to a public body that has a website maintained by the public body's full-time staff, requires that the public body post on the website (i) notice of any agenda of a regular meeting of the public body's governing body, (ii) notice of all meetings of the governing body, and (iii) beginning July 1, 2006, minutes of regular meetings of the governing body open to the public. Specifies how long the postings must remain on the website. Provides that failure to post on the website does not invalidate meetings or actions of the governing body. Makes other changes.

Jun 14 05 S Public Act 94-0028

SB 00229 Sen. John J. Cullerton

(Rep. Deborah L. Graham)

625 ILCS 5/6-107 from Ch. 95 1/2, par. 6-107

625 ILCS 5/12-603.1 from Ch. 95 1/2, par. 12-603.1

625 ILCS 25/4b

Amends the Illinois Vehicle Code and the Child Passenger Protection Act. Provides that every person under the age of 19 (rather than 18) years must wear a seat safety belt while riding as passenger in a vehicle operated by a driver under the age of 18.

Jul 15 05 S Public Act 94-0241

SB 00232 Sen. Louis S. Viverito and Mattie Hunter

(Rep. Kevin A. McCarthy)

305 ILCS 5/11-8 from Ch. 23, par. 11-8

Amends the Illinois Public Aid Code. Provides that the members of each Public Aid Committee and the members of the Cook County Townships Public Aid Committee are immune from personal liability in connection with their service on the committee to the same extent as an elected or appointed judge in this State is immune from personal liability in connection with the performance of his or her duties as judge. Effective immediately.

House Amendment No. 1

Provides that the immunity for members of a Public Aid Committee or the Cook County Townships Public Aid Committee applies only to causes of action accruing on or after the effective date of this amendatory Act.

Aug 10 05 S Public Act 94-0524

SB 00233 Sen. Martin A. Sandoval-Jeffrey M. Schoenberg-Jacqueline Y. Collins-Mattie Hunter and Kirk W. Dillard
(Rep. Michelle Chavez-Charles E. Jefferson-Karen A. Yarbrough-Susana A Mendoza-Maria Antonia Berrios and Cynthia Soto)

815 ILCS 505/2AA

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that the Attorney General may promulgate rules establishing the maximum fees that may be charged for other immigration assistance services that the Attorney General determines by rule may be appropriately performed. Provides that the maximum fee must be reasonable in light of the costs of providing those services and the degree of professional skill required to provide the services. Deletes a provision requiring the Attorney General to issue rules related to immigration services by January 1, 1995. Effective immediately.

Senate Committee Amendment No. 1

Provides that the minimum fee schedule set forth in specific provisions of the Notary Public Act shall apply to any person that provides or offers to provide immigration assistance service (instead of immigration consultants) performing the services described therein. Provides that the words "notario" and "poder notarial" (instead of only "notario") are prohibited in a provision requiring any person providing or offering immigration assistance service not to translate from English into another language terms or titles that imply that the person is an attorney.

Jul 14 05 S Public Act 94-0238

SB 00241 Sen. John J. Cullerton-Kirk W. Dillard-Mattie Hunter

(Rep. Thomas Holbrook-Patricia R. Bellock-James H. Meyer-John A. Fritchey-Michael K. Smith, Terry R. Parke, Karen May, Sandra M. Pihos and Naomi D. Jakobsson)

415 ILCS 5/22.2d new

415 ILCS 5/22.50 new

415 ILCS 5/Title VI-D heading new

415 ILCS 5/25d-1 new

415 ILCS 5/25d-2 new

415 ILCS 5/25d-3 new

415 ILCS 5/25d-4 new

415 ILCS 5/25d-5 new

415 ILCS 5/25d-6 new

415 ILCS 5/25d-7 new

415 ILCS 5/25d-8 new

415 ILCS 5/25d-9 new

415 ILCS 5/25d-10 new

415 ILCS 5/58.8

415 ILCS 55/4 from Ch. 111 1/2, par. 7454

Amends the Environmental Protection Act and Groundwater Protection Act. Authorizes the Director of the Environmental Protection Agency to issue orders requiring an appropriate response from a potentially responsible party in the event of the release or substantial threat of release of a hazardous substance into the environment. Provides that a person may not use, cause the use of, or allow the use of (instead of "use") any site, for which a land use limitation has been imposed, in a manner that is inconsistent with that limitation unless certain conditions have been met. Establishes an internal Agency committee to recommend appropriate action for suspected or confirmed groundwater contamination and, among other things, requires the Agency to give notice of the actual or potential impact of the contamination to property owners served by the affected water system. Creates the Right-to-Know Committee to provide notice to the public about releases or suspected releases of contaminants in the State. Makes other changes. Effective immediately.

Senate Floor Amendment No. 3

Deletes everything after the enacting clause. Reinserts the substantive provisions of the bill as introduced with the following changes. Further amends the Environmental Protection Act. Provides that the Director's orders requiring appropriate response actions may be issued unilaterally or on consent. Provides that the Director may issue orders for persons potentially liable under the Act for the release or substantial threat of the release of contaminants (previously, issued to parties potentially responsible for the release or substantial threat of release). Provides that the remediation objectives for response actions ordered under this Section shall be determined in accordance with the risk-based remediation objectives adopted by the Board under Title XVII of the Environmental Protection Act. Sets forth that, to obtain reimbursement for the reasonable costs of compliance with the Director's order, the petitioner must establish by a preponderance of the evidence that they are not liable under the Act for the release or the threat of the release to which the relevant order applies (previously, had to establish that they are not a responsible party with respect to the release or threat of release for which the relevant order was issued to obtain the reimbursement). Provides that a person who has complied with a Director's order and has resolved their liability under the Act with respect to the release or threat of a release is not liable for claims for contribution relating to the release or the threat of a release. Provides that the evaluations by the contaminant evaluation committee shall be performed whenever the Agency determines that the extent of soil or groundwater contamination may extend beyond the boundary of the site where the release occurred (previously, evaluations authorized when the Agency suspects or confirms actual or modeled contamination that extends beyond the boundary of the property). Provides that any moneys received by the Agency for the costs of giving notice under this Title shall be deposited in and used for purposes consistent with the Hazardous Waste Fund, except that costs associated with notices related to the release of petroleum from underground storage tanks must be deposited in and used for purposes consistent with the Underground Storage Tank Fund. Requires a person receiving an Agency information demand letter for information necessary to give notices due under this Title to give the required information within 30 days. Makes other changes. Effective immediately.

House Amendment No. 1

Deletes reference to:

415 ILCS 55/4 from Ch. 111 1/2, par. 7454

Deletes reference to:

SB 00241 (CONTINUED)

415 ILCS 5/25d-10 new

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Provides that for any release or substantial threat of release for which the Agency is required to give notice (rather than when the Director determines that there may be an imminent and substantial endangerment to the public health or welfare or the environment as a result of a release or substantial threat of release of a certain hazardous substances) the Director may issue orders to any person who is potentially liable under the Act for the release or substantial threat of release any order that may be necessary to protect the public health and welfare and the environment. Provides that Special Notice Letters shall contain a period of time of not less than 30 days (instead of not to exceed 30 days) from the date of issuance during which the Agency is ready to negotiate with the recipient regarding the recipient's response to the release or threat of release. Prohibits the issuance of a unilateral Director's order during the 30 days immediately following the date of issuance of the Special Notice Letter. Provides that the recipient of a unilateral order issued by the Director may petition the Board for a hearing on the order within 35 days after being served with the order. Requires the Board to take final action on this petition within 60 days after the petition is filed unless all parties to the proceeding agree to the extension. Sets forth that the Agency shall have the burden of proof to establish that the petitioner is liable under the Act for the release or threat of release and that the actions required by the order are consistent with certain regulations. Sets forth other provisions for the conduct of Board hearings on these orders. Sets forth conditions for obtaining a stay of the Director's order and for obtaining judicial review following final action by the Board. Authorizes reimbursement for the costs, fees, and expenses, including attorneys fees, of the recipients of these orders under certain conditions. Deletes certain provisions relating to the previous scheme of obtaining reimbursement for the costs of these orders. Provides that no court, nor the Board, has jurisdiction to review any Director's order or any administrative or judicial action relating to the order except as provided under the Act. Provides that any person who, without sufficient cause, willfully violates or fails or refuses to comply with any order issued is in violation of the Act. Deletes a requirement that the Agency consult with affected members of the community during the development of rules necessary for the implementation of the Section. Authorizes the Agency to evaluate the release of contaminants whenever the Agency determines that the soil or groundwater contamination extends beyond the boundary of the site where the release occurred (previously this evaluation was to be conducted by the contaminant evaluation committee within the Agency). Provides that the persons to whom the Agency must give notice when certain contamination related events occur are the persons owning property within 2,500 feet of the subject contamination or any other closer or farther distance that the Agency deems appropriate under the circumstances (instead of property owners within 2,500 feet). Provides that the methods by which the Agency gives the notices required under the Section shall be determined in consultation with members of the public and appropriate members of the regulated community. Specifies certain methods by which the Agency shall give these notices, including, but not limited to, personal notification, public meetings, signs, electronic notification, and print media. Eliminates the Right-to-Know Committee. Removes changes to the Illinois Groundwater Protection Act. Effective immediately.

Jul 25 05 S Public Act 94-0314

SB 00244 Sen. Miguel del Valle-Rickey R. Hendon-Iris Y. Martinez
(Rep. William Delgado-Marlow H. Colvin-Cynthia Soto)

235 ILCS 5/6-11 from Ch. 43, par. 127

Amends the Liquor Control Act of 1934. Allows the issuance of a license authorizing the sale of alcoholic liquor at a restaurant within 100 feet, but not less than 50 feet, of a public school if certain conditions are met.

Nov 04 05 S Total Veto Stands

SB 00248 Sen. George P. Shadid and Christine Radogno

(Rep. Jack D. Franks)

625 ILCS 5/1-100 from Ch. 95 1/2, par. 1-100

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

625 ILCS 5/1-100

Adds reference to:

625 ILCS 5/2-128 new

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that the Secretary of State shall undertake a study to determine the feasibility of establishing a standard license plate that would (i) replace some or all special plates currently issued under the Code and (ii) identify its special plate classification by means of a sticker attached to its left side. Provides that the Secretary shall undertake a study of the feasibility of identifying, on the license plates issued to any vehicle of the first division, the county in which the vehicle is registered, by use of a registration sticker or some other device or method. Provides that the Secretary shall undertake a study of the feasibility of permitting the attachment of a special plate to the front of a vehicle of the first division or a vehicle of second division weighing 8,000 pounds or less and the attachment of a standard registration plate to the rear of that vehicle. Provides that, by March 1, 2006, the Secretary shall report the results of these studies to the Governor and General Assembly. Provides that the Secretary's reports shall contain cost estimates and comparisons of those estimates to comparable costs under present law. Repealed on January 1, 2007. Effective immediately.

Fiscal Note (Secretary of State)

Will have little or no fiscal impact on the Secretary of State's Office.

Aug 04 05 S Public Act 94-0470

SB 00250 Sen. John J. Cullerton

(Rep. Dave Winters-Sara Feigenholtz-Elizabeth Coulson-Renee Kosel-Sandra M. Pihos and Wyvetter H. Younge)

20 ILCS 3105/3 from Ch. 127, par. 773

20 ILCS 3105/10.04 from Ch. 127, par. 780.04

Amends the Capital Development Board Act. Requires the Board to implement the LEED green building rating system. Requires any new building, repair, or retrofit construction work authorized by the Board to meet the requirements for LEED certification. Defines "LEED" and "LEED green building rating system". Effective January 1, 2006.

Senate Committee Amendment No. 2

Deletes everything after the enacting clause. Reinserts the bill as introduced with the following changes. Removes language requiring the Board to implement the LEED green building rating system and requiring certain construction work authorized by the Board to meet the requirements for LEED certification. Provides that the Board shall initiate training workshops across the State to increase awareness and understanding of green building techniques and the LEED green building rating system. Requires the Board to identify between 3 and 5 construction projects to serve as case studies for using the LEED green building system and for the Board to report its findings from these case studies to the General Assembly. Provides that the Board shall establish a Green Building Advisory Committee to assist the Board in determining guidelines for which State construction projects should be developed to LEED green building standards (or a hybrid version thereof). Requires the Board to approve or adopt the guidelines within 3 years after the effective date and sets forth certain considerations for these guidelines. Provides an internal repealer such that the workshops, case studies, and Green Building Advisory Committee provided by this amendatory Act expire on January 1, 2009. Effective January 1, 2006.

Senate Floor Amendment No. 3

Deletes reference to:

20 ILCS 3105/3 from Ch. 127, par. 773

Further amends the Capital Development Board Act. Deletes all references to LEED, the LEED green building rating system, or a hybrid version of LEED. Provides that the Board training workshops are to increase awareness and understanding of green building rating systems (rather than the LEED green building rating system). Sets forth that the Board shall conduct case studies of construction projects using a consensus-based green building rating system (instead of the LEED green building system). Provides that the Green Building Advisory Committee shall (i) determine guidelines for which State construction projects should be developed to green building standards (instead of LEED green building standards or a hybrid thereof), and (ii) consider the feasibility of requiring State construction projects to be certified by a consensus-based green building rating system (instead of LEED certified).

Fiscal Note (Capital Development Board)

The costs of LEED certification is approximately 6% more per project for the additional work necessary for design, supplier and construction services to be provided for a State project. The amount will vary with the base value of the project. The pilot of 3 to 5 construction projects will refine this number and possibly reduce if green design and construction requirements become a standard requirement in the next several years. The basic LEED training required could be accomplished with CDB staff with donated time from green advocates, design professionals, construction suppliers and contractors at public sites for an estimated $20,000. Cost data gathered from a report on The Costs and Financial Benefits of Green Building on 33 individual LEED registered projects (25 office building and 8 school buildings) determined that financial benefits of green design are estimated to be almost $50/ft for Certified and Silver level green buildings, and over $75/ft for Gold and Platinum level buildings. The financial benefits of green buildings include lower energy, waste, and water costs, lower environmental and emissions costs, and lower operations and maintenance costs and savings from increased productivity and health. These benefits range from being fairly predictable (energy, waste, and water savings) to relatively uncertain (productivity/health benefits). Energy and water savings can be predicted with reasonable precision, measured, and monitored over time, so much so that commercial firms contract to buy streams of future energy and water savings. The commonly higher initial cost of green design and construction can be expected to drop as designers and builders gain experience in building green.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with the following changes. Provides that the Board shall identify no less than 3 construction projects (instead of no less than 3 and no more than 5 construction projects) to serve as case studies for achieving certification using nationally recognized and accepted green building guidelines, standards, or systems approved by the State (instead of a consensus-based green building rating system). Provides that the Committee shall consider the feasibility of requiring certain State construction projects to be certified using a green building rating system (instead of using a consensus-based green building rating system). Effective January 1, 2006.

Aug 12 05 S Public Act 94-0573

SB 00251 Sen. Deanna Demuzio, Bill Brady-John M. Sullivan-Arthur J. Wilhelmi and John O. Jones-Gary Forby

(Rep. William B. Black-Jim Watson-Dan Reitz-Mike Bost-Dave Winters, Michael Tryon, JoAnn D. Osmond, Ron Stephens, Jim Sacia, Art Tenhouse, Donald L. Moffitt, Raymond Poe, David Reis, Rich Brauer, Frank J. Mautino, Robert W. Pritchard, John E. Bradley, Richard P. Myers, Brandon W. Phelps, Chapin Rose, Joseph M. Lyons, Shane Cultra, Terry R. Parke, Patrick J Verschoore and Jack McGuire)

745 ILCS 65/1 from Ch. 70, par. 31

745 ILCS 65/2 from Ch. 70, par. 32

Amends the Recreational Use of Land and Water Areas Act. Provides that the purpose of the Act is to encourage owners of land to make land and water areas available to any individual or, on state-owned or managed lands and waters, members of the public (rather than to the public) for recreational or conservation purposes by limiting their liability toward persons entering thereon for such purposes. Provides that residential buildings are not included in the definition of "land". Changes the definition of "recreational or conservation purpose" to include hunting, hiking, recreational shooting, operation of an off-highway vehicle, rock climbing, trapping, horseback riding of an entrant's own horse or horses, fishing, swimming, boating, camping, picnicking, water or snow skiing, sledding, and snowmobiling. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

745 ILCS 65/2

Deletes everything. Amends the Recreational Use of Land and Water Areas Act. Makes a technical change in a Section concerning the short title and purpose of the Act.

House Amendment No. 1

Adds reference to:

745 ILCS 65/2 from Ch. 70, par. 32

Deletes everything after the enacting clause. Amends the Recreational Use of Land and Water Areas Act. Provides that the purpose of the Act is to encourage owners of land to make land and water areas available to any individual or members of the public (rather than to the public) for recreational or conservation purposes by limiting their liability towards persons entering thereon for such purposes. Provides that residential buildings or residential property are not included in the definition of "land". Changes the definition of "recreational or conservation purpose" to mean entry onto the land of another to conduct hunting or recreational shooting or a combination thereof or any activity solely related to the aforesaid hunting or recreational shooting. Effective immediately.

Aug 18 05 S Public Act 94-0625

SB 00253 Sen. Emil Jones, Jr.-Martin A. Sandoval

(Rep. Robert Rita)

40 ILCS 5/1-109.1 from Ch. 108 1/2, par. 1-109.1

Amends the Illinois Pension Code. Provides that the maximum value of the investment portfolio that an emerging investment manager manages is $2,000,000,000 (was, $400,000,000). Effective immediately.

Pension Note (Commission on Gov't Forecasting and Accountability)

Senate Bill 253 would not have a fiscal impact, as it merely expands the definition of "emerging investment manager".

Aug 04 05 S Public Act 94-0471

SB 00272 Sen. Kimberly A. Lightford, Wendell E. Jones and Dan Cronin

(Rep. Eileen Lyons-Karen A. Yarbrough-Frank J. Mautino-Sidney H. Mathias-Bob Biggins and Deborah L. Graham)

65 ILCS 5/8-11-1.1 from Ch. 24, par. 8-11-1.1

65 ILCS 5/8-11-1.3 from Ch. 24, par. 8-11-1.3

65 ILCS 5/8-11-1.4 from Ch. 24, par. 8-11-1.4

65 ILCS 5/8-11-1.5 from Ch. 24, par. 8-11-1.5

Amends the Illinois Municipal Code. Provides that the rates of the Non-Home Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Service Occupation Tax Act, and the Non-Home Rule Municipal Use Tax Act may not exceed 1% (now, the rates may not exceed 1/2 of 1%).

Nov 08 05 S Public Act 94-0679

SB 00273 Sen. William R. Haine-Dale A. Righter-Deanna Demuzio-Gary Forby-John M. Sullivan, Susan Garrett, Mike Jacobs, Richard J. Winkel, Jr., Larry K. Bomke, John O. Jones, David Luechtefeld, Jacqueline Y. Collins, Edward D. Maloney, Dale E. Risinger, Gary G. Dahl, Dan Rutherford and John J. Millner

(Rep. John E. Bradley-Larry McKeon-Roger L. Eddy-Daniel V. Beiser-Dan Reitz, Sidney H. Mathias, Monique D. Davis, Robert F. Flider, Dan Brady, Aaron Schock, Jack D. Franks, Chapin Rose, Careen M Gordon, Sara Feigenholtz, William B. Black, Naomi D. Jakobsson, Lovana Jones, Donald L. Moffitt, Cynthia Soto, Jack McGuire, Michael K. Smith, Patrick J Verschoore, Eddie Washington, Thomas Holbrook, Linda Chapa LaVia, Shane Cultra, Ed Sullivan, Jr., Jim Watson, Lisa M. Dugan, Mike Bost, Brandon W. Phelps, Karen May, Suzanne Bassi, Harry Osterman, Jerry L. Mitchell, Patricia Reid Lindner, David R. Leitch, Rich Brauer, Raymond Poe, Art Tenhouse, James H. Meyer, Richard P. Myers, Ron Stephens, JoAnn D. Osmond, David Reis, Patricia R. Bellock, Robert W. Pritchard, Michael Tryon, Jim Sacia, Eileen Lyons, Bill Mitchell, Ruth Munson, Renee Kosel, Keith P. Sommer, Dave Winters, Mike Boland, Frank J. Mautino and Kurt M. Granberg)

720 ILCS 375/4 from Ch. 121 1/2, par. 157.35

Amends the Ticket Scalping Act. Makes a technical change in a Section concerning service charges.

Senate Floor Amendment No. 1

Deletes reference to:

720 ILCS 375/4

Adds reference to:

720 ILCS 375/0.01 from Ch. 121 1/2, par. 157.30

Deletes everything after the enacting clause. Amends the Ticket Scalping Act. Changes the short title of the Act to the Ticket Brokers and Ticket Sales Act.

House Amendment No. 1

Deletes reference to:

720 ILCS 375/0.01

Adds reference to:

New Act

Adds reference to:

720 ILCS 570/211 from Ch. 56 1/2, par. 1211

Adds reference to:

720 ILCS 570/212 from Ch. 56 1/2, par. 1212

Adds reference to:

720 ILCS 570/216

Adds reference to:

720 ILCS 570/304 from Ch. 56 1/2, par. 1304

Adds reference to:

720 ILCS 570/312 from Ch. 56 1/2, par. 1312

Adds reference to:

720 ILCS 647/Act rep.

Deletes everything. Creates the Methamphetamine Precursor Control Act. Provides for the administration, dispensing, or distribution of targeted methamphetamine precursors only by: (1) a pharmacist pursuant to the valid order of a prescriber; (2) any other practitioner authorized by the Illinois Controlled Substances Act; (3) a drug abuse treatment program; (4) a pharmacy; (5) a retail distributor which meets certain specified requirements; or (6) a distributor authorized by the Drug Enforcement Administration to distribute bulk quantities of a list I chemical under the federal Controlled Substances Act and corresponding regulations, or the employee or agent of such a distributor acting in the normal course of business. Establishes further restrictions on the distribution of targeted methamphetamine precursors. Amends the Illinois Controlled Substances Act to make conforming changes. Repeals the Methamphetamine Precursor Retail Sale Control Act. Preempts home rule. Effective January 1, 2006.

House Amendment No. 2

Deletes everything. Reinserts the provisions of the bill as amended, except changes the effective date to January 15, 2006.

Nov 16 05 S Public Act 94-0694

SB 00274 Sen. James A. DeLeo-Dale A. Righter
(Rep. Larry McKeon-Brent Hassert-Dave Winters)

5 ILCS 315/6 from Ch. 48, par. 1606

Amends the Illinois Public Labor Relations Act. Requires a public employer to furnish the exclusive bargaining representative with the names and addresses of its public employees if requested by the representative. Limits the number of requests that must be met to 4 per calendar year.

Senate Committee Amendment No. 1

Removes the limit of 4 requests per year.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of engrossed Senate Bill 274 with the following changes: Provides that an employer is not required to furnish the list more than once per payroll period. Requires that the exclusive representative use the list only for bargaining representation purposes and prohibits the representative from disclosing information in the list for any other purpose. Provides that a bargaining representative is not prohibited from disseminating a list of its union members.

Aug 04 05 S Public Act 94-0472

SB 00283 Sen. John J. Cullerton
(Rep. Annazette Collins-Patricia Reid Lindner-Patricia R. Bellock-Lovana Jones-Robert S. Molaro and John A. Fritchey)

730 ILCS 5/3-2-5 from Ch. 38, par. 1003-2-5

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the organization of the Department of Corrections.

Senate Floor Amendment No. 1

Deletes reference to:

730 ILCS 5/3-2-5

Adds reference to:

705 ILCS 405/5-130

Adds reference to:

705 ILCS 405/5-805

Adds reference to:

705 ILCS 405/5-810

Adds reference to:

705 ILCS 405/5-821 new

Deletes everything after the enacting clause. Amends the Juvenile Court Act of 1987. Changes the offenses that require the adult criminal prosecution of minors. Changes the factors that the court must consider in determining whether to transfer a minor from the jurisdiction of the juvenile court for adult prosecution. Provides that the Illinois Juvenile Justice Commission shall commission a study on the changes in jurisdiction made by the amendatory Act and that the Commission report to the General Assembly 3 years after the effective date of the amendatory Act. Effective immediately.

Senate Floor Amendment No. 2

Provides that the study on the changes in jurisdiction made in the amendatory Act shall be conducted by the Illinois Criminal Justice Information Authority rather than by the Juvenile Justice Commission.

Aug 12 05 S Public Act 94-0574

SB 00287 Sen. Ira I. Silverstein-Jeffrey M. Schoenberg-Jacqueline Y. Collins-Carol Ronen
(Rep. Lou Lang-Edward J. Acevedo-Linda Chapa LaVia-Jack D. Franks-Elizabeth Coulson, Sara Feigenholtz, Milton Patterson and Kurt M. Granberg)

720 ILCS 5/12-7.1 from Ch. 38, par. 12-7.1

Amends the Criminal Code of 1961. Provides that a person commits a hate crime if by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, regardless of the existence of any other motivating factor or factors, he or she commits any form of harassment through electronic communications as defined in the Harassing and Obscene Communications Act (rather than just threatening injury to the person or to the property of the person to whom the electronic communication is directed). Effective immediately.

Senate Committee Amendment No. 1

Restores provision that a person commits a hate crime when, by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, regardless of the existence of any other motivating factor or factors, he or she commits harassment through electronic communications by threatening injury to the person or to the property of the person to whom an electronic communication is directed or to any of his or her family or household members. Also provides that a hate crime is committed when for the prohibited reasons a person interrupts, with the intent to harass, the telephone service or electronic communication service of a person.

Jun 27 05 S Public Act 94-0080

SB 00288 Sen. Martin A. Sandoval
(Rep. Daniel J. Burke)

70 ILCS 2605/4.11 from Ch. 42, par. 323.11

Amends the Metropolitan Water Reclamation District Act. Provides that the assistant director of personnel shall be appointed by the General Superintendent upon the recommendation of the department head. Effective immediately.

Nov 08 05 S Public Act 94-0680

SB 00292 Sen. Dale E. Risinger
(Rep. Donald L. Moffitt)

705 ILCS 405/1-5 from Ch. 37, par. 801-5

725 ILCS 120/3 from Ch. 38, par. 1403

Amends the Juvenile Court Act of 1987. In the provision that the general public except for the news media and the victim shall be excluded from any hearing, changes the reference from "victim" to "crime victim" as defined in the Rights of Crime Victims and Witnesses Act. Amends the Rights of Crime Victims and Witnesses Act. Defines "crime victim" in proceedings under the Juvenile Court Act of 1987 to include both parents of a deceased minor who is a crime victim.

Jul 19 05 S Public Act 94-0271

SB 00293 Sen. Dan Cronin and Pamela J. Althoff
(Rep. Renee Kosel)

105 ILCS 230/5-5

105 ILCS 230/5-25

Amends the School Construction Law. Defines "project labor agreement". Provides that the State Board of Education and the Capital Development Board shall not require a project labor agreement for any school construction project grant or debt service grant provided under the Law.

House Amendment No. 1

Deletes reference to:

105 ILCS 230/5-5

Deletes reference to:

105 ILCS 230/5-25

Adds reference to:

105 ILCS 5/10-20.21 from Ch. 122, par. 10-20.21

Adds reference to:

30 ILCS 805/8.29 new

Deletes everything after the enacting clause. Amends the School Code. Requires all contracts and agreements that pertain to goods and services and that are intended to generate additional revenue and other remunerations for a school district in excess of $1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, to be approved by the school board. Requires the school board to file as an attachment to its annual budget a report indicating for the prior year the name of the vendor, the product or service provided, and the actual net revenue and non-monetary remuneration from each of the contracts or agreements. Also requires the report to indicate for what purpose the revenue was used and how and to whom the non-monetary remuneration was distributed. Amends the State Mandates Act to require implementation without reimbursement. Effective July 1, 2006.

Dec 13 05 S Public Act 94-0714

SB 00297 Sen. John J. Cullerton
(Rep. Calvin L. Giles)

105 ILCS 5/27-24.3 from Ch. 122, par. 27-24.3

Amends the School Code. Removes a provision that allows a school district to adopt a policy to permit proficiency examinations for the practice driving part of the driver education course at any time after the completion of 3 hours of practice driving under direct individual instruction.

Senate Committee Amendment No. 1

Deletes reference to:

105 ILCS 5/27-24.3

Adds reference to:

105 ILCS 5/27-24.4 from Ch. 122, par. 27-24.4

Deletes everything after the enacting clause. Amends the School Code. Provides that if a school district has adopted a policy to permit proficiency examinations for the practice driving part of the driver education course, then the school district is entitled to only one-half of the reimbursement amount for the practice driving part for each pupil who has passed the proficiency examination, and the State Board of Education shall adjust the reimbursement formula accordingly.

Aug 10 05 S Public Act 94-0525

SB 00299 Sen. Gary Forby
(Rep. Kurt M. Granberg)

70 ILCS 2105/4a from Ch. 42, par. 386a

Amends the River Conservancy Districts Act. In the case of a board representing a district that embraces Franklin and Jefferson counties: (i) authorizes the appropriate appointing presiding officer or officers to remove a trustee for incompetence, neglect of duty, or malfeasance in office, without the advice and consent of the corporate authorities; (ii) ends the terms of all trustees on the effective date of this amendatory Act; and (iii) provides for the appointment of new trustees. Effective immediately.

Jun 21 05 S Public Act 94-0064

SB 00301 Sen. Antonio Munoz

(Rep. Paul D. Froehlich-Charles E. Jefferson-Sidney H. Mathias-Mike Boland-Donald L. Moffitt, Robin Kelly, William Delgado and Cynthia Soto)

625 ILCS 5/6-103.1 new

Amends the Illinois Vehicle Code. Provides that the Secretary of State may not issue a driver's license to a nonresident who becomes a resident of this State while the new resident's driving privileges are revoked in another state. Provides that the Secretary may, subject to specified conditions, issue restricted driving permits to new residents whose driving privileges are revoked in another state. Provides that the Secretary shall adopt rules for the issuance of these permits.

Aug 04 05 S Public Act 94-0473

SB 00302 Sen. Antonio Munoz

(Rep. Edward J. Acevedo-Charles E. Jefferson-Eddie Washington)

625 ILCS 5/7-316.1 new

Amends the Illinois Vehicle Code. Provides that any nonresident or former Illinois resident who has met all requirements for restoration of driving or registration privileges under the Safety and Financial Responsibility Law of the Code except filing proof of financial responsibility, or any nonresident or former Illinois resident whose license was revoked and who has met all the requirements for applying for driving privileges except filing proof of financial responsibility, shall be released from the Illinois proof of financial responsibility requirement if he or she resides outside of Illinois and has applied for a license in another state. Requires proof of nonresidency. Provides for reimposition of the requirement if the person returns to Illinois within 3 years and cannot show proof of insurance during the period of nonresidency. Provides that the Secretary of State shall adopt rules for implementing the new provision.

Jul 14 05 S Public Act 94-0224

SB 00309 Sen. Iris Y. Martinez

(Rep. Edward J. Acevedo)

35 ILCS 200/22-5

35 ILCS 200/22-10

Amends the Property Tax Code. In provisions concerning the notice of tax sale and redemption rights and the notice of expiration of the period of redemption from the sale, changes the form of the notices with respect to contacting the county clerk for further information about the notices. Effective immediately.

House Amendment No. 1

Makes changes to the form of the notice of sale and redemption rights and of the notice of the expiration of the period of redemption. Deletes the change that the notice must be signed by the county clerk rather than that purchaser or assignee, and deletes the change that the notice must contain a list of recipients to which the notice is mailed.

Jul 29 05 S Public Act 94-0380

SB 00311 Sen. William R. Haine

(Rep. Edward J. Acevedo)

225 ILCS 320/13.1

Amends the Illinois Plumbing License Law. Provides that an application for registration as a plumbing contractor shall be filed on or before the last day of September (rather than the last day of April) and that all plumbing contractor's registrations expire on the last day of September (rather than the last day of April) of each year. Effective immediately.

Jun 17 05 S Public Act 94-0055

SB 00316 Sen. Don Harmon
(Rep. Barbara Flynn Currie)

35 ILCS 5/509 from Ch. 120, par. 5-509

Amends the Illinois Income Tax Act. Makes a technical change in a Section concerning tax checkoff explanations.

Senate Floor Amendment No. 1

Deletes reference to:

35 ILCS 5/509

Adds reference to:

35 ILCS 5/203 from Ch. 120, par. 2-203

Deletes everything after the enacting clause. Amends the Illinois Income Tax Act. Provides that a corporate income tax deduction for certain amounts paid or incurred by a interinsurer or reciprocal insurer to an attorney-in-fact: (i) applies on and after July 20, 1999; and (ii) is exempt from the Act's sunset provisions. Effective immediately.

House Amendment No. 1

Deletes reference to:

35 ILCS 5/203

Adds reference to:

230 ILCS 10/13 from Ch. 120, par. 2413

Replaces everything after the enacting clause. Amends the Riverboat Gambling Act. Provides that the current rate schedule for the privilege tax shall no longer be imposed beginning on the earlier of (i) July 1, 2007 (was, July 1, 2005); (ii) the first date after June 20, 2003 that riverboat gambling operations are conducted pursuant to a dormant license; or (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under the Act. Effective immediately.

House Amendment No. 2

Adds reference to:

230 ILCS 10/12 from Ch. 120, par. 2412

Replaces everything after the enacting clause. Amends the Riverboat Gambling Act. Changes the admission tax rate to $2 per person admitted for a licensee that admitted 1,000,000 persons or fewer in the calendar year 2004 and $3 per person admitted for all other licensees. Provides that, if the current privilege tax is no longer imposed beginning on July 1, 2005, then by June 15 of each year, each licensed owner, other than an owners licensee that admitted 1,000,000 persons or fewer in calendar year 2004, must, in addition to the privilege tax, pay to the Board the amount, if any, by which a specified base amount exceeds the amount of privilege tax paid by the licensed owner in the then current State fiscal year. Provides that this obligation terminates on the earliest of: (i) July 1, 2007, (ii) the first day after the effective date of the amendatory Act that riverboat gambling operations are conducted pursuant to a dormant license, (iii) the first day that riverboat gambling operations are conducted under the authority of an owners license that is in addition to the 10 owners licenses initially authorized under the Act, or (iv) the first day that a licensee under the Illinois Horse Racing Act of 1975 conducts gaming operations with slot machines or other electronic gaming devices. Provides that the Board must reduce the obligation by an amount the Board deems reasonable for any of the following reasons: (A) an act or acts of God, (B) an act of bioterrorism or terrorism or a bioterrorism or terrorism threat that was investigated by a law enforcement agency, or (C) a condition beyond the control of the owners licensee that does not result from any act or omission by the owners licensee or any of its agents and that poses a hazardous threat to the health and safety of patrons. Effective immediately.

Aug 23 05 S Public Act 94-0673

SB 00319 Sen. Don Harmon-Jacqueline Y. Collins and Martin A. Sandoval

(Rep. Careen M Gordon, Edward J. Acevedo, Linda Chapa LaVia, Michelle Chavez, Jack D. Franks, Susana A Mendoza, William Delgado and Cynthia Soto)

720 ILCS 5/24-1.7 new

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Criminal Code of 1961. Creates the offense of being an armed habitual criminal. Provides that a person commits the offense of being an armed habitual criminal if he or she receives, sells, possesses, or transfers any firearm after having been convicted a total of 3 or more times of any of the following offenses: first degree murder; aggravated battery; aggravated battery with a firearm; unlawful use of a weapon by a felon; robbery; armed robbery; residential burglary; home invasion; vehicular hijacking; gunrunning; intimidation; armed violence; criminal sexual assault; aggravated criminal sexual assault; predatory criminal sexual assault of a child; aggravated domestic battery; or any violation of the Illinois Controlled Substances Act or the Cannabis Control Act that is punishable as a Class 3 felony or higher. Provides that a violation is a Class X felony. Amends the Unified Code of Corrections. Provides that a prisoner serving a sentence for being an armed habitual criminal shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment. Effective immediately.

Senate Floor Amendment No. 1

Changes the definition of armed habitual criminal.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/24-1.7 new

Deletes reference to:

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Adds reference to:

730 ILCS 5/5-8-1 from Ch. 38, par. 1005-8-1

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Provides that the mandatory supervised release term of at least 3 years and up to a maximum of natural life for persons who committed the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault applies to persons who commit these offenses on or after the effective date of the amendatory Act (rather than to persons convicted of these offenses on or after July 1, 2005. Effective immediately.

Dec 13 05 S Public Act 94-0715

SB 00323 Sen. Arthur J. Wilhelmi, Martin A. Sandoval, Gary G. Dahl and Mike Jacobs

(Rep. Naomi D. Jakobsson-Linda Chapa LaVia-Mike Boland-Jack McGuire-Patrick J Verschoore, Kathleen A. Ryg, Jack D. Franks, John E. Bradley, Robert F. Flider, Daniel V. Beiser and Wyvetter H. Younge)

20 ILCS 605/605-413 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Creates the Military Reservist Business Assistance Loan Program to make loans to small businesses (i) that lose an owner, a manager, or a key employee due to a period of military conflict and (ii) that will experience economic injury as a result of the loss of that owner, manager, or key employee. Authorizes the Department to accept grants, loans, or appropriations and associated contracts and agreements for purposes similar to this program. Limits the total amount of any loan awarded under the program to $150,000. Requires the Department to adopt rules concerning the administration of the program and to create a competitive application procedure. Effective immediately.

Senate Committee Amendment No. 1

Defines "small business" to mean a business with 25 (now, 50) or fewer employees. Requires the Department and the borrower to arrange for the repayment of the loan within 30 days after the owner, manager, or key employee returns to non-active duty status or 3 years after the date on which the loan was awarded, whichever is sooner.

Senate Floor Amendment No. 2

Deletes reference to:

20 ILCS 605/605-413 new

Adds reference to:

30 ILCS 750/9-4.7 new

Replaces everything after the enacting clause. Amends the Build Illinois Act. Creates the Military Reservist Business Assistance Loan Program. Authorizes the Department of Commerce and Economic Opportunity to make loans to small businesses (i) that lose an owner or a key employee due to a period of military conflict and (ii) that will experience substantial economic injury as a result of the loss of that owner or key employee. Authorizes the Department to accept grants, loans, or appropriations and enter into contracts and agreements for purposes of this program. Limits the total amount of any loan awarded under the program to $150,000. Effective immediately.

Aug 08 05 S Public Act 94-0485

SB 00326 Sen. Jacqueline Y. Collins-Donne E. Trotter-Kwame Raoul-Mattie Hunter

(Rep. Constance A. Howard-Paul D. Froehlich-Calvin L. Giles-Robert Rita-Eddie Washington, Julie Hamos, Susana A Mendoza, Patricia Bailey, John J. Millner, Arthur L. Turner, Richard T. Bradley and Monique D. Davis)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

730 ILCS 5/3-6-8 new

Amends the Unified Code of Corrections. Provides that the rules and regulations for the early release of a prisoner on account of good conduct shall also provide that an additional 60 days of good conduct credit shall be awarded to any prisoner who earns a high school diploma or passes the high school level Test of General Educational Development (GED) and receives a GED certificate while the prisoner is incarcerated. Provides that the Department of Corrections shall develop and establish a program designed to increase the number of committed persons enrolled in programs to obtain a high school diploma or to pass the high school level Test of General Educational Development (GED) and receive GED certificates by at least 100% over the 4-year period following the effective date of this amendatory Act. Provides that pursuant to the program, each institution and facility shall report annually to the Director of Corrections on the number of committed persons enrolled in high school education programs and those who pass the high school level Test of General Educational Development (GED) and receive GED certificates, and the number of committed persons who are on waiting lists for those educational programs. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill but eliminates the award of the additional 60 days good conduct credit for prisoners earning high school diplomas. Also limits the program to committed persons in the Adult Division of the Department of Corrections. Effective immediately.

Nov 04 05 S Total Veto Stands

SB 00327 Sen. James A. DeLeo
(Rep. Naomi D. Jakobsson)

235 ILCS 5/6-15 from Ch. 43, par. 130

Amends the Liquor Control Act of 1934. Allows a restaurant that is operated by a commercial tenant in the North Campus Parking Deck building that is located at 1201 West University Avenue, Urbana, Illinois and is owned by the Board of Trustees of the University of Illinois to serve and take deliveries of alcoholic liquor. Effective immediately.

Jul 21 05 S Public Act 94-0300

SB 00328 Sen. Arthur J. Wilhelmi-M. Maggie Crotty, Dale A. Righter-Louis S. Viverito-John M. Sullivan and Susan Garrett
(Rep. Robert W. Pritchard-Linda Chapa LaVia-Edward J. Acevedo-Patricia Bailey-Robert F. Flider, Daniel V. Beiser, John E. Bradley, David E. Miller, Robin Kelly, Milton Patterson, William Davis, Wyvetter H. Younge, Arthur L. Turner, Careen M Gordon, Brandon W. Phelps, Donald L. Moffitt, Lisa M. Dugan, Kurt M. Granberg, Monique D. Davis, Naomi D. Jakobsson, Kathleen A. Ryg, Annazette Collins, Eddie Washington, Jack D. Franks, Mike Boland, Patrick J Verschoore, Elizabeth Coulson, Roger L. Eddy, William Delgado, Michael K. Smith and John D'Amico)

New Act

30 ILCS 105/5.640 new

Creates the Helping Heroes Child Care Program Act and amends the State Finance Act. Establishes the Helping Heroes Child Care Program for the purpose of providing vouchers for child care to Illinois families who have one or more parents deployed to Iraq or Afghanistan by the armed services. Provides for the program to be administered by the Department of Human Services, but only if federal funding is made available for that purpose. Provides that any such federal moneys received by the State shall be deposited into the Fund for Child Care for Deployed Military Personnel, which is created as a special fund in the State treasury. Provides for income eligibility criteria to be established by the Department by rule. Provides that a family that received child care assistance before the parent's deployment to Iraq or Afghanistan is eligible only for a voucher for the cost of any additional hours of child care that are necessary by reason of that deployment. Provides that a family is not eligible for a child care voucher if the family receives child care services from the United States military. Repeals the Act on July 1, 2010. Effective immediately.

Jun 15 05 S Public Act 94-0035

SB 00331 Sen. M. Maggie Crotty-Dale E. Risinger
(Rep. Angelo Saviano-Kurt M. Granberg)

225 ILCS 410/3-7.1 from Ch. 111, par. 1703-7.1

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Makes a technical change in a Section concerning the inactive status of the license of a cosmetologist, cosmetology teacher, or cosmetology clinic teacher.

House Amendment No. 1

Deletes reference to:

225 ILCS 410/3-7.1

Adds reference to:

225 ILCS 312/5

Adds reference to:

225 ILCS 312/10

Adds reference to:

225 ILCS 312/15

Adds reference to:

225 ILCS 312/20

Adds reference to:

225 ILCS 312/25

Adds reference to:

225 ILCS 312/35

Adds reference to:

225 ILCS 312/40

Adds reference to:

225 ILCS 312/45

Adds reference to:

225 ILCS 312/50

Adds reference to:

225 ILCS 312/55

Adds reference to:

225 ILCS 312/60

Adds reference to:

225 ILCS 312/80

Adds reference to:

225 ILCS 312/90

Adds reference to:

225 ILCS 312/95

Adds reference to:

225 ILCS 312/105

Adds reference to:

225 ILCS 312/110

Adds reference to:

225 ILCS 312/120

Adds reference to:

225 ILCS 312/135

Adds reference to:

225 ILCS 312/140

SB 00331 (CONTINUED)

Deletes everything after the enacting clause. Amends the Elevator Safety and Regulation Act. Exempts a municipality with a population over 500,000 from the Act. Defines "elevator industry apprentice", "elevator helper", and "special purpose personnel elevator". Provides that after January 1, 2006, a person who is not licensed as an elevator mechanic may not work in the jurisdiction of this State as an elevator industry apprentice or helper unless he or she is registered as an elevator industry apprentice or helper by the Office of the State Fire Marshal and works under the direct supervision of an individual licensed under the Act as an elevator mechanic. Provides that the Office shall set elevator industry apprenticeship and helper qualifications and registration procedure by rule. Provides that an applicant for licensure as an elevator mechanic who provides acceptable proof that he or she has worked as an elevator constructor, maintenance, or repair person must make application by May 1, 2006 (now, within one year of the effective date of the Act). Provides that a license issued under the Act must be renewed every 2 years (now, biannually). Removes a provision that requires the Office to inspect all newly installed and existing platform lifts and stairway chair lifts for private residences subsequent to an inspection by a person, firm, or company to which a license to inspect conveyances has been issued. Provides that any owner or lessee who violates any of the provisions of the Act shall be fined in an amount not to exceed $1,500 per violation, per day (now, just $1,500). Makes other changes. Effective immediately.

Nov 22 05 S Public Act 94-0698

SB 00341 Sen. Donne E. Trotter

(Rep. Elaine Nekritz-Joseph M. Lyons)

70 ILCS 2605/9e new

Amends the Metropolitan Water Reclamation District Act. Authorizes the creation and use of a stormwater working cash fund. Effective immediately.

Aug 04 05 S Public Act 94-0474

SB 00350 Sen. Susan Garrett

(Rep. David R. Leitch-Robert F. Flider-Karen May-Thomas Holbrook-Charles E. Jefferson, Jim Watson, Elizabeth Coulson and Patricia R. Bellock)

20 ILCS 3956/1

Amends the Human Services 211 Collaboration Board Act. Makes a technical change in a Section concerning the short title.

Senate Committee Amendment No. 1

Deletes reference to:

20 ILCS 3956/1

Adds reference to:

20 ILCS 3956/10

Adds reference to:

20 ILCS 3956/10.5 new

Deletes everything. Amends the Human Services 211 Collaborative Board Act. Adds a representative from the Department of Human Rights to the Board. Creates a Governor-appointed advisory panel composed of representatives of State agencies, technology organizations, and non-profit organizations.

House Amendment No. 1

Provides that the The Governor shall appoint up to 14 representatives of not-for-profit human services organizations in the State to the Human Services 211 Collaborative Board advisory panel (instead of the Governor appointing representatives from specific organizations).

Aug 02 05 S Public Act 94-0427

SB 00357 Sen. James F. Clayborne, Jr.

(Rep. Thomas Holbrook-Kurt M. Granberg-Wyvetter H. Younge-Ron Stephens-Jay C. Hoffman and Dan Reitz)

735 ILCS 5/7-103.70

Amends the Code of Civil Procedure. Extends the Southwestern Illinois Development Authority's quick-take authority until August 30, 2007.

Senate Committee Amendment No. 1

Adds an immediate effective date.

Governor Amendatory Veto Message

Provides that quick-take proceedings by the Southwestern Illinois Development Authority are subject to the written approval of the Illinois Secretary of Transportation based upon the overall economic development and fiscal plans and need of the State of Illinois.

Nov 04 05 H Bill Dead - No Positive Action Taken - Amendatory Veto

SB 00383 Sen. Terry Link

(Rep. Sidney H. Mathias-Michael K. Smith-Donald L. Moffitt-Kathleen A. Ryg)

105 ILCS 5/2-3.137 new

105 ILCS 5/3-14.20 from Ch. 122, par. 3-14.20

Amends the School Code. Requires the State Board of Education to adopt rules for the documentation of school plan reviews and inspections of school facilities and to convene a task force for the purpose of reviewing these documents and making recommendations regarding training and accreditation of individuals performing reviews or inspections. In a Section requiring school building plans and specifications to be approved by the regional superintendent of schools, removes the provision allowing the local fire department or fire protection district to request a review of the plans and specifications. Provides for review of the plans and specifications by a municipality, fire protection district, or county. Effective immediately.

House Amendment No. 1

Adds reference to:

105 ILCS 5/2-3.12 from Ch. 122, par. 2-3.12

Adds reference to:

105 ILCS 5/3-14.21 from Ch. 122, par. 3-14.21

Adds additional members to the task force. Provides that the task force's report must be issued no later than January 1, 2006 instead of June 30, 2005. Further amends the School Code. In the Section concerning the school building code, makes changes regarding (i) an extension of time for compliance with respect to fire protection issues and (ii) fire safety checks and taking corrective action. Provides that the Office of the State Fire Marshal or a qualified fire official to whom the State Fire Marshal has delegated his or her authority shall conduct an annual fire safety inspection of each school building in this State. Provides that the inspection must be at no cost to the school district.

Jul 14 05 S Public Act 94-0225

SB 00397 Sen. James A. DeLeo
(Rep. Frank J. Mautino)

415 ILCS 5/22.10 from Ch. 111 1/2, par. 1022.10

Amends the Environmental Protection Act. Makes a technical change in a Section concerning waste from multiple generators.

Senate Floor Amendment No. 1

Deletes reference to:

415 ILCS 5/22.10

Adds reference to:

625 ILCS 5/1-101.5

Adds reference to:

625 ILCS 5/13B-99 new

Adds reference to:

625 ILCS 5/Ch. 13C heading new

Adds reference to:

625 ILCS 5/13C-1 new

Adds reference to:

625 ILCS 5/13C-5 new

Adds reference to:

625 ILCS 5/13C-10 new

Adds reference to:

625 ILCS 5/13C-15 new

Adds reference to:

625 ILCS 5/13C-20 new

Adds reference to:

625 ILCS 5/13C-25 new

Adds reference to:

625 ILCS 5/13C-30 new

Adds reference to:

625 ILCS 5/13C-35 new

Adds reference to:

625 ILCS 5/13C-40 new

Adds reference to:

625 ILCS 5/13C-45 new

Adds reference to:

625 ILCS 5/13C-50 new

Adds reference to:

625 ILCS 5/13C-55 new

Adds reference to:

625 ILCS 5/13C-60 new

Adds reference to:

625 ILCS 5/13C-75 new

Amends the Illinois Vehicle Code. Creates the Vehicle Emissions Inspection Law of 2005. Provides for the administration of a new vehicle emissions inspection program in certain specified counties, beginning February 1, 2007, as a replacement for and continuation of the program established under the Vehicle Emissions Inspection Law of 1995. Requires testing based primarily on the use of on-board diagnostic systems. Exempts certain vehicles, including most vehicles of model year 1995 or earlier. Includes regulatory and enforcement provisions, including some criminal penalties. Pre-empts home rule. Repeals the Vehicle Emissions Inspection Law of 1995 (Chapter 13B) on July 1, 2007.

Aug 10 05 S Public Act 94-0526

SB 00406 Sen. James A. DeLeo
(Rep. Lou Lang-Kenneth Dunkin)

235 ILCS 5/1-1 from Ch. 43, par. 93.9

Amends the Liquor Control Act of 1934. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

235 ILCS 5/1-1

Adds reference to:

235 ILCS 5/6-2 from Ch. 43, par. 120

Deletes everything after the enacting clause. Amends the Liquor Control Act of 1934. Prohibits the issuance of a license to a limited liability company when members would not be eligible to receive a license for any reason other than citizenship and residence within the political subdivision or unless it is organized in Illinois or qualified under the Limited Liability Company Act. Allows corporations and limited liability companies to submit proof to the Illinois Liquor Control Commission of good standing and qualification to transact business in Illinois. Effective immediately.

Jul 29 05 S Public Act 94-0381

SB 00411 Sen. James A. DeLeo

(Rep. Jay C. Hoffman and Wyvetter H. Younge)

820 ILCS 405/201 from Ch. 48, par. 311

Amends the Unemployment Insurance Act. Makes a technical change to a Section concerning the definitions of "Director" and "Department".

Senate Floor Amendment No. 1

Deletes reference to:

820 ILCS 405/201

Adds reference to:

820 ILCS 405/235 from Ch. 48, par. 345

Adds reference to:

820 ILCS 405/1500 from Ch. 48, par. 570

Adds reference to:

820 ILCS 405/1506.1 from Ch. 48, par. 576.1

Adds reference to:

820 ILCS 405/1506.3 from Ch. 48, par. 576.3

Adds reference to:

820 ILCS 405/1507 from Ch. 48, par. 577

Adds reference to:

820 ILCS 405/1507.1 new

Deletes everything. Amends the Unemployment Insurance Act. Provides that, if an individual or entity transfers all or a portion of its trade or business and there is any substantial common ownership, management, or control of the transferor and transferee, the experience rating records of the transferor and transferee shall be combined for the purpose of determining their contribution rate. Provides that, if the transferor or transferee had a contribution rate applicable to it for the calendar year in which the transfer occurred, it shall continue with that contribution rate for the remainder of the calendar year and, if the transferee had no contribution rate applicable to it for the calendar year in which the transfer occurred, the contribution rate of the transferee shall be the same as the contribution rate of the transferor for the remainder of the calendar year, subject to a rate ceiling. Provides that, if an individual or entity that is not an employer under the Act acquires the trade or business of an employing unit, the experience rating record of the acquired business shall not be transferred to the individual or entity if the Director of Employment Security finds that the individual or entity acquired the business solely or primarily to obtain a lower contribution rate. Sets forth penalties for violations. Provides that the new provisions shall be interpreted and applied to meet the minimum requirements of any guidance or regulations issued by the U.S. Department of Labor. Makes other changes.

House Amendment No. 1

In provisions making specified individuals and entities subject to Class B misdemeanor penalties for certain violations regarding payment of contributions or advising another in a way that results in a violation of provisions regarding payment of contributions, requires that the violation be committed knowingly (and deletes language making certain corporate officers liable if, in the exercise of their duties, they ought to have had knowledge of the violation).

Jul 21 05 S Public Act 94-0301

SB 00416 Sen. Kwame Raoul-Kirk W. Dillard-Pamela J. Althoff-Don Harmon-Jacqueline Y. Collins, Peter J. Roskam and Susan Garrett

(Rep. Constance A. Howard-Elaine Nekritz-Aaron Schock-Michael K. Smith-Cynthia Soto, Daniel V. Beiser, Naomi D. Jakobsson, Brandon W. Phelps, Robert F. Flider, Edward J. Acevedo, Linda Chapa LaVia, William Delgado, Michelle Chavez, Gary Hannig, Kathleen A. Ryg, Annazette Collins, Monique D. Davis, John D'Amico and Eddie Washington)

740 ILCS 45/2 from Ch. 70, par. 72

Amends the Crime Victims Compensation Act. Provides that the definition of "pecuniary loss" includes the first month's rent and security deposit of the dwelling that the claimant relocated to and other reasonable relocation expenses incurred as a result of the violent crime.

Aug 02 05 S Public Act 94-0400

SB 00417 Sen. Jeffrey M. Schoenberg, Martin A. Sandoval-Jacqueline Y. Collins and James T. Meeks
(Rep. Elizabeth Coulson-Sandra M. Pihos)

30 ILCS 167/15

30 ILCS 167/20

30 ILCS 167/25

30 ILCS 167/30

30 ILCS 167/35

Amends the Tobacco Products Manufacturers' Escrow Enforcement Act of 2003. Deletes provisions concerning the Director of Revenue's powers and duties in relation to the registration of agents by non-participating manufacturers. In a provision concerning the reporting of information, authorizes the Attorney General to disclose information to the Director of Revenue (now, the Director is authorized to disclose information to the Attorney General). Upon a distributor's violation of certain provisions of the Act, authorizes the Director of Revenue to revoke or suspend the license of the distributor (now, the license of a stamping agent) and authorizes the Attorney General to seek injunctive relief against a distributor (now, a stamping agent). Provides that the administrative decisions of the Attorney General concerning inclusions on the directory of certified manufacturers and brand families are subject to administrative review under the Administrative Review Law (now, subject to review in a manner prescribed by rule). Effective immediately.

Aug 12 05 S Public Act 94-0575

SB 00426 Sen. George P. Shadid and Martin A. Sandoval
(Rep. Aaron Schock)

820 ILCS 405/1502.1 from Ch. 48, par. 572.1

Amends provisions of the Unemployment Insurance Act providing that an employer is not chargeable for benefit charges resulting from the payment of benefits to an individual if the employer's business is closed solely because of the entrance of the employer or a partner, officer, or majority stockholder of the employer into active duty in the Illinois National Guard or the Armed Forces. Provides that those provisions apply notwithstanding any other provision of the Act, including those affecting finality of benefit charges or rates. Also provides that those provisions apply to benefit charges that result from the payment of benefits to an individual for any week of unemployment after January 1, 2003. Effective immediately.

Jul 08 05 S Public Act 94-0152

SB 00427 Sen. Edward D. Maloney
(Rep. Roger L. Eddy)

105 ILCS 5/10-23.8b from Ch. 122, par. 10-23.8b

Amends the School Code. In a Section regarding reclassification of principals in school districts other than the Chicago school district, provides that upon non-renewal of a principal's administrative contract, the principal shall be reclassified pursuant to the Section.

Jul 12 05 S Public Act 94-0201

SB 00431 Sen. Debbie DeFrancesco Halvorson-Miguel del Valle and Bill Brady-Martin A. Sandoval-Kwame Raoul
(Rep. Julie Hamos-Chapin Rose-Karen May-Linda Chapa LaVia-Monique D. Davis, Michelle Chavez, Eddie Washington and Patricia Bailey)

415 ILCS 5/28 from Ch. 111 1/2, par. 1028

Amends the Environmental Protection Act. Makes a technical change in a Section concerning proposal of regulations.

Senate Floor Amendment No. 1

Deletes reference to:

415 ILCS 5/28 from Ch. 111 1/2, par. 1028

Adds reference to:

30 ILCS 105/5.640 new

Adds reference to:

415 ILCS 5/4.2 new

Adds reference to:

415 ILCS 5/21.3 from Ch. 111 1/2, par. 1021.3

Adds reference to:

415 ILCS 5/21.7 new

Adds reference to:

415 ILCS 5/22.15a new

Adds reference to:

415 ILCS 5/22.44

Adds reference to:

415 ILCS 5/22.50 new

Adds reference to:

415 ILCS 5/22.51 new

Adds reference to:

415 ILCS 5/22.52 new

Adds reference to:

415 ILCS 5/34 from Ch. 111 1/2, par. 1034

Adds reference to:

415 ILCS 5/39 from Ch. 111 1/2, par. 1039

Adds reference to:

415 ILCS 5/42 from Ch. 111 1/2, par. 1042

Adds reference to:

415 ILCS 5/58.8

Adds reference to:

415 ILCS 105/8 from Ch. 38, par. 86-8

Adds reference to:

415 ILCS 105/9 from Ch. 38, par. 86-9

Adds reference to:

625 ILCS 5/11-1413 from Ch. 95 1/2, par. 11-1413

Adds reference to:

625 ILCS 5/16-105 from Ch. 95 1/2, par. 16-105

Adds reference to:

705 ILCS 105/27.5 from Ch. 25, par. 27.5

Adds reference to:

705 ILCS 105/27.6

Adds reference to:

730 ILCS 5/5-9-1 from Ch. 38, par. 1005-9-1

SB 00431 (CONTINUED)

Deletes everything after the enacting clause. Amends the State Finance Act to create the Clean Communities Recycling Fund as a special fund in the State treasury. Amends the Environmental Protection Act. Authorizes the Agency to prepare and distribute guidance documents relative to its administration of the Act and rules adopted pursuant to the Act. Expands the conditions under which the Agency may assess environmental reclamation liens under the Act. Sets forth uses for the moneys in the Clean Communities Recycling Fund. Provides that, upon making a finding that an open dump poses a threat to the public health or to the environment, the Environmental Protection Agency may take preventive or corrective action as necessary or appropriate to end the threat. Provides that certain persons may be held liable for the costs of Agency corrective or preventive action resulting from open dumping. Establishes certain defenses to liability for open dumping. Provides that the Subtitle D Management Fund may be used for Agency activities relating to open dumping. Sets forth that no person shall cause or allow the use of land inconsistent with a land use limitation imposed under the Act. Sets forth provisions for the regulation of clean construction or demolition debris fill operations. Imposes an interim and final permit scheme so that by July 1, 2008 no person shall use clean construction or demolition debris as fill material in a current or former quarry, mine, or other excavation, unless they have an Agency permit for the activity. Sets forth various conditions and requirements for the clean construction and demolition debris permit scheme. Prohibits certain State employees or their relatives from having a direct financial interest in any waste-disposal operation or clean construction or demolition debris fill operation requiring a permit or any corporate entity related to any of these waste-disposal operations. Makes other changes. Amends the Litter Control Act and the Illinois Vehicle Code to change certain littering penalties and provide that certain fines shall be deposited into the Clean Communities Recycling Fund. Amends the Clerks of Courts Act and the Unified Code of Corrections to make the corresponding changes relating to the Fund and litter control. Effective immediately.

House Amendment No. 10

Deletes reference to:

30 ILCS 105/5.640 new

Deletes reference to:

415 ILCS 5/4.2 new

Deletes reference to:

415 ILCS 5/21.7 new

Deletes reference to:

415 ILCS 105/8	from Ch. 38, par. 86-8

Deletes reference to:

415 ILCS 105/9	from Ch. 38, par. 86-9

Deletes reference to:

625 ILCS 5/11-1413	from Ch. 95 1/2, par. 11-1413

Deletes reference to:

625 ILCS 5/16-105	from Ch. 95 1/2, par. 16-105

Deletes reference to:

705 ILCS 105/27.5	from Ch. 25, par. 27.5

Deletes reference to:

705 ILCS 105/27.6

Deletes reference to:

730 ILCS 5/5-9-1	from Ch. 38, par. 1005-9-1

Adds reference to:

415 ILCS 5/3.160	was 415 ILCS 5/3.78 and 3.78a

SB 00431 (CONTINUED)

Deletes provisions establishing the Clean Communities Recycling Fund and authorizing the Illinois Environmental Protection Agency to prepare and distribute guidance documents relative to its administration of the Environmental Protection Act. Provides that uncontaminated concrete with protruding rebar shall be considered clean construction or demolition debris and shall not be considered waste under certain conditions. Provides that, except for willful and wanton misconduct, neither the State, the Director, nor any State employee shall be liable for any damages arising out of or resulting from any act or omission occurring under this amendatory Act. Sets forth certain factors that the Agency must consider before taking preventive or corrective action against open dumping. Provides that the Agency may not expend more than $50,000 at any single site in response to an open dump unless: (i) the Director determines that the open dump poses an imminent and substantial endangerment to the public health or welfare or the environment or (ii) the General Assembly appropriates more than that amount for preventive or corrective action in response to the open dumping. Provides that use of clean construction or demolition debris as fill material in an excavation other than a current or former quarry or mine does not require a clean construction or demolition debris fill operation interim authorization if the operation complies with Illinois Department of Transportation specifications. Deletes changes to the Litter Control Act, the Illinois Vehicle Code, the Clerks of Courts Act, and the Unified Code of Corrections.

Fiscal Note (Environmental Protection Agency)

No fiscal impact.

No fiscal impact.

Jul 19 05 S Public Act 94-0272

SB 00445 Sen. Iris Y. Martinez

(Rep. John A. Fritchey-Paul D. Froehlich-Ruth Munson-Roger L. Eddy-Gary Hannig, Annazette Collins, Kathleen A. Ryg, Brandon W. Phelps, Robert F. Flider, Michelle Chavez, Naomi D. Jakobsson, John E. Bradley, Daniel V. Beiser and Sandra M. Pihos)

New Act

110 ILCS 305/30

110 ILCS 520/16

110 ILCS 660/5-125

110 ILCS 665/10-125

110 ILCS 670/15-125

110 ILCS 675/20-130

110 ILCS 680/25-125

110 ILCS 685/30-135

110 ILCS 690/35-130

110 ILCS 805/3-60

815 ILCS 505/2QQ rep.

30 ILCS 805/8.29 new

Creates the Social Security Numbers Limited Use Act. Prohibits the use of social security numbers by persons or entities except for certain uses. Provides that an individual's social security number may not be printed on an insurance card. Prohibits private universities and colleges and private business and vocational schools from printing an individual's social security number on any card or other document required for the individual to access products or services provided by the institution. Provides criminal penalties. Amends the University of Illinois Act, the Southern Illinois University Management Act, the Chicago State University Law, the Eastern Illinois University Law, the Governors State University Law, the Illinois State University Law, the Northeastern Illinois University Law, the Northern Illinois University Law, the Western Illinois University Law, and the Public Community College Act to prohibit the printing of an individual's social security number on any card or other document required for the individual to access products or services provided by the institution. Amends the Consumer Fraud and Deceptive Business Practices Act to repeal a Section prohibiting the use of an individual's social security number on an insurance card. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately, except certain provisions effective July 1, 2006.

Senate Committee Amendment No. 2

Deletes reference to:

New Act

Deletes reference to:

815 ILCS 505/2QQ rep.

Deletes reference to:

30 ILCS 805/8.29 new

Deletes the Social Security Numbers Limited Use Act. Deletes a Section repealing Section 2QQ of the Consumer Fraud and Deceptive Business Practices Act. Deletes a Section exempting reimbursement for any mandate created by the amendatory Act. Deletes the effective date provision.

Jul 14 05 S Public Act 94-0226

SB 00450 Sen. M. Maggie Crotty-Jacqueline Y. Collins

(Rep. Angelo Saviano)

5 ILCS 80/4.16

5 ILCS 80/4.26 new

Amends the Regulatory Sunset Act. Extends the repeal of the Hearing Instrument Consumer Protection Act to January 1, 2016. Effective December 31, 2005.

Aug 10 05 S Public Act 94-0527

SB 00451 Sen. M. Maggie Crotty-Donne E. Trotter-Jacqueline Y. Collins and Edward D. Maloney
(Rep. Angelo Saviano-Kurt M. Granberg-Kevin A. McCarthy)

225 ILCS 110/3 from Ch. 111, par. 7903
225 ILCS 110/3.5
225 ILCS 110/4 from Ch. 111, par. 7904
225 ILCS 110/5 from Ch. 111, par. 7905
225 ILCS 110/7.1
225 ILCS 110/8 from Ch. 111, par. 7908

Amends the Illinois Speech-Language Pathology and Audiology Practice Act. Makes changes in the definition of "the practice of audiology". Provides that the Act does not prohibit the performance of balance testing (rather than vestibular function testing) by an appropriately trained person under the supervision of a physician licensed to practice medicine in all its branches. Provides that the Department of Financial and Professional Regulation has the power to discipline the supervisor of a graduate speech-language pathology student for the student's violation of the Act. Provides that the Secretary of Financial and Professional Regulation shall give consideration to the recommendations of the Illinois Academy of Audiology in making appointments to the Board of Speech-Language Pathology and Audiology. Removes the requirement that a graduate student enrolled in a program of audiology be a full-time student in order to engage in the dispensing of hearing instruments as part of the program without a license under the Act. Makes changes in provisions concerning the qualifications for licenses to practice speech-language pathology and audiology. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

225 ILCS 110/3.5

Provides that "the practice of audiology" includes instruction related to hearing and disorders of hearing (rather than instruction related to hearing and balance and disorders of hearing and balance). Restores references to vestibular function in provisions concerning the definition of "the practice of audiology" and exemptions from the Act.

Aug 10 05 S Public Act 94-0528

SB 00452 Sen. M. Maggie Crotty and Pamela J. Althoff-Jacqueline Y. Collins
(Rep. Patricia Reid Lindner, Jack D. Franks and Linda Chapa LaVia)

305 ILCS 5/10-1 from Ch. 23, par. 10-1
305 ILCS 5/10-16.5
735 ILCS 5/12-109 from Ch. 110, par. 12-109
750 ILCS 5/505 from Ch. 40, par. 505
750 ILCS 16/20
750 ILCS 16/23
750 ILCS 28/15
750 ILCS 45/20.7

Amends the Illinois Public Aid Code, the Code of Civil Procedure, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support Punishment Act, the Income Withholding for Support Act, and the Illinois Parentage Act of 1984. Replaces the provisions concerning interest on child support judgments. Provides for the accrual of interest on a child support obligation that becomes due and remains unpaid as of the end of each month (instead of for 30 days or more). Provides that the interest on child support judgments shall be calculated by applying one-twelfth of the current statutory interest rate as provided in the Code of Civil Procedure to the unpaid child support balance as of the end of each calendar month. Provides that monthly child support payments shall be applied first to the current monthly child support obligation, then to any unpaid child support balance owed from previous months, and finally to the accrued interest on the unpaid child support balance. Provides that interest on child support obligations may be collected by any means available under federal or State law or rules. Effective January 1, 2006.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause. Reinserts provisions substantially similar to those of Senate Bill 452, except provides that interest shall accrue on the amount of a child support obligation that remains unpaid at the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month (instead of simply the amount remaining unpaid at the end of each month). Effective January 1, 2006.

Jun 30 05 S Public Act 94-0090

SB 00459 Sen. Arthur J. Wilhelmi and Dale E. Risinger
(Rep. Jack McGuire)

625 ILCS 5/2-123 from Ch. 95 1/2, par. 2-123

Amends the Illinois Vehicle Code. Provides that the Secretary of State may, in his or her discretion, furnish vehicle or driver data on an electronic format or computer processible medium, at no fee, to any State or local governmental agency that uses the information to transmit data back to the Secretary that enables the Secretary to maintain accurate driving records. Provides that this information may be provided without fee not more often than once every 6 months. Effective immediately.

Jun 17 05 S Public Act 94-0056

SB 00460 Sen. Richard J. Winkel, Jr.
(Rep. Sidney H. Mathias)

755 ILCS 5/25-1 from Ch. 110 1/2, par. 25-1

Amends provisions of the Probate Act of 1975 concerning small estate affidavits. Provides that any action properly taken under those provisions, as amended by Public Act 93-877 (which increased the permissible maximum value of the decedent's personal estate from $50,000 to $100,000), on or after the effective date of that Public Act is valid regardless of the date of death of the decedent. Effective immediately.

Jun 17 05 S Public Act 94-0057

SB 00463 Sen. Edward D. Maloney-Kimberly A. Lightford-Jacqueline Y. Collins and Martin A. Sandoval
(Rep. William B. Black-Kevin A. McCarthy-Kathleen A. Ryg)

105 ILCS 5/3-15.12 from Ch. 122, par. 3-15.12

110 ILCS 805/2-21 new

Amends the School Code and the Public Community College Act. Transfers all powers and duties of the State Board of Education and State Superintendent of Education with regard to high school equivalency testing under the School Code to the Illinois Community College Board.

House Amendment No. 1

Adds reference to:

110 ILCS 805/2-22 new

Adds reference to:

105 ILCS 5/2-3.34 rep. from Ch. 122, par. 2-3.34

Deletes everything after the enacting clause. Reinserts the contents of the bill, but also transfers all powers and duties of the State Board of Education and State Superintendent of Education with regard to high school equivalency certificates under the School Code to the Illinois Community College Board. Effective immediately.

Jul 01 05 S Public Act 94-0108

SB 00465 Sen. William R. Haine and Martin A. Sandoval
(Rep. Daniel V. Beiser)

10 ILCS 5/25-2 from Ch. 46, par. 25-2

60 ILCS 1/15-17 new

60 ILCS 1/15-30

Amends the Township Code. Provides that a township officer of a township from which territory is disconnected shall continue in office until the end of his or her term and until a successor is elected or appointed and qualified, regardless of whether the officer resides in the township or the territory disconnected from the township. Provides that whenever territory is disconnected from a township and connected to a coterminous township on or after the effective date of the amendatory Act, the coterminous city shall provide to the township from which the territory was disconnected, for a period of 10 years, no later than 60 days after the first due date for real estate taxes in that county for that tax year, an amount equal to at least 50% of the real estate tax that was collected on the property in the tax year immediately preceding the disconnection and shall provide the remaining 50% on or before December 31. Amends the Election Code. Provides that the office of a township officer whose township boundaries are changed when territory is disconnected from a township and connected to a coterminous township is not vacant upon disconnection. Effective immediately.

Aug 10 05 S Public Act 94-0529

SB 00468 Sen. William R. Haine
(Rep. Thomas Holbrook)

75 ILCS 60/3	from Ch. 81, par. 34
75 ILCS 60/3.1	from Ch. 81, par. 34.1
75 ILCS 60/4	from Ch. 81, par. 35
805 ILCS 5/1.80	from Ch. 32, par. 1.80
805 ILCS 5/2A.05	from Ch. 32, par. 2A.05
805 ILCS 5/4.05	from Ch. 32, par. 4.05
805 ILCS 5/4.10	from Ch. 32, par. 4.10
805 ILCS 5/4.20	from Ch. 32, par. 4.20
805 ILCS 5/7.85	from Ch. 32, par. 7.85
805 ILCS 5/9.05	from Ch. 32, par. 9.05
805 ILCS 5/9.20	
805 ILCS 5/11.37	from Ch. 32, par. 11.37
805 ILCS 5/11.75	from Ch. 32, par. 11.75
805 ILCS 5/12.40	from Ch. 32, par. 12.40
805 ILCS 5/12.45	from Ch. 32, par. 12.45
805 ILCS 5/12.50	from Ch. 32, par. 12.50
805 ILCS 5/13.55	from Ch. 32, par. 13.55
805 ILCS 5/13.60	from Ch. 32, par. 13.60
805 ILCS 5/13.75	
805 ILCS 5/14.01	from Ch. 32, par. 14.01
805 ILCS 5/15.10	from Ch. 32, par. 15.10
805 ILCS 5/15.45	from Ch. 32, par. 15.45
805 ILCS 5/15.80	from Ch. 32, par. 15.80
805 ILCS 5/15.90	from Ch. 32, par. 15.90
805 ILCS 10/5	from Ch. 32, par. 415-5
805 ILCS 105/101.45	from Ch. 32, par. 101.45
805 ILCS 105/101.70	from Ch. 32, par. 101.70
805 ILCS 105/103.30	
805 ILCS 105/104.05	from Ch. 32, par. 104.05
805 ILCS 105/104.10	from Ch. 32, par. 104.10
805 ILCS 105/104.20	from Ch. 32, par. 104.20
805 ILCS 105/105.05	from Ch. 32, par. 105.05
805 ILCS 105/105.10	from Ch. 32, par. 105.10
805 ILCS 105/108.05	from Ch. 32, par. 108.05
805 ILCS 105/111.37	from Ch. 32, par. 111.37
805 ILCS 105/112.45	from Ch. 32, par. 112.45
805 ILCS 105/112.50	from Ch. 32, par. 112.50
805 ILCS 105/113.20	from Ch. 32, par. 113.20
805 ILCS 105/113.55	from Ch. 32, par. 113.55
805 ILCS 105/113.60	from Ch. 32, par. 113.60
805 ILCS 105/113.70	from Ch. 32, par. 113.70
805 ILCS 105/114.05	from Ch. 32, par. 114.05

SB 00468 (CONTINUED)

805 ILCS 105/115.10	from Ch. 32, par. 115.10
805 ILCS 180/1-35	
805 ILCS 180/1-36 new	
805 ILCS 180/1-37 new	
805 ILCS 180/5-10	
805 ILCS 180/5-25	
805 ILCS 180/5-40	
805 ILCS 180/5-47	
805 ILCS 180/5-48	
805 ILCS 180/35-40	
805 ILCS 180/35-45	
805 ILCS 180/45-25	
805 ILCS 180/45-65	
805 ILCS 180/50-10	
805 ILCS 180/50-15	
805 ILCS 206/108	
805 ILCS 206/110 new	
805 ILCS 206/1104	
805 ILCS 210/801	from Ch. 106 1/2, par. 158-1
805 ILCS 210/806 new	
805 ILCS 210/807 new	
805 ILCS 210/912 new	
805 ILCS 210/913 new	
805 ILCS 210/1108	from Ch. 106 1/2, par. 161-8
805 ILCS 210/1110	from Ch. 106 1/2, par. 161-10
805 ILCS 310/4	from Ch. 32, par. 308
805 ILCS 310/5	from Ch. 32, par. 309
805 ILCS 310/16	from Ch. 32, par. 320
805 ILCS 310/22	from Ch. 32, par. 326
805 ILCS 320/2	from Ch. 21, par. 36
805 ILCS 320/3	from Ch. 21, par. 37
805 ILCS 320/4	from Ch. 21, par. 38

Amends the Library Incorporation Act, Business Corporation Act, Professional Service Corporation Act, General Not for Profit Corporation Act, Co-operative Act, and the Cemetery Association Act. Replaces the terms "certificates of incorporation" and "application for certificate of authority" with the terms "articles of incorporation" and "application for authority". Makes other changes. Amends the Limited Liability Company Act. Provides that a domestic limited liability company or foreign limited liability company shall have the power to change the address of its registered office. Amends the Uniform Partnership Act (1997). Provides that a partnership or registered limited liability partnership shall have the power to correct errors appearing on documents filed with the Secretary of State provided certain requirements are met. Amends the Revised Uniform Limited Partnership Act. Establishes a procedure for the administrative dissolution of a limited partnership and a procedure for reinstatement following the administrative dissolution of a limited partnership. Establishes a procedure for the administrative cancellation of a foreign limited partnership's application for admission and a procedure for reinstatement following the administrative cancellation of a foreign limited partnership's application for admission. Makes other technical changes.

House Amendment No. 1

Deletes reference to:

75 ILCS 60/3	from Ch. 81, par. 34

SB 00468 (CONTINUED)

Deletes reference to:
75 ILCS 60/3.1 from Ch. 81, par. 34.1
Deletes reference to:
75 ILCS 60/4 from Ch. 81, par. 35
Deletes reference to:
805 ILCS 5/1.80 from Ch. 32, par. 1.80
Deletes reference to:
805 ILCS 5/2A.05 from Ch. 32, par. 2A.05
Deletes reference to:
805 ILCS 5/4.05 from Ch. 32, par. 4.05
Deletes reference to:
805 ILCS 5/4.10 from Ch. 32, par. 4.10
Deletes reference to:
805 ILCS 5/4.20 from Ch. 32, par. 4.20
Deletes reference to:
805 ILCS 5/7.85 from Ch. 32, par. 7.85
Deletes reference to:
805 ILCS 5/11.37 from Ch. 32, par. 11.37
Deletes reference to:
805 ILCS 5/11.75 from Ch. 32, par. 11.75
Deletes reference to:
805 ILCS 5/12.40 from Ch. 32, par. 12.40
Deletes reference to:
805 ILCS 5/12.50 from Ch. 32, par. 12.50
Deletes reference to:
805 ILCS 5/13.55 from Ch. 32, par. 13.55
Deletes reference to:
805 ILCS 5/13.75
Deletes reference to:
805 ILCS 5/14.01 from Ch. 32, par. 14.01
Deletes reference to:
805 ILCS 5/15.10 from Ch. 32, par. 15.10
Deletes reference to:
805 ILCS 5/15.45 from Ch. 32, par. 15.45
Deletes reference to:
805 ILCS 5/15.80 from Ch. 32, par. 15.80
Deletes reference to:
805 ILCS 5/15.90 from Ch. 32, par. 15.90
Deletes reference to:
805 ILCS 10/5 from Ch. 32, par. 415-5
Deletes reference to:
805 ILCS 105/101.45 from Ch. 32, par. 101.45
Deletes reference to:
805 ILCS 105/101.70 from Ch. 32, par. 101.70
Deletes reference to:
805 ILCS 105/103.30
Deletes reference to:
805 ILCS 105/104.05 from Ch. 32, par. 104.05

SB 00468 (CONTINUED)

Deletes reference to:
805 ILCS 105/104.10 from Ch. 32, par. 104.10
Deletes reference to:
805 ILCS 105/104.20 from Ch. 32, par. 104.20
Deletes reference to:
805 ILCS 105/108.05 from Ch. 32, par. 108.05
Deletes reference to:
805 ILCS 105/111.37 from Ch. 32, par. 111.37
Deletes reference to:
805 ILCS 105/112.50 from Ch. 32, par. 112.50
Deletes reference to:
805 ILCS 105/113.20 from Ch. 32, par. 113.20
Deletes reference to:
805 ILCS 105/113.55 from Ch. 32, par. 113.55
Deletes reference to:
805 ILCS 105/113.70 from Ch. 32, par. 113.70
Deletes reference to:
805 ILCS 180/5-10
Deletes reference to:
805 ILCS 180/5-25
Deletes reference to:
805 ILCS 180/5-40
Deletes reference to:
805 ILCS 180/5-47
Deletes reference to:
805 ILCS 180/5-48
Deletes reference to:
805 ILCS 180/35-45
Deletes reference to:
805 ILCS 180/45-25
Deletes reference to:
805 ILCS 206/108
Deletes reference to:
805 ILCS 206/110 new
Deletes reference to:
805 ILCS 206/1104
Deletes reference to:
805 ILCS 210/801 from Ch. 106 1/2, par. 158-1
Deletes reference to:
805 ILCS 210/806 new
Deletes reference to:
805 ILCS 210/807 new
Deletes reference to:
805 ILCS 210/912 new
Deletes reference to:
805 ILCS 210/913 new
Deletes reference to:
805 ILCS 210/1108 from Ch. 106 1/2, par. 161-8

SB 00468 (CONTINUED)

Deletes reference to:
805 ILCS 210/1110 from Ch. 106 1/2, par. 161-10
Deletes reference to:
805 ILCS 310/4 from Ch. 32, par. 308
Deletes reference to:
805 ILCS 310/5 from Ch. 32, par. 309
Deletes reference to:
805 ILCS 310/16 from Ch. 32, par. 320
Deletes reference to:
805 ILCS 310/22 from Ch. 32, par. 326
Deletes reference to:
805 ILCS 320/2 from Ch. 21, par. 36
Deletes reference to:
805 ILCS 320/3 from Ch. 21, par. 37
Deletes reference to:
805 ILCS 320/4 from Ch. 21, par. 38
Adds reference to:
805 ILCS 5/9.05 from Ch. 32, par. 9.05
Adds reference to:
805 ILCS 5/9.20
Adds reference to:
805 ILCS 5/12.45 from Ch. 32, par. 12.45
Adds reference to:
805 ILCS 5/13.60 from Ch. 32, par. 13.60
Adds reference to:
805 ILCS 105/105.10 from Ch. 32, par. 105.10
Adds reference to:
805 ILCS 105/112.45 from Ch. 32, par. 112.45
Adds reference to:
805 ILCS 105/113.60 from Ch. 32, par. 113.60
Adds reference to:
805 ILCS 105/114.05 from Ch. 32, par. 114.05
Adds reference to:
805 ILCS 105/115.10 from Ch. 32, par. 115.10
Adds reference to:
805 ILCS 180/1-35
Adds reference to:
805 ILCS 180/1-36 new
Adds reference to:
805 ILCS 180/1-37 new
Adds reference to:
805 ILCS 180/35-40
Adds reference to:
805 ILCS 180/45-65
Adds reference to:
805 ILCS 180/50-10
Adds reference to:
805 ILCS 180/50-15

SB 00468 (CONTINUED)

Deletes everything after the enacting clause. Amends the Business Corporation Act of 1983. Provides that the basis for reducing the number of a corporation's authorized shares resulting from a reacquisition and cancellation of the shares must be set forth in the articles of incorporation. Removes language providing that a reduction in paid-in capital reported shall have no effect for any purpose under the Act with respect to a taxable year ending before the report is filed. Removes the five-year limitation on the reinstatement of domestic corporations after administrative dissolution. Removes the five-year limitation on the reinstatement of a foreign corporation after revocation. Amends the General Not For Profit Corporation Act of 1986. Removes language providing that a domestic corporation or a foreign corporation may change the address of its registered office or change its registered agent, or both, by so indicating on the statement of change on the annual report of that corporation filed pursuant to the Act. Amends the Limited Liability Company Act. Provides that a domestic limited liability company or a foreign limited liability company may change the address of its registered office, registered agent, or both, if certain conditions are satisfied. Establishes the fee for: (i) renewal of a reserved name; and (ii) filing a statement of change of address of registered office or change or registered agent, or both. Enhances the penalty for continued non-compliance to include $100 for each year or fraction thereof beginning with the second year of delinquency until reinstatement is effected. Makes other technical changes.

Fiscal Note (H-AM 1) (Secretary of State)

No fiscal impact expected.

Aug 16 05 S Public Act 94-0605

SB 00469 Sen. John J. Cullerton

(Rep. Paul D. Froehlich-Sidney H. Mathias-Milton Patterson)

725 ILCS 124/5

725 ILCS 105/10 from Ch. 38, par. 208-10

Amends the Capital Crimes Litigation Act. Provides that at the request of court appointed counsel in a case in which the death penalty is sought, attorneys employed by the State Appellate Defender may enter an appearance for the limited purpose of assisting appointed counsel. Amends the State Appellate Defender Act. Provides that in addition to other assistance given, in cases in which a death sentence is an authorized disposition, a State Appellate Defender may provide trial counsel with legal advice.

Jul 26 05 S Public Act 94-0340

SB 00471 Sen. Iris Y. Martinez-Jacqueline Y. Collins-Antonio Munoz-Martin A. Sandoval-Mike Jacobs

(Rep. Milton Patterson-Donald L. Moffitt-Edward J. Acevedo-Mary E. Flowers)

720 ILCS 5/15-10 new

720 ILCS 5/16-1 from Ch. 38, par. 16-1

Amends the Criminal Code of 1961. For the purposes of property offenses, defines "governmental property" as funds or other property owned by the State, a unit of local government, or a school district. Provides for enhanced penalties for theft of governmental property. Establishes the same penalties for this offense as the penalties for theft committed in a school or place of worship.

Nov 04 05 S Total Veto Stands

SB 00475 Sen. James F. Clayborne, Jr., Edward Petka, David Luechtefeld, Todd Sieben, Kathleen L. Wojcik, Adeline Jay Geo-Karis, Gary G. Dahl, Frank C. Watson, John O. Jones, Peter J. Roskam, Carole Pankau, J. Bradley Burzynski, Wendell E. Jones, Dave Syverson, Larry K. Bomke, Richard J. Winkel, Jr., Dave Sullivan, Christine Radogno, William E. Peterson, Pamela J. Althoff, Kirk W. Dillard, Dale E. Risinger, Dale A. Righter-Gary Forby-William R. Haine-Deanna Demuzio-Mike Jacobs, Dan Cronin and Steven J. Rauschenberger

(Rep. Dan Reitz-Thomas Holbrook-Daniel V. Beiser-Brandon W. Phelps-Tom Cross, Aaron Schock, Ruth Munson, Elizabeth Coulson, Gary Hannig, Patrick J Verschoore, William B. Black, Sandra M. Pihos, Patricia R. Bellock, Eileen Lyons, Suzanne Bassi, Mark H. Beaubien, Jr., Bob Biggins, Mike Bost, Rich Brauer, Robert W. Churchill, Shane Cultra, Lee A. Daniels, Joe Dunn, Roger L. Eddy, Paul D. Froehlich, Brent Hassert, Randall M. Hultgren, Roger Jenisch, Renee Kosel, Carolyn H. Krause, David R. Leitch, Sidney H. Mathias, Michael P. McAuliffe, James H. Meyer, John J. Millner, Bill Mitchell, Jerry L. Mitchell, Donald L. Moffitt, Rosemary Mulligan, Richard P. Myers, JoAnn D. Osmond, Terry R. Parke, Raymond Poe, Robert W. Pritchard, David Reis, Chapin Rose, Jim Sacia, Angelo Saviano, Timothy L. Schmitz, Keith P. Sommer, Ron Stephens, Ed Sullivan, Jr., Art Tenhouse, Michael Tryon, Ronald A. Wait, Jim Watson, Dave Winters, John E. Bradley and Robert F. Flider)

215 ILCS 105/4 from Ch. 73, par. 1304

215 ILCS 105/7 from Ch. 73, par. 1307

215 ILCS 105/15

Amends the Comprehensive Health Insurance Plan Act. Allows the Illinois Comprehensive Health Insurance Board to establish conditions and procedures under which the Comprehensive Health Insurance Plan may discount or subsidize premiums for unemployed or retired coal miners who are federally eligible and whose employer-provided health insurance coverage was terminated on September 28, 2004, and to accept funds appropriated for this purpose. Allows unemployed or retired coal miners who are federally eligible and whose employer-provided health insurance coverage was terminated on September 28, 2004 to be eligible for the Plan even though their premiums may be discounted or subsidized. Requires federally eligible unemployed or retired coal miners whose employer-provided health insurance coverage was terminated on September 28, 2004 to pay the discounted or subsidized premiums established by the Board. Effective immediately.

House Amendment No. 1

Deletes reference to:

215 ILCS 105/4

Deletes reference to:

215 ILCS 105/7

Deletes reference to:

215 ILCS 105/15

Adds reference to:

New Act

Adds reference to:

215 ILCS 5/155.18 from Ch. 73, par. 767.18

Adds reference to:

215 ILCS 5/155.18a new

Adds reference to:

215 ILCS 5/155.19 from Ch. 73, par. 767.19

Adds reference to:

215 ILCS 5/1204 from Ch. 73, par. 1065.904

Adds reference to:

225 ILCS 60/7 from Ch. 111, par. 4400-7

Adds reference to:

225 ILCS 60/22 from Ch. 111, par. 4400-22

Adds reference to:

225 ILCS 60/23 from Ch. 111, par. 4400-23

Adds reference to:

225 ILCS 60/24 from Ch. 111, par. 4400-24

Adds reference to:

225 ILCS 60/24.1 new

SB 00475 (CONTINUED)

Adds reference to:

225 ILCS 60/36 from Ch. 111, par. 4400-36

Adds reference to:

705 ILCS 105/27.10 new

Adds reference to:

735 ILCS 5/2-622 from Ch. 110, par. 2-622

Adds reference to:

735 ILCS 5/2-1704.5 new

Adds reference to:

735 ILCS 5/2-1706.5 new

Adds reference to:

735 ILCS 5/8-1901 from Ch. 110, par. 8-1901

Adds reference to:

735 ILCS 5/8-2501 from Ch. 110, par. 8-2501

Adds reference to:

745 ILCS 49/30

Adds reference to:

30 ILCS 105/5.640 new

Deletes everything. Amends the Illinois Insurance Code. Makes various changes concerning medical liability insurance rates and regulation. Requires medical liability insurers to report medical liability insurance claims and specified information to the Secretary. Provides that, for a medical liability insurance rate increase filing, the Secretary may hold a hearing and receive testimony. Requires court clerks to provide information to the Secretary to verify reports made to the Secretary, and amends the Clerks of Courts Act accordingly. Amends the Medical Practice Act of 1987. Adds 2 members of the public to the Illinois State Medical Disciplinary Board. Provides that all members of the Disciplinary Board shall be voting members. Provides additional criteria for members of the Disciplinary Board who are physicians licensed to practice medicine in all its branches. Provides for appointment of at least 2 deputy medical coordinators, and not less than one full time investigator for every 2,500 physicians. Makes changes concerning discipline, disciplinary proceedings, records, disclosures, incidents to which the Act applies, and immunity. Requires the Department of Financial and Professional Regulation to make available to the public a profile of each physician containing specified information. Amends the Code of Civil Procedure by: changing provisions concerning the affidavit and report based on the determination of a reviewing health professional; providing for payment of future medical expenses and costs of life care in a medical malpractice action under certain circumstances by purchasing an annuity; limiting recoveries from hospitals and physicians for non-economic loss in medical malpractice actions; providing that a statement that a health care provider is "sorry" for an outcome is not admissible as evidence under specified conditions; and changing provisions concerning expert witness standards. Amends the Illinois Good Samaritan Act to expand immunity from civil damages for services performed without compensation at, or upon referral from, free medical clinics. Creates the Sorry Works! Pilot Program Act under which hospitals and physicians may acknowledge and apologize for mistakes in patient care and offer fair settlements. Provides that, if the costs of cases handled under the Sorry Works! protocol by a hospital exceed the costs that would have been incurred otherwise, the hospital may apply for a grant from the Sorry Works! Fund. Makes other changes. Contains inseverability provisions. Effective immediately.

Aug 25 05 S Public Act 94-0677

SB 00478 Sen. John J. Cullerton
(Rep. Angelo Saviano)

235 ILCS 5/6-15 from Ch. 43, par. 130

Amends the Liquor Control Act of 1934. Allows alcoholic liquor to be delivered to and sold at the Pavilion Facility at the University of Illinois at Chicago during Chicago Storm games up to one and a half hours before the start of the game and not after the finish of the game. Effective immediately.

Senate Committee Amendment No. 1

Allows alcoholic liquor to be delivered to and sold at the Pavilion Facility on the campus of the University of Illinois at Chicago during and one and a half hours before WNBA professional women's basketball games at that facility.

House Amendment No. 1

Replaces everything after the enacting clause with the bill as engrossed with the following changes. Allows alcoholic liquor to be delivered to and sold at the Pavilion Facility at the University of Illinois at Chicago during Chicago Storm and WNBA professional women's basketball games up to one and a half hours before the start of the game and not after (i) the end of the third quarter of Chicago Storm games or (ii) the 10-minute mark of the second half of WNBA games (rather than not after the finish of the game). Effective immediately.

Jul 29 05 S Public Act 94-0382

SB 00479 Sen. George P. Shadid and Martin A. Sandoval
(Rep. Aaron Schock-William B. Black-Roger L. Eddy-Monique D. Davis-Jack D. Franks and Linda Chapa LaVia)

105 ILCS 55/10

Amends the School Employee Benefit Act. Includes in the definition of "school district" a vocational education district, a special education district, a program operated by an educational service region, and a joint agreement.

Jul 14 05 S Public Act 94-0227

SB 00485 Sen. Debbie DeFrancesco Halvorson
(Rep. Ed Sullivan, Jr.)

35 ILCS 515/3 from Ch. 120, par. 1203

Amends the Mobile Home Local Services Tax Act. Provides that the owner of each mobile home (now, "inhabited mobile home") shall pay an annual tax to the county treasurer. Effective immediately.

Housing Affordability Impact Note (Housing Development Authority)

Senate Bill 485 represents an increased cost on unoccupied units, however there is insufficient information to determine the actual cost increase to the owner.

Senate Floor Amendment No. 1

Provides that the owner of a mobile home is not required to pay the tax under the Act if the owner notifies the local assessing authority, by sworn affidavit, that the mobile home is uninhabited and will no longer be used for human habitation.

Fiscal Note (S-AM 1) (Department of Revenue)

As amended by Senate Amendment 1, SB 485 would increase revenues realized by local taxing districts. However, the Department of Revenue cannot determine the number of mobile homeowners who would provide the notification to their local assessing authorities and, therefore, the Department of Revenue cannot determine the amount of the revenue increase.

Aug 16 05 S Public Act 94-0606

SB 00489 Sen. Carole Pankau and Steven J. Rauschenberger
(Rep. Sidney H. Mathias)

55 ILCS 5/2-3009	from Ch. 34, par. 2-3009
55 ILCS 5/2-5007	from Ch. 34, par. 2-5007
55 ILCS 5/3-5004	from Ch. 34, par. 3-5004
55 ILCS 5/3-6002	from Ch. 34, par. 3-6002
605 ILCS 5/6-116	from Ch. 121, par. 6-116

Amends the Counties Code and the Illinois Highway Code. Changes obsolete references to the date that various local government officers take office to conform to current law.

Senate Floor Amendment No. 1

Deletes reference to:

55 ILCS 5/2-3009

Deletes reference to:

55 ILCS 5/2-5007

Deletes reference to:

55 ILCS 5/3-5004

Deletes reference to:

55 ILCS 5/3-6002

Adds reference to:

55 ILCS 5/2-3007 from Ch. 34, par. 2-3007

Deletes everything after the enacting clause. Amends the Counties Code. Provides that the term of a county board chairperson begins on the first (now, third) Monday of the month following the election of county board members. Amends the Illinois Highway Code. Provides that the term of a highway commissioner begins on the third (now, first) Monday in May.

Jul 19 05 S Public Act 94-0273

SB 00501 Sen. Rickey R. Hendon-Jacqueline Y. Collins-Martin A. Sandoval-Mattie Hunter
(Rep. Robert Rita)

625 ILCS 5/4-208 from Ch. 95 1/2, par. 4-208

625 ILCS 5/18a-300 from Ch. 95 1/2, par. 18a-300

Amends the Illinois Vehicle Code. Provides that, in a city having a population of more than 500,000, whenever an abandoned, lost, stolen, or unclaimed vehicle, or a vehicle determined to be a hazardous dilapidated motor vehicle, remains unclaimed by the registered owner, lienholder, or other legally entitled person for a period of 30 (rather than 15) days after the legally required notice has been given, and if during that 30 days the possessor of the vehicle has twice more sent the required notice to the registered owner, lienholder, or other legally entitled person, the possessor of the vehicle shall dispose of the vehicle to a licensed automotive parts recycler, rebuilder, or scrap processor. Provides that the registered owner, lienholder, or other legally entitled person shall receive any proceeds from the disposition of the vehicle, less reasonable storage charges and administrative fees. Provides that it is an unlawful practice for a commercial vehicle relocator to fail, in the office or location at which relocated vehicles are routinely returned to their owners: (1) to place the relocator's representative in a position where the representative is not fully visible, above his or her shoulders, to the owners of relocated vehicles; (2) to ensure that the relocator's representative provides suitable evidence of his or her identity to owners of relocated vehicles upon request; or (3) to make a supervisor available to the owners of relocated vehicles upon request.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Re-inserts the provisions of the original bill with changes. Reduces from 30 days to 18 days the period that must expire before the possessor disposes of the vehicle. Provides that only one additional notice to the owner, lienholder, or other legally entitled person is required. Provides that the required notice must be given by first class mail. Provides that, with respect to a vehicle that has been booted and impounded under the Code, a city with a population over 500,000 may establish a program whereby the owner, lienholder, or other legally entitled person shall receive the proceeds of the disposition of the vehicle, less certain specified deductions. Provides that the registered owner, lienholder, or other legally entitled person shall receive the net proceeds of the disposition of the vehicle only if the city establishes the program. Deletes language providing that it is an unlawful practice for a commercial vehicle relocator to fail to make a supervisor available at the office or other location at which relocated vehicles are returned to their owners.

House Amendment No. 3

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Re-inserts the provisions of the engrossed bill with changes. Deletes language providing that it is an unlawful practice for a commercial vehicle relocator to fail, at the office or other location at which relocated vehicles are returned to their owners, to place the relocator's representative in a position where the representative is fully visible, above his or her shoulders.

Aug 22 05 S Public Act 94-0650

SB 00502 Sen. Steven J. Rauschenberger and Pamela J. Althoff-Louis S. Viverito
(Rep. Terry R. Parke)

70 ILCS 2605/300 new

30 ILCS 805/8.29 new

Amends the Metropolitan Water Reclamation District Act. Enlarges the Metropolitan Water Reclamation District. Amends the State Mandates Act to require implementation without reimbursement by the State. Effective immediately.

Senate Floor Amendment No. 1

Further amends the Metropolitan Water Reclamation District Act. Enlarges the Metropolitan Water Reclamation District.

Aug 12 05 S Public Act 94-0576

SB 00504 Sen. Don Harmon-Richard J. Winkel, Jr.
(Rep. Kevin Joyce)

805 ILCS 180/37-40 new

805 ILCS 180/50-10

Amends the Limited Liability Company Act. Provides that an operating agreement may establish designated series of members, managers or limited liability company interests having separate rights, powers or duties with respect to specified property or obligations of the limited liability company or profits and losses associated with specified property or obligations, and to the extent provided in the operating agreement, any such series may have a separate business purpose or investment objective. Establishes the procedures for management, dissolution, and operation of a series. Provides the fee for filing articles of organization, annual reports, and certificates of designation for a series of a limited liability company. Effective July 1, 2005.

Aug 16 05 S Public Act 94-0607

SB 00506 Sen. William R. Haine-M. Maggie Crotty-Kirk W. Dillard-Donne E. Trotter-Jacqueline Y. Collins
(Rep. Jay C. Hoffman-Lou Lang-Patricia Bailey-Calvin L. Giles-Daniel V. Beiser)

210 ILCS 85/11.6 new

Amends the Hospital Licensing Act. Provides that every hospital shall request that each maternity patient, and each father of a newborn child, if available, view a video presentation, approved by the Director of Public Health, concerning (i) the dangers of shaking infants and young children and (ii) the symptoms of shaken baby syndrome. Requires the hospital to request that a maternity patient or father sign a form stating that she or he has viewed the video presentation or has refused to view it; requires the hospital to forward the signed forms to the Department of Public Health. Requires the Department to provide all training materials and forms required to implement these provisions.

Senate Floor Amendment No. 1

Deletes reference to:

210 ILCS 85/11.6 new

Adds reference to:

New Act

Adds reference to:

720 ILCS 5/12-36 new

Replaces everything. Creates the Shaken Baby Prevention Act. Requires the Director of Public Health, subject to appropriation, to establish a statewide Shaken Baby Prevention Program to educate parents and primary caregivers about the dangers of shaken baby and to provide alternative techniques to venting anger and frustration. Provides that the program shall allow for voluntary participation and use multimedia educational vehicles, such as a video recording, to target the parents and primary caregivers of babies from birth through 3 years of age. Requires local health departments to assist the Director in implementing the program in local hospitals and child care facilities. Requires hospitals, maternal and pediatric health care providers, and child care providers to encourage parents and primary caregivers to participate in the voluntary Shaken Baby Prevention Program by informing parents of newborns about the program and taking other specified actions. Requires hospitals and, as applicable, maternal and pediatric health care providers and child care providers to report to the Department of Public Health by no later than the first of November of each year: (i) the total number of births that occurred at the hospital that year; (ii) the total number of viewings of the shaken baby multimedia educational materials; and (iii) the total number of shaken baby program participation forms signed at the hospital or other facility. Requires the Department of Public Health to make an annual report to the General Assembly of its findings and recommendations concerning the effectiveness, impact, and benefits derived from the Shaken Baby Prevention Program. Amends the Criminal Code of 1961; provides that a person is guilty of reckless assault of a child when, being 18 years of age or older, he or she recklessly shakes a child less than 12 years of age in a vigorous manner that causes subdural hemorrhaging, intercranial hemorrhaging, or retinal hemorrhaging in the child; makes the offense a Class 2 felony. Effective January 1, 2006.

House Amendment No. 1

In the Shaken Baby Prevention Act, adds a provision that the Department of Public Health may establish and operate a voluntary support service for parents who struggle with infant crying. Provides that the support service may include, but need not be limited to, telephone consultation and referrals to appropriate professional assistance.

House Amendment No. 2

Makes changes in provisions of the Shaken Baby Prevention Act. In provisions concerning reports to the Department of Public Health, deletes a requirement that non-hospital health care providers and child care providers file such reports.

House Amendment No. 3

Deletes reference to:

720 ILCS 5/12-36 new

Deletes the provisions amending the Criminal Code of 1961 to create the offense of reckless assault of a child.

Jul 14 05 S Public Act 94-0228

SB 00511 Sen. John J. Cullerton-Mattie Hunter

(Rep. Sara Feigenholtz-Barbara Flynn Currie and Maria Antonia Berrios)

750 ILCS 50/7 from Ch. 40, par. 1509

750 ILCS 50/8 from Ch. 40, par. 1510

750 ILCS 50/18.3a from Ch. 40, par. 1522.3a

Amends the Adoption Act. Provides that the sole purpose of notice shall be to enable the person receiving the notice to appear in the adoption proceedings to present evidence to the court relevant to whether the consent or surrender of the person to the adoption is required by the Act (instead of to present evidence to the court relevant to the best interests of the child). Provides that, if the court determines that the consent or surrender of the person is not required, then the person shall not be entitled to participate in the proceedings or to any further notice of the proceedings. Adds to the exceptions to the requirement for consent and surrender: (i) the father of the child who is a family member of the mother of the child and the mother is under the age of 18 at the time of the child's conception; and (ii) the father of the child who is at least 5 years older than the child's mother and the mother was under the age of 17 at the time of child's conception, unless the mother and father voluntarily acknowledge the father's paternity of the child by marrying or by establishing the father's paternity by consent of the parties pursuant to the Illinois Parentage Act of 1984 or pursuant to a substantially similar statute in another state. Defines "family member". Removes from the exceptions to the requirement for consent and surrender a person who has been indicated for child sexual abuse as defined in the Abused and Neglected Child Reporting Act that involved sexual penetration of the mother and a person who was at least 5 years older than the mother and the mother was under the age of 17 at the time of conception of the child to be adopted. Removes any employee of a licensed child welfare agency certified by the agency as qualified to serve as a confidential intermediary from the list of eligible intermediaries.

Senate Floor Amendment No. 1

Deletes reference to:

750 ILCS 50/18.3a

Restores language that was removed concerning the eligibility of confidential intermediaries.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following change. Restores language that was removed concerning the eligibility of confidential intermediaries. In the definition of "family member", includes a person age 18 or over at the time of the child's conception who has resided in the household with the mother continuously for at least one year (instead of a person who has resided in the household of the mother continuously for at least one year).

Aug 10 05 S Public Act 94-0530

SB 00516 Sen. John J. Cullerton

(Rep. Sidney H. Mathias)

735 ILCS 5/2-1001 from Ch. 110, par. 2-1001

Amends the Code of Civil Procedure. Provides that a judge named in a petition for the substitution of a judge need not testify but may submit an affidavit if the judge wishes. Provides that if the petition for substitution is allowed, the case shall be assigned to a judge not named in the petition. Provides that if the petition for substitution is denied, then the case shall be assigned back to the judge named in the petition.

Aug 10 05 S Public Act 94-0531

SB 00517 Sen. Don Harmon-Mattie Hunter

(Rep. Paul D. Froehlich-Sidney H. Mathias)

705 ILCS 305/10.3 new

Amends the Jury Act. Provides that any mother nursing her child shall, upon request, be excused from jury service.

Aug 01 05 S Public Act 94-0391

SB 00518 Sen. Don Harmon-Dale E. Risinger and Pamela J. Althoff
(Rep. Angelo Saviano-Patricia Reid Lindner-Michael P. McAuliffe)

30 ILCS 500/Art. 33 heading new

30 ILCS 500/33-5 new

30 ILCS 500/33-10 new

30 ILCS 500/33-15 new

30 ILCS 500/33-20 new

30 ILCS 500/33-25 new

30 ILCS 500/33-30 new

30 ILCS 500/33-35 new

30 ILCS 500/33-40 new

30 ILCS 500/33-45 new

30 ILCS 500/33-50 new

30 ILCS 500/33-55 new

Amends the Illinois Procurement Code. Sets procedures for the award of contracts for construction management services. Requires State agencies to provide public notice of all projects requiring construction management services. Provides procedures for the selection of construction managers and for contract negotiations. Requires State agencies to evaluate construction management firms at the completion of a project. Sets the duties of construction managers. Provides that actual construction work on the project must be awarded under the Procurement Code. Authorizes the Capital Development Board to further separate divisions of construction management work. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced. Further amends the Illinois Procurement Code to allow for the award of contracts for construction management services; however, provides that it is the Capital Development Board who shall administer the program of construction management services (previously individual State agencies). Makes corresponding changes. Effective immediately.

Aug 10 05 S Public Act 94-0532

SB 00519 Sen. Iris Y. Martinez-Jacqueline Y. Collins-Mattie Hunter and Kimberly A. Lightford

(Rep. William Delgado-Cynthia Soto-Edward J. Acevedo-Susana A Mendoza-Maria Antonia Berrios, Michelle Chavez and Richard T. Bradley)

305 ILCS 5/6-1.7 from Ch. 23, par. 6-1.7

305 ILCS 5/9A-15 new

305 ILCS 5/12-4.4 from Ch. 23, par. 12-4.4

Amends the Illinois Public Aid Code. Provides that the State or federal minimum wage, whichever is higher (instead of simply the State minimum wage), shall be used to calculate: (1) the amount of credit received against General Assistance benefits for work performed; and (2) the required number of hours of participation required in any Earnfare or pay-after-performance activity. Provides that a taxing district or other entity using the services of a General Assistance recipient must pay the recipient at least the State or federal minimum wage, whichever is higher (instead of simply the State minimum wage), after the recipient has received credit equal to the amount of General Assistance he or she received. Effective immediately.

House Amendment No. 1 (Tabled 5/24/2005)

Adds reference to:

305 ILCS 5/12-4.7e new

Further amends the Illinois Public Aid Code. Requires the Departments of Human Services and Healthcare and Family Services to jointly convene, or otherwise identify members of existing advisory bodies to jointly convene, a task force no later than October 1, 2005, to advise the departments in conducting a thorough review and analysis of policies and procedures concerning applications and determinations of eligibility for cash assistance, food stamps, and medical assistance provided under the Code and the Children's Health Insurance Program Act. Provides that, based on the review and analysis, the departments and the task force shall jointly develop recommendations for appropriate changes in law, rules, policy, or process that will simplify, make uniform, or otherwise ease the processes by which potentially eligible persons may apply for and be found eligible for benefits; provides that the recommendations shall include proposed timelines and priorities for implementation. Sets forth factors for the departments and the task force to consider. Provides that the departments shall jointly prepare a written report of the work, recommendations, and any administrative changes developed under these provisions. Provides that the task force shall have the opportunity to review and comment on a draft of the report. Provides that the report shall be submitted to the Governor and the General Assembly on or before January 1, 2007.

Fiscal Note (Dept. of Public Aid)

No impact on the Department of Public Aid.

Fiscal Note (H-AM 1) (Dept. of Public Aid)

Minimal impact on the agency.

Aug 10 05 S Public Act 94-0533

SB 00521 Sen. Iris Y. Martinez-Mattie Hunter-Carol Ronen-Martin A. Sandoval, Miguel del Valle-Jacqueline Y. Collins, Mike Jacobs and Susan Garrett

(Rep. Harry Osterman-Frank J. Mautino-Karen A. Yarbrough-Elizabeth Coulson, David E. Miller, Robin Kelly, Milton Patterson, Wyvetter H. Younge, William Davis, Arthur L. Turner, Elaine Nekritz, Deborah L. Graham-Eddie Washington, Monique D. Davis, Karen May, Naomi D. Jakobsson, John E. Bradley, Kevin A. McCarthy, Terry R. Parke, Sandra M. Pihos, Kurt M. Granberg, Annazette Collins, Gary Hannig, William Delgado, Michael K. Smith, John D'Amico and Cynthia Soto)

215 ILCS 5/356u

Amends the Illinois Insurance Code. Requires insurers to cover surveillance tests for ovarian cancer for female insureds who are at risk for ovarian cancer. Provides a definition for "at risk for ovarian cancer" and "surveillance tests for ovarian cancer". Effective January 1, 2006.

Senate Floor Amendment No. 2

Requires surveillance tests (rather than routine surveillance tests) for ovarian cancer for female insureds who are at risk for ovarian cancer. Changes the definition of "at risk for ovarian cancer" to include having a family history with one or more first-degree (rather than first or second-degree) relatives with ovarian cancer. Changes the definition of "surveillance tests for ovarian cancer" to delete screenings using other proven ovarian screening tests currently being evaluated by the federal Food and Drug Administration or by the National Cancer Institute.

Jul 06 05 S Public Act 94-0122

SB 00526 Sen. Carol Ronen, Mattie Hunter-Jacqueline Y. Collins-Iris Y. Martinez-Don Harmon, Dale A. Righter-M. Maggie Crotty, Jeffrey M. Schoenberg, Kirk W. Dillard and Susan Garrett

(Rep. Harry Osterman-Lou Lang-Eileen Lyons-Barbara Flynn Currie-Elizabeth Coulson, John A. Fritchey, Kevin Joyce, David E. Miller, Milton Patterson, Robin Kelly, Wyvetter H. Younge, William Davis, Arthur L. Turner, Elaine Nekritz, Deborah L. Graham, Sara Feigenholtz, Eddie Washington, Charles E. Jefferson, Michelle Chavez, Maria Antonia Berrios, Sandra M. Pihos, Patricia R. Bellock, Sidney H. Mathias, Kevin A. McCarthy, James D. Brosnahan, Richard T. Bradley, Edward J. Acevedo, Michael K. Smith and John D'Amico)

30 ILCS 105/5.640 new

430 ILCS 125/10

430 ILCS 125/15

430 ILCS 125/17 new

430 ILCS 125/20

430 ILCS 125/25

430 ILCS 125/27 new

430 ILCS 125/30

Amends the State Finance Act and the Children's Product Safety Act. Provides that a "children's product" is one designed or intended for children under age 12 (instead of 6); changes and adds other definitions. Provides that a children's product is deemed to be unsafe "only" if it meets certain specified criteria. Adds requirements concerning the Department of Public Health's list of unsafe children's products. Makes changes concerning safety standards for baby cribs. Imposes duties on manufacturers, importers, wholesalers, and distributors in connection with recalls of children's products. Provides for civil penalties for violations of the Children's Product Safety Act, and removes a provision making a violation a Class C misdemeanor. Provides that nothing in the Act relieves a commercial dealer from compliance with stricter requirements that may be imposed by an agency of the federal government. Adds enforcement powers of the Attorney General. Creates the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund; provides for the deposit of civil penalties into the fund and for the use of moneys in the fund by the Attorney General. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

30 ILCS 105/5.640 new

Adds reference to:

430 ILCS 125/26 new

Replaces everything after the enacting clause. Amends the Children's Product Safety Act with provisions substantially similar to those of Senate Bill 526, but with changes that include the following: (1) provides that a "children's product" is one designed or intended for children under age 9 (instead of 12); (2) requires a manufacturer, importer, distributor, or wholesaler to place on its web site a link to recall or warning information that contains the specific recall notice or warning that was issued for the product in question (instead of a link to www.recalls.gov); (3) provides that the posting of a recall or warning notice by a retailer must be in each retail store; (4) provides that a commercial dealer, manufacturer, importer, distributor, wholesaler, or retailer shall not be found in violation of the provisions concerning unsafe children's products if the specific recalled product sold was not included on the Department of Public Health's list of unsafe children's products on the day before the sale (instead of providing that such a person who exercises reasonable care in acting pursuant to the Children's Product Safety Act is not in violation of any provision of the Act); (5) provides that nothing in the Children's Product Safety Act shall be interpreted to allow a unit of State or local government or any other entity within the State to issue recalls; (6) provides that nothing in the Children's Product Safety Act relieves a manufacturer, importer, distributor, wholesaler, or retailer (in addition to a commercial dealer) from compliance with stricter requirements that may be imposed by a federal agency; and (7) in provisions concerning enforcement of the Children's Product Safety Act by the Attorney General, (i) removes references to a person being "about to engage in" a practice in violation of the Act and (ii) removes provisions concerning the powers a court may exercise. Effective immediately, except provides that the changes in connection with penalties for violating the Children's Product Safety Act and in connection with enforcement of the Act take effect January 1, 2006.

Fiscal Note (S-AM1) (Department of Revenue)

This would increase State revenues. However, the Illinois Department of Revenue cannot predict the number of violations of the Act that will subject persons to the civil penalty and cannot determine the fiscal impact of this bill.

Fiscal Note (S-AM 1)(Department of Public Health)

Senate Bill 526 will have a minimal fiscal impact on the Illinois Department of Public Health.

Jun 08 05 S Public Act 94-0011

SB 00528 Sen. M. Maggie Crotty
(Rep. Jim Sacia-Chapin Rose)

65 ILCS 5/10-2.1-6 from Ch. 24, par. 10-2.1-6

Amends the Illinois Municipal Code. Provides that the age limit applicable to persons seeking municipal employment in either a fire department or police department shall not apply to a person who has served as a sworn officer of the Illinois Department of State Police (this is an addition to a list of several other exemptions). Effective immediately.

Jun 14 05 S Public Act 94-0029

SB 00529 Sen. John J. Cullerton-Emil Jones, Jr.-M. Maggie Crotty and Martin A. Sandoval
(Rep. Sara Feigenholtz-Karen May-Elizabeth Coulson-Patricia Reid Lindner-Barbara Flynn Currie, Naomi D. Jakobsson, Careen M Gordon, Julie Hamos, John A. Fritchey and Daniel J. Burke)

40 ILCS 5/1-104.2 from Ch. 108 1/2, par. 1-104.2

40 ILCS 5/15-129 from Ch. 108 1/2, par. 15-129

740 ILCS 45/2 from Ch. 70, par. 72

750 ILCS 5/205 from Ch. 40, par. 205

750 ILCS 5/212 from Ch. 40, par. 212

750 ILCS 5/303 from Ch. 40, par. 303

750 ILCS 5/607 from Ch. 40, par. 607

750 ILCS 30/3-3 from Ch. 40, par. 2203-3

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

755 ILCS 5/2-2 from Ch. 110 1/2, par. 2-2

Amends the Illinois Pension Code, the Crime Victims Compensation Act, the Illinois Marriage and Dissolution of Marriage Act, the Emancipation of Minors Act, the Adoption Act, and the Probate Act of 1975. Changes references from "illegitimate child" to "child born out of wedlock" and from "legitimate child" to "lawful child".

Pension Note (Commission on Gov't Forecasting and Accountability)

Senate Bill 529 would not affect the accrued liabilities or costs of any public pension fund or retirement system in Illinois.

Senate Bill 529 would not affect the accrued liabilities or costs of any public pension fund or retirement system in Illinois.

Jul 14 05 S Public Act 94-0229

SB 00533 Sen. Ira I. Silverstein
(Rep. William Davis)

805 ILCS 5/7.90 new

805 ILCS 5/12.56

Amends the Business Corporation Act of 1983. Provides that unless otherwise provided in the articles of incorporation, a shareholder who executes and delivers to the corporation a written instrument irrevocably waiving the right (i) to vote any shares held by such shareholder, whether for the election of directors or otherwise, (ii) to be a director or officer of the corporation, and (iii) in any other manner to control, directly or indirectly, corporate actions or the election or removal of any director or officer of the corporation, and who at the time of such waiver is not a director or officer of the corporation, shall have no fiduciary duty to the corporation or any of its shareholders arising out of the fact that such person is a shareholder of the corporation. Provides that the corporation shall give prompt notice of such waiver to the remaining shareholders, except that no such notice need be given by a corporation that has shares listed on a national securities exchange or regularly traded in a market maintained by one or more members of a national or affiliated securities association. Effective July 1, 2005.

Aug 01 05 S Public Act 94-0394

SB 00538 Sen. Dale A. Righter-Richard J. Winkel, Jr.
(Rep. Frank J. Mautino-Donald L. Moffitt)

225 ILCS 60/22 from Ch. 111, par. 4400-22

305 ILCS 5/8A-3.5 new

305 ILCS 5/8A-3.6 new

720 ILCS 5/46-1

720 ILCS 5/46-6 new

Amends the Medical Practice Act of 1987, the Illinois Public Aid Code, and the Criminal Code of 1961. Requires the Department of Financial and Professional Regulation to suspend the license of a physician who has not paid restitution for financial loss sustained as a result of insurance fraud or vendor fraud in relation to medical assistance under the Illinois Public Aid Code committed by the physician, including any court costs and attorney fees. Provides that a person convicted of insurance fraud or recipient fraud, unauthorized use of medical assistance, or vendor fraud in relation to the provision of medical assistance under the Illinois Public Aid Code shall be ordered to pay monetary restitution to a person for any financial loss sustained by that person as a result of the violation, including any court costs and attorney fees. Provides that an order of restitution also includes expenses incurred and paid in connection with any medical evaluation or treatment. Provides that State licensing agencies, the Office of the Attorney General, and the Department of Financial and Professional Regulation shall coordinate enforcement efforts relating to acts of insurance fraud or recipient fraud, unauthorized use of medical assistance, or vendor fraud in relation to medical assistance under the Illinois Public Aid Code.

House Amendment No. 1

Deletes reference to:

225 ILCS 60/22

Adds reference to:

210 ILCS 50/3.133 new

Adds reference to:

225 ILCS 2/117 new

Adds reference to:

225 ILCS 5/16.5 new

Adds reference to:

225 ILCS 15/15.1 new

Adds reference to:

225 ILCS 20/19.5 new

Adds reference to:

225 ILCS 25/23c new

Adds reference to:

225 ILCS 50/18.5 new

Adds reference to:

225 ILCS 51/77 new

Adds reference to:

225 ILCS 55/87 new

Adds reference to:

225 ILCS 60/22.5 new

Adds reference to:

225 ILCS 63/113 new

Adds reference to:

225 ILCS 65/20-13 new

Adds reference to:

225 ILCS 75/19.17 new

Adds reference to:

225 ILCS 80/24.5 new

Adds reference to:

SB 00538 (CONTINUED)

225 ILCS 84/93 new

Adds reference to:

225 ILCS 85/30.5 new

Adds reference to:

225 ILCS 90/17.5 new

Adds reference to:

225 ILCS 95/21.5 new

Adds reference to:

225 ILCS 100/24.5 new

Adds reference to:

225 ILCS 106/97 new

Adds reference to:

225 ILCS 107/83 new

Adds reference to:

225 ILCS 110/16.3 new

Adds reference to:

225 ILCS 125/107 new

Adds reference to:

225 ILCS 130/77 new

Adds reference to:

225 ILCS 135/97 new

Deletes everything after the enacting clause. Amends the Emergency Medical Services (EMS) Systems Act, the Acupuncture Practice Act, the Illinois Athletic Trainers Practice Act, the Clinical Psychologist Licensing Act, the Clinical Social Work and Social Work Practice Act, the Illinois Dental Practice Act, the Hearing Instrument Consumer Protection Act, the Home Medical Equipment and Service Provider License Act, Marriage and Family Therapy Licensing Act, the Medical Practice Act of 1987, the Naprapathic Practice Act, the Nursing and Advanced Practice Nursing Act, the Illinois Occupational Therapy Practice Act, the Illinois Optometric Practice Act of 1987, the Orthotics, Prosthetics, and Pedorthics Practice Act, the Pharmacy Practice Act of 1987, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing Act, the Illinois Speech-Language Pathology and Audiology Practice Act, the Perfusionist Practice Act, the Registered Surgical Assistant and Registered Surgical Technologist Title Protection Act, the Genetic Counselor Licensing Act, the Illinois Public Aid Code, and the Criminal Code of 1961. Requires the Department of Financial and Professional Regulation and, in the case of the Emergency Medical Services (EMS) Systems Act and the Hearing Instrument Consumer Protection Act, the Department of Public Health to suspend the professional license of an individual who has not paid restitution for financial loss sustained as a result of insurance fraud or vendor fraud in relation to medical assistance under the Illinois Public Aid Code committed by the individual, including any court costs and attorney fees. Provides that a person convicted of insurance fraud or recipient fraud, unauthorized use of medical assistance, vendor fraud in relation to the provision of medical assistance under the Illinois Public Aid Code, or convicted of a federal criminal violation associated with defrauding the Medicaid program shall be ordered to pay monetary restitution to a person for any financial loss sustained by that person as a result of the violation, including any court costs and attorney fees. Provides that an order of restitution also includes expenses incurred and paid in connection with any medical evaluation or treatment. Provides that State licensing agencies, the Illinois State Police, and the Department of Financial and Professional Regulation shall coordinate enforcement efforts relating to acts of insurance fraud or recipient fraud, unauthorized use of medical assistance, or vendor fraud in relation to medical assistance under the Illinois Public Aid Code. Effective January 1, 2006.

Aug 12 05 S Public Act 94-0577

SB 00554 Sen. Debbie DeFrancesco Halvorson-Terry Link-Jacqueline Y. Collins-Kwame Raoul

(Rep. Careen M Gordon-Lisa M. Dugan-Constance A. Howard-Mary E. Flowers-Monique D. Davis, Kurt M. Granberg, Milton Patterson, Lovana Jones, John J. Millner, Jim Sacia and Annazette Collins)

20 ILCS 3930/7	from Ch. 38, par. 210-7
730 ILCS 5/3-2-2	from Ch. 38, par. 1003-2-2
730 ILCS 5/3-3-2	from Ch. 38, par. 1003-3-2
730 ILCS 5/3-15-2	from Ch. 38, par. 1003-15-2
730 ILCS 5/Ch. III Art. 17 heading new	
730 ILCS 5/3-17-5 new	
730 ILCS 5/3-17-10 new	
730 ILCS 5/3-17-15 new	
730 ILCS 5/3-17-20 new	
730 ILCS 5/3-17-25 new	
730 ILCS 5/5-8-6	from Ch. 38, par. 1005-8-6

Amends the Illinois Criminal Justice Information Act. Provides that the Illinois Criminal Justice Information Authority may apply for, receive, establish priorities for, allocate, disburse, and spend grants of funds for assisting counties and municipalities in establishing and maintaining reentry programs. Amends the Unified Code of Corrections. Permits a county or municipality that maintains a jail or municipal house of corrections to establish a program for the reentry into the community of felony offenders who are within one year of their release from prison. Provides that an offender must demonstrate a willingness to engage in employment or participate in vocational rehabilitation or job skills training and meet any existing obligation for restitution to any victim of his or her crime. Establishes various services that will be provided to participants in the program. Provides that the Department of Corrections shall establish standards for and shall inspect facilities that house participants in the reentry programs. Provides that the Department of Corrections may make construction and renovation grants for these facilities.

Senate Floor Amendment No. 1

Deletes reference to:

20 ILCS 3930/7

Deletes reference to:

730 ILCS 5/3-2-2

Deletes reference to:

730 ILCS 5/3-3-2

Deletes reference to:

730 ILCS 5/3-15-2

Deletes reference to:

730 ILCS 5/5-8-6

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Reinserts the provisions of the bill with these exceptions: (1) deletes the amendatory changes to the Illinois Criminal Justice Information Act; (2) deletes certain amendatory provisions to the Unified Code of Corrections relating to place of confinement of offenders, standards and assistance to local jails, and powers and duties of the Prisoner review Board and the Department of Corrections; (3) provides that a county or municipality shall be liable for the well being and actions of inmates in its custody while in a reentry program and shall indemnify the Department of Corrections for any loss incurred by the Department caused while an inmate is in a program; (4) provides that the Director of Corrections, by rule, shall establish procedures for review of forfeiture of good behavior credit; and (5) provides that the Department of Corrections shall retain the authority to monitor (rather than supervise) each person participating in a reentry program.

Jul 29 05 S Public Act 94-0383

SB 00559 Sen. George P. Shadid
(Rep. Jim Sacia)

405 ILCS 5/3-606 from Ch. 91 1/2, par. 3-606

Amends the Mental Health and Developmental Disabilities Code. Provides that a peace officer may take a person into custody and transport him to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission and in need of immediate hospitalization (removes a requirement that the "reasonable grounds" be a result of the peace officer's personal observation). Provides that nothing in these provisions shall be interpreted to prevent (i) the filing of a petition for involuntary admission completed by the facility director or any other person or (ii) a decision by the petitioner or his or her counsel or the State's Attorney to proceed with a hearing on a petition for involuntary admission completed by someone other than the peace officer who transported the respondent to the facility. Effective immediately.

Senate Committee Amendment No. 1

Replaces everything after the enacting clause. Amends the Mental Health and Developmental Disabilities Code. Provides that a peace officer may take a person into custody and transport him to a mental health facility when the peace officer has reasonable grounds to believe that the person is subject to involuntary admission and in need of immediate hospitalization (removes a requirement that the "reasonable grounds" be a result of the peace officer's personal observation). Provides that upon arrival at the facility, the peace officer may (instead of shall) complete a petition for involuntary admission. Provides that if the petition is not completed by the peace officer transporting the person, the transporting officer's name, badge number, and employer shall be included in the petition as a potential witness. Effective immediately.

Jul 12 05 S Public Act 94-0202

SB 00562 Sen. William R. Haine-Gary Forby-John J. Cullerton-Dale A. Righter-Jeffrey M. Schoenberg, Kirk W. Dillard, Jacqueline Y. Collins, Deanna Demuzio, Pamela J. Althoff and Mike Jacobs

(Rep. John E. Bradley-Robert F. Flider-Chapin Rose-Daniel V. Beiser-Dan Brady, Michelle Chavez, Charles E. Jefferson, Sara Feigenholtz, Linda Chapa LaVia, Jack D. Franks, Mike Boland, Naomi D. Jakobsson, Careen M Gordon, Lisa M. Dugan, Edward J. Acevedo, David Reis, David E. Miller, Robin Kelly, Milton Patterson, Wyvetter H. Younge, Arthur L. Turner, William Davis, Dan Reitz, Brandon W. Phelps, Kurt M. Granberg, Aaron Schock, Sandra M. Pihos, William Delgado, Cynthia Soto, Roger L. Eddy, Donald L. Moffitt, Sidney H. Mathias, Paul D. Froehlich, Richard T. Bradley, Joseph M. Lyons, Kevin A. McCarthy, Patrick J Verschoore, Jack McGuire, Thomas Holbrook, Michael K. Smith, Lovana Jones and Gary Hannig)

New Act

720 ILCS 5/21-1.5 rep.

720 ILCS 570/102	from Ch. 56 1/2, par. 1102
720 ILCS 570/401	from Ch. 56 1/2, par. 1401
720 ILCS 570/402	from Ch. 56 1/2, par. 1402
720 ILCS 570/407	from Ch. 56 1/2, par. 1407

720 ILCS 570/405.3 rep.

720 ILCS 570/411.3 rep.

Creates the Methamphetamine Control and Community Protection Act. Provides that it is unlawful knowingly to engage in the manufacture of methamphetamine or a substance containing methamphetamine. Creates the offense of aggravated manufacture of methamphetamine. Provides that it is unlawful to possess, procure, transport, store, or deliver methamphetamine precursors or a substance containing methamphetamine precursors with the intent that they or it be used to manufacture methamphetamine or a substance containing methamphetamine. Provides that it is unlawful to engage in the possession, procurement, transportation, storage, or delivery of anhydrous ammonia with the intent that it be used to manufacture methamphetamine. Creates the offense of aggravated possession, procurement, transportation, storage, or delivery of anhydrous ammonia with the intent that it be used to manufacture methamphetamine. Provides that it is unlawful knowingly to possess methamphetamine or a substance containing methamphetamine. Provides that it is unlawful to dispose of methamphetamine manufacturing waste. Provides that it is unlawful knowingly to deliver or possess with intent to deliver methamphetamine or a substance containing methamphetamine. Provides that it is unlawful to possess, procure, transport, store, or deliver anhydrous ammonia in an unauthorized container. Amends the Criminal Code of 1961. Repeals the provision prohibiting tampering with anhydrous ammonia equipment, containers, and facilities. Amends the Illinois Controlled Substances Act. Eliminates from the Act provisions relating to the illegal manufacture, delivery, and possession of methamphetamine and relating to the possession of methamphetamine manufacturing chemicals. Effective 30 days after becoming law.

House Amendment No. 1

Adds reference to:

20 ILCS 301/5-10

Adds reference to:

20 ILCS 301/40-5

Adds reference to:

20 ILCS 301/50-35

Adds reference to:

20 ILCS 310/310-5	was 20 ILCS 5/9.29

Adds reference to:

20 ILCS 2605/2605-555

Adds reference to:

20 ILCS 2610/12.5

Adds reference to:

20 ILCS 2620/7	from Ch. 127, par. 55j

Adds reference to:

20 ILCS 2620/8	from Ch. 127, par. 55k

Adds reference to:

20 ILCS 2630/2.1	from Ch. 38, par. 206-2.1

Adds reference to:

20 ILCS 2630/5	from Ch. 38, par. 206-5

SB 00562 (CONTINUED)

Adds reference to:
20 ILCS 2635/3 from Ch. 38, par. 1603
Adds reference to:
30 ILCS 230/2 from Ch. 127, par. 171
Adds reference to:
55 ILCS 5/5-1103 from Ch. 34, par. 5-1103
Adds reference to:
70 ILCS 1205/8-23
Adds reference to:
70 ILCS 1505/16a-5
Adds reference to:
70 ILCS 3605/28b from Ch. 111 2/3, par. 328b
Adds reference to:
105 ILCS 5/10-21.9 from Ch. 122, par. 10-21.9
Adds reference to:
105 ILCS 5/10-27.1B
Adds reference to:
105 ILCS 5/21-23a from Ch. 122, par. 21-23a
Adds reference to:
105 ILCS 5/34-18.5 from Ch. 122, par. 34-18.5
Adds reference to:
105 ILCS 5/34-84b from Ch. 122, par. 34-84b
Adds reference to:
105 ILCS 127/2
Adds reference to:
225 ILCS 2/135
Adds reference to:
225 ILCS 10/4.2 from Ch. 23, par. 2214.2
Adds reference to:
225 ILCS 46/25
Adds reference to:
225 ILCS 60/22 from Ch. 111, par. 4400-22
Adds reference to:
225 ILCS 63/123
Adds reference to:
225 ILCS 65/20-75
Adds reference to:
225 ILCS 80/26.1 from Ch. 111, par. 3926.1
Adds reference to:
225 ILCS 100/41 from Ch. 111, par. 4841
Adds reference to:
225 ILCS 115/25.16 from Ch. 111, par. 7025.16
Adds reference to:
225 ILCS 120/55 from Ch. 111, par. 8301-55
Adds reference to:
225 ILCS 120/170 from Ch. 111, par. 8301-170
Adds reference to:
305 ILCS 5/1-10

SB 00562 (CONTINUED)

Adds reference to:
310 ILCS 10/8.1a from Ch. 67 1/2, par. 8.1a
Adds reference to:
310 ILCS 50/2 from Ch. 67 1/2, par. 852
Adds reference to:
325 ILCS 5/3 from Ch. 23, par. 2053
Adds reference to:
410 ILCS 620/24 from Ch. 56 1/2, par. 524
Adds reference to:
430 ILCS 65/10 from Ch. 38, par. 83-10
Adds reference to:
625 ILCS 5/2-115 from Ch. 95 1/2, par. 2-115
Adds reference to:
625 ILCS 5/6-103 from Ch. 95 1/2, par. 6-103
Adds reference to:
625 ILCS 5/6-106.1 from Ch. 95 1/2, par. 6-106.1
Adds reference to:
625 ILCS 5/6-107 from Ch. 95 1/2, par. 6-107
Adds reference to:
625 ILCS 5/6-108 from Ch. 95 1/2, par. 6-108
Adds reference to:
625 ILCS 5/6-201 from Ch. 95 1/2, par. 6-201
Adds reference to:
625 ILCS 5/6-206 from Ch. 95 1/2, par. 6-206
Adds reference to:
625 ILCS 5/6-508 from Ch. 95 1/2, par. 6-508
Adds reference to:
705 ILCS 105/27.6
Adds reference to:
705 ILCS 405/1-7 from Ch. 37, par. 801-7
Adds reference to:
705 ILCS 405/1-8 from Ch. 37, par. 801-8
Adds reference to:
705 ILCS 405/5-130
Adds reference to:
705 ILCS 405/5-601
Adds reference to:
705 ILCS 405/5-615
Adds reference to:
705 ILCS 405/5-710
Adds reference to:
705 ILCS 405/5-715
Adds reference to:
705 ILCS 405/5-805
Adds reference to:
705 ILCS 405/5-901
Adds reference to:
720 ILCS 5/9-3.3 from Ch. 38, par. 9-3.3

SB 00562 (CONTINUED)

Adds reference to:
720 ILCS 5/11-19.2 from Ch. 38, par. 11-19.2
Adds reference to:
720 ILCS 5/14-3 from Ch. 38, par. 14-3
Adds reference to:
720 ILCS 5/19-5 from Ch. 38, par. 19-5
Adds reference to:
720 ILCS 5/20-2 from Ch. 38, par. 20-2
Adds reference to:
720 ILCS 5/24-1.1 from Ch. 38, par. 24-1.1
Adds reference to:
720 ILCS 5/24-1.6
Adds reference to:
720 ILCS 5/29B-1 from Ch. 38, par. 29B-1
Adds reference to:
720 ILCS 5/31A-1.1 from Ch. 38, par. 31A-1.1
Adds reference to:
720 ILCS 5/31A-1.2 from Ch. 38, par. 31A-1.2
Adds reference to:
720 ILCS 5/33A-3 from Ch. 38, par. 33A-3
Adds reference to:
720 ILCS 5/37-1 from Ch. 38, par. 37-1
Adds reference to:
720 ILCS 5/44-2 from Ch. 38, par. 44-2
Adds reference to:
720 ILCS 5/44-3 from Ch. 38, par. 44-3
Adds reference to:
720 ILCS 5/12-4.10 rep., from P.A. 93-111
Adds reference to:
720 ILCS 5/12-4.10 rep., from P.A. 93-340
Adds reference to:
720 ILCS 5/12-4.11 rep., from P.A. 93-340
Adds reference to:
720 ILCS 5/20-1.4 rep.
Adds reference to:
720 ILCS 5/20-1.5 rep.
Adds reference to:
720 ILCS 550/10 from Ch. 56 1/2, par. 710
Adds reference to:
720 ILCS 550/10.2 from Ch. 56 1/2, par. 710.2
Adds reference to:
720 ILCS 570/401.1 from Ch. 56 1/2, par. 1401.1
Adds reference to:
720 ILCS 570/401.5
Adds reference to:
720 ILCS 570/405.2
Adds reference to:
720 ILCS 570/406.1 from Ch. 56 1/2, par. 1406.1

SB 00562 (CONTINUED)

Adds reference to:
720 ILCS 570/410 from Ch. 56 1/2, par. 1410
Adds reference to:
720 ILCS 570/413 from Ch. 56 1/2, par. 1413
Adds reference to:
720 ILCS 570/405.3 rep.
Adds reference to:
720 ILCS 570/411.3 rep.
Adds reference to:
720 ILCS 600/2 from Ch. 56 1/2, par. 2102
Adds reference to:
720 ILCS 647/1
Adds reference to:
720 ILCS 647/5
Adds reference to:
720 ILCS 647/10
Adds reference to:
720 ILCS 647/15
Adds reference to:
720 ILCS 647/30
Adds reference to:
720 ILCS 647/45
Adds reference to:
720 ILCS 647/50
Adds reference to:
720 ILCS 647/60
Adds reference to:
725 ILCS 5/108B-3 from Ch. 38, par. 108B-3
Adds reference to:
725 ILCS 5/110-5 from Ch. 38, par. 110-5
Adds reference to:
725 ILCS 5/110-6 from Ch. 38, par. 110-6
Adds reference to:
725 ILCS 5/110-6.1 from Ch. 38, par. 110-6.1
Adds reference to:
725 ILCS 5/110-7 from Ch. 38, par. 110-7
Adds reference to:
725 ILCS 5/110-10 from Ch. 38, par. 110-10
Adds reference to:
725 ILCS 5/115-10.5
Adds reference to:
725 ILCS 5/115-15
Adds reference to:
725 ILCS 150/2 from Ch. 56 1/2, par. 1672
Adds reference to:
725 ILCS 150/3 from Ch. 56 1/2, par. 1673
Adds reference to:
725 ILCS 150/5 from Ch. 56 1/2, par. 1675

SB 00562 (CONTINUED)

Adds reference to:
725 ILCS 150/6 from Ch. 56 1/2, par. 1676
Adds reference to:
725 ILCS 150/7 from Ch. 56 1/2, par. 1677
Adds reference to:
725 ILCS 150/9 from Ch. 56 1/2, par. 1679
Adds reference to:
725 ILCS 175/3 from Ch. 56 1/2, par. 1653
Adds reference to:
725 ILCS 207/40
Adds reference to:
725 ILCS 210/4.01 from Ch. 14, par. 204.01
Adds reference to:
725 ILCS 215/3 from Ch. 38, par. 1703
Adds reference to:
730 ILCS 5/3-7-2.5
Adds reference to:
730 ILCS 5/5-4-1 from Ch. 38, par. 1005-4-1
Adds reference to:
730 ILCS 5/5-5-3 from Ch. 38, par. 1005-5-3
Adds reference to:
730 ILCS 5/5-5-3.2 from Ch. 38, par. 1005-5-3.2
Adds reference to:
730 ILCS 5/5-6-2 from Ch. 38, par. 1005-6-2
Adds reference to:
730 ILCS 5/5-6-3 from Ch. 38, par. 1005-6-3
Adds reference to:
730 ILCS 5/5-6-3.1 from Ch. 38, par. 1005-6-3.1
Adds reference to:
730 ILCS 5/5-8-4 from Ch. 38, par. 1005-8-4
Adds reference to:
730 ILCS 5/5-9-1 from Ch. 38, par. 1005-9-1
Adds reference to:
730 ILCS 5/5-9-1.1 from Ch. 38, par. 1005-9-1.1
Adds reference to:
730 ILCS 5/5-9-1.2 from Ch. 38, par. 1005-9-1.2
Adds reference to:
730 ILCS 5/5-9-1.4 from Ch. 38, par. 1005-9-1.4
Adds reference to:
735 ILCS 5/9-118 from Ch. 110, par. 9-118
Adds reference to:
735 ILCS 5/12-903.5
Adds reference to:
740 ILCS 20/2 from Ch. 70, par. 902
Adds reference to:
740 ILCS 20/4 from Ch. 70, par. 904
Adds reference to:
740 ILCS 20/6 from Ch. 70, par. 906

SB 00562 (CONTINUED)

Deletes everything after the enacting clause. Reinserts the provisions of the bill with these changes: (1) changes various definitions and adds various definitions; (2) changes various penalties; (3) permits the court to sentence a person to probation who has not previously been convicted of or placed on court supervision for an offense under the Methamphetamine Control and Community Protection Act, the Illinois Controlled Substances Act, or the Cannabis Control Act, or the laws of the United States or another state relating to cannabis or controlled substances if the person has been found guilty or pleads guilty to possession of less than 15 grams of methamphetamine; (4) provides for the imposition of additional fines; (5) establishes assessments for various violations of the Act; (6) provides for forfeiture of methamphetamine, methamphetamine manufacturing materials, conveyances used or intended for use in the transportation, sale, receipt, possession, or concealment of the illegal methamphetamine and methamphetamine manufacturing materials, all money, things of value, books, records, and research products and materials including formulas, microfilm, tapes, and data which are used, or intended for use in a felony violation of the Act; and forfeiture of everything of value furnished or intended to be furnished by any person in exchange for a substance in violation of the Act, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, securities, and real property used, or intended to be used, to commit or facilitate any felony violation of the Act or that are proceeds of any violation; and (7) amends numerous Acts to make conforming changes. Effective 30 days after becoming law.

House Amendment No. 2

In the Methamphetamine Control and Community Protection Act, defines "finished methamphetamine" as methamphetamine in a form commonly used for personal consumption. Exempts from the definition of methamphetamine (MDMA) or any other scheduled substance with a separate listing under the Illinois Controlled Substances Act. Provides that the methamphetamine restitution provisions include paying regular and overtime costs incurred by local law enforcement agencies and private contractors paid by the public agencies in securing a methamphetamine manufacturing site. Establishes priorities for the disbursement of methamphetamine restitution payments. In the amendatory changes to the Unified Code of Corrections, provides that a person convicted of a second or subsequent violation of the Methamphetamine Control and Community Protection Act may not receive a period of probation, a term of periodic imprisonment or conditional discharge. Makes other technical changes.

Aug 12 05 S Public Act 94-0556

SB 00568 Sen. Kathleen L. Wojcik-Pamela J. Althoff-Dale A. Righter-Mattie Hunter-M. Maggie Crotty, Dan Rutherford, Edward D. Maloney, John J. Cullerton and Jacqueline Y. Collins

(Rep. Karen May-Elizabeth Coulson-John A. Fritchey-Patricia R. Bellock, Patrick J Verschoore, Jack D. Franks, Cynthia Soto, Naomi D. Jakobsson, Harry Osterman, Elaine Nekritz, Ed Sullivan, Jr., Michael Tryon, Karen A. Yarbrough, Mary E. Flowers, Constance A. Howard, Annazette Collins, Monique D. Davis, Shane Cultra, Joseph M. Lyons, Kevin A. McCarthy, Marlow H. Colvin and Wyvetter H. Younge)

410 ILCS 535/25.1 from Ch. 111 1/2, par. 73-25.1

Amends the Vital Records Act. Provides that the word "DECEASED" and the date of death shall not appear on a copy of a birth certificate furnished to a parent of a child who died within 3 months of birth, provided no other copy of a birth certificate was furnished to the parent prior to the child's death. Effective immediately.

Senate Floor Amendment No. 1

Provides that when the death of a child occurs within 90 days of that child's live birth, the mother listed on the birth certificate of that child may request the issuance of a copy of a certificate of live birth from the State Registrar. Provides that the request shall comply with specific requirements, shall indicate the requestor's relationship to the child, and shall be made not later than 9 months from the date of the death of the child.

Jun 06 05 S Public Act 94-0007

SB 00572 Sen. Emil Jones, Jr.-James T. Meeks-Martin A. Sandoval
(Rep. Robert Rita-William Davis-Donald L. Moffitt-Robin Kelly)

70 ILCS 1905/1 from Ch. 114, par. 361

Amends the Railroad Terminal Authority Act. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

70 ILCS 1905/1

Adds reference to:

New Act

Adds reference to:

35 ILCS 120/1p new

Deletes everything after the enacting clause. Creates the Illinois Intermodal Facilities Development Act. Provides that a county or municipality may allow for the organization of an Intermodal Facilities Development Authority in that city or county as a municipal corporation and body politic. Authorizes Boards of Directors for governing these Intermodal Facilities Development Authorities. Sets forth certain requirements for the composition of these Boards. Provides that it is the duty of these Authorities to promote the purposes of the Act and to create, remove, or relocate certain terminal facilities to assist in the development, construction, and acquisition of industrial or commercial projects within their territorial jurisdiction. Sets forth certain powers of these Authorities. Provides for the creation of Intermodal Facilities Development Zones. Provides that the Authorities created shall have the power to issue revenue bonds, notes, and other evidences of indebtedness for certain purposes relating to developing, constructing, acquiring, or improving projects within the territorial jurisdiction of these Authorities. Sets forth certain conditions relating to the revenue bonds. Authorizes Intermodal Facilities Development Authorities to establish Special Service Districts or Tax Increment Financing Districts subsequent to the creation of an Intermodal Facilities Development Zone. Authorizes the uses of certain electric fencing at Authority terminal locations. Provides these Authorities the power to acquire by purchase, lease, gift, or otherwise any property from any person or governmental entity including the power of eminent domain. Requires each Authority to annually report it finances to the Auditor General and to the Chief Officer of each municipality or county creating that Authority. Sets forth certain conditions for the abolishment of these Authorities. Amends the Retailers' Occupation Tax Act to make certain sales of building materials to projects in an Intermodal Facilities Development Zone deductible when calculating the tax imposed by that Act. Sets forth certain conditions relating to this deduction. Provides that the provisions of the Act are severable. Effective July 1, 2005.

House Amendment No. 1

Deletes reference to:

35 ILCS 120/1p new

Deletes everything after the enacting clause. Creates the Illinois Intermodal Facilities Development Act. Contains only a short title.

House Amendment No. 2

Deletes reference to:

New Act

Adds reference to:

35 ILCS 120/1p new

Adds reference to:

65 ILCS 5/11-74.4-3.1 new

Deletes everything after the enacting clause. Amends the Retailers' Occupation Tax Act. Exempts from the tax imposed under that Act the qualified sale of building materials to be incorporated into real estate in certain redevelopment project areas established under the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code that are within an intermodal terminal facility area. Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Authorizes a municipality to establish a redevelopment project area within an intermodal terminal facility area for the purpose of establishing a new intermodal terminal facility, rehabilitating an obsolete terminal facility, or both. Provides that an intermodal terminal facility area is deemed to be a "blighted area" and that no additional proof of blight need be shown in establishing a redevelopment project area within an intermodal terminal facility area. Defines "intermodal terminal facility area" and "intermodal terminal facility".

Aug 11 05 S Public Act 94-0546

SB 00574 Sen. Miguel del Valle-Kimberly A. Lightford, Mike Jacobs-Jacqueline Y. Collins and Edward D. Maloney
(Rep. Calvin L. Giles-Cynthia Soto-Milton Patterson-Annazette Collins-Constance A. Howard)

105 ILCS 5/1A-2.1 from Ch. 122, par. 1A-2.1

Amends the School Code. Makes a technical change in a Section concerning the State Board of Education.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/1A-2.1

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the College and Career Success for All Students Act. Requires a teacher of an Advanced Placement course to obtain appropriate training, subject to appropriation. Requires the State Board of Education to establish training guidelines that require teachers of Advanced Placement courses to obtain recognized Advanced Placement training endorsed by the College Board, subject to appropriation. Provides that Advanced Placement and pre-Advanced Placement training to teachers in Illinois high schools must meet certain requirements. Requires the State Board to encourage school districts to offer rigorous courses in grades 6 through 11 that prepare students for the demands of Advanced Placement course work. Requires the State Board of Education to encourage school districts to make it a goal that all 10th graders take the Preliminary SAT/National Merit Scholars Qualifying Test so that test results will provide each high school with a database of student assessment data to identify students who are prepared or who need additional work to be prepared to enroll and be successful in Advanced Placement courses. Provides for other duties of the State Board.

Aug 10 05 S Public Act 94-0534

SB 00575 Sen. Miguel del Valle-Kimberly A. Lightford-Donne E. Trotter-Jacqueline Y. Collins
(Rep. Calvin L. Giles-Monique D. Davis-Maria Antonia Berrios-Cynthia Soto-Marlow H. Colvin, Milton Patterson, John D'Amico, Mike Boland, Kevin A. McCarthy, James D. Brosnahan, Karen A. Yarbrough, Deborah L. Graham, Robin Kelly, Arthur L. Turner, Wyvetter H. Younge, Robert Rita, Annazette Collins, Lovana Jones, John A. Fritchey, John E. Bradley, Kenneth Dunkin, Kurt M. Granberg, William Delgado, Michelle Chavez, Susana A Mendoza, Daniel J. Burke, Edward J. Acevedo, Linda Chapa LaVia, Richard T. Bradley, Joseph M. Lyons and David E. Miller)

105 ILCS 5/1-2 from Ch. 122, par. 1-2

Amends the School Code. Makes a technical change in a Section concerning the School Code's construction.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/1-2

Adds reference to:

105 ILCS 5/27-22 from Ch. 122, par. 27-22

Deletes everything after the enacting clause. Amends the School Code. Makes changes concerning the course prerequisites to receive a high school diploma. Provides for an additional year of mathematics beginning with the 2005-2006 school year. Provides for two years of writing intensive courses beginning with the 2006-2007 school year, which may be counted towards the fulfillment of other graduation requirements. Provides for an additional year of science beginning with the 2007-2008 school year. Provides for an additional year of language arts beginning with the 2008-2009 school year. Effective immediately.

Fiscal Note (Illinois State Board of Education)

Overall, Senate Bill 575 would add costs to local school districts of $2.4 million in FY 2007, $32.9 million in FY 2008, and $14.8 million in FY 2012 as the various standards phase in.

Aug 24 05 S Public Act 94-0676

SB 00599 Sen. Wendell E. Jones
(Rep. Dan Reitz)

10 ILCS 5/7-6 from Ch. 46, par. 7-6

Amends the Election Code. Makes a technical change in a Section concerning expenses of conducting a primary election.

Senate Floor Amendment No. 1

Deletes reference to:

10 ILCS 5/7-6

Adds reference to:

10 ILCS 5/6-19 from Ch. 46, par. 6-19

Adds reference to:

10 ILCS 5/28-2 from Ch. 46, par. 28-2

Adds reference to:

10 ILCS 5/28-5 from Ch. 46, par. 28-5

Adds reference to:

55 ILCS 5/1-3001 from Ch. 34, par. 1-3001

Adds reference to:

55 ILCS 5/1-3002 from Ch. 34, par. 1-3002

Adds reference to:

55 ILCS 5/1-4004 from Ch. 34, par. 1-4004

Adds reference to:

65 ILCS 5/2-2-3 from Ch. 24, par. 2-2-3

Adds reference to:

65 ILCS 5/2-2-8 from Ch. 24, par. 2-2-8

Adds reference to:

65 ILCS 5/2-3-6 from Ch. 24, par. 2-3-6

Adds reference to:

65 ILCS 5/5-5-1 from Ch. 24, par. 5-5-1

Adds reference to:

65 ILCS 5/11-66-3 from Ch. 24, par. 11-66-3

Adds reference to:

65 ILCS 5/11-112-1 from Ch. 24, par. 11-112-1

Adds reference to:

70 ILCS 705/1 from Ch. 127 1/2, par. 21

Adds reference to:

70 ILCS 705/3 from Ch. 127 1/2, par. 23

Adds reference to:

70 ILCS 2105/1 from Ch. 42, par. 383

Adds reference to:

70 ILCS 2305/26 from Ch. 42, par. 296.6

Adds reference to:

70 ILCS 2305/27 from Ch. 42, par. 296.7

Adds reference to:

70 ILCS 3305/2a from Ch. 121, par. 356a

Adds reference to:

105 ILCS 5/32-1 from Ch. 122, par. 32-1

Adds reference to:

110 ILCS 805/3-5 from Ch. 122, par. 103-5

SB 00599 (CONTINUED)

Deletes everything after the enacting clause. Amends the Election Code. Requires that a back door referendum question must appear on the ballot at an election no more than 15 months (now, one year) after the petition initiating the question is filed. Amends the Election Code, the Counties Code, the Illinois Municipal Code, the Fire Protection District Act, the River Conservancy District Act, the North Shore Sanitary District Act, the Street Light District Act, the Surface Water Protection District Act, the School Code, and the Public Community College Act. Requires that certain referenda be approved by a majority of the electors voting on the question. Amends the Counties Code. Requires that a petition to form a new county must be signed by voters of the affected territory equal to 1% of voters cast in the affected territory for gubernatorial candidates at the most recent gubernatorial election (now, a majority of voters) and that the petition must be signed no more than 24 months before the general election when the question of the new county is submitted. Effective immediately.

House Amendment No. 1

Deletes reference to:
10 ILCS 5/6-19 from Ch. 46, par. 6-19
Deletes reference to:
55 ILCS 5/1-3001 from Ch. 34, par. 1-3001
Deletes reference to:
55 ILCS 5/1-3002 from Ch. 34, par. 1-3002
Deletes reference to:
55 ILCS 5/1-4004 from Ch. 34, par. 1-4004
Deletes reference to:
65 ILCS 5/2-2-3 from Ch. 24, par. 2-2-3
Deletes reference to:
65 ILCS 5/2-2-8 from Ch. 24, par. 2-2-8
Deletes reference to:
65 ILCS 5/2-3-6 from Ch. 24, par. 2-3-6
Deletes reference to:
65 ILCS 5/5-5-1 from Ch. 24, par. 5-5-1
Deletes reference to:
65 ILCS 5/11-66-3 from Ch. 24, par. 11-66-3
Deletes reference to:
65 ILCS 5/11-112-1 from Ch. 24, par. 11-112-1
Deletes reference to:
70 ILCS 705/1 from Ch. 127 1/2, par. 21
Deletes reference to:
70 ILCS 705/3 from Ch. 127 1/2, par. 23
Deletes reference to:
70 ILCS 2105/1 from Ch. 42, par. 383
Deletes reference to:
70 ILCS 2305/26 from Ch. 42, par. 296.6
Deletes reference to:
70 ILCS 2305/27 from Ch. 42, par. 296.7
Deletes reference to:
70 ILCS 3305/2a from Ch. 121, par. 356a
Deletes reference to:
105 ILCS 5/32-1 from Ch. 122, par. 32-1
Deletes reference to:
110 ILCS 805/3-5 from Ch. 122, par. 103-5

Deletes everything after the enacting clause. Amends the Election Code. Requires that a back door referendum question must appear on the ballot at an election no more than 15 months (now, one year) after the petition initiating the question is filed. Effective immediately.

Aug 12 05 S Public Act 94-0578

SB 00635 Sen. Mattie Hunter-Emil Jones, Jr.-Martin A. Sandoval
(Rep. Robert W. Pritchard)

15 ILCS 20/50-5 was 15 ILCS 20/38

Amends the State Budget Law of the Civil Administrative Code of Illinois. Makes a technical change concerning submission of the State budget.

Senate Floor Amendment No. 1

Deletes reference to:

15 ILCS 20/50-5

Adds reference to:

30 ILCS 105/5.640 new

Adds reference to:

30 ILCS 105/6z-68 new

Adds reference to:

30 ILCS 105/8h

Deletes everything after the enacting clause. Amends the State Finance Act. Creates the Intercity Passenger Rail Fund. Provides that moneys in the Fund may be used by the Department of Transportation, subject to appropriation, for the operation of intercity passenger rail services in the State. Requires the Director of Amtrak, or its successor agency, at least one month before the beginning of each fiscal year, to certify to the State Treasurer the number of Amtrak tickets sold at the State rate during that current fiscal year. Requires the State Treasurer to transfer, from the General Revenue Fund to the Intercity Passenger Rail Fund, an amount equal to the tickets certified by the Director of Amtrak multiplied by $50. Exempts the Intercity Passenger Rail Fund from the administrative charge-back provisions. Effective immediately.

House Amendment No. 1

Provides that moneys in the Intercity Passenger Rail Fund shall be used for intercity passenger rail services "through Amtrak or its successor". Requires the chief operating officer (rather than the Director) of Amtrak or its successor to make certifications.

Aug 10 05 S Public Act 94-0535

SB 00658 Sen. John J. Cullerton-Terry Link-Kwame Raoul-Ira I. Silverstein-Jacqueline Y. Collins and Kimberly A. Lightford
(Rep. Barbara Flynn Currie-Roger L. Eddy)

755 ILCS 5/11-3 from Ch. 110 1/2, par. 11-3

755 ILCS 5/11a-5 from Ch. 110 1/2, par. 11a-5

Amends the Probate Act of 1975. In provisions prohibiting a person convicted of a felony from acting as the guardian of a minor or disabled person, creates an exception if the court finds that the appointment of the person convicted of a felony is in the best interests of the minor or disabled person. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Reinserts provisions of the original bill with the following changes. In the list that the court shall consider when appointing a guardian, provides that, in the case of a person who has been convicted of a felony, the court shall consider the nature of the offense, the date of the offense, and the evidence of the proposed guardian's rehabilitation as part of the determination that appointment of a person who has been convicted of a felony is in the minor's or disabled person's best interest. Provides that, in appointing a guardian for a minor, no person shall be appointed who has been convicted of a felony, including a felony sexual offense, involving harm or threat to a child. Provides that, in appointing a guardian for a disabled person, no person shall be appointed who has been convicted of a felony, including a felony sexual offense, involving harm or threat to an elderly or disabled person. Effective July 1, 2006.

Senate Committee Amendment No. 2

Provides that no person shall be appointed guardian of a minor who has been convicted of a felony involving harm or threat to a child, including a felony sexual offense (instead of who has been convicted of a felony, including a felony sexual offense, involving harm or threat to a child). Provides that no person shall be appointed guardian of a disabled person who has been convicted of a felony involving harm or threat to an elderly or disabled person, including a felony sexual offense (instead of who has been convicted of a felony, including a felony sexual offense, involving harm or threat to an elderly or disabled person).

Senate Floor Amendment No. 3

Changes the effective date from July 1, 2006 to effective immediately.

Aug 12 05 S Public Act 94-0579

SB 00661 Sen. Don Harmon-Emil Jones, Jr.
(Rep. Gary Hannig)

30 ILCS 710/1-1 from Ch. 5, par. 2201-1

Amends the Rural Economic Development Act. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

30 ILCS 710/1-1

Adds reference to:

30 ILCS 500/30-30

Adds reference to:

30 ILCS 500/30-31 new

Deletes everything after the enacting clause. Amends the Illinois Procurement Code. With respect to construction contracts, requires separate bids for 5 subdivisions of work on construction building projects in excess of $750,000 (now, construction contracts in excess of $250,000). Provides that if the work in any one of the 5 subdivisions is less than $200,000, that work need not be separately bid. For building projects of $750,000 or less, the successful bidder must identify the subcontractor and the bid cost in each of the 5 subdivisions of work and the resulting contract must specify that an identified subcontractor who provides a bid bond may not be terminated without the approval of the Capital Development Board. Effective immediately.

House Amendment No. 1

Deletes reference to:

30 ILCS 500/30-30

Deletes reference to:

30 ILCS 500/30-31 new

Adds reference to:

30 ILCS 500/1-5

Deletes everything after the enacting clause. Amends the Illinois Procurement Code. Makes a technical change in a Section concerning State policy.

House Amendment No. 2

Deletes reference to:

30 ILCS 500/1-5

Adds reference to:

New Act

Adds reference to:

20 ILCS 405/405-20 was 20 ILCS 405/35.7

Adds reference to:

20 ILCS 405/405-270 was 20 ILCS 405/67.18

Adds reference to:

20 ILCS 405/405-293

Adds reference to:

20 ILCS 405/405-315 was 20 ILCS 405/67.24

Adds reference to:

20 ILCS 2105/2105-300 was 20 ILCS 2105/61e

Adds reference to:

30 ILCS 105/6z-26

Adds reference to:

30 ILCS 105/8f

Adds reference to:

205 ILCS 5/48 from Ch. 17, par. 359

Adds reference to:

205 ILCS 105/7-19.1 from Ch. 17, par. 3307-19.1

Adds reference to:

SB 00661 (CONTINUED)

205 ILCS 305/12 from Ch. 17, par. 4413
Adds reference to:
205 ILCS 510/0.05
Adds reference to:
205 ILCS 657/93
Adds reference to:
215 ILCS 5/408.3 from Ch. 73, par. 1020.3
Adds reference to:
215 ILCS 5/511.111 from Ch. 73, par. 1065.58-111
Adds reference to:
225 ILCS 407/30-15
Adds reference to:
225 ILCS 441/25-5
Adds reference to:
225 ILCS 454/25-25
Adds reference to:
225 ILCS 454/25-30
Adds reference to:
225 ILCS 454/25-37
Adds reference to:
225 ILCS 458/25-5
Adds reference to:
20 ILCS 2705/2705-200 was 20 ILCS 2705/49.16
Adds reference to:
30 ILCS 105/5.595, from P.A. 93-18
Adds reference to:
30 ILCS 105/6z-14 from Ch. 127, par. 142z-14
Adds reference to:
30 ILCS 105/6z-32
Adds reference to:
30 ILCS 105/6z-40
Adds reference to:
30 ILCS 105/6z-63
Adds reference to:
30 ILCS 105/6z-64
Adds reference to:
30 ILCS 105/6z-65
Adds reference to:
30 ILCS 105/8.3 from Ch. 127, par. 144.3
Adds reference to:
30 ILCS 105/8.33 from Ch. 127, par. 144.33
Adds reference to:
30 ILCS 105/8g
Adds reference to:
30 ILCS 105/15a from Ch. 127, par. 151a
Adds reference to:
20 ILCS 505/22.2 from Ch. 23, par. 5022.2
Adds reference to:

SB 00661 (CONTINUED)

30 ILCS 105/8.27 from Ch. 127, par. 144.27
Adds reference to:
35 ILCS 5/901 from Ch. 120, par. 9-901
Adds reference to:
105 ILCS 55/20
Adds reference to:
320 ILCS 55/30
Adds reference to:
320 ILCS 55/35
Adds reference to:
20 ILCS 215/5.5
Adds reference to:
20 ILCS 605/605-55 was 20 ILCS 605/46.21
Adds reference to:
20 ILCS 605/605-75
Adds reference to:
20 ILCS 605/605-323 was 20 ILCS 605/46.76
Adds reference to:
20 ILCS 665/8a from Ch. 127, par. 200-28a
Adds reference to:
20 ILCS 700/1004 from Ch. 127, par. 3701-4
Adds reference to:
20 ILCS 1105/9 from Ch. 96 1/2, par. 7409
Adds reference to:
20 ILCS 2405/5 from Ch. 23, par. 3436
Adds reference to:
20 ILCS 2705/2705-275 was 20 ILCS 2705/49.25j
Adds reference to:
20 ILCS 2705/2705-305
Adds reference to:
20 ILCS 3501/801-40
Adds reference to:
20 ILCS 3501/805-15
Adds reference to:
20 ILCS 3918/50
Adds reference to:
30 ILCS 105/8c from Ch. 127, par. 144c
Adds reference to:
30 ILCS 150/4 from Ch. 105, par. 734
Adds reference to:
30 ILCS 425/2 from Ch. 127, par. 2802
Adds reference to:
30 ILCS 750/8-3 from Ch. 127, par. 2708-3
Adds reference to:
30 ILCS 750/9-3 from Ch. 127, par. 2709-3
Adds reference to:
30 ILCS 750/9-4.2 from Ch. 127, par. 2709-4.2
Adds reference to:

SB 00661 (CONTINUED)

30 ILCS 750/9-5.2 from Ch. 127, par. 2709-5.2
Adds reference to:
30 ILCS 750/10-3 from Ch. 127, par. 2710-3
Adds reference to:
35 ILCS 130/2 from Ch. 120, par. 453.2
Adds reference to:
35 ILCS 130/29 from Ch. 120, par. 453.29
Adds reference to:
70 ILCS 200/240-20
Adds reference to:
70 ILCS 210/10 from Ch. 85, par. 1230
Adds reference to:
70 ILCS 215/3 from Ch. 85, par. 1250.3
Adds reference to:
70 ILCS 215/8 from Ch. 85, par. 1250.8
Adds reference to:
70 ILCS 405/6 from Ch. 5, par. 111
Adds reference to:
105 ILCS 5/2-3.120
Adds reference to:
110 ILCS 660/5-75
Adds reference to:
110 ILCS 665/10-75
Adds reference to:
110 ILCS 670/15-75
Adds reference to:
110 ILCS 675/20-75
Adds reference to:
110 ILCS 680/25-75
Adds reference to:
110 ILCS 685/30-75
Adds reference to:
110 ILCS 690/35-75
Adds reference to:
230 ILCS 5/28 from Ch. 8, par. 37-28
Adds reference to:
305 ILCS 5/12-5 from Ch. 23, par. 12-5
Adds reference to:
305 ILCS 40/20 from Ch. 23, par. 7100-20
Adds reference to:
305 ILCS 40/55
Adds reference to:
310 ILCS 70/4 from Ch. 67 1/2, par. 1304
Adds reference to:
415 ILCS 5/22.15 from Ch. 111 1/2, par. 1022.15
Adds reference to:
415 ILCS 20/6 from Ch. 111 1/2, par. 7056
Adds reference to:

SB 00661 (CONTINUED)

420 ILCS 42/15

Adds reference to:

420 ILCS 42/40

Adds reference to:

525 ILCS 35/3 from Ch. 85, par. 2103

Adds reference to:

625 ILCS 5/3-1001 from Ch. 95 1/2, par. 3-1001

Adds reference to:

20 ILCS 700/4005 rep.

Adds reference to:

20 ILCS 1705/18.1 rep.

Adds reference to:

20 ILCS 3501/825-15 rep.

Adds reference to:

20 ILCS 3921/25 rep.

Adds reference to:

30 ILCS 105/5.33 rep.

Adds reference to:

30 ILCS 105/5.110 rep.

Adds reference to:

30 ILCS 105/5.161 rep.

Adds reference to:

30 ILCS 105/5.219 rep.

Adds reference to:

30 ILCS 105/5.222 rep.

Adds reference to:

30 ILCS 105/5.225 rep.

Adds reference to:

30 ILCS 105/5.265 rep.

Adds reference to:

30 ILCS 105/5.272 rep.

Adds reference to:

30 ILCS 105/5.303 rep.

Adds reference to:

30 ILCS 105/5.319 rep.

Adds reference to:

30 ILCS 105/5.341 rep.

Adds reference to:

30 ILCS 105/5.373 rep.

Adds reference to:

30 ILCS 105/5.444 rep.

Adds reference to:

30 ILCS 105/5.469 rep.

Adds reference to:

30 ILCS 105/5.494 rep.

Adds reference to:

30 ILCS 105/5.513 rep.

Adds reference to:

SB 00661 (CONTINUED)

30 ILCS 105/5.517 rep.

Adds reference to:

30 ILCS 105/5.570 rep., from P.A. 92-691

Adds reference to:

30 ILCS 105/8.29 rep.

Adds reference to:

105 ILCS 5/2-3.121 rep.

Adds reference to:

110 ILCS 947/72 rep.

Adds reference to:

30 ILCS 105/8.12 from Ch. 127, par. 144.12

Adds reference to:

725 ILCS 185/33 from Ch. 38, par. 333

Adds reference to:

730 ILCS 110/15 from Ch. 38, par. 204-7

Adds reference to:

730 ILCS 110/15.1 from Ch. 38, par. 204-7.1

Adds reference to:

30 ILCS 105/8.44 new

Adds reference to:

30 ILCS 105/8h

Adds reference to:

420 ILCS 20/13 from Ch. 111 1/2, par. 241-13

Adds reference to:

20 ILCS 605/605-707 was 20 ILCS 605/46.6d

Deletes everything after the enacting clause. Creates the FY2006 Budget Implementation (Finance) Act. Amends various Acts to make changes in State programs that are necessary to implement the Governor's FY2006 budget recommendation concerning finance. Effective July 1, 2005.

House Amendment No. 3

Adds reference to:

735 ILCS 5/2-1009A from Ch. 110, par. 2-1009A

Amends the State Finance Act. Makes changes in a Section concerning Road Fund moneys appropriated to the Department of State Police. Deletes a provision requiring the transfer of an amount not to exceed $17,000,000 from the General Revenue Fund to the Vehicle Inspection Fund. Provides that receipts from public and unsolicited private grants, fees for training, and royalties earned from the publication of materials owned or licensed by the Department of Children and Family Services shall (rather than may) be deposited into the DCFS Children's Services Fund. Deletes transfers to the General Revenue Fund from various special funds. Transfers $5,000,000 from the Communications Revolving Fund to the Hospital Basic Services Prevention Fund. Amends the Code of Civil Procedure to provide that for State fiscal years 2004, 2005, and 2006 only (now, 2004 and 2005 only), the Mandatory Arbitration Fund may be used for any purpose authorized by the Supreme Court.

House Amendment No. 4

Deletes a provision transferring a specified amount from the Traffic and Criminal Conviction Surcharge Fund to the General Revenue Fund.

Jun 30 05 S Public Act 94-0091

SB 00662 Sen. Donne E. Trotter-Emil Jones, Jr.-Mattie Hunter-M. Maggie Crotty and Martin A. Sandoval

(Rep. Barbara Flynn Currie-Lee A. Daniels-Carolyn H. Krause-Sara Feigenholtz-Sidney H. Mathias, Elizabeth Coulson, Rosemary Mulligan, Eileen Lyons, Ruth Munson, Patricia Reid Lindner, Patricia R. Bellock, Michael Tryon, Kathleen A. Ryg, Elaine Nekritz, Julie Hamos and Karen May)

30 ILCS 5/1-6 from Ch. 15, par. 301-6

Amends the Illinois State Auditing Act. Makes a technical change in a Section concerning the definition of "Office of Auditor General".

Senate Floor Amendment No. 1

Deletes reference to:

30 ILCS 5/1-6

Adds reference to:

20 ILCS 1705/18.4

Adds reference to:

30 ILCS 105/8g

Deletes everything after the enacting clause. Amends the Mental Health and Developmental Disabilities Administrative Act and the State Finance Act. With respect to amounts paid to the State by the federal government under the Social Security Act for services delivered by community mental health services providers, sets forth amounts to be deposited into various State funds and transfers among those funds. Effective immediately.

Senate Floor Amendment No. 3

In provisions concerning the distributions of proceeds from the federal government for community mental health services, provides that the distributions must be made from payments received during a fiscal year instead of from payments received for a certain fiscal year's services.

House Amendment No. 1 (House recedes May 31, 2005)

Further amends the Community Mental Health and Developmental Disabilities Administrative Act and the State Finance Act. Provides that on April 1, 2005, or as soon thereafter as practicable (previously at the direction of the Director of Public Aid), the Comptroller shall direct and the State Treasurer shall transfer amounts not to exceed $14,000,000 into the Community Health Medicaid Fund from the General Revenue Fund (instead of from the Public Aid Recoveries Trust Fund). Provides for repayment to the General Revenue Fund (rather than the Public Aid Recoveries Trust Fund) of this amount in State fiscal year 2006, and in subsequent years until repayment occurs, from certain funds paid to the State by the federal government under Title XIX or Title XXI of the Social Security Act for services delivered by community mental health services providers. Amends the State Finance Act to similarly direct the $14,000,000 transfer from the General Revenue Fund to the Community Mental Health Medicaid Trust Fund.

Jun 17 05 S Public Act 94-0058

SB 00676 Sen. Mattie Hunter-Emil Jones, Jr.-Jacqueline Y. Collins-Dale E. Risinger
(Rep. Donald L. Moffitt)

35 ILCS 5/212

Amends the Illinois Income Tax Act. Makes a technical change in a Section concerning the earned income tax credit.

Senate Floor Amendment No. 1

Deletes reference to:

35 ILCS 5/212

Adds reference to:

35 ILCS 200/18-177

Deletes everything after the enacting clause. Amends the Property Tax Code. In a Section concerning tax abatements for leased, low-rent housing, provides that the percentage limitation on the certification of residential units shall be deemed to be satisfied in the case of a development described in resolutions adopted by the Board of Commissioners of the Chicago Housing Authority on September 19, 2000, December 17, 2002, or September 16, 2003, as amended, approving the disposition of certain land and buildings, if no more than 50% of the units in the development are so certified. Effective immediately.

House Amendment No. 1

Deletes reference to:

35 ILCS 200/18-177

Adds reference to:

35 ILCS 200/1-55

Deletes everything after the enacting clause. Amends the Property Tax Code. Makes a technical change in a Section concerning the definition of "33 1/3%".

House Amendment No. 2

Deletes reference to:

35 ILCS 200/1-55

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything. Amends the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on February 2, 1998 by the Village of Woodhull must be completed by December 31 of the 35th year (now, 23rd year) after the year in which the ordinance was adopted.

Dec 05 05 S Public Act 94-0711

SB 00763 Sen. James F. Clayborne, Jr.-Emil Jones, Jr.
(Rep. David E. Miller)

40 ILCS 5/8-101 from Ch. 108 1/2, par. 8-101

Amends the Illinois Pension Code. Makes a technical change in a Section concerning Chicago municipal employees, officers, and officials.

Pension Note (Commission on Gov't Forecasting and Accountability)

Senate Bill 763 would not affect the accrued liabilities or annual costs of any public pension fund or retirement system in Illinois.

Senate Floor Amendment No. 1

Deletes reference to:

40 ILCS 5/8-101

Adds reference to:

40 ILCS 5/2-134 from Ch. 108 1/2, par. 2-134

Replaces everything after the enacting clause. Amends the General Assembly Article of the Illinois Pension Code. Provides that the Board shall certify to the Governor on or before December 15 (was, November 15) of each year the amount of the required State contribution to the System for the next fiscal year. Effective immediately.

Aug 10 05 S Public Act 94-0536

SB 00764 Sen. John J. Cullerton
(Rep. John A. Fritchey)

765 ILCS 605/9.2 from Ch. 30, par. 309.2

765 ILCS 605/18.5 from Ch. 30, par. 318.5

Amends the Condominium Property Act. Provides that, other than attorney's fees, no fees pertaining to the collection of a unit owner's financial obligation to the Association, including fees charged by a manager or managing agent, shall be added to and deemed a part of an owner's respective share of the common expenses.

Senate Committee Amendment No. 1

Provides that no management fees (instead of except for attorneys fees, no fees) pertaining to the collection of a unit owner's financial obligation to the Association shall be added to and deemed a part of an owner's respective share of the common expenses.

House Amendment No. 1

Adds reference to:

765 ILCS 605/18.4 from Ch. 30, par. 318.4

Further amends the Condominium Property Act. Adds to the list of powers of the Board of Managers, the power to accept, for property with more than 8 units, service of a notice of claim for purposes of the Mechanics Lien Act on behalf of each representative member of the Unit Owners' Association with respect to improvements performed pursuant to any contract entered into by the Board of Managers or any contract entered into prior to the recording of the condominium declaration. Adds the power to distribute the notices to the unit owners within 7 days of the acceptance of the service by the Board of Managers. Provides that service to the Board of Managers shall be treated the same as service to the individual unit owner.

House Amendment No. 2

Provides exceptions to the prohibition of adding fees charged by a manager or managing agent to a unit owner's financial obligation to an Association.

Jul 29 05 S Public Act 94-0384

SB 00766 Sen. Terry Link-James F. Clayborne, Jr.
(Rep. Jay C. Hoffman-Kurt M. Granberg-Calvin L. Giles-Eddie Washington, Angelo Saviano and Jack D. Franks)

New Act

Creates the Design-Build Procurement Act. Authorizes the Capital Development Board to award construction contracts using a design-build method that accepts and evaluates proposals from entities that encompasses the designing and building of the project. Establishes criteria and proceedings for the use of the design-build method. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Creates the Design-Build Procurement Act. Contains only a short title provision.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the bill as introduced but makes the following changes. Prohibits any State construction agency from using a design-build procurement method unless the agency determines in writing that the project will comply with the disadvantaged business and equal employment practices of the State as established in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the Illinois Human Rights Act and requires State construction agency requests for proposals for design-build projects to include the design-build entity's plan to comply with those provisions. Makes changes to the composition of the Selection Committee. Provides that the Phase I evaluation of a design-build entity by a State construction agency must include the entity's ability to or past performance in meeting or exhausting good faith efforts in meeting the disadvantaged business and equal employment provisions. Prohibits consideration of a proposal that does not include a plan to comply with the disadvantaged business and equal employment provisions. Requires certain reports on the design-build entity's compliance with those provisions. Provides for the repeal of the Act on July 1, 2009.

Fiscal Note (Capital Development Board)

No fiscal impact

Dec 13 05 S Public Act 94-0716

SB 00767 Sen. Deanna Demuzio

(Rep. Paul D. Froehlich-Gary Hannig)

105 ILCS 5/3A-15 from Ch. 122, par. 3A-15

Amends the School Code. Provides that the regional superintendent of schools is authorized to hire private legal counsel to represent him or her in legal matters (instead of the State's Attorney of the county where the regional superintendent's office is located acting as the legal representative). Provides that each county located within the educational service region shall pay a per capita share of the legal fees incurred, based on the number of people in the county according to the most recent U.S. census.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends the School Code. Provides that if, in multicounty educational service regions, the county boards grant approval through an intergovernmental agreement, or if, in educational service regions serving only one county, the county board grants approval, then the regional superintendent of schools is authorized to hire private legal counsel to represent him or her in legal matters (instead of the State's Attorney of the county where the regional superintendent's office is located acting as the legal representative), and each county located within the region shall pay a per capita share of the legal fees incurred, based on the number of people in the county according to the most recent U.S. census. Effective immediately.

Jul 08 05 S Public Act 94-0153

SB 00768 Sen. Deanna Demuzio-Edward D. Maloney

(Rep. Constance A. Howard-Monique D. Davis-Elizabeth Coulson, William Delgado and Rosemary Mulligan)

105 ILCS 5/21-29 new

110 ILCS 205/9.30 new

Amends the School Code. Provides that a transition specialist certificate shall be issued to persons who, through their education and training, have a comprehensive understanding of the requirements for transition planning and of transition services for students with all types of disabilities and are aware of the array of options available to students with disabilities after they exit high school. Provides that before the 2006-2007 academic year, the Board of Higher Education shall, in collaboration with the Interagency Coordinating Council and the Advisory Council on the Education of Children with Disabilities, develop coursework for students who want to qualify for a transition specialist certificate. Provides that those public universities that are teacher training institutions shall implement the coursework developed by the Board beginning with the 2006-2007 academic year. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/21-29 new

Deletes reference to:

110 ILCS 205/9.30 new

Adds reference to:

20 ILCS 3970/3 from Ch. 127, par. 3833

Deletes everything after the enacting clause. Amends the Interagency Coordinating Council Act to require the Council to develop a comprehensive plan to increase the availability of school personnel in this State with LBS II - Transition Specialist certification. Requires the plan to be implemented beginning no later than September 1, 2006.

House Amendment No. 1

Deletes reference to:

20 ILCS 3970/3

Adds reference to:

20 ILCS 3970/5 from Ch. 127, par. 3835

Deletes everything after the enacting clause. Amends the Interagency Coordinating Council Act. With respect to the annual report that the Council is required to make to the Governor and the General Assembly, provides that in the 2007 report, the Council shall include recommendations for expanding the recruitment of students and school personnel into programs that provide the coursework for Learning Behavioral Specialist II-Transition Specialist certification.

Jul 14 05 S Public Act 94-0230

SB 00769 Sen. Deanna Demuzio-Dale A. Righter

(Rep. Roger L. Eddy-Jim Watson-Thomas Holbrook-Aaron Schock-Daniel V. Beiser, Naomi D. Jakobsson, Careen M Gordon, Lisa M. Dugan, Kevin A. McCarthy, Richard T. Bradley, Gary Hannig, Annazette Collins, Kathleen A. Ryg, John E. Bradley, Jim Sacia, Karen May, Jack D. Franks, Linda Chapa LaVia, Robert F. Flider and Wyvetter H. Younge)

415 ILCS 120/10

415 ILCS 120/30

415 ILCS 120/31

Amends the Alternate Fuels Act. Provides that beginning July 1, 2005, owners of vehicles using domestic renewable fuel are eligible to apply for a fuel cost differential rebate. Provides that biodiesel blended fuel facilities may be included in the Alternate Fuel Infrastructure Program administered by the Department of Commerce and Economic Opportunity. Provides that "alternate fuel" includes, among other fuels, "80% bio-based methanol" (instead of "bio-based methanol"), fuels that are 80% (instead of 70%) derived from biomass, and hydrogen fuel. Provides that "domestic renewable fuel" includes, among other fuels, "80% bio-based methanol" (instead of "bio-based methanol") and 20% biodiesel fuel (instead of "fuels derived from bio mass"). Makes other changes. Effective immediately.

Nov 04 05 S Total Veto Stands

SB 00780 Sen. Susan Garrett

(Rep. Daniel J. Burke and Mark H. Beaubien, Jr.)

15 ILCS 405/1 from Ch. 15, par. 201

Amends the State Comptroller Act. Makes technical changes in a Section concerning the short title.

Senate Committee Amendment No. 1

Deletes reference to:

15 ILCS 405/1

Adds reference to:

5 ILCS 340/3 from Ch. 15, par. 503

Deletes everything after the enacting clause. Amends the Voluntary Payroll Deductions Act of 1983. With respect to retaining qualification as an organization for which an employee may designate payroll deductions, requires at least 250 payroll deduction pledges in any one of the 3 most recent solicitation periods (now, at least 500 in the most recent solicitation period) or that the organization has been qualified for fewer than the 3 most recent periods. Requires that the Comptroller submit the list of qualified organizations by March 30 (now, March 15) annually. For the 2005 solicitation period, any organization is qualified if it was qualified for the 2004 solicitation period and either (i) received at least 250 deduction pledges in any one of the 3 most recent solicitation periods or (ii) has been qualified for fewer than the 3 most recent solicitation periods. Requires that the Comptroller submit an amended list of 2005 qualified organizations within 15 days after the bill's effective date. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Voluntary Payroll Deductions Act of 1983. Redefines a "qualified organization" to require 250 (now, at least 500) deduction pledges in the immediately preceding solicitation period, except that a qualified organization that received deduction pledges during the 2004 solicitation period is deemed qualified for the 2005 solicitation period. Effective immediately.

Fiscal Note (H-AM 1)(Office of the Comptroller)

Senate Bill 780 (H-AM 1) has no fiscal impact to the operations of the Office of the Comptroller.

Aug 10 05 S Public Act 94-0537

SB 00833 Sen. Terry Link-Emil Jones, Jr.
(Rep. Kathleen A. Ryg-Sidney H. Mathias)

50 ILCS 742/5

Amends the Fire Department Promotion Act. Makes a technical change in a Section concerning definitions.

Senate Floor Amendment No. 1

Deletes reference to:

50 ILCS 742/5

Adds reference to:

65 ILCS 5/11-74.4-3 from Ch. 24, par. 11-74.4-3

Adds reference to:

65 ILCS 5/11-74.4-7 from Ch. 24, par. 11-74.4-7

Deletes everything after the enacting clause. Amends the Tax Increment Allocation Redevelopment Act of the Illinois Municipal Code. Provides that the redevelopment project in the TIF District created by an ordinance adopted on May 20, 1985 by the Village of Wheeling must be completed by December 31 of the 33rd year (now, the 23rd year) after the year in which the ordinance was adopted. Effective immediately.

Jul 21 05 S Public Act 94-0302

SB 00834 Sen. Wendell E. Jones
(Rep. Donald L. Moffitt-Michael K. Smith-William B. Black-Mike Boland)

65 ILCS 5/11-15.1-1 from Ch. 24, par. 11-15.1-1

Amends the Illinois Municipal Code. Makes a technical change in a Section concerning annexation agreements.

Senate Floor Amendment No. 1

Deletes reference to:

65 ILCS 5/11-15.1-1

Adds reference to:

65 ILCS 5/11-141-10.1 new

Amends the Illinois Municipal Code. Provides that, if a municipality annexes part or all of the territory in which a township operates a sewerage system, the authority responsible for operating the sewerage system within the annexed territory shall assume the responsibility for that portion of the sewerage system within the annexed territory. Provides that beginning on the annexation date, user fees for the sewerage system shall be collected by the municipality. Effective immediately.

Aug 04 05 S Public Act 94-0475

SB 00847 Sen. Terry Link-Emil Jones, Jr.
(Rep. Kathleen A. Ryg-Eddie Washington)

75 ILCS 16/1-1

Amends the Public Library District Act of 1991. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

75 ILCS 16/1-1

Adds reference to:

75 ILCS 16/15-82 new

Deletes everything after the enacting clause. Amends the Public Library District Act of 1991. Provides that any municipality or township that has a public and tax-supported library established under the provisions of any statute may be disconnected from a public library district either by: (i) a disconnection ordinance enacted by the board of trustees of the district or (ii) a disconnection referendum approved by a majority of those electors residing in both the municipality or township and the library district. Limits the circumstances under which the board of trustees may enact a disconnection ordinance and sets forth procedures for the referendum. Requires the district, upon enactment of the ordinance or approval of the referendum, to file with the appropriate circuit court a copy of the ordinance or the election results and a petition requesting entry of an order of disconnection and preparation of an appraisal of the value of the tangible property and liabilities of the district and the excess of the liabilities over tangible property and assets. Requires the circuit court, after a hearing, to revise the limits and boundaries of the district and set forth the liability, if any, of the property owners of the disconnected territory. Provides that the property owners of the disconnected territory are continually liable for any excess liability of the district until its full and final payment and are responsible for all costs and expenses associated with a disconnection election. Requires the board of trustees to record a certified copy of the disconnection order with the proper county officials in each county affected. Effective immediately.

House Amendment No. 1

Adds reference to:

75 ILCS 5/2-2 from Ch. 81, par. 2-2

Deletes everything after the enacting clause. Amends the Public Library District Act of 1991. Sets forth the procedure by which a municipality or township may be disconnected from a public library district by instituting an advisory referendum and adopting a disconnection ordinance that is approved by the board of trustees of the public library district. Provides that the property owners of the disconnected territory are continually liable for any excess liability of the district until its full and final payment. Requires the board of trustees to record a certified copy of the disconnection order with the proper county officials in each county affected. Requires the governing body of the disconnected municipality or township to adopt an ordinance for a referendum to establish a public library under the Illinois Local Library Act. Amends the Illinois Local Library Act. Provides that a referendum to establish a public library in an incorporated town, village, or township may be instituted by an ordinance of the governing body of that unit of local government (now, the referendum may be instituted only by a petition of the electors). Effective immediately.

House Amendment No. 2

Deletes everything after the enacting clause. Amends the Public Library District Act of 1991. Sets forth procedures for instituting an advisory referendum concerning the disconnection of a municipality or township from the public library district. Sets forth procedures by which a municipality or township may be disconnected from a public library district by adopting a disconnection ordinance that is approved by the board of trustees of the public library district. Requires the disconnecting municipality or township to establish a public library. Requires the municipality or township to file a petition with the circuit court to set forth the assets and liability of the district. Provides that the property owners of the disconnected territory are continually liable for any excess liability of the district until its full and final payment. Requires the board of trustees to record a certified copy of the disconnection order with the proper county officials in each county affected. Amends the Illinois Local Library Act. Provides that a referendum to establish a public library in an incorporated town, village, or township may be instituted by an ordinance of the governing body of that unit of local government (now, the referendum may be instituted only by a petition of the electors). Effective immediately.

Nov 08 05 S Public Act 94-0681

SB 00849 Sen. Jacqueline Y. Collins and Pamela J. Althoff-Mattie Hunter

(Rep. Careen M Gordon-Patricia R. Bellock, John E. Bradley, Daniel V. Beiser, Jack D. Franks, Linda Chapa LaVia, Lisa M. Dugan, Charles E. Jefferson, Esther Golar and Kurt M. Granberg)

210 ILCS 30/6.2 from Ch. 111 1/2, par. 4166.2

210 ILCS 30/10 from Ch. 111 1/2, par. 4170

Amends the Abused and Neglected Long Term Care Facility Residents Reporting Act. Requires the Inspector General to immediately notify the Department of State Police or the appropriate law enforcement entity (now, only the Department of State Police) if the Inspector General determines that a possible criminal act has been committed or that special expertise is required in the investigation. Makes corresponding changes. Provides that the Department of State Police shall investigate any report from a State-operated facility (now, any report) indicating a possible murder, rape, or other felony. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Abused and Neglected Long Term Care Facility Residents Reporting Act. Requires the Inspector General to notify the Department of State Police or the appropriate law enforcement entity (now, only the Department of State Police) within 24 hours after determining that a reported allegation of suspected abuse or neglect indicates that any possible criminal act has been committed or that special expertise is required in the investigation (now, the Inspector General is required to make the determination within 24 hours after receiving a report of suspected abuse or neglect and is required to notify the Department of State Police after making a determination that a possible criminal act has been committed). Provides that the Department of State Police shall investigate any report from a State-operated facility (now, any report) indicating a possible murder, rape, or other felony. Provides that the Department of Human Services shall refer reports of suspected abuse or neglect (now, reports indicating possible criminal acts) of residents of facilities operated by the Department to the Department of State Police or the appropriate law enforcement entity (now, only the Department of State Police) upon awareness that a possible criminal act has occurred. Effective immediately.

Aug 02 05 S Public Act 94-0428

SB 00852 Sen. William R. Haine-Emil Jones, Jr.-Frank C. Watson

(Rep. Jay C. Hoffman-Calvin L. Giles-Ron Stephens)

105 ILCS 5/27A-1

Amends the School Code. Makes a technical change in a Section concerning charter schools.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/27A-1

Adds reference to:

105 ILCS 5/19-1 from Ch. 122, par. 19-1

Deletes everything after the enacting clause. Amends the School Code. In a Section concerning the debt limitations of school districts, provides that bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if, among other conditions, (i) residential property comprises more than 80% of the equalized assessed valuation of the district for each of the 4 most recent years, (ii) at least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings, (iii) the new buildings or building additions are needed because of an increase in enrollment, and (iv) the principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district. Effective immediately.

Jan 06 06 S Public Act 94-0721

SB 00926 Sen. Terry Link-Emil Jones, Jr.
(Rep. Angelo Saviano)

225 ILCS 46/30

Amends the Health Care Worker Background Check Act. Makes a technical change in a Section concerning non-fingerprint based UCIA criminal records checks.

Senate Floor Amendment No. 1

Deletes reference to:

225 ILCS 46/30

Adds reference to:

225 ILCS 210/2001 from Ch. 96 1/2, par. 1-2001

Adds reference to:

225 ILCS 227/1

Adds reference to:

225 ILCS 227/5

Adds reference to:

225 ILCS 227/10

Adds reference to:

225 ILCS 227/30

Adds reference to:

225 ILCS 227/35

Adds reference to:

225 ILCS 227/50

Adds reference to:

225 ILCS 227/57 new

Adds reference to:

225 ILCS 227/65

Adds reference to:

225 ILCS 227/75

Adds reference to:

225 ILCS 227/90

Deletes everything after the enacting clause. Amends the Pyrotechnic Operator Licensing Act by changing the short title to the Pyrotechnic Distributor and Operator Licensing Act and amends the Illinois Explosives Act to reflect that change. Defines "1.3G fireworks", "BATFE", "consumer fireworks", "facility", "flame effect", "pyrotechnic distributor", and "special effects fireworks". Provides that "display fireworks" means 1.3G or special effects fireworks (rather than any substance or article defined as a Division 1.3G or 1.4 explosive by the United States Department of Transportation). Provides for licensure requirements and rules for a pyrotechnic distributor (in addition to a lead pyrotechnic operator). Provides that the rules of the State Fire Marshal shall be based on nationally recognized standards, such as those of the National Fire Protection Association (NFPA) 1126 guidelines for proximate audience displays (rather than indoor displays) and NFPA 160 guidelines for flame effect displays. Provides that the State Fire Marshal shall conduct the training and examination of pyrotechnic operators and pyrotechnic distributors or may delegate the responsibility to train and examine pyrotechnic distributors and operators to the Department of Natural Resources. Provides that after January 1, 2006, all pyrotechnic displays must comply with the requirements set forth in the Act and no person may engage in pyrotechnic distribution or act as a lead operator in a pyrotechnic display without first applying for and obtaining a license (now, after April 1, 2005, no individual may act as a lead operator in a pyrotechnic display without applying for and obtaining a license). Provides that applicants for a license must submit to the Office of the State Fire Marshal a license fee set by the Office and proof of having the requisite knowledge, either through training, examination, or continuing education, as established by Office rule. Removes the requirement that applicants for a lead pyrotechnic operator's license pass the examination presented by the Office. Provides that in order to be qualified to receive a license under the Act, a person must have, or have applied for, a BATFE explosives license or a Letter of Clearance from the BATFE. Provides that no pyrotechnic distributor shall allow any person in the pyrotechnic distributor's employ to act as a lead pyrotechnic operator until the person has obtained a lead pyrotechnic operator's license from the Office of the State Fire Marshal. Makes other changes. Effective immediately.

Jul 29 05 S Public Act 94-0385

SB 00930 Sen. William R. Haine-Emil Jones, Jr.
(Rep. Angelo Saviano-Aaron Schock)

225 ILCS 5/2 from Ch. 111, par. 7602

Amends the Illinois Athletic Trainers Practice Act. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 2

Deletes reference to:

225 ILCS 5/2

Adds reference to:

5 ILCS 80/4.16

Adds reference to:

5 ILCS 80/4.26 new

Adds reference to:

225 ILCS 90/1 from Ch. 111, par. 4251

Adds reference to:

225 ILCS 90/6 from Ch. 111, par. 4256

Adds reference to:

225 ILCS 90/8 from Ch. 111, par. 4258

Adds reference to:

225 ILCS 90/8.1 from Ch. 111, par. 4258.1

Adds reference to:

225 ILCS 90/12 from Ch. 111, par. 4262

Adds reference to:

225 ILCS 90/15 from Ch. 111, par. 4265

Adds reference to:

225 ILCS 90/17 from Ch. 111, par. 4267

Adds reference to:

225 ILCS 90/19 from Ch. 111, par. 4269

Adds reference to:

225 ILCS 90/20 from Ch. 111, par. 4270

Adds reference to:

225 ILCS 90/22 from Ch. 111, par. 4272

Adds reference to:

225 ILCS 90/23 from Ch. 111, par. 4273

Adds reference to:

225 ILCS 90/25 from Ch. 111, par. 4275

Adds reference to:

225 ILCS 90/26 from Ch. 111, par. 4276

Adds reference to:

225 ILCS 90/27 from Ch. 111, par. 4277

Adds reference to:

225 ILCS 90/29 from Ch. 111, par. 4279

SB 00930 (CONTINUED)

Deletes everything after the enacting clause. Amends the Regulatory Sunset Act to extend the repeal of the Illinois Physical Therapy Act to January 1, 2016. Amends the Physical Therapy Act. Changes all references from the Physical Therapy Licensing and Disciplinary Committee and the Physical Therapy Examining Committee to the Physical Therapy Licensing and Disciplinary Board. Changes the definition of "physical therapy" to mean and include (A) examining, evaluating, and testing individuals who may have mechanical, physiological, or developmental impairments, functional limitations, disabilities, or other health and movement-related conditions, classifying these disorders, determining a rehabilitation prognosis and plan of therapeutic intervention, and assessing the on-going effects of the interventions, (B) alleviating impairments, functional limitations, or disabilities by designing, implementing, and modifying therapeutic interventions for the purposes of preventing, correcting, or alleviating a physical or mental impairment, functional limitation, or disability, (C) reducing the risk of injury, impairment, functional limitation, or disability, including the promotion and maintenance of fitness, health, and wellness, and (D) engaging in administration, consultation, education, and research. Removes provisions concerning the initial terms and appointments of members of the Physical Therapy Licensing and Disciplinary Committee. Changes references to a physical therapy assistant program to a physical therapist assistant program. Provides that a person must have graduated from and attained an associate's degree from an approved physical therapist assistant program in order to be qualified to receive a license as a physical therapist assistant (now, a person is required to have graduated from a 2-year college level physical therapy assistant program). Provides that following notification of eligibility for examination, an applicant who fails to take the examination for a license under the Act within 60 days of the notification shall forfeit his or her fee and right to practice as a physical therapist or physical therapist assistant (now, an applicant who fails to take the next-scheduled examination forfeits his fee and right to practice) until such time as the applicant has passed the appropriate examination.

Aug 22 05 S Public Act 94-0651

SB 00945 Sen. Terry Link-Emil Jones, Jr.

(Rep. David R. Leitch)

235 ILCS 5/6-14 from Ch. 43, par. 129

Amends the Liquor Control Act of 1934. Makes a technical change in a Section concerning retail sales on Sundays.

Senate Floor Amendment No. 1

Deletes reference to:

235 ILCS 5/6-14

Adds reference to:

235 ILCS 5/6-2 from Ch. 43, par. 120

Deletes everything after the enacting clause. Amends the Liquor Control Act of 1934. Allows an elected official to have a direct interest in the manufacture, sale, or distribution of alcoholic liquor if he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board. Prohibits an elected official with a direct interest from participating in any matter affecting the manufacture, sale, or distribution of alcoholic liquor. Effective immediately.

Jun 03 05 S Public Act 94-0005

SB 00955 Sen. Kwame Raoul-Emil Jones, Jr.

(Rep. Lovana Jones-Cynthia Soto-Barbara Flynn Currie-Monique D. Davis-Richard T. Bradley)

305 ILCS 5/1-5 from Ch. 23, par. 1-5

Amends the Illinois Public Aid Code. Makes a technical change in a Section concerning construction of the Code.

Senate Floor Amendment No. 1

Deletes reference to:

305 ILCS 5/1-5

Adds reference to:

305 ILCS 5/10-4 from Ch. 23, par. 10-4

Replaces everything after the enacting clause. Amends the Illinois Public Aid Code. In provisions concerning notification of a responsible relative's support obligation, provides for service of a notice of child support obligation by a person who is licensed or registered as a private detective under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004 or by a registered employee of a private detective agency certified under that Act. Also provides for service of such a notice in counties with a population of less than 2,000,000 by any method provided by law for service of summons. Effective immediately.

Jun 30 05 S Public Act 94-0092

SB 00966 Sen. Susan Garrett-Emil Jones, Jr.-Jeffrey M. Schoenberg-Iris Y. Martinez-Jacqueline Y. Collins and Kwame Raoul (Rep. Kathleen A. Ryg-Karen A. Yarbrough-Karen May-Deborah L. Graham-Robin Kelly, Lovana Jones, Julie Hamos, Elaine Nekritz and Sandra M. Pihos)

310 ILCS 10/1 from Ch. 67 1/2, par. 1

Amends the Housing Authorities Act. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

310 ILCS 10/1

Adds reference to:

55 ILCS 5/5-12001 from Ch. 34, par. 5-12001

Adds reference to:

65 ILCS 5/11-13-1 from Ch. 24, par. 11-13-1

Adds reference to:

310 ILCS 67/15

Adds reference to:

310 ILCS 67/25

Adds reference to:

310 ILCS 67/30

Adds reference to:

310 ILCS 67/50

Adds reference to:

310 ILCS 67/60 new

Replaces everything after the enacting clause. Amends the Counties Code, the Illinois Municipal Code, and the Affordable Housing Planning and Appeal Act. Provides that counties and municipalities may use their zoning powers to promote the creation and preservation of affordable housing. In the Affordable Housing Planning and Appeal Act: (1) provides that upon recalculation of the non-exempt list of local governments using new decennial census data, any local government determined for the first time to be non-exempt by the Illinois Housing Development Authority shall have 18 months from the date of notification of its non-exempt status to approve an affordable housing plan; (2) authorizes local governments to adopt certain measures to promote the goals of the Act and to maximize the creation of affordable housing throughout the State, including (i) creation of a housing trust fund, (ii) creation of a community land trust, and (iii) acceptance of donations of money or land; (3) provides that a non-exempt local government may enter into intergovernmental agreements with local governments within 10 miles of its corporate boundaries in order to create affordable housing units to meet the goals of the Act, and provides that these provisions are inoperative on and after January 1, 2010; (4) makes changes in connection with appeals to the State Housing Appeals Board, including providing that (A) if a developer proves by a preponderance of the evidence that the local government's decision was based on an intent to prohibit or render infeasible the development of affordable housing, then the local government's decision will be deemed to be arbitrary and unreasonable and without substantial relation to the public health, safety, or welfare and (B) an appeal to the Appellate Court of a final ruling by the State Housing Appeals Board may be heard only in the Appellate Court for the District in which the local government involved in the appeal is located; (5) provides that a Housing Appeals Board must be created before January 1, 2008 (instead of July 1, 2006); and (6) changes the provisions concerning the adoption of rules by the Illinois Housing Development Authority. Makes other changes. Effective immediately.

House Amendment No. 1

SB 00966 (CONTINUED)

In provisions amending the Counties Code and the Illinois Municipal Code: (i) provides that zoning powers may be used to require (instead of promote) the creation and preservation of affordable housing and (ii) authorizes incentives to developers who are creating, establishing, or preserving (instead of building) affordable housing. In provisions amending the Affordable Housing Planning and Appeal Act: (1) makes changes in the definitions of "development" and "housing trust fund"; (2) authorizes local governments to individually or jointly create or participate in a housing trust fund or otherwise provide funding or support for the purpose of supporting affordable housing (instead of simply authorizing a local government to create a housing trust fund); (3) authorizes loans (as well as grants) to not-for-profit organizations that are engaged (instead of actively engaged) in addressing affordable housing needs; (4) provides that all intergovernmental agreements entered into to create affordable housing units to meet the goals of the Act must also specify the anticipated number of newly created affordable housing units that are to be credited to each local government participating in the agreement for purposes of complying with the Act; (5) deletes a statement that amendatory provisions concerning intergovernmental agreements between local governments are inoperative on and after January 1, 2010; (6) in references to a determination of a local government's non-exempt status for the first time based on a recalculation of decennial census data, adds "after 2010"; (7) provides that in a proceeding before the State Housing Appeals Board, the affordable housing developer bears the burden of demonstrating that the proposed affordable housing development (i) has been unfairly denied or (ii) has had unreasonable conditions placed upon it by the decision of the local government (instead of demonstrating that the decision of the local government was arbitrary and unreasonable and without substantial relation to the public health, safety, or welfare); and (8) makes other changes.

Jul 21 05 S Public Act 94-0303

SB 00973 Sen. Carol Ronen-Emil Jones, Jr., Gary Forby, Debbie DeFrancesco Halvorson, Rickey R. Hendon, Jeffrey M. Schoenberg-Kwame Raoul-Susan Garrett-Iris Y. Martinez, M. Maggie Crotty, Mattie Hunter, Deanna Demuzio, Louis S. Viverito, Arthur J. Wilhelmi, Don Harmon, Jacqueline Y. Collins, Dale A. Righter and John J. Cullerton

(Rep. Barbara Flynn Currie-Jay C. Hoffman-Dan Reitz-Brandon W. Phelps-Elizabeth Coulson, Thomas Holbrook, Sara Feigenholtz, Gary Hannig, James D. Brosnahan, David E. Miller, Michael K. Smith, Kevin Joyce, Marlow H. Colvin, Constance A. Howard, Frank J. Mautino, Jack McGuire, Cynthia Soto, William Delgado, Mary E. Flowers, Harry Osterman, Naomi D. Jakobsson, Kathleen A. Ryg, Patrick J Verschoore, Elaine Nekritz, Joseph M. Lyons, Mike Boland, Carolyn H. Krause, Karen May, Angelo Saviano, Michael P. McAuliffe, William Davis, Dave Winters, Robert Rita, Robert S. Molaro, Arthur L. Turner, William B. Black, Michelle Chavez, Robert F. Flider, Sidney H. Mathias, Lisa M. Dugan, Careen M Gordon, Sandra M. Pihos, Julie Hamos, Edward J. Acevedo, Susana A Mendoza and Richard T. Bradley)

320 ILCS 50/1

Amends the Senior Pharmaceutical Assistance Act. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 2

Deletes reference to:

320 ILCS 50/1

Adds reference to:

320 ILCS 25/4 from Ch. 67 1/2, par. 404

Adds reference to:

320 ILCS 55/Act title

Adds reference to:

320 ILCS 55/1

Adds reference to:

320 ILCS 55/5

Adds reference to:

320 ILCS 55/10

Adds reference to:

320 ILCS 55/15

Adds reference to:

320 ILCS 55/20

Adds reference to:

320 ILCS 55/25

Adds reference to:

320 ILCS 55/30

Adds reference to:

320 ILCS 55/35

Adds reference to:

320 ILCS 55/40

Adds reference to:

320 ILCS 55/45

Adds reference to:

320 ILCS 55/50

Adds reference to:

320 ILCS 55/17 rep.

Adds reference to:

30 ILCS 105/5.595

SB 00973 (CONTINUED)

Replaces everything after the enacting clause. Amends the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Replaces the provisions concerning the pharmaceutical assistance program. Effective January 1, 2006, provides for a new program of pharmaceutical assistance to the aged and disabled, entitled the Illinois Seniors and Disabled Drug Coverage Program ("the new program"), which shall be administered by the Department of Healthcare and Family Services and the Department on Aging. Provides that to become a beneficiary under the new program, a person must (1) be either age 65 or older or disabled, (2) be domiciled in this State, (3) enroll with a qualified Medicare Part D Prescription Drug Plan if eligible, and (4) have a maximum household income of less than specified amounts depending on household size. Provides that all individuals enrolled as of December 31, 2005, in the pharmaceutical assistance program under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act and all individuals enrolled as of December 31, 2005, in the SeniorCare Medicaid waiver program operated under the Illinois Public Aid Code shall be automatically enrolled in the new program. Divides the new program beneficiaries into 4 "eligibility groups". Provides that the program shall cover the cost of covered prescription drugs in excess of the beneficiary co-payments ($2 for each prescription of a generic drug and $5 for each prescription of a brand-name drug) that are not covered by Medicare. Provides a new definition of "covered prescription drug" for purposes of the new program. Provides that any person otherwise eligible for pharmaceutical assistance under the new program whose covered drugs are covered by any other public program is ineligible for assistance under the new program to the extent that the cost of those drugs is covered by the other program. Sets forth conditions of participation in the new program for pharmacies. Amends the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act. Changes the short title of the Act to the Illinois Prescription Drug Discount Program Act. Makes changes in the legislative findings. Provides that the prescription drug discount program is for "Illinois residents" instead of only senior citizens and disabled persons. Provides for administration of the Act by the Department of Healthcare and Family Services (successor agency to the Department of Public Aid) instead of the Department of Central Management Services. Changes the requirements that a proposal for administering the program must meet, including requirements that a proposal specify (i) the amount of the discount based on the average wholesale price of the covered medications and (ii) administrative fees charged by the administering entity. Eliminates provisions (i) setting forth limits on the amounts paid for medications by persons enrolled in the program and (ii) specifying the formula for calculating the amounts paid by the program administrator to pharmacies. Provides for a program enrollment fee to be determined by the Director of Healthcare and Family Services (instead of $25), and makes changes concerning collection of the enrollment fee. Provides that to be eligible to participate in the program, a person must be a resident of Illinois and must have household income equal to or less than 300% of the Federal Poverty Level. Eliminates a provision that any person who is eligible for pharmaceutical assistance under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act is presumed to be eligible for this program. Makes other changes. Amends the State Finance Act; changes the name of the Senior Citizens and Disabled Persons Prescription Drug Discount Program Fund to the Illinois Prescription Drug Discount Program Fund. Effective January 1, 2006.

Jun 29 05 S Public Act 94-0086

SB 01119 Sen. Martin A. Sandoval-Emil Jones, Jr. and Christine Radogno-Larry K. Bomke
(Rep. Rich Brauer-William B. Black-Naomi D. Jakobsson-Michael Tryon-Paul D. Froehlich and Kathleen A. Ryg)

625 ILCS 5/1-101 from Ch. 95 1/2, par. 1-101

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning definitions.

Senate Floor Amendment No. 1

Deletes reference to:

625 ILCS 5/1-101

Adds reference to:

625 ILCS 5/12-610.5

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Prohibits a person from operating a motor vehicle that is equipped with registration plate covers (now only tinted plastic or tinted glass registration plate covers are prohibited). Prohibits the sale and advertisement for sale of registration plate covers. Defines a "registration plate cover" as any tinted, colored, painted, marked, clear, or illuminated object that is designed to: (1) cover any of the characters of a motor vehicle's registration plate; or (2) distort a recorded image of any of the characters of a motor vehicle's registration plate recorded by an automated red light enforcement system or recorded by an automated traffic control system.

House Amendment No. 1

Adds reference to:

625 ILCS 5/18c-7406

Further amends the Illinois Vehicle Code. Provides that, when the Illinois Commerce Commission considers the closure of an at-grade railroad crossing to public use, the Commission shall consider the status of the crossing as an element of a bicycle and pedestrian trail funded under the federal Transportation Equity Act for the 21st Century (TEA-21) and its successor Acts. Adds an immediate effective date for the new provision. Provides that the underlying bill takes effect on January 1, 2006.

Jul 21 05 S Public Act 94-0304

SB 01124 Sen. Antonio Munoz-Emil Jones, Jr.-Dave Sullivan
(Rep. Brent Hassert-Jim Sacia-John J. Millner and Robert W. Pritchard)

625 ILCS 5/1-100 from Ch. 95 1/2, par. 1-100

Amends the Illinois Vehicle Code. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

625 ILCS 5/1-100

Adds reference to:

625 ILCS 5/6-305 from Ch. 95 1/2, par. 6-305

Deletes everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that a person who rents a motor vehicle to another may, in connection with the rental of a motor vehicle to (i) a business renter or (ii) a business program sponsor under the sponsor's business program, do the following: separately quote, by telephone, in person, or by computer transmission, additional charges for the rental; and separately impose additional charges for the rental. Effective immediately.

Dec 19 05 S Public Act 94-0717

SB 01180 Sen. Terry Link-Emil Jones, Jr.

(Rep. Joseph M. Lyons-John J. Millner-Jim Sacia)

730 ILCS 5/3-2-5 from Ch. 38, par. 1003-2-5

Amends the Unified Code of Corrections. Makes a technical change in a Section concerning the organization of the Department of Corrections.

Senate Floor Amendment No. 3

Deletes reference to:

730 ILCS 5/3-2-5

Adds reference to:

730 ILCS 5/5-9-1 from Ch. 38, par. 1005-9-1

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Provides that an additional $9 (rather than $5) penalty for every $40, or fraction thereof, be added to the fine for a criminal or traffic offense. Deletes provisions relating to an additional $4 penalty added to every fine imposed for a criminal or traffic offense. Effective immediately.

Aug 22 05 S Public Act 94-0652

SB 01208 Sen. Louis S. Viverito-Emil Jones, Jr. and John J. Cullerton-Dan Cronin

(Rep. Bob Biggins-Sandra M. Pihos)

765 ILCS 5/0.01 from Ch. 30, par. 0.01

Amends the Conveyances Act. Makes a technical change in a Section concerning the Act's short title.

Senate Floor Amendment No. 1

Deletes reference to:

765 ILCS 5/0.01

Deletes everything after the enacting clause. Authorizes the Secretary of Transportation to release its dedication rights to the listed property to the Village of Elwood. Effective immediately.

House Amendment No. 1

Adds reference to:

735 ILCS 5/7-103.117

Deletes everything after the enacting clause. Amends the Code of Civil Procedure. In the authorization for the City of Oakbrook Terrace to use quick-take powers for the purpose of acquiring property for the purpose of water main construction, changes the legal land description to a different parcel. Effective immediately.

Jan 06 06 S Public Act 94-0722

SB 01209 Sen. James A. DeLeo-Emil Jones, Jr.

(Rep. Arthur L. Turner)

770 ILCS 90/1 from Ch. 141, par. 1

Amends the Sale of Unclaimed Property Act. Makes a technical change in a Section concerning the sale of certain unclaimed property.

Senate Floor Amendment No. 1

Deletes reference to:

770 ILCS 90/1

Deletes everything after the enacting clause. Authorizes the Board of Trustees of the University of Illinois, upon the payment of $7,033,333, to convey certain land in Cook County, Illinois to the Chicago Park District. Effective immediately.

Land Conveyance Appraisal Note (Univ. of Ill. Office of Governmental Relations)

Three appraisals have been filed for property referenced in HB4309. They are as follows: 2001 O'Brien $6,215,000; 2004 Gibbons $6,200,000; 2004 O'Brien $7,450,000.

Aug 18 05 S Public Act 94-0626

SB 01210 Sen. John J. Cullerton-Emil Jones, Jr., Dave Sullivan and William R. Haine
(Rep. Angelo Saviano-Robert S. Molaro-Dan Brady)

760 ILCS 100/2a from Ch. 21, par. 64.2a

Amends the Cemetery Care Act. Makes a technical change in a Section concerning powers and duties of cemetery authorities.

Senate Floor Amendment No. 1

Deletes reference to:

760 ILCS 100/2a

Adds reference to:

765 ILCS 835/1 from Ch. 21, par. 15

Deletes everything after the enacting clause. Amends the Cemetery Protection Act. Provides a list of offenses a violation of which constitutes a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense. Effective immediately.

Aug 16 05 S Public Act 94-0608

SB 01211 Sen. James A. DeLeo-Emil Jones, Jr.
(Rep. Michael P. McAuliffe-Joseph M. Lyons)

765 ILCS 605/1 from Ch. 30, par. 301

Amends the Condominium Property Act. Makes a technical change in the short title Section.

Senate Floor Amendment No. 1

Deletes reference to:

765 ILCS 605/1

Deletes everything after the enacting clause. Provides for a preamble to the bill. Authorizes the Illinois Department of Human Services to grant and convey a permanent conservation easement to the Illinois Department of Natural Resources on certain real property in Cook County near the Chicago Read Mental Health Center for the purpose of preserving and protecting the wetlands and forested area for the benefit of certain facility patients, the community, and the general public. Effective immediately.

Aug 22 05 S Public Act 94-0653

SB 01213 Sen. Kwame Raoul-Emil Jones, Jr.
(Rep. Lovana Jones-Edward J. Acevedo-Richard T. Bradley-Kenneth Dunkin)

765 ILCS 77/20

Amends the Residential Real Property Disclosure Act. Makes a technical change in a Section concerning completion and delivery of the seller's disclosure statement.

Senate Floor Amendment No. 1

Deletes reference to:

765 ILCS 77/20

Deletes everything after the enacting clause. Authorizes the Adjutant General, on behalf of the State of Illinois and the Department of Military Affairs, to convey, by quit claim deed, all right, title, and interest of the State of Illinois and the Department of Military Affairs in and to certain real property to the City of Chicago if the City of Chicago conveys, by quit claim deed, to the State of Illinois the fee simple title in and to certain real property. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause and reinserts similar provisions, except that the exchange of real estate shall take place between the State and Central Station Development Corp., or its assigns. Requires, instead of authorizes, the Adjutant General to make the conveyance. Provides contingencies to the conveyance. Effective immediately.

Land Conveyance Appraisal Note (Central Station Development Corporation)

Appraisal Research Counselors-Parcel 1 $1,840,000 & Parcel 3 $3,120,000; Real Estate Research Corporation- Parcel 1 $1,900,000 & Parcel 3 $3,150,000; Holcer & Company, INC.-Parcel 1 $1,825,000 & Parcel 3 $3,070,000.

Dec 30 05 S Public Act 94-0718

SB 01219 Sen. Don Harmon

(Rep. Angelo Saviano-John A. Fritchey-Deborah L. Graham)

765 ILCS 605/30.5 new

Amends the Condominium Property Act. Provides that, in the case of the conversion of an apartment building into condominium units, a municipality shall have the right to inspect the apartment building prior to the conversion to condominium units and may require that each new proposed condominium unit comply with the current life safety, building, and zoning codes of the municipality. Effective immediately.

Jul 29 05 S Public Act 94-0386

SB 01220 Sen. Edward D. Maloney-Louis S. Viverito and Kirk W. Dillard-Jacqueline Y. Collins

(Rep. Robert Rita-Linda Chapa LaVia-Edward J. Acevedo-Karen May, Elaine Nekritz, Richard T. Bradley, Joseph M. Lyons and Milton Patterson)

210 ILCS 55/6.5 new

Amends the Home Health Agency Licensing Act. Provides that a home health agency shall (i) annually administer a vaccination against influenza to each client, unless the vaccination is medically contraindicated or the client has refused the vaccine, and (ii) provide or arrange for administration of a pneumococcal vaccination to each client who is age 65 or over who has not received this immunization prior to or upon service initiation, unless the client refuses the offer for vaccination or the vaccination is medically contraindicated. Sets forth requirements in connection with the administration of the vaccinations. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

210 ILCS 9/76

Adds reference to:

210 ILCS 45/2-213

Further amends the Home Health Agency Licensing Act, and amends the Assisted Living and Shared Housing Act and the Nursing Home Care Act. Provides that a home health agency, assisted living or shared housing establishment, or nursing home may arrange for the administration of vaccines as an alternative to administering the vaccines.

House Amendment No. 1 (Tabled 5/20/2005)

Provides that in an assisted living or shared housing establishment or in a nursing home, influenza vaccinations for all residents under age 65 with a chronic medical condition shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1. Provides that influenza vaccinations for all home health agency clients under age 65 with a chronic medical condition shall be completed by November 30 of each year or as soon as practicable if vaccine supplies are not available before November 1.

Aug 02 05 S Public Act 94-0429

SB 01221 Sen. Edward D. Maloney and Martin A. Sandoval

(Rep. James H. Meyer-Paul D. Froehlich-Susana A Mendoza)

625 ILCS 5/12-613 new

625 ILCS 5/12-715 rep.

Amends the Illinois Vehicle Code. Prohibits the possession and use of radar or laser jamming devices in all vehicles (rather than only in commercial vehicles). Provides that a vehicle or driver may not be stopped or searched solely on the basis of a violation or suspected violation of the provision. Repeals a provision prohibiting the possession and use of these devices in commercial vehicles.

Aug 15 05 S Public Act 94-0594

SB 01230 Sen. Don Harmon-Edward D. Maloney-Jacqueline Y. Collins
(Rep. Deborah L. Graham)

720 ILCS 5/24-3.5

Amends the Criminal Code of 1961. Makes a technical change in the Section concerning the unlawful purchase of a firearm.

Senate Floor Amendment No. 1

Deletes reference to:

720 ILCS 5/24-3.5

Adds reference to:

720 ILCS 5/32-5.2-5 new

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Provides that a person who knowingly produces, sells, or distributes a law enforcement badge without the express written consent of the law enforcement agency, or in case of a reorganized or defunct law enforcement agency, its successor law enforcement agency, represented on the badge is guilty of a Class A misdemeanor. Provides that a second or subsequent violation is a Class 3 felony.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended but provides that it is a defense to a prosecution for knowingly producing, selling, or distributing a law enforcement badge without the express written consent of the law enforcement agency represented on the badge that the law enforcement badge is used or is intended to be used exclusively: (1) as a memento, or in a collection or exhibit; (2) for decorative purposes; or (3) for a dramatic presentation, such as a theatrical, film, or television production.

Jul 26 05 S Public Act 94-0341

SB 01233 Sen. Kirk W. Dillard-Martin A. Sandoval-Louis S. Viverito-Christine Radogno
(Rep. Dan Reitz-Kurt M. Granberg-Brandon W. Phelps and Mark H. Beaubien, Jr.)

35 ILCS 505/13 from Ch. 120, par. 429

Amends the Motor Fuel Tax Law. In a provision concerning refunds, allows claims for taxes paid for undyed diesel fuel used by a commercial motor vehicle for the purpose of shifting other vehicles solely on private property and by equipment that is used solely on airport property for moving aircraft or freight. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Motor Fuel Tax Law. In a provision concerning refunds, allows claims for taxes paid for undyed diesel fuel used by tugs and spotter equipment that is owned by a taxpayer and that is used for shifting vehicles or parcels on private or airport property. Provides that any claim under this provision may be made only by a taxpayer who owns or operates equipment on both private and airport property. Provides that a taxpayer may not receive more than $100,000 per year from the aggregate of all refunds or credits resulting from claims under this provision. Provides that a claim may not be made under this provision by the same taxpayer more often than once each quarter. Effective immediately.

House Amendment No. 1

With respect to refunds for undyed diesel fuel used by tugs and spotter equipment, changes references of "taxpayer" to "claimant". Provides that a claim may be made only by a claimant that owns tugs and spotter equipment and operates that equipment on both private and airport property (instead of by "a taxpayer that owns or operates equipment on both private and airport property"). Provides that the aggregate of all credits or refunds resulting from claims by a claimant in any calendar year may not exceed $100,000 (instead of providing that a "taxpayer may not receive more than $100,000 per year from the aggregate of all refunds or credits resulting from claims"). Defines "tug" and "spotter equipment".

Aug 22 05 S Public Act 94-0654

SB 01234 Sen. Kirk W. Dillard-Don Harmon-Jacqueline Y. Collins-Christine Radogno-William R. Haine, Edward D. Maloney, M. Maggie Crotty and Deanna Demuzio

(Rep. James H. Meyer-William Delgado-Patricia Reid Lindner-Jim Watson-Milton Patterson, Patricia Bailey, Kurt M. Granberg, Monique D. Davis, Edward J. Acevedo, Linda Chapa LaVia, Jack D. Franks, Maria Antonia Berrios, William Davis, Daniel V. Beiser, John E. Bradley, Robert F. Flider, Brandon W. Phelps, James D. Brosnahan, Careen M Gordon, Lisa M. Dugan, Ed Sullivan, Jr., Sandra M. Pihos, Naomi D. Jakobsson, Raymond Poe, Randall M. Hultgren and Dan Brady)

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

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

730 ILCS 150/4 from Ch. 38, par. 224

730 ILCS 150/5 from Ch. 38, par. 225

730 ILCS 150/5-5

730 ILCS 150/6 from Ch. 38, par. 226

730 ILCS 150/6-5

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

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

Amends the Sex Offender Registration Act. Defines "sex offender" to include custodial sexual misconduct (rather than custodial sexual misconduct committed on or after August 22, 2002). Defines as a "sexual predator" a person convicted of a violation or attempted violation of criminal sexual assault regardless of the age of the victim. Establishes procedures for a sex offender to notify the appropriate law enforcement agency within 5 days after ceasing to have a fixed residence. Changes certain registration periods from 10 days to 5 days. Provides that a second or subsequent violation of this Act is a Class 2 felony.

House Amendment No. 1

Adds reference to:

730 ILCS 152/120

Adds reference to:

730 ILCS 152/121 new

Amends the Sex Offender and Child Murderer Community Notification Law. Provides that the local law enforcement agency having jurisdiction to register the juvenile sex offender shall ascertain from the juvenile sex offender whether the juvenile sex offender is enrolled in school; and if so, shall provide a copy of the sex offender registration form only to the principal or chief administrative officer of the school and any guidance counselor designated by him or her. Provides that the registration form shall be kept separately from any and all school records maintained on behalf of the juvenile sex offender.

Jul 11 05 S Public Act 94-0168

SB 01235 Sen. Kirk W. Dillard and Pamela J. Althoff

(Rep. Patricia R. Bellock-Sandra M. Pihos)

605 ILCS 5/9-127 from Ch. 121, par. 9-127

Amends the Illinois Highway Code. Provides that a highway authority may vacate a highway or part of a highway established by common law dedication, and may convey or sell its interest in the highway in the prescribed manner, if evidence of the dedication is provided in the form of an affidavit of maintenance from the highway commissioner. Provides that an affidavit from the commissioner indicating that the highway authority has maintained the road for 20 years or longer is conclusive evidence of the highway authority's fee interest. Provides that a highway authority may sell its interest in a vacated highway to any buyer in exchange for funds to be used for road purposes (as well as providing that an authority may convey its interest to a qualified township road district). Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Illinois Highway Code. Provides that, when any highway authority determines to vacate a highway or a part of a highway under its jurisdiction, the authority may sell the vacated highway property to any third party at fair market value if the authority has either a fee simple interest in the vacated highway property or a dedication of that property by statutory plat and the right of first refusal with regard to the vacated highway property has been granted to adjoining landowners for fair market value. Effective immediately.

Senate Floor Amendment No. 2

Provides that the new provisions added by Senate Amendment No. 1 are an exception to the existing statutory provisions regarding the vesting of title to vacated highway property.

Aug 04 05 S Public Act 94-0476

SB 01251 Sen. John J. Cullerton-Emil Jones, Jr.

(Rep. David E. Miller)

805 ILCS 5/1.01 from Ch. 32, par. 1.01

Amends the Business Corporation Act of 1983. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

805 ILCS 5/1.01

Adds reference to:

805 ILCS 5/7.05

Deletes everything after the enacting clause. Further amends the Business Corporation Act of 1983. Provides that a corporation shall honor a request by a shareholder to be physically present at a meeting of the shareholders, where space permits, and shall not exclude a shareholder from being physically present at a meeting of shareholders in an effort to censor, silence, or otherwise curtail the shareholder from expressing dissent or otherwise exercising his or her freedom of expression. Provides that any officer, agent, or corporation that does not honor the request of a shareholder to be physically present at a meeting or in any way excludes any shareholder from being physically present at a meeting shall be liable to such shareholder, in a penalty of up to 10% of the value of the shares owned by such shareholder, in addition to any other damages or remedy afforded him or her by law.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Business Corporation Act of 1983. Provides that a shareholder entitled to vote at a meeting of the shareholders shall be permitted to attend the meeting where space permits, and subject to the corporation's by-laws and rules governing the conduct of the meeting and the power of the chairman to regulate the orderly conduct of the meeting.

Aug 22 05 S Public Act 94-0655

SB 01267 Sen. Gary Forby-Emil Jones, Jr.
(Rep. Angelo Saviano)

820 ILCS 175/50

Amends the Day and Temporary Labor Services Act. Makes a technical change in a Section concerning violations of the Act.

Senate Floor Amendment No. 1

Deletes reference to:

820 ILCS 175/50

Adds reference to:

820 ILCS 220/.02 from Ch. 48, par. 59.02

Adds reference to:

820 ILCS 220/2 from 820 ILCS 220/2, in part

Adds reference to:

820 ILCS 220/2.1 new from 820 ILCS 220/2, in part

Adds reference to:

820 ILCS 220/2.2 new

Adds reference to:

820 ILCS 220/2.3 new from 820 ILCS 220/2, in part

Adds reference to:

820 ILCS 220/2.4 new from 820 ILCS 220/2, in part

Adds reference to:

820 ILCS 220/2.5 new

Adds reference to:

820 ILCS 220/2.6 new

Adds reference to:

820 ILCS 220/2.7 new

Adds reference to:

820 ILCS 220/2.8 new from 820 ILCS 220/2, in part

Adds reference to:

820 ILCS 220/2.9 new

Adds reference to:

820 ILCS 220/2.10 new from 820 ILCS 220/2, in part

Adds reference to:

820 ILCS 225/2 from Ch. 48, par. 137.2

Adds reference to:

820 ILCS 225/4 from 820 ILCS 225/4, in part

Adds reference to:

820 ILCS 225/4.1 new from 820 ILCS 225/4, in part

Adds reference to:

820 ILCS 225/4.2 new from 820 ILCS 225/4, in part

Deletes everything after the enacting clause. Amends the Safety Inspection and Education Act. Changes, adds, and reorganizes provisions concerning: workplace inspections by the Department of Labor; complaints by employees or employee organizations; discrimination; civil and criminal penalties and reduction of civil penalties; procedures in contested cases; access to records of employers; scheduling of workplace inspections; safety education programs; laboratory services; and other matters. Amends the Health and Safety Act. Provides that the Act applies to public employers (instead of employers in general). Changes, adds, and reorganizes provisions concerning: records and reports of work-related death, injuries, and illnesses; adoption of federal workplace safety and health standards as State standards; granting variances from State workplace health and safety standards; and other matters.

Aug 04 05 S Public Act 94-0477

SB 01283 Sen. Terry Link-Emil Jones, Jr. and Pamela J. Althoff
(Rep. Jay C. Hoffman-Dan Brady-Donald L. Moffitt)

820 ILCS 305/15 from Ch. 48, par. 138.15

Amends the Workers' Compensation Act. Makes a technical change in a Section concerning the Industrial Commission's annual report to the Governor.

Senate Floor Amendment No. 1

Deletes reference to:

820 ILCS 305/15

Adds reference to:

820 ILCS 305/7 from Ch. 48, par. 138.7

Adds reference to:

820 ILCS 305/8 from Ch. 48, par. 138.8

Adds reference to:

820 ILCS 305/8.2

Adds reference to:

820 ILCS 305/8.7

Adds reference to:

820 ILCS 305/13.1 from Ch. 48, par. 138.13-1

Deletes everything after the enacting clause. Amends the Workers' Compensation Act. Makes various changes concerning: payments by employers into the Rate Adjustment Fund; lowering compensation for certain accidental injuries occurring before February 1, 2006 to the levels that existed before Public Act 94-277 took effect; payments by employers of annual adjustments to the compensation rate in awards for death benefits or permanent total disability; applicability of fee schedules; retrospective review of health care services; and the duty of the Workers' Compensation Advisory Board to aid the Illinois Workers' Compensation Commission in reviewing advisory rates filed by an advisory organization. Contains provisions regarding construction of this Act. Effective immediately.

Nov 16 05 S Public Act 94-0695

SB 01294 Sen. Don Harmon-Chris Lauzen and Pamela J. Althoff
(Rep. Bob Biggins-Barbara Flynn Currie)

35 ILCS 200/27-87 new

Amends the Special Service Area Tax Law in the Property Tax Code. Provides that a municipality may propose a special service area as provided in this Law for the purpose of providing improvements to any one or more buildings if the improvements are required by municipal ordinance in order to protect the health and safety of workers, tenants, and visitors in the buildings. Sets forth requirements for establishing the special service area.

Senate Committee Amendment No. 1

Requires that 100% (instead of "51% or more") of the owners of the real estate that is to be subject to the tax must file the petition agreeing to the establishment of the special service area. Provides that if the property owners file such a petition, then the municipality may (instead of "shall") establish the special service area.

Nov 04 05 H Total Veto Stands - No Positive Action Taken

SB 01333 Sen. John J. Cullerton-Emil Jones, Jr.-Jacqueline Y. Collins-Jeffrey M. Schoenberg-Susan Garrett, Carol Ronen, Don Harmon, Antonio Munoz, Kwame Raoul, Kimberly A. Lightford, Terry Link, Iris Y. Martinez, Ira I. Silverstein, Mattie Hunter, Donne E. Trotter, Martin A. Sandoval and James T. Meeks

(Rep. Harry Osterman-John J. Millner-Edward J. Acevedo-Barbara Flynn Currie-Elizabeth Coulson, Deborah L. Graham, Eileen Lyons, David E. Miller, James D. Brosnahan, Wyvetter H. Younge, Robert S. Molaro, George Scully, Jr., John D'Amico, Lovana Jones, Monique D. Davis, Kathleen A. Ryg, Annazette Collins, Linda Chapa LaVia, Michelle Chavez, Charles E. Jefferson, Maria Antonia Berrios, Elaine Nekritz, Susana A Mendoza, Cynthia Soto, William Delgado, Kenneth Dunkin, Lou Lang, Robin Kelly, Daniel J. Burke, Julie Hamos, Constance A. Howard, Karen May, Sara Feigenholtz, Mary E. Flowers, Naomi D. Jakobsson, Kevin Joyce, John A. Fritchey, Richard T. Bradley, Joseph M. Lyons, Karen A. Yarbrough and Marlow H. Colvin)

New Act

Creates the Firearms Act. Contains only a short title provision.

Senate Floor Amendment No. 1

Deletes reference to:

New Act

Adds reference to:

430 ILCS 65/3.1 from Ch. 38, par. 83-3.1

Adds reference to:

430 ILCS 65/3.5 new

Deletes everything after the enacting clause. Amends the Firearm Owners Identification Card Act. Provides that upon receiving a request from a law enforcement agency regarding records maintained within its Firearm Transfer Inquiry Program, the Department of State Police shall require in writing, at a minimum, the following information: (i) the requesting agency name; (ii) the agency case or control number; (iii) the reason for the request; (iv) the requestor's name and identification number; (v) the contact information for the requestor; (vi) the requestor's signature and the date of the request; (vii) the name and identification number of the supervisor approving the request; (viii) whether the request is for information pertaining to a current Firearm Owner's Identification Card or to all Firearm Owner's Identification Cards that have been issued to an individual; (ix) a return fax number; and (x) the Firearm Owner's Identification Card information relating to the individual for whom an inquiry has been made. Provides that a person, who is not a federally licensed firearm dealer, who desires to transfer or sell a firearm while that person is on the grounds of a gun show, must prior to the sale or transfer of the firearm: (1) request the Department of State Police to conduct a background check on the transferor and the prospective transferee of a firearm; (2) provide certain information to the Department; and (3) receive an approval from the Department that, after a background check was conducted, nothing in the records accessed by the Department prohibits, based on State or federal law, the purchaser from purchasing or possessing a firearm. Provides that the Department of State Police may collect a fee to conduct the background check not to exceed $2. Provides that failure to comply with these requirements is a Class A misdemeanor. Provides that failure to comply with these requirements is a Class 2 felony if the person has 2 or more previous convictions for these violations.

Senate Floor Amendment No. 2

Deletes reference to:

430 ILCS 65/3.5 new

Adds reference to:

430 ILCS 65/1.1 from Ch. 38, par. 83-1.1

Adds reference to:

430 ILCS 65/3 from Ch. 38, par. 83-3

Adds reference to:

430 ILCS 65/3a from Ch. 38, par. 83-3a

Adds reference to:

430 ILCS 65/5 from Ch. 38, par. 83-5

Deletes everything after the enacting clause. Amends the Firearm Owners Identification Card Act. Provides that a person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm while that person is on the grounds of a gun show must, before selling or transferring the firearm, request the Department of State Police to conduct a background check on the prospective recipient of the firearm. Provides that if the receipt of a firearm does not violate federal or State law, the Department of State Police shall: (1) assign a unique identification number to the transfer; and (2) provide the licensee, gun show promoter, or gun show vendor with the number. Effective immediately.

State Mandates Fiscal Note (Dept. of Commerce & Econ Opportunity)

Does not create a state mandate under the State Mandates Act.

SB 01333 (CONTINUED)

Jul 29 05 S Public Act 94-0353

SB 01354 Sen. William R. Haine-Martin A. Sandoval-Mike Jacobs

(Rep. Ron Stephens-Raymond Poe-Rich Brauer-Bill Mitchell-Jay C. Hoffman, Michael K. Smith, Kurt M. Granberg, Linda Chapa LaVia, Daniel V. Beiser, Thomas Holbrook and David Reis)

20 ILCS 605/605-215 new

Amends the Department of Commerce and Economic Opportunity Law. Creates the Military Base Support and Economic Development Committee within the Department of Commerce and Economic Opportunity to make reports and act as a communications center for issues relating to military base closures in the State. Provides conditions for membership on the Committee. Sets forth a list of issues pertaining to base closures that the Committee shall advise the Department upon. Provides that the Committee, in cooperation with the Department, shall make an annual report to the Governor and General Assembly concerning the progress of military base retention and economic development efforts in areas of the State where a military base has closed or may close. Requires the Committee to serve as a central information clearinghouse for military base closing and retention activities. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill. Further amends the Department of Commerce and Economic Opportunity Law. Creates the Interagency Military Base Support and Economic Development Committee within the Department of Commerce and Economic Opportunity to coordinate the State's activities on and to act as a communications center for issues relating to military base closures in the State. Provides that membership on the Committee shall be composed of 18 members (instead of 13) with representatives from the Department of Commerce and Economic Opportunity, the Department of Transportation, the Department of Natural Resources, the Environmental Protection Agency, the Department of Revenue, and the Department of Military Affairs serving on the Committee (removes the Lieutenant Governor from the Committee). Provides that the 8 public members representing counties near current or former base locations shall be appointed by the chair of the Committee in consultation with the full Commission (rather than being appointed by the Governor). Provides that the Director of Commerce and Economic Opportunity shall serve as chair of the Committee (instead of the Governor appointing the chair). Provides that the expenses necessary to carry out the function of the Committee shall be shared among the members' agencies pursuant to an interagency agreement from funds appropriated for this purpose or from existing funds within the budgets of the members' agencies. Sets forth that each member of the Committee must request reimbursement from his or her individual agency for actual and necessary expenses incurred while performing his or her duties as a member of the Committee and that public members shall be reimbursed from funds appropriated to the Department for that purpose. Provides that the Committee, in cooperation with the Department, shall keep the Governor and General Assembly informed concerning the progress of military base reuse, retention, realignment, and economic development efforts in the State (instead of annually reporting on these efforts to these entities). Effective immediately.

House Amendment No. 2

Provides that the Lieutenant Governor shall serve as chair of the Interagency Military Base Support and Economic Development Committee and that the Director of Commerce and Economic Opportunity shall serve as vice-chair and shall oversee the administration of the Committee and its function. Authorizes the chair and vice-chair to appoint the 8 public members of the Committee in consultation with the full Committee.

Aug 23 05 S Public Act 94-0674

SB 01435 Sen. Terry Link

(Rep. Gary Hannig and Jay C. Hoffman-Daniel J. Burke-Kevin A. McCarthy)

Authorizes the Department of Transportation to convey various described parcels of property in Lake County to the City of Park City. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

New Act

Deletes everything after the enacting clause. Creates the Land Conveyance Act of 2005. Contains only a short title provision.

House Amendment No. 1

Deletes everything after the enacting clause. Authorizes the State to release easements for highway purposes in LaSalle County, Henry County, Logan County, Kankakee County, Montgomery County, and Schuyler County. Authorizes the Department of Transportation to convey various described parcels of property in Logan County, Rock Island County, Sangamon County, and Cook County to the listed recipients. Authorizes the Secretary of Transportation to convey by quitclaim deed all right, title, and interest in and to specified land in Sangamon, Williamson, Will, and Logan counties to the listed recipients. Authorizes the State to release easements for highway purposes in Pulaski, Monroe, Woodford, St. Clair, Kane, DuPage counties. Authorizes the State to restore rights or easement of access, crossing, light, air, and view from, to, and over specified highway property in Madison and Bond counties. Effective immediately.

Land Conveyance Appraisal Note (H-AM 1) (Department of Transportation)

Parcel No: 1WY0554 $60,000; 675X241 $12,750; 675X285 $35,200; 800XB58 $3,000; 675X296 $1,400; 0ZZ0942DED $174,500; 800XB13 $50,000; 9183X73 $300; 3LR0097 $2,400; 800XB27/37 $9,050; 1WY1011 $160,000; 1WY0820 $52,500; 800XB47,63,71 $11,225; 675X290 $16,000; 675X236 $3,200; 675X230 $850; 675X271/272 $7,800; 675X264 $3,400; 675X245 $3,500; 675X240 $2,900; 675X228 $8,300; 200P21G $97,410; 3LR0091 $2,000; 675X267 $400; 3LR0077 $9,800.

Land conveyances, releases of easements, and releases of access rights included in the bill for the Department of Transportation will generate revenue totaling $960,952,00.

Aug 22 05 S Public Act 94-0656

SB 01438 Sen. Kimberly A. Lightford-Jacqueline Y. Collins-Mattie Hunter-Donne E. Trotter

(Rep. Paul D. Froehlich and Wyvetter H. Younge)

20 ILCS 3927/25

Amends the Council on Responsible Fatherhood Act. Extends the repeal of the Act from July 1, 2005 to July 1, 2006. Effective immediately.

Jun 06 05 S Public Act 94-0008

SB 01442 Sen. Ira I. Silverstein

(Rep. Jay C. Hoffman-Gary Hannig-Mary E. Flowers)

20 ILCS 605/605-955 new

30 ILCS 105/5.640 new

Amends the The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Creates the Feed Illinois Fund as a special fund in the State treasury. Provides that, from appropriations from the Fund, the Department of Commerce and Economic Opportunity must make grants to public or private food banks in Illinois for the purpose of making capital improvements and acquiring other non-food assets.

Senate Committee Amendment No. 1

Changes the name of the Feed Illinois Fund to the Feed Illinois' Children and Families Fund.

House Amendment No. 1

Deletes reference to:

20 ILCS 605/605-955 new

Deletes reference to:

30 ILCS 105/5.640 new

Adds reference to:

20 ILCS 605/605-1

Deletes everything after the enacting clause. Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Makes a technical change in a Section concerning the short title.

House Amendment No. 2

Deletes reference to:

20 ILCS 605/605-1

Adds reference to:

5 ILCS 375/8 from Ch. 127, par. 528

Adds reference to:

40 ILCS 5/14-108.6 new

Deletes everything after the enacting clause. Amends the State Employees Group Insurance Act of 1971. Provides that, beginning July 1, 2005, the Director of Central Management Services may establish a program of financial incentives to encourage annuitants receiving a retirement annuity from the State Employees Retirement System, but who are not eligible for benefits under the federal Medicare health insurance program, to elect not to participate in the program of health benefits provided under the Act. Sets forth requirements for the election by an annuitant not to participate under the program. Provides that the financial incentives provided to these annuitants under the program may not exceed $150 per month for each annuitant electing not to participate in the program. Amends the State Employees Article of the Illinois Pension Code to provide for a new alternative retirement cancellation payment. Effective July 1, 2005.

Jul 01 05 S Public Act 94-0109

SB 01443 Sen. Ira I. Silverstein-Donne E. Trotter

(Rep. Arthur L. Turner-Cynthia Soto-Marlow H. Colvin-Karen A. Yarbrough, Jack McGuire, Bob Biggins and Angelo Saviano)

705 ILCS 105/27.3a from Ch. 25, par. 27.3a

Amends the Clerks of Courts Act. Raises the court automation fee maximum to $15 (from $5).

Aug 15 05 S Public Act 94-0595

SB 01444 Sen. Ira I. Silverstein

(Rep. Arthur L. Turner-Cynthia Soto-Marlow H. Colvin-Karen A. Yarbrough, Jack McGuire, Bob Biggins and Angelo Saviano)

705 ILCS 105/27.3c from Ch. 25, par. 27.3c

Amends the Clerks of Courts Act. Raises the maximum document fee to $15 (from $5).

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following change. Removes language excepting the court document fee from applying to any petty offense moving violation written by a municipal police department in counties having a population of more than 650,000 but less than 3,000,00 inhabitants whether written under the Illinois Vehicle Code or under any municipal ordinance.

Aug 15 05 S Public Act 94-0596

SB 01446 Sen. Carol Ronen

(Rep. Julie Hamos-Richard T. Bradley-Kevin A. McCarthy)

40 ILCS 5/1-119

Amends the Illinois Pension Code. Makes various changes in provisions concerning Qualified Illinois Domestic Relations Orders.

Senate Committee Amendment No. 1

Deletes reference to:

40 ILCS 5/1-119

Adds reference to:

40 ILCS 5/1-101.1 from Ch. 108 1/2, par. 1-101.1

Replaces everything after the enacting clause. Amends the Illinois Pension Code. Makes a technical change in a Section concerning definitions.

Pension Note (Government Forecasting & Accountability)

Would not increase liabilities or costs, as it does not increase benefits but defines who would receive benefits earned.

House Amendment No. 1

Deletes reference to:

40 ILCS 5/1-101.1

Adds reference to:

40 ILCS 5/1-119

Replaces everything after the enacting clause. Amends the Illinois Pension Code. Makes various changes in provisions concerning Qualified Illinois Domestic Relations Orders (QILDROs). Effective July 1, 2006.

House Amendment No. 2

Under certain circumstances, requires the retirement system to provide a lump sum amount to which a QILDRO percentage is applied within 45 (now 30) days after the retirement system receives the QILDRO. Makes other changes.

Aug 22 05 S Public Act 94-0657

SB 01458 Sen. Dave Sullivan and Pamela J. Althoff

(Rep. Sara Feigenholtz-Naomi D. Jakobsson-Deborah L. Graham)

750 ILCS 50/18.05

Amends the Adoption Act. Provides for the establishment of an Adoption/Surrender Records File for adoptions filed according to the listed Section of the Vital Records Act under a Record of Foreign Birth that was not finalized by a court action in the State of Illinois. Provides that an established Adoption/Surrender Records File for an adoption filed in Illinois under a Record of Foreign Birth that was not finalized in a court action in the State of Illinois shall be limited to the following items submitted to the State Registrar of Vital Records under the listed Section of the Vital Records Act, to the extent that they are available: (1) evidence as to the child's birth date and birthplace (including the country of birth and, if available, the city and province of birth) provided by the original birth certificate, or by a certified copy, extract, or translation thereof or by other document essentially equivalent thereto (the records of the U.S. Immigration and Naturalization Service or of the U.S. Department of State to be considered essentially equivalent thereto); (2) a certified copy, extract, or translation of the adoption decree or other document essentially equivalent thereto (the records of the U.S. Immigration and Naturalization Service or of the U.S. Department of State to be considered essentially equivalent thereto); (3) a copy of the IR-3 visa; and (4) the name and address of the adoption agency that handled the adoption. Effective July 1, 2005.

Aug 02 05 S Public Act 94-0430

SB 01461 Sen. Donne E. Trotter-Terry Link-Mattie Hunter, Ira I. Silverstein, Iris Y. Martinez, Jacqueline Y. Collins-James F. Clayborne, Jr., James T. Meeks, Kimberly A. Lightford and Kirk W. Dillard

(Rep. Eddie Washington-Monique D. Davis-Elizabeth Coulson-Patricia R. Bellock-Sandra M. Pihos, William Delgado, Milton Patterson, Wyvetter H. Younge, William Davis, Arthur L. Turner, Kathleen A. Ryg and Karen A. Yarbrough)

20 ILCS 2310/2310-339 new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health, subject to appropriation or other available funding, shall conduct a program to promote awareness, testing, diagnosis and treatment of chronic kidney disease. Establishes a Chronic Kidney Disease Awareness, Testing, Diagnosis and Treatment Program in the Department of Public Health. Provides that the Program shall apply to certain persons and entities. Provides that administrative costs of the Department shall not exceed 10% of the funds allocated to the Program. Provides that indirect costs of the entities funded by the Program shall not exceed 12%. Provides that the Department or any entity funded by the Program shall collect personal and medical information necessary to administer the Program from any individual applying for services under the Program.

Senate Floor Amendment No. 1

Replaces everything after the enacting clause with provisions substantially similar to those of Senate Bill 1461, except deletes language providing that the Chronic Kidney Disease Awareness, Testing, Diagnosis and Treatment Program shall apply to: (i) uninsured and underinsured persons 50 years of age or older, (ii) uninsured and underinsured persons over the age of 50 who have a family history of kidney disease or have been diagnosed with diabetes or hypertension upon the advice of a physician or upon the request of the patient, and (iii) non-profit organizations providing assistance to these persons.

Jun 27 05 S Public Act 94-0081

SB 01483 Sen. Jeffrey M. Schoenberg, Susan Garrett and Carol Ronen
(Rep. Terry R. Parke-Thomas Holbrook and Wyvetter H. Younge)

420 ILCS 40/4	from Ch. 111 1/2, par. 210-4
420 ILCS 40/5	from Ch. 111 1/2, par. 210-5
420 ILCS 40/6	from Ch. 111 1/2, par. 210-6
420 ILCS 40/7	from Ch. 111 1/2, par. 210-7
420 ILCS 40/7a	from Ch. 111 1/2, par. 210-7a
420 ILCS 40/9	from Ch. 111 1/2, par. 210-9
420 ILCS 40/10	from Ch. 111 1/2, par. 210-10
420 ILCS 40/11	from Ch. 111 1/2, par. 210-11
420 ILCS 40/11.5	
420 ILCS 40/12	from Ch. 111 1/2, par. 210-12
420 ILCS 40/13	from Ch. 111 1/2, par. 210-13
420 ILCS 40/14	from Ch. 111 1/2, par. 210-14
420 ILCS 40/15	from Ch. 111 1/2, par. 210-15
420 ILCS 40/16	from Ch. 111 1/2, par. 210-16
420 ILCS 40/17	from Ch. 111 1/2, par. 210-17
420 ILCS 40/18	from Ch. 111 1/2, par. 210-18
420 ILCS 40/19	from Ch. 111 1/2, par. 210-19
420 ILCS 40/20	from Ch. 111 1/2, par. 210-20
420 ILCS 40/21	from Ch. 111 1/2, par. 210-21
420 ILCS 40/22	from Ch. 111 1/2, par. 210-22
420 ILCS 40/23	from Ch. 111 1/2, par. 210-23
420 ILCS 40/24	from Ch. 111 1/2, par. 210-24
420 ILCS 40/24.5	
420 ILCS 40/24.7	
420 ILCS 40/25	from Ch. 111 1/2, par. 210-25
420 ILCS 40/25.1	
420 ILCS 40/25.2	
420 ILCS 40/26	from Ch. 111 1/2, par. 210-26
420 ILCS 40/27	from Ch. 111 1/2, par. 210-27
420 ILCS 40/28	from Ch. 111 1/2, par. 210-28
420 ILCS 40/29	from Ch. 111 1/2, par. 210-29
420 ILCS 40/30	from Ch. 111 1/2, par. 210-30
420 ILCS 40/31	from Ch. 111 1/2, par. 210-31
420 ILCS 40/32	from Ch. 111 1/2, par. 210-32
420 ILCS 40/33	from Ch. 111 1/2, par. 210-33
420 ILCS 40/34	from Ch. 111 1/2, par. 210-34
420 ILCS 40/35	from Ch. 111 1/2, par. 210-35
420 ILCS 40/36	from Ch. 111 1/2, par. 210-36
420 ILCS 40/37	from Ch. 111 1/2, par. 210-37
420 ILCS 40/38	from Ch. 111 1/2, par. 210-38
420 ILCS 40/39	from Ch. 111 1/2, par. 210-39
420 ILCS 40/40	from Ch. 111 1/2, par. 210-40

SB 01483 (CONTINUED)

420 ILCS 40/43 from Ch. 111 1/2, par. 210-43

420 ILCS 40/44 from Ch. 111 1/2, par. 210-44

420 ILCS 40/45

420 ILCS 40/49

Amends the Radiation Protection Act of 1990. Changes references in the Act from the "Department of Nuclear Safety" to the "Illinois Emergency Management Agency". Provides for the Illinois Emergency Management Agency to issue a violation abatement order if an examination of records causes the Agency to believe there has been a violation of the Act or any rules or regulations promulgated under the Act. Effective immediately.

Jul 01 05 S Public Act 94-0104

SB 01489 Sen. Deanna Demuzio-Louis S. Viverito-M. Maggie Crotty-Jacqueline Y. Collins-Arthur J. Wilhelmi and Edward D. Maloney

(Rep. Gary Hannig-Sidney H. Mathias-Paul D. Froehlich-Karen May, Michelle Chavez, Charles E. Jefferson, Linda Chapa LaVia, Edward J. Acevedo, Kathleen A. Ryg, Annazette Collins, Lisa M. Dugan, Careen M Gordon, Elaine Nekritz, Daniel V. Beiser, Kevin Joyce, William Delgado, David Reis, Cynthia Soto, John E. Bradley, Robert F. Flider, Naomi D. Jakobsson, Patrick J Verschoore and Jack McGuire)

320 ILCS 20/3 from Ch. 23, par. 6603

Amends the Elder Abuse and Neglect Act. Provides that a provider agency may recruit volunteers for the purpose of increasing public awareness and providing transportation and companion services to eligible adults. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

320 ILCS 20/3

Adds reference to:

320 ILCS 20/14 new

Replaces everything after the enacting clause. Amends the Elder Abuse and Neglect Act. Provides that under the Elder Abuse and Neglect Act, qualified volunteers may be used for the purposes of increasing public awareness and providing companion-type services, as prescribed by rule, to eligible adults. Provides that a qualified volunteer must undergo training as prescribed by the Department by rule and must adhere to all confidentiality requirements as required by law. Effective immediately.

Aug 02 05 S Public Act 94-0431

SB 01491 Sen. Adeline Jay Geo-Karis, Jacqueline Y. Collins and James T. Meeks-Martin A. Sandoval-Mattie Hunter-Antonio Munoz

(Rep. James H. Meyer, Linda Chapa LaVia, Edward J. Acevedo-JoAnn D. Osmond-Mark H. Beaubien, Jr., Careen M Gordon, Naomi D. Jakobsson, Lisa M. Dugan, Daniel V. Beiser, John E. Bradley, Robert F. Flider and David Reis)

720 ILCS 5/17-6 from Ch. 38, par. 17-6

Amends the Criminal Code of 1961. Provides that State benefits fraud is a Class 3 felony if $300 or less is obtained and a Class 2 felony if more than $300 is obtained (rather than a Class 4 felony if the amount of benefits obtained is $300 or less and a Class 3 felony if more than $300 is obtained) if a person knowingly misrepresents oneself as a veteran or as a dependent of a veteran with the intent of obtaining benefits or privileges provided by the State or its political subdivisions to veterans or their dependents.

Aug 08 05 S Public Act 94-0486

SB 01493 Sen. Don Harmon-Kimberly A. Lightford

(Rep. Karen A. Yarbrough-Deborah L. Graham-Calvin L. Giles-Angelo Saviano-Monique D. Davis and Cynthia Soto)

105 ILCS 5/5-1 from Ch. 122, par. 5-1

Amends the School Code with regard to county school units. Allows the school boards of 2 elementary school districts and the school board of a high school district, if the districts meet certain criteria, to withdraw the school district from the jurisdiction and authority of the trustees of schools of the township or townships in which the school district is located and from the jurisdiction and authority of the township treasurer, provided that the school board of the school district elects or appoints its own school treasurer. Effective immediately.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the School Code. Makes a technical change in a Section concerning county school units.

Senate Floor Amendment No. 2

Deletes reference to:

105 ILCS 5/5-1

Adds reference to:

105 ILCS 5/2-3.25g from Ch. 122, par. 2-3.25g

Adds reference to:

105 ILCS 5/5-1b new

Adds reference to:

105 ILCS 5/5-2.1 from Ch. 122, par. 5-2.1

Deletes everything after the enacting clause. Amends the Trustees of Schools Article of the School Code. Provides that the school board of any elementary school district that is located in a Class II county school unit and whose territory includes all or any part of the territory included within a high school district that crosses township boundaries may, by resolution, withdraw from the jurisdiction and authority of the township treasurer and the trustees of schools that currently serve the elementary school district and transfer and otherwise submit to the jurisdiction and authority of the township treasurer or trustees of schools of another township that then serves the high school district. Provides that an elector who resides in a high school district that crosses township boundaries and has been assigned to the jurisdiction of the trustees of an adjoining township shall be eligible to vote for both the trustees of the township in which he or she resides and the trustees of the township having jurisdiction over the high school district in which he or she resides. Provides that a waiver of a mandate established under a provision concerning eligible voters may not be requested. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the engrossed bill with the following changes. Changes which elementary school districts may withdraw and transfer. Sets forth conditions that must be met before the withdrawal and transfer may take place, including requiring a referendum. Provides for an effective date for the transfer. Adds provisions governing the transfer. Repeals the provisions concerning the withdrawal and transfer on January 1, 2010. Effective immediately.

Aug 02 05 S Public Act 94-0432

SB 01495 Sen. Kirk W. Dillard-William R. Haine and Martin A. Sandoval

(Rep. Chapin Rose-Lisa M. Dugan, Careen M Gordon, John E. Bradley, Daniel V. Beiser, Jack D. Franks and Linda Chapa LaVia)

625 ILCS 5/11-501 from Ch. 95 1/2, par. 11-501

Amends the Illinois Vehicle Code. Provides that, if a defendant is convicted of aggravated driving under the influence of alcohol, drugs, or intoxicating compounds because his or her DUI violation was the cause of the death of one or more persons, the defendant shall be sentenced to a term of imprisonment, unless the court determines that extraordinary circumstances exist and require probation.

Aug 16 05 S Public Act 94-0609

SB 01509 Sen. Donne E. Trotter

(Rep. Marlow H. Colvin-Michael Tryon-William Davis-Shane Cultra-Susana A Mendoza, Milton Patterson, Karen A. Yarbrough and Deborah L. Graham)

730 ILCS 125/2 from Ch. 75, par. 102

Amends the County Jail Act. Makes a technical change in a Section concerning the sheriff as warden of the jail.

Senate Committee Amendment No. 1

Deletes reference to:

730 ILCS 125/2

Adds reference to:

730 ILCS 125/5 from Ch. 75, par. 105

Deletes everything after the enacting clause. Amends the County Jail Act. Provides that if a person who has been convicted of a felony and has violated mandatory supervised release for that felony is incarcerated in a county jail pending the resolution of the violation of mandatory supervised release, the Illinois Department of Corrections shall pay the county in which that jail is located one-half of the cost of incarceration, as calculated by the Governor's Office of Management and Budget and the county's chief financial officer, for each day that the person remains in the county jail. Provides that calculation of the per diem cost shall be agreed upon prior to the passage of the annual State budget.

Governor Amendatory Veto Message

Recommends that the Illinois Department of Corrections shall be responsible for the payment of one-half of the costs of incarceration to the county in which the jail is located only if the person is incarcerated in the county jail solely pending the resolution of the violation of mandatory supervised release and not incarcerated in conjunction with new or pending criminal charges and subject to notice provisions and appropriations for this purpose and only if the Department fails to retrieve the person within 72 hours of receiving notice by the county that the person is being held. Recommends that if the Department fails to retrieve the person within 72 hours of receiving notice, the Department shall be responsible for the payment from the time the county originally began to hold the person. Recommends that the costs of incarceration be calculated by the Illinois Department of Corrections rather than by the Governor's Office of Management and Budget.

Nov 08 05 S Public Act 94-0678

SB 01548 Sen. Donne E. Trotter-Jeffrey M. Schoenberg-Mattie Hunter-Jacqueline Y. Collins-M. Maggie Crotty

(Rep. Michael J. Madigan-Gary Hannig-Monique D. Davis)

Appropriates $2 from the General Revenue Fund to the Department of Agriculture for its FY 06 ordinary and contingent expenses. Effective July 1, 2005.

Senate Floor Amendment No. 1

Deletes everything after the enacting clause. Amends Public Act 93-0842 to increase and decrease various FY 2005 line item appropriations for the following Departments:
Aging, Children and Family Services, Natural Resources, Transportation, State Police, Corrections, and Human Services. Effective immediately.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Amends Public Act 93-842 to increase and decrease various appropriations for FY 2005 to the following departments: Aging, Children and Family Services, Natural Resources, Transportation, State Police, Corrections, and Human Services. Makes appropriations to the Department of Transportation for certain federal earmark projects. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Appropriates $2 from the General Revenue Fund to the General Assembly for its FY 06 ordinary and contingent expenses. Effective July 1, 2005.

House Amendment No. 2

Deletes everything after the enacting clause. Makes omnibus appropriations for fiscal year 2006. Effective July 1, 2005, except that certain provisions take effect immediately.

Jun 10 05 S Public Act 94-0015

SB 01623 Sen. Martin A. Sandoval-Louis S. Viverito-Terry Link-Dave Sullivan-Emil Jones, Jr., Richard J. Winkel, Jr., James A. DeLeo, Iris Y. Martinez, Jacqueline Y. Collins and Miguel del Valle

(Rep. Daniel J. Burke-Eddie Washington-Lou Lang-Richard T. Bradley, Edward J. Acevedo and Cynthia Soto)

New Act

Creates the Consular Identification Document Act. Defines "consular identification document" as an official identification card issued by a foreign government through its consular offices to identify a foreign national who is living outside of that nation. Provides that each State agency and officer and unit of local government, when requiring members of the public to provide identification, shall accept a consular identification document as valid identification of a person, with specified exceptions. Provides that a State agency or officer or a unit of local government is not prohibited from requiring: additional information from persons in order to verify a current address or other facts that would enable the State agency or officer or unit of local government to fulfill its responsibilities, with specified exceptions; fingerprints for identification purposes under circumstances where the State agency or officer or unit of local government also requires fingerprints from persons who have a driver's license or Illinois Identification Card; or additional evidence of identification if the State agency or officer or unit of local government reasonably believes that the consular identification document is forged, fraudulent, or altered, or the holder does not appear to be the same person on the consular identification document. Provides that the use by a State agency or officer or a unit of local government of information collected from, or appearing on, a consular identification document is subject to the same privacy and disclosure limitations that apply to the Illinois Identification Card.

Senate Floor Amendment No. 1

Deletes everything and re-inserts similar provisions with these additions: provides, in the definition of "consular identification document", that a foreign government must require an individual to provide proof of nationality, proof of identity, and proof of residence in the consular district to obtain a consular identification document and that a foreign government must include specified security features and data in the consular identification document; requires an issuing consulate to file with the Department of State Police a copy of the issuing consulate's consular identification document and a certification of the procedures used to comply with specified requirements; provides that a consular identification document shall be accepted for purposes of identification only and does not convey an independent right to receive benefits of any type; provides that a consular identification document may not be accepted as identification for obtaining a driver's license or registering to vote; and provides that a consular identification document does not establish or indicate lawful immigration status and may not be viewed as valid for that purpose, nor does a consular identification document establish a foreign national's right to be in the United States or remain in the United States.

Jul 29 05 S Public Act 94-0389

SB 01626 Sen. Carol Ronen, Pamela J. Althoff and Jacqueline Y. Collins

(Rep. Susana A Mendoza)

105 ILCS 5/24-5	from Ch. 122, par. 24-5
105 ILCS 5/24-6	from Ch. 122, par. 24-6
105 ILCS 5/26-1	from Ch. 122, par. 26-1

Amends the School Code. In provisions concerning an employee's physical fitness and sick leave and compulsory school age exemptions, provides that when required, certain examinations may be conducted by, and certain certificates may be issued by, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician (now, only certain physicians and, in some cases, spiritual healers may conduct the examinations and issue certificates). Effective immediately.

Jul 28 05 S Public Act 94-0350

SB 01627 Sen. Carol Ronen-Deanna Demuzio, Iris Y. Martinez, Jacqueline Y. Collins, Terry Link, Martin A. Sandoval, James T. Meeks and Jeffrey M. Schoenberg-Mattie Hunter

(Rep. Jay C. Hoffman-Linda Chapa LaVia-Thomas Holbrook-Monique D. Davis-Robert F. Flider, Milton Patterson, Wyvetter H. Younge, William Davis, Arthur L. Turner, Kurt M. Granberg, Edward J. Acevedo, Lisa M. Dugan, William Delgado, Lovana Jones and Cynthia Soto)

New Act

Creates the Family Military Leave Act. Provides that every employee who has been employed by the same employer for 12 consecutive months shall be entitled to up to 30 days of family military leave during the time federal or State deployment orders are in effect, subject to certain conditions. Provides that the employee shall give at least 14 days notice of the intended date upon which the family military leave will commence if leave will consist of 5 or more consecutive work days. Provides that any employee who exercises the right to family military leave under the Act, upon expiration of the leave, shall be entitled to be restored by the employer to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay and other terms and conditions of employment. Provides that during any family military leave taken under the Act, the employer shall make it possible for employees to continue their benefits at the employee's expense. Prohibits certain actions by the employer. Provides that a civil action may be brought in the circuit court having jurisdiction by an employee to enforce the Act. Effective immediately.

Senate Committee Amendment No. 1

Provides that an employee is entitled to up to 30 days of unpaid military leave during the time federal or State deployment orders are in effect, subject to certain conditions (instead of every employee who have been employed by the same employer for 12 consecutive months shall be entitled to up to 30 days of family military leave during the time federal or State deployment orders are in effect). Provides that an employee shall not take leave as provided under the Act unless he or she has exhausted all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the employee, except sick leave and disability leave.

House Amendment No. 1

Removes a sole proprietorship and the requirement of employing 15 or more employees in the State from the definition of "employer". Provides that any employer that employs between 15 and 50 employees shall provide up to 15 days of unpaid family military leave to an employee during the time federal or State deployment orders are in effect. Provides that, where able, the employee shall consult with the employer to schedule the leave so as to not unduly disrupt the operations of the employer.

Aug 15 05 S Public Act 94-0589

SB 01629 Sen. Dave Sullivan

(Rep. Joseph M. Lyons)

205 ILCS 405/6 from Ch. 17, par. 4813

Amends the Currency Exchange Act. Provides that a community currency exchange licensed under the Currency Exchange Act may meet the bonding requirements of the Act by submitting evidence satisfactory to the Secretary of Financial and Professional Regulation that the licensee is covered by a blanket bond that covers multiple licensees. Requires the blanket bond to: (i) insure the licensee against loss by theft, robbery, or forgery; (ii) be issued by a bonding company authorized to do business in this State; and (iii) be in the principal sum of an amount equal to the maximum amount required for any one licensee covered by the bond.

Aug 10 05 S Public Act 94-0538

SB 01637 Sen. Christine Radogno

(Rep. Eileen Lyons-Paul D. Froehlich-Patricia R. Bellock)

10 ILCS 5/28-2 from Ch. 46, par. 28-2

Amends the Election Code. Provides that when the secretary or clerk of the political subdivision provides the form for a back door referendum petition, the legal sufficiency of the form cannot be the basis for a challenge to placing the referendum on the ballot. Effective immediately.

Jun 14 05 S Public Act 94-0030

SB 01638 Sen. J. Bradley Burzynski-Frank C. Watson

(Rep. Robert F. Flider-Robert W. Pritchard-Calvin L. Giles-Harry Osterman-Lisa M. Dugan, Careen M Gordon, Daniel V. Beiser, John E. Bradley, Michael K. Smith and Naomi D. Jakobsson)

105 ILCS 5/10-1 from Ch. 122, par. 10-1

105 ILCS 5/10-10 from Ch. 122, par. 10-10

Amends the School Code. Allows a school board (other than the Chicago Board of Education) to appoint a student to the board to serve in an advisory capacity for a term as determined by the board. Provides that the board may not grant the student member any voting privileges, but shall consider the student member as an advisor. Effective July 1, 2005.

House Amendment No. 1

Adds reference to:

105 ILCS 5/32-3.5 new

Adds reference to:

105 ILCS 5/33-1 from Ch. 122, par. 33-1

Adds reference to:

105 ILCS 5/34-3 from Ch. 122, par. 34-3

Deletes everything after the enacting clause. Reinserts the contents of the bill as engrossed with the following changes. Allows the governing board of a special charter district, the Chicago Board of Education, and certain other boards of education to also appoint a student to the board to serve in an advisory capacity. Provides that a student member may not participate in or attend any executive session of the board. Effective July 1, 2005.

Jul 14 05 S Public Act 94-0231

SB 01645 Sen. Kirk W. Dillard-John O. Jones and Martin A. Sandoval

(Rep. Ruth Munson-Constance A. Howard-Milton Patterson-Karen A. Yarbrough-Linda Chapa LaVia, Edward J. Acevedo, Kathleen A. Ryg, Annazette Collins, Aaron Schock and Wyvetter H. Younge)

30 ILCS 265/10

30 ILCS 265/20 new

Amends the Technology Development Act. Creates a Technology Development Fund for use by the State Treasurer in paying the expenses of investments from the Technology Development Account. Permits the State Treasurer to use any excess for grants to schools to buy computers and to upgrade technology. Permits the State Treasurer to deposit up to 10% of the earnings on Account investments into the Fund. Effective immediately.

Aug 01 05 S Public Act 94-0395

SB 01649 Sen. John M. Sullivan

(Rep. Kevin A. McCarthy)

605 ILCS 5/6-205 from Ch. 121, par. 6-205

605 ILCS 5/6-410 from Ch. 121, par. 6-410

605 ILCS 5/9-107 from Ch. 121, par. 9-107

Amends the Illinois Highway Code. Deletes language providing that a road district treasurer must have the written approval of the county superintendent of highways or the highway board of auditors in order to approve payment on several orders of $5,000 or less pertaining to a single project or transaction. Deletes language providing that the county superintendent of highways must approve certain payments by a highway commissioner for road construction or repair. Effective immediately.

Jun 17 05 S Public Act 94-0059

SB 01651 Sen. Kwame Raoul-Dan Rutherford-M. Maggie Crotty, Martin A. Sandoval and Pamela J. Althoff-Mattie Hunter
(Rep. David E. Miller-Lovana Jones-Patricia R. Bellock-Michelle Chavez-Elizabeth Coulson)

20 ILCS 3960/3 from Ch. 111 1/2, par. 1153

210 ILCS 45/1-113 from Ch. 111 1/2, par. 4151-113

305 ILCS 5/5-5.01a

320 ILCS 42/20

Amends the Illinois Health Facilities Planning Act, the Nursing Home Care Act, the Illinois Public Aid Code, and the Older Adult Services Act. Under the Illinois Public Aid Code, provides that the Department of Public Aid shall establish and maintain a supportive living facilities program (instead of a demonstration project). Amends the other Acts to make conforming changes. Effective immediately.

Jul 26 05 S Public Act 94-0342

SB 01654 Sen. Christine Radogno-Dan Rutherford-Jeffrey M. Schoenberg, Ira I. Silverstein-Susan Garrett and Mike Jacobs
(Rep. Eileen Lyons-Jack D. Franks-Linda Chapa LaVia-Monique D. Davis-Elizabeth Coulson, Ruth Munson and Karen May)

30 ILCS 540/3-2 from Ch. 127, par. 132.403-2

Amends the State Prompt Payment Act. Provides that State agencies are prohibited from delaying the review of bills or the submission of bills to the Comptroller unless a defect in the bill is identified.

Fiscal Note (Treasurer of the State of Illinois.)

Senate Bill 1654 will have no fiscal impact on the State.

Governor Amendatory Veto Message

Recommends that the rate of the interest penalty for late payments be based upon the weighted average of the rates on the overnight Federal funds transactions with member banks of the Federal Reserve System (now, the interest penalty rate is 1%). Recommends that a State agency be prohibited from "unnecessarily delaying" (instead of "delaying") the review of a bill or its submission to the Comptroller. Recommends procedures under which an agency is not considered to be delaying the review of a bill or its submission to the Comptroller.

Nov 04 05 H Bill Dead - No Positive Action Taken - Amendatory Veto

SB 01660 Sen. M. Maggie Crotty, Dan Cronin and Pamela J. Althoff-Martin A. Sandoval
(Rep. Kevin A. McCarthy-Dave Winters-John E. Bradley-Elaine Nekritz)

40 ILCS 5/16-149 from Ch. 108 1/2, par. 16-149

40 ILCS 5/16-149.1 from Ch. 108 1/2, par. 16-149.1

40 ILCS 5/16-149.2 from Ch. 108 1/2, par. 16-149.2

40 ILCS 5/16-149.6 new

Amends the Downstate Teacher Article of the Illinois Pension Code. Provides that a teacher who (i) has been receiving a disability, occupational disability, or disability retirement benefit for at least one year and (ii) remains unable to resume regular full-time teaching due to disability, but is able to engage in limited or part-time employment as a teacher, may engage in such limited or part-time employment as a teacher without loss of the disability, occupational disability, or disability retirement benefit, provided that the teacher's earnings for that limited or part-time employment, when added to the amount of the benefit, do not exceed 100% of the salary rate upon which the benefit is based. Effective immediately.

Pension Note (Government Forecasting & Accountability)

The fiscal impact has not been calculated, as the number of teachers who would return to teaching is unknown.

Aug 10 05 S Public Act 94-0539

SB 01665 Sen. Adeline Jay Geo-Karis-Mattie Hunter-Louis S. Viverito-M. Maggie Crotty-Jacqueline Y. Collins
(Rep. Sidney H. Mathias-JoAnn D. Osmond, Jack D. Franks, Linda Chapa LaVia, Jack McGuire and Elaine Nekritz)

320 ILCS 65/10

320 ILCS 65/15

Amends the Family Caregiver Act. Makes the Act applicable to family caregivers for adults over age 18 who are disabled. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

320 ILCS 65/10

Deletes reference to:

320 ILCS 65/15

Adds reference to:

20 ILCS 105/4.02 from Ch. 23, par. 6104.02

Adds reference to:

320 ILCS 65/27 new

Replaces everything after the enacting clause. Amends the Illinois Act on the Aging and the Family Caregiver Act. Provides that as part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities; provides that the content of the training shall be at the Department's discretion. Provides that subject to appropriation or to inclusion of this population in the federal Older Americans Act, the Department may provide support to caregivers who are age 60 or older and who are caring for their adult children with developmental disabilities, in collaboration with the Department of Human Services. Effective immediately.

Nov 04 05 S Total Veto Stands

SB 01666 Sen. Mike Jacobs-Christine Radogno-Martin A. Sandoval, Pamela J. Althoff-Deanna Demuzio and Arthur J. Wilhelmi
(Rep. Patrick J Verschoore-Charles E. Jefferson-Jack McGuire-Daniel V. Beiser-John E. Bradley, Careen M Gordon, Naomi D. Jakobsson, Lisa M. Dugan, Lovana Jones and Robert F. Flider)

625 ILCS 5/3-623 from Ch. 95 1/2, par. 3-623

Amends the Illinois Vehicle Code. Provides that an Illinois resident who is the surviving spouse of a person awarded the Purple Heart by a branch of the armed forces of the United States is eligible to be issued Purple Heart license plates.

Fiscal Note (Office of the Secretary of State)

SB 1666 will have a minimal fiscal impact on the Secretary of State's Office.

House Amendment No. 1

Adds reference to:

625 ILCS 5/3-609.1 from Ch. 95 1/2, par. 3-609.1

Adds reference to:

625 ILCS 5/3-628

Adds reference to:

625 ILCS 5/3-642

Adds reference to:

625 ILCS 5/3-806.4 from Ch. 95 1/2, par. 3-806.4

Deletes everything after the enacting clause. Reinserts the provisions of the engrossed bill with additions. Provides that an Illinois resident who is the surviving spouse of a person awarded the Medal of Honor, the Silver Star, or the Bronze Star by a branch of the armed forces is eligible to be issued the special plates that may be issued to recipients of the applicable medal. Provides that, commencing with the 2007 registration year, a person who is the surviving parent of a child who lost his or her life while serving in the armed forces of the United States is eligible to be issued Gold Star plates, regardless of whether the deceased child has a surviving widow or widower.

Fiscal Note (H-AM 1)(Office of the Secretary of State)

SB 1666 (H-AM 1) will have a minimal fiscal impact on the Secretary of State's Office.

Jul 26 05 S Public Act 94-0343

SB 01669 Sen. James A. DeLeo

(Rep. Larry McKeon-Brent Hassert-Timothy L. Schmitz)

50 ILCS 725/3.4 from Ch. 85, par. 2557

Amends the Uniform Peace Officers' Disciplinary Act. Requires that a peace officer under investigation shall be informed in writing (now, not required to be written) of the name, rank, and unit or command of the officer in charge of the investigation, the interrogators, and all persons who will be present on the behalf of the employer (now, all persons present during any interrogation) during any interrogation except at a public administrative proceeding.

House Amendment No. 1

Further amends the Uniform Peace Officers' Disciplinary Act. Provides that an officer must inform the officer's employer of any person who will be representing the officer during any interrogation.

Jul 26 05 S Public Act 94-0344

SB 01676 Sen. Dan Cronin-Frank C. Watson-Edward D. Maloney

(Rep. Sandra M. Pihos-Aaron Schock)

105 ILCS 5/21-2 from Ch. 122, par. 21-2

105 ILCS 5/21-27

Amends the School Code. Provides for a Master Certificate for guidance counselors who have successfully achieved National Board certification through the National Board for Professional Teaching Standards, valid for 10 years. In provisions concerning the Illinois Teaching Excellence Program, provides for an annual payment of $3,000 to be paid to each guidance counselor who receives a Master Certificate and is employed as a guidance counselor by a school district. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/21-2

Adds reference to:

105 ILCS 5/21-25 from Ch. 122, par. 21-25

Deletes everything after the enacting clause. Amends the School Code. Provides that persons who have successfully achieved National Board certification through the National Board for Professional Teaching Standards shall be issued a Master School Service Personnel Certificate, valid for 10 years. In provisions concerning the Illinois Teaching Excellence Program, provides for an annual payment of $3,000 to be paid to each school counselor who receives a Master Certificate and is employed as a school counselor by a school district. Effective immediately.

Jul 01 05 S Public Act 94-0105

SB 01680 Sen. Mattie Hunter and James T. Meeks-Jacqueline Y. Collins

(Rep. Tom Cross-Elizabeth Coulson-Patricia R. Bellock)

305 ILCS 5/12-13.4 new

Amends the Illinois Public Aid Code. Requires the Department of Human Services, in cooperation with the Department of Public Health, to develop materials and resources on nutritional health for new TANF, Food Stamp, and early intervention program enrollees. Requires the Department of Public Health to develop a video presentation on nutritional health. Effective immediately.

Senate Committee Amendment No. 1

Deletes references to the early intervention program under the Early Intervention Services System Act. Changes the effective date from immediate to January 1, 2006.

Aug 02 05 S Public Act 94-0433

SB 01693 Sen. Terry Link-John O. Jones, Dan Rutherford, Bill Brady, Mike Jacobs and Pamela J. Althoff
(Rep. Kurt M. Granberg-Gary Hannig-Patrick J Verschoore-Dan Brady-Art Tenhouse, Raymond Poe, Rich Brauer, Michael P. McAuliffe, William B. Black, Jack D. Franks, Linda Chapa LaVia, Lou Lang and Karen A. Yarbrough)

40 ILCS 5/7-142.1 from Ch. 108 1/2, par. 7-142.1
40 ILCS 5/7-156 from Ch. 108 1/2, par. 7-156
40 ILCS 5/7-169 from Ch. 108 1/2, par. 7-169
40 ILCS 5/7-172 from Ch. 108 1/2, par. 7-172
40 ILCS 5/7-173.1 from Ch. 108 1/2, par. 7-173.1
30 ILCS 805/8.29 new

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. Increases the retirement formula for sheriff's law enforcement employees (SLEPs) to 2.5% of the final rate of earnings for each year of SLEP service. Increases the maximum pension payable to a SLEP from 75% to 80% of the final rate of earnings. Removes the 2-year service requirement for earning new benefits after a return to service as a SLEP. Makes these changes apply to persons in service on or after July 1, 2004. Also increases the additional employee contribution paid by SLEPs to 2.5% of salary. Eliminates the reduction in benefit imposed on a surviving spouse who is more than 5 years younger than the deceased member, for the surviving spouse of any member who dies on or after the effective date. Allows a SLEP to convert up to 10 years of non-SLEP service credit into SLEP credit by paying the difference in employee and employer contributions, plus interest. Makes the additional unfunded liability for all changes subject to a full 30-year amortization period. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Pension Note (Government Forecasting & Accountability)

The Fund's actuaries have not yet determined the fiscal impact. Similar legislation in March 2004 would have increased accrued liabilities of the Fund by $36.2 Million and increased average annual costs by 1.18% of payroll when the benefit increases are calculated individually.

House Amendment No. 3

Replaces everything after the enacting clause with the engrossed bill with the following changes: (i) allows the employer, by resolution or ordinance, to provide for amortization of the additional unfunded liability over a 35-year or 40-year period; (ii) increases the additional employee contribution paid by SLEPS to 3%; and (iii) removes the effective date provision.

Dec 09 05 S Public Act 94-0712

SB 01698 Sen. Terry Link-Susan Garrett-Edward D. Maloney-Don Harmon, Edward Petka, Kirk W. Dillard, Pamela J. Althoff-Jacqueline Y. Collins, William E. Peterson, Martin A. Sandoval, Antonio Munoz and Mattie Hunter
(Rep. Sidney H. Mathias, Michelle Chavez, Charles E. Jefferson-Paul D. Froehlich-Ed Sullivan, Jr., Kathleen A. Ryg-Patricia R. Bellock, William Delgado, Donald L. Moffitt, Sandra M. Pihos, Jack McGuire, Patrick J Verschoore, Jack D. Franks, Linda Chapa LaVia, Rosemary Mulligan, Elizabeth Coulson and Cynthia Soto)

New Act

Creates the Autism Spectrum Disorders Reporting Act. Provides that a qualified professional who diagnoses any individual who resides in Illinois with an autism spectrum disorder shall report within 30 days the existence of an autism spectrum disorder diagnosis along with all such additional information as determined in rules promulgated pursuant to the Act. Provides that the reports shall be designated an autism spectrum disorder report and shall contain information which the Director of Public Health considers necessary to identify, locate, and investigate the occurrence, frequency, incidence, cause, effect, and prognosis of autism spectrum disorder, and other relevant data and findings. Provides that the Department of Public Health may enter into contracts with individuals, corporations, hospitals, universities, not-for-profit corporations, governmental entities or other organizations whereby such individuals, organizations or agencies agree to provide assistance in the compilation of the Autism Spectrum Disorder Registry or to conduct research on behalf of the Department of Public Health consistent with the purposes of the Act. Effective immediately.

House Amendment No. 1

Defines "health care professional" (instead of "qualified professional"). Provides that a report or other data relating to autism spectrum disorder that discloses the identity of an individual that was reported as having autism spectrum disorder shall be subject to the provisions of the Communicable Disease Report Act. Provides that any person making a report under the Act shall have immunity from any liability, civil or criminal, that may result by reason of making the report, except for willful or wanton misconduct. Makes the Act subject to appropriation. Makes other technical changes.

Aug 19 05 S Public Act 94-0632

SB 01699 Sen. Arthur J. Wilhelmi-William R. Haine-George P. Shadid-Debbie DeFrancesco Halvorson-James F. Clayborne, Jr., Gary G. Dahl, Pamela J. Althoff, Mike Jacobs and Martin A. Sandoval

(Rep. Larry McKeon-Jack McGuire-William Davis-Kurt M. Granberg-Thomas Holbrook, Careen M Gordon, Aaron Schock and Arthur L. Turner)

20 ILCS 605/605-425 new

Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Creates the Illinois Steel Development Board as an advisory body to the Department. Requires the Board to advise and make recommendations on the research, marketing, and promotion of American steel and the Illinois steel industry. Specifies the composition of the Board, including members appointed by the Governor with Senate confirmation and members appointed by the legislative leaders.

Senate Committee Amendment No. 1

Changes the 8 members of the Board appointed by the Governor to one faculty member from an Illinois school of business, one faculty member from an Illinois school of engineering, one member from a steelworkers' labor union, and 5 members representing the Illinois steel industry.

House Amendment No. 1 (Tabled 5/26/2005)

Deletes everything after the enacting clause. Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Establishes the Illinois Steel Development Working Group to provide advice and make recommendations to the Department to promote the increased research, marketing, and use of American steel. Provides that the Working Group is composed of the heads, or their designees, of various State agencies and of members appointed by the legislative leaders.

Jul 20 05 S Public Act 94-0279

SB 01701 Sen. James F. Clayborne, Jr. and Pamela J. Althoff

(Rep. Thomas Holbrook)

415 ILCS 5/3.350	was 415 ILCS 5/3.58
415 ILCS 5/25b-3	from Ch. 111 1/2, par. 1025b-3
415 ILCS 5/25b-4	from Ch. 111 1/2, par. 1025b-4
415 ILCS 5/39.5	from Ch. 111 1/2, par. 1039.5
415 ILCS 5/42	from Ch. 111 1/2, par. 1042

415 ILCS 5/52.2 rep.

Amends the Environmental Protection Act. Excludes closed loop heat pump wells using USP food grade propylene glycol and injection wells used to mitigate groundwater contamination from the definition of "potential route". Requires the Environmental Protection Agency to provide in a computer database an Illinois Toxic Chemical Inventory in cooperation with the U.S. Environmental Protection Agency based on toxic chemical release forms filed pursuant to Section 313 of the federal Emergency Planning and Community Right-to-Know Act of 1986. Requires the Agency to publish an annual toxic chemical report before September 1 of each year (now, by April 1). For the purposes of the Clean Air Act Permit Program, in the definition of "major source" that is included in the subsection on applicability, makes a change in the list of stationary source categories for which fugitive emissions are to be considered. Provides that a compliance management system documented by a regulated entity as reflecting the regulated entity's due diligence in preventing, detecting, and correcting violations may serve as a substitute for an environmental audit in connection with self-disclosure of non-compliance. Repeals a Section of the Act relating to environmental audit privileges. Effective Immediately.

Senate Floor Amendment No. 1

Further amends the Environmental Protection Act. Provides that "potential route" does not include injection wells used to mitigate groundwater contamination that are installed and used in accordance with (previously if expressly authorized by and conducted in accordance with) a corrective action plan or remedial plan approved by the Agency under the Act.

House Amendment No. 1

Deletes a change to the definition of "potential route" that would exclude closed loop heat pump wells using USP food grade propylene glycol and certain injection wells used to mitigate groundwater contamination from being classified as potential routes.

Aug 12 05 S Public Act 94-0580

SB 01723 Sen. James F. Clayborne, Jr.

(Rep. Lou Lang-Jack D. Franks-Linda Chapa LaVia-Mike Boland and Patrick J Verschoore)

30 ILCS 517/5

30 ILCS 517/10

30 ILCS 517/15

30 ILCS 517/25

30 ILCS 517/30

Amends the Procurement of Domestic Products Act. Redefines "manufactured in the United States" to include design, processing, packaging, testing, and other processes that add value, quality, or reliability. Permits an exemption from the Act's preference if procurement of the product manufactured outside the United States better serves the public interest by protecting or saving life, property, or the environment (now, if procurement of the domestic product is not in the public interest). Creates an exemption if the procurement is made in conjunction with contracts or offerings of fire suppression, security systems, and certain information services. Creates an exemption if the procurement is for certain medical or health care devices. Conditions penalties for a contractor's violation upon failure to cure a defect after notice, a reasonable opportunity to cure the defect, and establishment of the violation in judicial proceedings. Makes other changes.

Senate Committee Amendment No. 1

Deletes reference to:

30 ILCS 517/5

Deletes reference to:

30 ILCS 517/10

Deletes reference to:

30 ILCS 517/15

Deletes reference to:

30 ILCS 517/25

Deletes reference to:

30 ILCS 517/30

Adds reference to:

30 ILCS 517/1

Deletes everything after the enacting clause. Amends the Procurement of Domestic Products Act. Makes a technical change in the short title Section.

Senate Floor Amendment No. 2

Deletes reference to:

30 ILCS 517/1

Adds reference to:

30 ILCS 517/5

Adds reference to:

30 ILCS 517/10

Adds reference to:

30 ILCS 517/15

Adds reference to:

30 ILCS 517/25

Adds reference to:

30 ILCS 517/30

Deletes everything after the enacting clause. Reinserts the provisions of Senate Bill 1723 as introduced, with the following changes: In the penalties provisions, changes only a reference from "manufactured articles, materials, or supplies" to "procured products".

Aug 10 05 S Public Act 94-0540

SB 01734 Sen. Susan Garrett

(Rep. Karen May-Naomi D. Jakobsson-Elaine Nekritz-Sandra M. Pihos-Roger L. Eddy, Michael K. Smith, Gary Hannig, Julie Hamos, Constance A. Howard, Aaron Schock, Renee Kosel, John D'Amico, Cynthia Soto, Kathleen A. Ryg and Robert F. Flider)

105 ILCS 5/27-24.4 from Ch. 122, par. 27-24.4

Amends the School Code. With regard to funds appropriated from the Driver Education Fund to the State Board of Education for reimbursement to school districts for providing driver education, provides that (i) as soon as may be after each quarter of the year, the State Comptroller shall draw his or her warrants upon the State Treasurer as directed by the State Board of Education, (ii) the warrant for each quarter shall be in an amount equal to one-fourth of the total amount to be distributed to school districts for the year, and (iii) payments shall be made to school districts as soon as may be after receipt of the warrants. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

105 ILCS 5/27-24.5 from Ch. 122, par. 27-24.5

Removes a provision that prohibits the amount of driver education reimbursement made on account of any student from exceeding the per pupil cost to the district of the classroom instruction part and the practice driving instruction part combined. Further amends the Driver Education Act of the School Code. Removes a provision that requires claims for reimbursement to be submitted in duplicate by each school district to the State Board of Education prior to October 1 of each year on such forms and in such manner as prescribed by the State Board. Also removes an obsolete provision with respect to reimbursement claims.

Aug 04 05 S Public Act 94-0440

SB 01750 Sen. John M. Sullivan

(Rep. Robert F. Flider-Naomi D. Jakobsson-Lovana Jones-Julie Hamos-Mary E. Flowers, Daniel V. Beiser, John E. Bradley, Karen May, Kathleen A. Ryg, Wyvetter H. Younge, Paul D. Froehlich, Elizabeth Coulson, Dave Winters and Elaine Nekritz)

5 ILCS 365/4 from Ch. 127, par. 354

Amends the State Salary and Annuity Withholding Act. Allows certain contractual employees to authorize the withholding of labor union fringe benefits under specified conditions.

Senate Committee Amendment No. 1

With respect to the intent of the bill's provisions, employee benefit trust contributions include those to trust funds computed in prevailing wage rates.

Aug 10 05 S Public Act 94-0541

SB 01751 Sen. Jacqueline Y. Collins-Iris Y. Martinez

(Rep. David E. Miller)

740 ILCS 170/4 from Ch. 48, par. 39.4

Amends the Illinois Wage Assignment Act. Provides that the maximum wages, salary, commissions, and bonuses that may be collected by an assignee for any work week shall not exceed the lesser of (1) 15% of the gross amount paid for that week or (2) the amount by which the disposable earnings for the week exceed the greater of 45 times the federal minimum hourly wage or the minimum hourly wage prescribed by the Minimum Wage Law. Effective immediately.

Jul 21 05 S Public Act 94-0305

SB 01752 Sen. Jacqueline Y. Collins

(Rep. Milton Patterson-Mary E. Flowers)

735 ILCS 5/2-1402 from Ch. 110, par. 2-1402

735 ILCS 5/12-803 from Ch. 110, par. 12-803

Amends the Code of Civil Procedure. Provides that the amount of wages that may be applied toward a judgment is limited to the lesser of (1) 15% of gross weekly wages or (2) the amount by which the disposable earnings for the week exceed the greater of 45 times the federal minimum hourly wage or the minimum hourly wage prescribed by the Minimum Wage Law. Effective immediately.

Senate Floor Amendment No. 1

Adds reference to:

735 ILCS 5/12-805 from Ch. 110, par. 12-805

Adds reference to:

735 ILCS 5/12-808 from Ch. 110, par. 12-808

Further amends the Code of Civil Procedure. Provides that for wage deductions, the amount of wages that may be applied toward a judgment is limited to the lesser of (1) 15% of gross weekly wages or (2) the amount by which the disposable earnings for the week exceed the greater of 45 times the federal minimum hourly wage or, under a wage deduction summons, the minimum hourly wage prescribed by the Minimum Wage Law. Changes the effective date to January 1, 2006.

Jul 21 05 S Public Act 94-0306

SB 01770 Sen. James A. DeLeo

(Rep. John D'Amico)

820 ILCS 405/2103.1 from Ch. 48, par. 663.1

Amends the Unemployment Insurance Act. Provides that all remaining funds in the Employment Security Administrative Fund shall be transferred to the clearing account on July 1, 2005 or as soon thereafter as is reasonably practicable, and, upon the transfer of the funds, the Employment Security Administrative Fund is abolished. Provides that the provisions establishing the Employment Security Administrative Fund are repealed on January 1, 2006. Effective July 1, 2005.

Fiscal Note (Department of Employment Security)

SB 1770 eliminates the Employment Security Administrative Fund, which was established in 1990 from a one-time revenue source and used for initiatives designed to decrease and prevent unemployment. At one point the fund held over $11 million, but it has now been virtually exhausted and there are no prospects of replenishing it. The only fiscal impact of the bill is that the remaining balance in ESAF ($3,268.05 as of May 5, 2005) would be transferred to the Unemployment Trust Fund, which is dedicated to paying unemployment benefits to jobless workers.

Jul 14 05 S Public Act 94-0232

SB 01771 Sen. James A. DeLeo

(Rep. John D'Amico)

820 ILCS 405/1403 from Ch. 48, par. 553

Amends the Unemployment Insurance Act. Provides that, on July 1, 2005 or as soon thereafter as may be reasonably practicable, all remaining funds in the State Employees' Unemployment Benefit Fund shall be transferred to the clearing account, and provides that the State Employees' Unemployment Benefit Fund is abolished upon the transfer of those funds. Provides that, on and after July 1, 2005, transfers to the clearing account for payment of benefits to individuals with respect to whom the State or its wholly owned instrumentalities is the last employer shall be made directly from such funds and accounts as the appropriations to the Department of Employment Security authorize, as designated by the Director of Employment Security. Eliminates certain language regarding transfers in 1989 and earlier years, and makes other changes. Effective July 1, 2005.

Fiscal Note (Department of Employment Security)

SB 1771 has no impact on state employees' or former state employees' rights to unemployment benefits. It simply reduces a two-step process to a one-step process. The only fiscal impact of the bill is that the remaining balance in the State Employees' Unemployment Benefit Fund ($36,568.29 as of May 5, 2005) would be transferred to the Unemployment Trust Fund.

Jul 14 05 S Public Act 94-0233

SB 01776 Sen. Chris Lauzen
(Rep. Randall M. Hultgren)

20 ILCS 1805/13.5 new

Amends the Military Code of Illinois to create the Illinois Patriot Law. Creates within the Department of Military Affairs an honorary regiment of Colonels to be known as the Governor's Regiment. Provides that the Governor may bestow the honorary title of Colonel on individuals whose accomplishments, achievements, or service have contributed to the fellowship and goodwill of the State of Illinois. Effective immediately.

Aug 12 05 S Public Act 94-0581

SB 01787 Sen. Kirk W. Dillard-James F. Clayborne, Jr.-Dan Rutherford
(Rep. Thomas Holbrook-Art Tenhouse-Michael Tryon-Chapin Rose-Elaine Nekritz)

415 ILCS 5/57

Amends the Environmental Protection Act. Makes a technical change to a Section concerning the intent and purpose of the Leaking Underground Storage Tank Program.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Amends the Environmental Protection Act. Provides that the term "owner" as used in the Title on Petroleum Underground Storage Tanks includes any person who has submitted to the Agency a written election to proceed under the Title and has acquired an ownership interest in a site on which one or more registered tanks have been removed, but on which corrective action has not yet resulted in the issuance of a "no further remediation letter" by the Agency.

Jul 19 05 S Public Act 94-0274

SB 01799 Sen. Peter J. Roskam and Gary G. Dahl
(Rep. Sidney H. Mathias-Paul D. Froehlich-Lisa M. Dugan-Kevin A. McCarthy-Daniel V. Beiser, Careen M Gordon, Jack D. Franks, Linda Chapa LaVia, Ruth Munson and Wyvetter H. Younge)

20 ILCS 2505/2505-680 new

Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Requires the Department of Revenue to notify an individual if the Department discovers or reasonably suspects that another person has used that individual's social security number. Effective immediately.

Jun 16 05 S Public Act 94-0041

SB 01814 Sen. Gary Forby-Martin A. Sandoval-Todd Sieben
(Rep. Dan Reitz-Thomas Holbrook-Brandon W. Phelps-Patrick J Verschoore-Jim Sacia, John E. Bradley and Jack McGuire)

20 ILCS 605/605-332

Amends the Department of Commerce and Economic Development Opportunity Law. Makes changes with respect to financial assistance to eligible businesses for new electric generating facilities. Provides that one of the qualifying factors in the definition of a "new electric generating facility" is being funded through a federal Department of Energy grant before July 1, 2007 (now, July 1, 2005). Effective immediately.

House Amendment No. 4

Adds reference to:

20 ILCS 655/5.5 from Ch. 67 1/2, par. 609.1

Deletes everything after the enacting clause. Amends the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois. Provides that the Department of Commerce and Economic Opportunity is authorized to provide financial assistance to eligible businesses for new gasification facilities. Defines "new gasification facility". Expands the definition of "new electric generation facility" to include (i) certain facilities funded by a federal Department of Energy grant before July 1, 2006 (now, July 1, 2005) and (ii) certain facilities using gasification units, regardless of federal funding. Excludes from the definitions of "new gasification facility" and "new facility" a pilot project located within Jefferson County or within a county adjacent to Jefferson County for synthetic natural gas from coal. Amends the Illinois Enterprise Zone Act to make corresponding changes and to make a new gasification facility eligible for classification as a High Impact Business. Effective immediately.

Jun 21 05 S Public Act 94-0065

SB 01815 Sen. Miguel del Valle-Kimberly A. Lightford-Donne E. Trotter-Jacqueline Y. Collins, Martin A. Sandoval-Iris Y. Martinez and Mattie Hunter

(Rep. Gary Hannig, Arthur L. Turner and Elaine Nekritz)

105 ILCS 5/2-3.106 from Ch. 122, par. 2-3.106

Amends the School Code. Makes a technical change in a Section concerning State Urban Education Partnership Grants.

Senate Floor Amendment No. 1

Deletes reference to:

105 ILCS 5/2-3.106

Adds reference to:

New Act

Adds reference to:

35 ILCS 5/203 from Ch. 120, par. 2-203

Adds reference to:

35 ILCS 5/216 new

Deletes everything after the enacting clause. Creates the Lifelong Learning Act. Authorizes employers to establish an accredited lifelong learning plan under which an eligible employee may establish a lifelong learning account that may be used for eligible education expenses. Requires participating employers to make matching contributions to an eligible employee's lifelong learning account. Sets forth procedures and requirements concerning the establishment of, contribution to, and withdrawals from a lifelong learning account. Amends the Illinois Income Tax Act. Allows an income tax credit for contributions made by an employer to a lifelong learning account. Allows an employee to deduct from his or her base income an amount equal to the amount that he or she deposits into his or her lifelong learning account and requires an employee to add to his or her base income the amount equal to the amount withdrawn from a lifelong learning account. Effective immediately.

Fiscal Note (S-AM 1)(Dept. of Commerce and Economic Opportunity)

The fiscal impact of Senate Bill 1815 (S-AM 1) on the Department of Commerce and Economic Opportunity is estimated to be $1 million for ten new headcount to: adopt rules necessary and appropriate for the administration of this Act; develop forms for application, notifications, contracts, etc.; assist applicants under the provisions of the Act; gather information and conduct inquiries; review and approve applications for accredited plan certificates; approve trustees, custodians, and fiduciaries; collect and monitor penalties for nonqualified withdrawals; and produce a program evaluation by January 30, 2007. This fiscal note does not address the impact of this legislation on any other agency, or on state tax collections.

Fiscal Note (S-AM 1) Department of Revenue)

The Department of Revenue cannot determine a fiscal impact regarding the deduction except that it would have a negative impact on income revenues. Additionally, Senate Bill 1815 would impose minimal processing costs on the Department of Revenue.

Senate Floor Amendment No. 2

Provides that the implementation of the Lifelong Learning Act is subject to appropriation and at the option of the Department of Commerce and Economic Opportunity. Provides that the Department of Commerce and Economic Opportunity may (instead of "must") report to the General Assembly concerning the evaluation of the Act. Provides that 15% (instead of an amount of not more than 15%) of the amount of an unqualified withdrawal must (instead of "may") be withheld as a penalty, and the Department may establish the percentage rate of the penalty or change the basis of the penalty if the Department determines that it is necessary to do so in order to discourage nonqualified withdrawals. Requires employers to file a report concerning their lifelong learning plans with the Department. Sets forth conditions under which the Department may revoke an Accredited Lifelong Learning Plan Certificate. Provides that applicants for an accredited plan certificate must meet all (instead of a preponderance of) the conditions set forth in the Department's review of the application. Makes other changes.

House Amendment No. 1

Deletes reference to:

New Act

Deletes reference to:

35 ILCS 5/203

Deletes reference to:

35 ILCS 5/216 new

Adds reference to:

105 ILCS 5/2-3.106 from Ch. 122, par. 2-3.106

SB 01815 (CONTINUED)

Deletes everything after the enacting clause. Amends the School Code. Makes a technical change in a Section concerning State Urban Education Partnership Grants.

House Amendment No. 2

Deletes reference to:

105 ILCS 5/2-3.106

Adds reference to:

30 ILCS 105/5.640 new

Adds reference to:

30 ILCS 105/6z-65.5

Adds reference to:

30 ILCS 105/6z-66

Adds reference to:

30 ILCS 105/6z-67

Adds reference to:

105 ILCS 5/2-3.127a new

Adds reference to:

105 ILCS 5/2-3.131

Adds reference to:

105 ILCS 5/18-8.05

Adds reference to:

105 ILCS 5/14-8.01 from Ch. 122, par. 14-8.01

Deletes everything after the enacting clause. Creates the FY2006 Budget Implementation (Education) Act. Amends the State Finance Act and the School Code. With regard to the SBE Federal Department of Education Fund, the SBE Federal Agency Services Fund, and the SBE Federal Department of Agriculture Fund, provides that moneys (instead of all moneys) in these funds shall be used for grants and contracts, and provides that non-appropriated spending is allowed for the refund of unexpended grant moneys to the federal government. Provides that the SBE Federal Department of Education Fund shall serve as the successor fund to the National Center for Education Statistics Fund and any balance remaining in that fund must be transferred to the SBE Federal Department of Education Fund. Provides that the SBE Federal Agency Services Fund shall serve as the successor fund to the SBE Department of Health and Human Services Fund, the SBE Federal Department of Labor Federal Trust Fund, and the SBE Federal National Community Service Fund and any balance in these funds must be transferred to the SBE Federal Agency Services Fund. Creates the State Board of Education Special Purpose Trust Fund as a special fund in the State treasury, and provides that moneys received by the State Board of Education from gifts, grants, and donations shall be deposited into this Fund. Provides that if the amount that the State Board of Education will pay to a school district from fiscal year 2006 appropriations, as estimated on April 1, 2006, is less than the amount that the State Board paid to the district from fiscal year 2005 appropriations, then the State Board shall make a fiscal year 2006 transitional assistance payment to the district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2006 appropriations and the amount paid from fiscal year 2005 appropriations. With respect to the supervision of special education buildings and facilities, removes a provision that provides that in no case shall the aggregate IDEA Part B discretionary funds received by the State Board of Education exceed the amount of IDEA Part B discretionary funds available to the State Board for fiscal year 1997, increased by 3% for fiscal year 1998 and increased by an additional 3% for each fiscal year thereafter. In the State aid formula provisions, increases the foundation level of support from $4,964 to $5,164 beginning with the 2005-2006 school year. With regard to supplemental general State aid, provides that (i) for the 2005-2006 school year, the grant shall be no less than the grant for the 2002-2003 school year, (ii) for the 2006-2007 school year, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66, and (iii) for the 2007-2008 school year, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33 (except that if for any school year supplemental general State aid grants are prorated, then the grants under this provision shall be prorated). Effective July 1, 2005.

House Amendment No. 3

Adds reference to:

105 ILCS 5/2-3.64 from Ch. 122, par. 2-3.64

Further amends the School Code. Provides that the State Board of Education shall test (1) all pupils enrolled in the 5th and 8th grades in writing during the 2006-2007 school year; (2) all pupils enrolled in the 5th, 6th, and 8th grades in writing during the 2007-2008 school year; and (3) all pupils enrolled in the 3rd, 5th, 6th, and 8th grades in writing during the 2008-2009 school year and each school year thereafter. Provides that the Prairie State Achievement Examination shall measure student performance in writing beginning with the 2006-2007 school year.

SB 01815 (CONTINUED)

Jun 22 05 S Public Act 94-0069

SB 01821 Sen. Frank C. Watson-Mike Jacobs and Antonio Munoz
(Rep. Frank J. Mautino)

225 ILCS 227/5

225 ILCS 227/30

Amends the Pyrotechnic Operator Licensing Act. Provides that "display fireworks" are Division 1.3G explosives (rather than Division 1.3G or 1.4). Provides that the State Fire Marshal shall adopt rules regarding Division 1.3G explosives (rather than Division 1.3G and 1.4).

Senate Floor Amendment No. 1

Deletes reference to:

225 ILCS 227/30

Adds reference to:

225 ILCS 227/5

Adds reference to:

425 ILCS 35/1 from Ch. 127 1/2, par. 127

Adds reference to:

425 ILCS 35/2 from Ch. 127 1/2, par. 128

Adds reference to:

425 ILCS 35/2.1 new

Adds reference to:

425 ILCS 35/2.2 new

Adds reference to:

425 ILCS 35/2.3 new

Adds reference to:

425 ILCS 35/4.1 from Ch. 127 1/2, par. 130.1

Adds reference to:

425 ILCS 35/5 from Ch. 127 1/2, par. 131

Deletes everything. Amends the Pyrotechnic Operator Licensing Act to change definitions of "display fireworks" and "pyrotechnic display" and to remove a definition of "fireworks". Amends the Fireworks Use Act. Provides definitions. Provides that it is unlawful for any person or entity to possess, offer for sale, expose for sale, sell at retail, or use or explode any display fireworks, flame effects, or consumer fireworks (now only fireworks). Provides that certain governmental authorities may grant permits for pyrotechnic and consumer displays and the sale of consumer fireworks to individuals with permits. Sets forth requirements for pyrotechnic display and consumer display permits and site inspection. Sets forth requirements for consumer distributor and retailer registration and the distribution and sale of consumer fireworks and provides for injunctive relief. Provides that rules adopted by the State Fire Marshal shall be based upon nationally recognized standards such as those of the National Fire Protection Association (NFPA) 1123 guidelines for outdoor displays, NFPA 1126 guidelines for proximate audience displays, and NFPA 160 guidelines for flame effects. Provides that a violation of the Act is a Class A (rather than Class B) misdemeanor.

House Amendment No. 1

Deletes everything after the enacting clause and replaces with the bill as engrossed with the following changes. Further amends the Fireworks Use Act. Makes changes to definitions of "consumer distributor", "consumer fireworks", "consumer retailer", "1.3G fireworks", and "special effects fireworks". Provides that certain local governments shall have power to adopt reasonable rules and regulations for the granting of permits for pyrotechnic and consumer displays (rather than pyrotechnic and consumer displays and the sale of consumer fireworks to individuals with permits granted pursuant to the Act). Provides that no permits shall be required for supervised public displays by State or County fair associations (rather than by a county or municipality within its corporate limits or by State or County fair associations). Provides that local jurisdictions may conduct a criminal background check of applicants for consumer display permits as a condition of issuing a permit. Provides that no person may sell to a single individual a quantity of consumer fireworks exceeding 499 pounds without prior approval from the Office of the State Fire Marshal. Authorizes the State Fire Marshal to adopt rules that establish audience proximity distances for consumer display fireworks. Requires the Office of the State Fire Marshal to maintain a list of approved consumer fireworks and update the list annually or as new consumer fireworks items are submitted by consumer distributors. Requires all applications, permits, and site inspection records to be on forms approved by the State Fire Marshal.

Aug 22 05 S Public Act 94-0658

SB 01825 Sen. Terry Link

(Rep. Patrick J Verschoore)

625 ILCS 5/1-115.3

625 ILCS 5/6-204	from Ch. 95 1/2, par. 6-204
625 ILCS 5/6-205	from Ch. 95 1/2, par. 6-205
625 ILCS 5/6-206	from Ch. 95 1/2, par. 6-206
625 ILCS 5/6-206.1	from Ch. 95 1/2, par. 6-206.1
625 ILCS 5/6-500	from Ch. 95 1/2, par. 6-500
625 ILCS 5/6-507	from Ch. 95 1/2, par. 6-507
625 ILCS 5/6-508	from Ch. 95 1/2, par. 6-508
625 ILCS 5/6-509	from Ch. 95 1/2, par. 6-509
625 ILCS 5/6-510	from Ch. 95 1/2, par. 6-510
625 ILCS 5/6-513	from Ch. 95 1/2, par. 6-513
625 ILCS 5/6-514	from Ch. 95 1/2, par. 6-514
625 ILCS 5/6-518	from Ch. 95 1/2, par. 6-518
625 ILCS 5/6-523	from Ch. 95 1/2, par. 6-523

625 ILCS 5/7-702.1

625 ILCS 5/11-501.8

Amends the Illinois Vehicle Code. Amends the provisions regarding disqualification of Commercial Driver's License (CDL) holders in accordance with federal rules. Effective September 30, 2005.

Senate Floor Amendment No. 1

Separately enumerates the alternative licensing requirements that a person must satisfy in order to operate a commercial motor vehicle on the highways of this State.

Jul 21 05 S Public Act 94-0307

SB 01826 Sen. Mike Jacobs and Edward D. Maloney

(Rep. Daniel J. Burke)

65 ILCS 5/7-1-13	from Ch. 24, par. 7-1-13

70 ILCS 1205/8-1.1 new

Amends the Illinois Municipal Code. Provides that an unincorporated territory containing 60 acres or less may be annexed by any municipality that shares a boundary, in whole or in part, with the territory under several circumstances including, if the unincorporated area is bounded by one or more municipalities and a forest preserve district or a park district (now, forest preserve district). Provides that nothing in the Section shall be construed as permitting a municipality to annex territory that is owned by a park district without obtaining the district's express consent as provided in the Park District Code. Amends the Park District Code. Provides that a park district's property shall not be subject to annexation by a municipality without the express consent of the board of park commissioners. Effective immediately.

Aug 01 05 S Public Act 94-0396

SB 01832 Sen. Don Harmon

(Rep. Deborah L. Graham-Julie Hamos and Sara Feigenholtz)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

Amends the Unified Code of Corrections. Provides that the Director of Corrections shall establish a model "honors" program at one or more Level 1 prisons that shall require that each prisoner selected for such program enter into a contract that requires the achievement of goals in the areas of education, vocational training, conduct, and other similar requirements within a one year time period. Provides that if the prisoner complies with all terms of such yearly contract, the Director may award such prisoners up to 365 days of good conduct credit per year if they successfully comply with all terms of the contract, as approved by the Director. Provides that failure to abide by the established contract may result in loss of some or all days of good conduct credit earned under the contract, but not in the loss of other good conduct credit earned for other reasons.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause. Amends the Unified Code of Corrections. Provides that the Director of Corrections may establish a model program at one or more Level 1 prisons for which prisoners may be selected for participation in a model year long educational or vocational program. Provides that if a selected prisoner completes the designated program in accordance with standards and requirements established by the Director, the Director may award such prisoner up to 365 days of good conduct credit, in addition to any other credits to which the prisoner may otherwise be entitled.

House Amendment No. 1

Deletes reference to:

730 ILCS 5/3-6-3

Adds reference to:

720 ILCS 5/24-9.5 new

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Provides that it is unlawful for a person licensed as a federal firearms dealer to offer for sale, sell, or transfer a handgun to a person not licensed under the federal Gun Control Act of 1968, unless he or she sells or includes with the handgun a device or mechanism, other than the firearm safety, designed to render the handgun temporarily inoperable or inaccessible. Provides that a person who violates this provision is guilty of a Class C misdemeanor and shall be fined not less than $1,000. Provides that a second or subsequent violation is a Class A misdemeanor. Establishes exemptions.

Aug 01 05 S Public Act 94-0390

SB 01842 Sen. Miguel del Valle-Donne E. Trotter and Jacqueline Y. Collins

(Rep. Cynthia Soto-William Delgado-Maria Antonia Berrios-Susana A Mendoza-Roger Jenisch and Linda Chapa LaVia)

225 ILCS 65/5-1

Amends the Nursing and Advanced Practice Nursing Act. Makes a technical change in a Section concerning the short title.

Senate Committee Amendment No. 2

Deletes reference to:

225 ILCS 65/5-1

Adds reference to:

225 ILCS 65/10-37 new

Deletes everything after the enacting clause. Amends the Nursing and Advanced Practice Nursing Act. Establishes a 2-year program under which the Department of Financial and Professional Regulation may issue a nurse internship permit to a registered nurse who is licensed under the laws of another state or territory of the United States and who has not taken the National Council Licensure Examination (NCLEX). Provides that a nurse who is issued a permit shall be allowed to practice professional nursing under the direct supervision of a registered professional nurse licensed under this Act. Provides that the Secretary of Financial and Professional Regulation, in consultation with the Board of Nursing, may continue the program beyond 2 years. Sets forth qualifications for nurse internship permit holders. Provides that a nurse intern shall be issued no more then one permit in a lifetime and that the permit shall expire one calendar year after it is issued. Provides that before the expiration of the permit, the nurse intern must submit proof of the successful completion of the Bilingual Nurse Consortium course or other course approved by rule and the successful passage of a test of competency in the English language which shall be prescribed by the Department. Effective immediately.

Senate Floor Amendment No. 3

Replaces everything after the enacting clause. Amends the Nursing and Advanced Practice Nursing Act to create a Section concerning nurse internship permits. Contains only a caption.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Nursing and Advanced Practice Nursing Act. Establishes a 2-year program under which the Department of Financial and Professional Regulation may issue a nurse externship permit to a registered nurse who is licensed under the laws of another state or territory of the United States and who has not taken the National Council Licensure Examination (NCLEX). Provides that a nurse who is issued a permit shall be allowed to practice as a nurse extern under the direct, on-site supervision of a registered professional nurse licensed under this Act. Sets forth qualifications for nurse externship permit holders. Provides that a nurse extern shall be issued no more than one permit in a lifetime and that the permit shall expire one calendar year after it is issued. Provides that before being issued a license under the Act, the nurse extern must submit proof of the successful completion of the Bilingual Nurse Consortium course or other course approved by rule and successful passage of the NCLEX. Provides for the creation of a task force to establish clinical guidelines that allow for the gradual progression of nursing skills in culturally diverse practice settings. Provides that after the nurse externship permit program has been in effect for 2 years, the task force shall evaluate the effectiveness of the program and make appropriate recommendations to the Secretary of Financial and Professional Regulation. Effective immediately.

Jul 28 05 S Public Act 94-0351

SB 01843 Sen. Kirk W. Dillard
(Rep. Arthur L. Turner-Gary Hannig)

20 ILCS 3929/1

Amends the Capital Punishment Reform Study Committee Act. Makes a technical change in a Section concerning the short title.

House Amendment No. 1

Deletes reference to:

20 ILCS 3929/1

Adds reference to:

30 ILCS 500/30-30

Deletes everything after the enacting clause. Amends the Illinois Procurement Code. With respect to the requirement of separate bids on specified work subdivisions for construction contracts exceeding a value of $250,000, for a period of 5 years exempts the Capitol Building HVAC upgrade project if (i) the successful bid identifies the cost of each work subdivision and any subcontractor, and (ii) the written consent of the Capital Development Board is required for the termination of an identified subcontractor. Effective immediately.

Fiscal Note (Capital Development Board)

No fiscal impact.

Nov 29 05 S Public Act 94-0699

SB 01851 Sen. Kimberly A. Lightford-Martin A. Sandoval
(Rep. William Delgado, Richard T. Bradley and Maria Antonia Berrios)

105 ILCS 5/14C-12 from Ch. 122, par. 14C-12

Amends the School Code. Removes the requirement that school districts file estimated reimbursement claims for costs of transitional bilingual education by certain dates and that the State Superintendent of Education transmit vouchers of the estimated claims to the Comptroller by certain dates. Effective July 1, 2005.

Senate Floor Amendment No. 1

With regard to reimbursement claims for transitional bilingual education programs, provides that failure on the part of the school district to prepare and certify the final adjusted claims may constitute a forfeiture by the school district of its right to State reimbursement (now, failure on the part of the school district to prepare and certify the final adjusted claims on or before July 20 of any year and its failure thereafter to prepare and certify such report to the regional superintendent of schools within 10 days after receipt of a notice of delinquency shall constitute a forfeiture by the school district of its right to State reimbursement).

Aug 04 05 S Public Act 94-0441

SB 01853 Sen. Kimberly A. Lightford

(Rep. Calvin L. Giles and Mark H. Beaubien, Jr.)

105 ILCS 5/1A-8	from Ch. 122, par. 1A-8
105 ILCS 5/1B-5	from Ch. 122, par. 1B-5
105 ILCS 5/1B-8	from Ch. 122, par. 1B-8
105 ILCS 5/1F-20	
105 ILCS 5/1F-62	
105 ILCS 5/17-1	from Ch. 122, par. 17-1
105 ILCS 5/19-1	from Ch. 122, par. 19-1
105 ILCS 5/19-8	from Ch. 122, par. 19-8
105 ILCS 5/20-2	from Ch. 122, par. 20-2
105 ILCS 5/20-3	from Ch. 122, par. 20-3
105 ILCS 5/20-5	from Ch. 122, par. 20-5
105 ILCS 5/17-2C rep.	
105 ILCS 5/19-1.5 rep.	
30 ILCS 805/8.29 new	

Amends the School Code. Provides that the State Superintendent of Education may require a school district to share financial information relevant to a proper investigation of the district's financial condition and the delivery of appropriate State financial, technical, and consulting services to the district under certain circumstances. Makes other changes concerning the State Board of Education's power to certify that a district is in financial difficulty. In the School District Financial Oversight Panel and Emergency Financial Assistance Law, provides that panel members shall be paid a stipend of not more than $100 per meeting, the amount of which must be documented in the Panel's annual budget and approved by the State Superintendent. Makes changes concerning emergency financial assistance grants and loans, including having the Illinois Finance Authority provide the loans and increasing the maximum amounts for loans and grants. In the Downstate School Finance Authority for Elementary Districts Law, provides that the members of a School Finance Authority shall be paid a stipend approved by the State Superintendent of not more than $100 per meeting. Makes changes concerning emergency financial assistance, including allowing grants to be provided by the State Board and having the Illinois Finance Authority provide loans (instead of the State Board). Provides that the annual budget of a school district (other than the Chicago school district) must be balanced and must be filed with the State Board. Provides that, to the extent the budget is not balanced, the district shall also adopt and file with the State Board a deficit reduction plan to balance the district's budget within 3 years. Deletes a provision exempting a financially distressed district from the debt limit. Provides that a school district must notify the State Board prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit or any other provision of law. Repeals a Section concerning financially distressed districts. Makes other changes. Amends the State Mandates Act to require implementation without reimbursement. Effective July 1, 2006.

House Amendment No. 1

In the School District Financial Oversight Panel and Emergency Financial Assistance Law, removes the language that requires panel members to be paid a stipend and restores current law that provides that members shall serve without compensation.

House Amendment No. 2

Adds reference to:

105 ILCS 5/1E-25

Adds reference to:

105 ILCS 5/1E-35

Amends the Downstate School Finance Authority Law of the School Code. Provides that the purpose of an Authority's power to appoint a chief executive officer, chief fiscal officer, and chief educational officer is to administer and manage, under the director of the Authority, the operations and educational programs of the school district, in accordance with the School Code. Provides that an Authority shall have the power to take action on behalf of the school district as the Authority deems necessary and in accordance with the School Code, based on the recommendation of the chief executive officer, chief educational officer, or chief fiscal officer, and that the district shall be bound by such action in all respects as if the action had been approved by the district itself. Provides that a chief educational officer shall have authority to determine the agenda and order of business at school board meetings, as needed in order to carry forward and implement the objectives and priorities of the Authority in the administration and management of the district. These provisions effective immediately.

Jul 14 05 S Public Act 94-0234

SB 01857 Sen. John J. Cullerton-Peter J. Roskam
(Rep. Angelo Saviano)

5 ILCS 120/2.06 from Ch. 102, par. 42.06

Amends the Open Meetings Act. Provides that a public body's failure to strictly comply with the requirements of the semi-annual review of closed meetings minutes does not make the minutes or verbatim recordings open to the public or available in judicial proceedings (other than those for violations of the Act) if the public body, within 60 days of the discovery of its failure, conducts the review and reports in an open meeting that the need for confidentiality remains or no longer exists. Effective immediately.

Aug 10 05 S Public Act 94-0542

SB 01862 Sen. Susan Garrett-Donne E. Trotter-Jacqueline Y. Collins
(Rep. Julie Hamos-Arthur L. Turner-Patricia R. Bellock-Elizabeth Coulson, Mary E. Flowers, Deborah L. Graham and Milton Patterson)

20 ILCS 2310/2310-33 new

Amends the Department of Public Health Powers and Duties Law. Authorizes the Department of Public Health to establish reasonable rates for certain persons and entities requesting electronic access to certain types of patient data collected under the Illinois Health Finance Reform Act. Requires all moneys received by the Department from such procedures to be deposited into the Public Health Special State Projects Fund. Provides that the Department shall comply with State and federal laws to protect patient confidentiality. Effective immediately.

House Amendment No. 1

Adds reference to:

210 ILCS 86/25

Amends the Hospital Report Card Act. Provides that hospital reports to the Department shall include information on infection-related measures for the facility (now, information on nosocomial infection rates for the facility). Changes the categories of infection-related information that the hospitals must report on. Requires the Department to base its infection-related measures upon those developed by other specified health care organizations. Provides that the Department shall include interpretive guidelines for infection-related indicators and, when available, shall include relevant benchmark information published by national organizations.

House Amendment No. 2

Deletes reference to:

20 ILCS 2310/2310-33 new

Deletes everything after the enacting clause. Reinserts only the provisions of House Amendment 1. Effective immediately.

Jul 19 05 S Public Act 94-0275

SB 01876 Sen. Deanna Demuzio-Kathleen L. Wojcik
(Rep. Angelo Saviano-Jim Watson)

225 ILCS 305/35 from Ch. 111, par. 1335

Amends the Illinois Architecture Practice Act of 1989. Makes a technical change in a Section concerning certifying a record.

Senate Committee Amendment No. 1

Deletes reference to:

225 ILCS 305/35

Adds reference to:

20 ILCS 2105/2105-75 was 20 ILCS 2105/61f

Adds reference to:

225 ILCS 305/13 from Ch. 111, par. 1313

Adds reference to:

225 ILCS 305/20 from Ch. 111, par. 1320

Adds reference to:

225 ILCS 305/22 from Ch. 111, par. 1322

Adds reference to:

225 ILCS 305/23.5

Deletes everything after the enacting clause. Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Provides that the design professionals designated employees that the Director shall employ, in conformity with the Personnel Code, shall include but not be limited to 3, rather than 4, full-time clerks and 3, rather than 2, full-time investigators. Amends the Illinois Architecture Practice Act of 1989. Provides that until January 1, 2014 (now, January 1, 2010), in lieu of the requirement of graduation with a first professional degree in architecture from a program accredited by the National Architectural Accrediting Board, the Department may admit an applicant who is a graduate with a pre-professional 4 year baccalaureate degree accepted for direct entry into a first professional master of architecture degree program, and who has completed such additional diversified professional training as is required by rules of the Department. Provides that the roster prepared annually by the Department of Financial and Professional Regulation shall be organized and available by discipline. Provides that the Department, rather than the Illinois Architecture Licensing Board, shall compel a person licensed to practice under the Act or an applicant for licensure or certification to submit to a mental or physical examination, specifically designate examining physicians, make certain findings, and require a person to submit to care, counseling, or treatment as a condition, term, or restriction for certain licensure. Provides that any entity that advertises architecture services in a telecommunications directory must include its architecture firm registration number or, in the case of a sole proprietor, his or her individual license number. Provides that nothing in the provision of the Act concerning the advertising of architecture services in a telecommunications directory requires the publisher of a directory to investigate or verify the accuracy of the registration or license number provided by the advertiser. Effective July 1, 2005.

Aug 10 05 S Public Act 94-0543

SB 01878 Sen. John J. Cullerton-Mattie Hunter-Jacqueline Y. Collins-Martin A. Sandoval
(Rep. Sara Feigenholtz-Mary E. Flowers-Patricia R. Bellock-Harry Osterman)

410 ILCS 70/5 from Ch. 111 1/2, par. 87-5

Amends the Sexual Assault Survivors Emergency Treatment Act. Provides that every hospital providing emergency hospital services to an alleged sexual assault survivor under the Act shall provide such medication as is deemed appropriate, including HIV prophylaxis.

Aug 02 05 S Public Act 94-0434

SB 01882 Sen. Edward D. Maloney-M. Maggie Crotty-Martin A. Sandoval and Pamela J. Althoff
(Rep. Sidney H. Mathias-Harry Osterman-James D. Brosnahan and Wyvetter H. Younge)

75 ILCS 5/5-5 from Ch. 81, par. 5-5

75 ILCS 16/40-45

Amends the Illinois Local Library Act and the Public Library District Act of 1991. Provides that certain contracts in excess of $20,000 (now, $10,000) must be let by competitive bidding. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

60 ILCS 1/85-30

Adds reference to:

65 ILCS 5/4-5-11 from Ch. 24, par. 4-5-11

Adds reference to:

65 ILCS 5/8-9-1 from Ch. 24, par. 8-9-1

Adds reference to:

605 ILCS 5/6-201.7 from Ch. 121, par. 6-201.7

Amends the Illinois Municipal Code. Provides that in municipalities that are governed by the commission form of municipal government that certain contracts in excess of $20,000 (now, $10,000) must be let by competitive bidding. Provides that in municipalities of less than 500,000 inhabitants that certain contracts in excess of $20,000 (now, $10,000) must be let by competitive bidding. Amends the Township Code. Provides that in townships that certain contracts in excess of $20,000 (now, $10,000) must be let by competitive bidding. Amends the Illinois Highway Code. Provides that certain contracts that are entered into by a highway commissioner of a road district that are in excess of $20,000 (now, $10,000) must be let by competitive bidding.

Aug 02 05 S Public Act 94-0435

SB 01883 Sen. John J. Cullerton-Kirk W. Dillard-Martin A. Sandoval
(Rep. Sidney H. Mathias)

705 ILCS 205/1 from Ch. 13, par. 1

Amends the Attorney Act. Provides that no entity shall receive any compensation directly or indirectly for any legal services other than a regular licensed attorney. Provides that an unlicensed person or entity may not advertise or hold himself, herself, or itself out to provide legal services or own, conduct, or maintain a facility to provide legal services. Provides that a person or entity advertising or holding himself, herself, or itself out to provide legal services is guilty of contempt of court.

Senate Floor Amendment No. 1

Provides that the giving of information, training, or advocacy or assistance in any meetings or administrative proceedings held pursuant to the federal Individuals with Disabilities Education Act, the federal Rehabilitation Act of 1973, the federal Americans with Disabilities Act of 1990, or the federal Social Security Act, to the extent allowed by those laws or the federal regulations or State statutes implementing those laws, is not prohibited by the Attorney Act.

Senate Floor Amendment No. 2

Removes language prohibiting an unlicensed person or entity from owning, conducting, or maintaining a facility to provide legal services. Provides that the Attorney Act shall not be construed to conflict with, amend, or modify certain provisions of the Corporation Practice of Law Prohibition Act.

House Amendment No. 1

Adds reference to:

705 ILCS 220/1 from Ch. 32, par. 411

Adds reference to:

705 ILCS 220/2 from Ch. 32, par. 412

Adds reference to:

705 ILCS 220/3 from Ch. 32, par. 413

Adds reference to:

705 ILCS 220/4 from Ch. 32, par. 414

Adds reference to:

705 ILCS 220/5 from Ch. 32, par. 415

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Removes the references to an "entity" in the Attorney Act. Amends the Corporation Practice of Law Prohibition Act. Provides that an entity may not practice law or appear as an attorney at law. Prohibits an entity from soliciting any claim or demand for the purpose of bringing a law suit. Provides for penalties against entities that violate the Act. Grants entities the listed exceptions from the prohibitions of the Act.

House Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Removes the references to an "entity" in the Attorney Act.

Aug 22 05 S Public Act 94-0659

SB 01884 Sen. Richard J. Winkel, Jr.
(Rep. Naomi D. Jakobsson)

55 ILCS 5/5-1120

Amends the County Code. Re-enacts provisions relating to juvenile delinquency programs that were added by Public Act 89-203, which was held to violate the single subject rule of the Illinois Constitution in . Validates otherwise lawful actions taken in reliance on those provisions. Effective immediately.

Jul 08 05 S Public Act 94-0154

SB 01893 Sen. Ira I. Silverstein-Christine Radogno
(Rep. John A. Fritchey)

735 ILCS 5/2-402 from Ch. 110, par. 2-402

Amends the Code of Civil Procedure. Provides that a summons for discovery issued by the clerk of the circuit court shall be served on each person or entity named as a respondent in discovery. Provides that no extension of the 6 month period for making a respondent into a defendant shall be permitted unless the plaintiff can show a failure or refusal on the part of the respondent to comply with timely filed discovery or for good cause shown. Adds a Summons for Discovery Form.

Senate Committee Amendment No. 1

Deletes everything after the enacting clause Reinserts the provisions of the original bill with the following changes. Provides for a 90-day extension of the time limit for discovery for the withdrawal of plaintiff's counsel or for good cause.

Senate Floor Amendment No. 2

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Provides for a 90-day extension of the time limit for discovery for the withdrawal of plaintiff's counsel or for good cause.

Aug 12 05 S Public Act 94-0582

SB 01897 Sen. Dan Cronin and William R. Haine-Iris Y. Martinez-Jacqueline Y. Collins
(Rep. Paul D. Froehlich, Careen M Gordon, Naomi D. Jakobsson-Lisa M. Dugan-Patricia Bailey-Kurt M. Granberg-Mark H. Beaubien, Jr., John E. Bradley, William Delgado, Daniel V. Beiser, Jack D. Franks and Linda Chapa LaVia)

730 ILCS 5/5-6-1 from Ch. 38, par. 1005-6-1

Amends the Unified Code of Corrections. Provides that a person charged with a Class A misdemeanor violation of sexual exploitation of a child may not receive a disposition of supervision.

Jul 11 05 S Public Act 94-0169

SB 01898 Sen. Dan Cronin, Martin A. Sandoval and William R. Haine-Iris Y. Martinez-Jacqueline Y. Collins
(Rep. Careen M Gordon-Lisa M. Dugan-John E. Bradley-Daniel V. Beiser-Naomi D. Jakobsson, Edward J. Acevedo, Linda Chapa LaVia, Jack D. Franks, Milton Patterson, David E. Miller, Robin Kelly, Wyvetter H. Younge, Monique D. Davis, Arthur L. Turner, Patricia Bailey, Kurt M. Granberg, William Delgado and Sandra M. Pihos)

720 ILCS 5/11-9.1 from Ch. 38, par. 11-9.1

Amends the Criminal Code of 1961 relating to the offense of sexual exploitation of a child. Provides that a second or subsequent violation of a substantially similar law of another state is a Class 4 felony. Provides that if the victim of sexual exploitation of a child is under 13 years of age at the time of the commission of the offense, the offense is a Class 4 felony. Effective immediately.

Jul 07 05 S Public Act 94-0140

SB 01907 Sen. John J. Cullerton
(Rep. Sidney H. Mathias)

735 ILCS 5/8-2001 from Ch. 110, par. 8-2001

Amends the Code of Civil Procedure examination of patient records provisions. Permits a person, entity, or organization presenting a valid signed authorization for the release of records to examine a health care facility's records of a patient. Provides that a written request by a person, entity, or organization presenting a valid signed authorization for the release of records shall be satisfied within 30 days of receipt.

Senate Floor Amendment No. 1

Provides for the examination of records by a person, entity, or organization presenting a valid authorization (instead of a valid signed authorization) for the release of records signed by the patient or the patient's representative.

Jul 08 05 S Public Act 94-0155

SB 01909 Sen. William R. Haine-Dave Sullivan, Deanna Demuzio and Gary Forby
(Rep. Dan Reitz-James H. Meyer-Thomas Holbrook)

415 ILCS 5/3.135 was 415 ILCS 5/3.94

Amends the Environmental Protection Act. Includes additional materials within the definition of "coal combustion by-product" (CCB). Provides that, in certain circumstances, the EPA must (instead of "may") make written beneficial use determinations that coal-combustion waste is a CCB. Sets forth the procedures for the application for and approval and renewal of a beneficial use determination. Provides that CCB for which a beneficial use determination is approved shall be considered CCB for as long as it is used in accordance with the approval and any conditions of the approval.

Senate Floor Amendment No. 1

Provides that the more stringent regulations of coal combustion by-product (CCB) provided under this Section do not apply to CCB used for mine subsidence, mine fire control, mine sealing, and mine reclamation (previously this use was included in the class of CCB uses subject to the stricter regulations). Eliminates boron, chloride, sulfate, and phenol from a list of Class I groundwater parameters that certain CCB uses may not exceed.

House Amendment No. 1

Provides that the use of coal combustion by-product (CCB) in mine subsidence, mine fire control, mine sealing, and mine reclamation is a restricted CCB use subject to certain conditions. Deletes a list of elements for which restricted CCB uses may not exceed Class I Groundwater Standards. Requires users of CCB for mine subsidence, mine fire control, mine sealing, and mine reclamation to provide notification to the Agency for each project using CCB including documenting the quantity of CCB used and certifying compliance with the conditions of the Act. Provides that an Agency beneficial use determination enables the use of CCB in mine subsidence, mine fire control, mine sealing, and mine reclamation without complying with certain otherwise necessary conditions. Provides that written beneficial use determination applications for the use of CCB at sites governed by the federal Surface Mining Control and Reclamation Act of 1977 shall be reviewed and approved by the Office of Mines and Minerals within the Department of Natural Resources pursuant to provisions of the Illinois Administrative Code. Requires that appeals from these determinations shall be made pursuant to the Illinois Administrative Review Law.

Jun 21 05 S Public Act 94-0066

SB 01910 Sen. William R. Haine

(Rep. Thomas Holbrook-Jay C. Hoffman-Dan Reitz-Kurt M. Granberg-Patricia Reid Lindner)

55 ILCS 5/5-1062 from Ch. 34, par. 5-1062

Amends the Counties Code. Makes a technical change in a Section concerning stormwater management.

Senate Floor Amendment No. 2

Deletes reference to:

55 ILCS 5/5-1062

Adds reference to:

55 ILCS 5/5-1062.2 new

Deletes everything after the enacting clause. Amends the Counties Code. In the Southwestern Illinois Metropolitan and Regional Planning Area and the Counties of Kankakee, Grundy, LaSalle, DeKalb, Kendall, Boone, and Winnebago, authorizes stormwater planning committees to develop a stormwater management plan for presentation to and approval of the county board. Sets requirements and procedures for plans. Authorizes county boards to adopt fees and impose a property or occupation and use tax subject to referendum. Preempts home rule powers. Contains other provisions. Effective immediately.

House Amendment No. 1

Replaces everything after the enacting clause. Reinserts contents of the bill with changes. The changes are: Winnebago County deleted from the Section; a stormwater management planning committee may enforce rules concerning production agriculture with respect to impervious paved surfaces (now, impervious surfaces); a stormwater committee may make grants to local governments that have each adopted an ordinance consistent with the storm water plan (now, no ordinance required); neither a county board nor a stormwater committee may regulate land, facilities, or drainage district facilities used for production agriculture; deletes a county's authority to petition a circuit court to dissolve all drainage districts in the area of the county covered by a stormwater plan and related matters; limits expenses of staff for regulatory project review to 20% of a committee's annual budget; and deletes a provision limiting home rule units exercising any power inconsistent with this Section.

House Amendment No. 3

Replaces everything after the enacting clause. Reinserts contents of the bill with changes. The changes are: Madison, St. Clair, and Monroe Counties are added to the list of affected areas; the Southwestern Illinois Metropolitan and Regional Planning Commission and Winnebago County are deleted from the list of affected areas; a stormwater management planning committee may enforce rules concerning production agriculture with respect to impervious paved surfaces (now, impervious surfaces); a stormwater committee may make grants to local governments that have each adopted an ordinance consistent with the storm water plan (now, no ordinance required); neither a county board nor a stormwater committee may regulate land, facilities, or drainage district facilities used for production agriculture; deletes a county's authority to petition a circuit court to dissolve all drainage districts in the area of the county covered by a stormwater plan and related matters; in order to implement a stormwater program in the county, a county board may establish occupation and use taxes of 1/10 of one cent (now, allowed to be no more than 1/10 of one cent); limits expenses of staff for regulatory project review to 20% of a committee's annual budget; and deletes a provision limiting home rule units exercising any power inconsistent with this Section. Effective immediately.

Aug 23 05 S Public Act 94-0675

SB 01915 Sen. John J. Cullerton

(Rep. Sara Feigenholtz)

765 ILCS 605/18 from Ch. 30, par. 318

Amends the Condominium Property Act. Permits condominium bylaws to provide for late fees for the delinquent payment of condominium assessments. Provides that the late fees may not exceed the greater of $25 or 10% of the amount due and may not be charged more than once for the same late payment.

Nov 04 05 S Total Veto Stands

SB 01930 Sen. John J. Cullerton
(Rep. George Scully, Jr.)

770 ILCS 60/6 from Ch. 82, par. 6

Amends the Mechanics Lien Act. Makes a technical change in a Section concerning completion of contracts.

Senate Committee Amendment No. 1

Deletes reference to:

770 ILCS 60/6

Adds reference to:

770 ILCS 60/1 from Ch. 82, par. 1

Adds reference to:

770 ILCS 60/2 from Ch. 82, par. 2

Adds reference to:

770 ILCS 60/3 from Ch. 82, par. 3

Adds reference to:

770 ILCS 60/5 from Ch. 82, par. 5

Adds reference to:

770 ILCS 60/7 from Ch. 82, par. 7

Adds reference to:

770 ILCS 60/11 from Ch. 82, par. 11

Adds reference to:

770 ILCS 60/13 from Ch. 82, par. 13

Adds reference to:

770 ILCS 60/21 from Ch. 82, par. 21

Adds reference to:

770 ILCS 60/21.01 from Ch. 82, par. 21.01

Adds reference to:

770 ILCS 60/21.02

Adds reference to:

770 ILCS 60/22 from Ch. 82, par. 22

Adds reference to:

770 ILCS 60/24 from Ch. 82, par. 24

Adds reference to:

770 ILCS 60/25 from Ch. 82, par. 25

Adds reference to:

770 ILCS 60/26 from Ch. 82, par. 26

Adds reference to:

770 ILCS 60/28 from Ch. 82, par. 28

Adds reference to:

770 ILCS 60/30 from Ch. 82, par. 30

Adds reference to:

770 ILCS 60/32 from Ch. 82, par. 32

Adds reference to:

770 ILCS 60/35 from Ch. 82, par. 35

Adds reference to:

770 ILCS 60/1.1 rep. from Ch. 82, par. 1.1

SB 01930 (CONTINUED)

Deletes everything after the enacting clause. Amends the Mechanics Lien Act. Provides that an agreement to waive any right to enforce or claim any lien under the Act where the agreement is in anticipation of and consideration for the awarding of a contract to perform or supply materials for an improvement upon real property is against public policy and unenforceable. Provides for notice requirements for an owner-occupied single-family residence. Provides that if the owners of the property are persons living together, the required statement is conclusively presumed given to each owner if it is given to one of them. Provides that any notice given after 60 days by the subcontractor shall preserve his or her lien but only to the extent that the owner has not been prejudiced by payments made before the receipt of the notice. Provides that a statement that a party is a subcontractor shall not constitute an admission by a lien claimant that its status is that of a subcontractor if it is later determined that the party with whom the lien claimant contracted was the owner or an agent or owner. Provides requirements for service of notice. Removes language allowing for the waiving or subordination of a subcontractor's lien to that of another party, except in cases where there is a showing of actual notice to the subcontractor entered in the contract. Raises the civil penalty for failure to acknowledge satisfaction or release of a lien upon written demand of the listed parties to $2,500 (instead of $25). Makes other changes.

Aug 18 05 S Public Act 94-0627

SB 01931 Sen. Debbie DeFrancesco Halvorson
(Rep. David E. Miller)

105 ILCS 5/1-2 from Ch. 122, par. 1-2

Amends the School Code. Makes a technical change in a Section concerning the School Code's construction.

Senate Committee Amendment No. 1

Deletes reference to:

105 ILCS 5/1-2

Adds reference to:

105 ILCS 45/1-15

Deletes everything after the enacting clause. Amends the Education for Homeless Children Act. In a provision concerning transportation to the school of origin, provides that if a homeless child's living arrangements in the school district of origin terminate and the child lives in a single abode in another school district for longer than one year, then the school district in which the child is living shall be deemed the child's new district of residence.

Senate Floor Amendment No. 2

Deletes reference to:

105 ILCS 45/1-15

Adds reference to:

105 ILCS 45/1-25

Adds reference to:

105 ILCS 45/1-30

Deletes everything after the enacting clause. Amends the Education for Homeless Children Act. Provides that whenever a child and his or her parents who initially share the housing of another person due to loss of housing, economic hardship, or similar reasons continue to share the housing, the superintendent of the school district of origin may request, after the passage of 18 months or the minimum number of months identified in the State Plan required under the federal McKinney-Vento Homeless Assistance Act, whichever is greater, and annually again thereafter, a determination as to whether the parents and child currently share the housing due to the loss of housing, economic hardship, or similar reasons. Abolishes the Homeless Children Committee and creates the 13-member McKinney-Vento Education for Homeless Children Committee.

House Amendment No. 1

Deletes everything after the enacting clause. Amends the Education for Homeless Children Act. Provides that each regional superintendent of schools shall appoint an ombudsperson who is fair and impartial and familiar with the educational rights and needs of homeless children to provide resource information and resolve disputes at schools within his or her jurisdiction relating to the rights of homeless children under the Act (now, each regional superintendent of schools shall act as an ombudsperson to provide resource information and resolve disputes relating to the rights of homeless children under the Act, except in Cook County, where each school district shall designate a person to serve as ombudsperson when a dispute arises). Provides that if a school denies a homeless child enrollment or transportation, it shall immediately refer the child or his or her parent or guardian to the ombudsperson and provide the child or his or her parent or guardian with a written statement of the basis for the denial (now, if a school denies a homeless child enrollment or transportation, it shall immediately refer the parent or guardian to the ombudsperson). Provides that whenever a child and his or her parent or guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, a school district may, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist. Abolishes the Homeless Children Committee. Requires the Office of the Coordinator for the Education of Homeless Children and Youth, established pursuant to the federal McKinney-Vento Homeless Assistance Act, to convene meetings throughout the State for the purpose of providing technical assistance, education, training, and problem-solving regarding the implementation of the Education for Homeless Children Act and the federal McKinney-Vento Homeless Assistance Act. Makes other changes. Effective immediately.

Jul 14 05 S Public Act 94-0235

SB 01932 Sen. Deanna Demuzio-Martin A. Sandoval
(Rep. William B. Black)

110 ILCS 805/2-16.03 from Ch. 122, par. 102-16.2

110 ILCS 805/2-16.09 new

30 ILCS 105/5.640 new

30 ILCS 105/5.499 rep.

110 ILCS 805/2-16.04 rep.

Amends the Public Community College Act. Deletes provisions requiring a monthly transfer into the AFDC Opportunities Fund of all amounts established and maintained in the Employment and Training Fund under the Illinois Public Aid Code. Creates the ICCB Instructional Development and Enhancement Applications Revolving Fund as a special fund in the State treasury. Requires the State Board to deposit into the Fund moneys received from the sale of instructional technology developed by the State Board. Requires all moneys in the Fund to be used by the State Board, subject to appropriation by the General Assembly, for costs associated with maintaining and updating that technology. Amends the State Finance Act to establish the ICCB Instructional Development and Enhancement Applications Revolving Fund. Amends the Public Community College Act and the State Finance Act to repeal the Video Conferencing User Fund. Effective immediately.

Aug 02 05 S Public Act 94-0436

SB 01935 Sen. Kirk W. Dillard
(Rep. Randall M. Hultgren, Jack D. Franks and Linda Chapa LaVia)

20 ILCS 2505/2505-745 new

Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Requires the Department of Revenue to prepare an annual report listing all revenue and fee collections and distributions and all expenditures of the Department for the prior fiscal year. Provides that, no later than October 1 of each year, the Department must submit the annual report to the Governor and the General Assembly and make an electronic copy of the report available on its Internet website. Effective immediately.

Senate Floor Amendment No. 1

Deletes the requirement that the annual report must list the distributions and expenditures of the Department of Revenue. Requires that the report be submitted no later than January 1 (instead of October 1) of each year.

Aug 19 05 S Public Act 94-0633

SB 01943 Sen. Carole Pankau-Martin A. Sandoval-Jacqueline Y. Collins and Dan Cronin-John J. Cullerton

(Rep. Susana A Mendoza-Sandra M. Pihos-Renee Kosel, Milton Patterson, David E. Miller, Robin Kelly, Wyvetter H. Younge, Arthur L. Turner, William Davis, William Delgado and Cynthia Soto)

720 ILCS 5/12-13 from Ch. 38, par. 12-13

Amends the Criminal Code of 1961 relating to the offense of criminal sexual assault. Provides that a person also commits the offense when he or she commits an act of sexual penetration with a victim who was under 19 years of age and who is enrolled in high school when the act was committed and the accused was 17 years of age or older and held a position of trust, authority, or supervision in relation to the victim at the same high school. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

720 ILCS 5/12-13

Adds reference to:

720 ILCS 5/1-1 from Ch. 38, par. 1-1

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 2

Deletes reference to:

720 ILCS 5/1-1

Adds reference to:

720 ILCS 5/33-3 from Ch. 38, par. 33-3

Deletes everything after the enacting clause. Amends the Criminal Code of 1961. Provides that it is official misconduct for a public officer or employee to commit an act of sexual penetration with a victim who was under 19 years of age and who is enrolled in high school when the act was committed and the public officer or employee was 17 years of age or older and held a position of trust, authority, or supervision in relation to the victim at the same high school. Provides that a violation is a Class 2 felony. Effective immediately.

House Amendment No. 1

Provides that the victim of the offense must be 18 years of age or older (rather than under 19 years of age).

House Amendment No. 2

Deletes reference to:

720 ILCS 5/33-3

Adds reference to:

P.A. 94-487, Sec. 99 new

Deletes everything after the enacting clause. Amends Public Act 94-487 (which dealt with limitations for prosecution of certain offenses) by providing that it takes effect on the effective date of this amendatory Act. Effective immediately.

Nov 09 05 S Public Act 94-0683

SB 01953 Sen. Kwame Raoul-Mattie Hunter

(Rep. Annazette Collins-Lovana Jones-Milton Patterson-Mary E. Flowers and Kenneth Dunkin)

705 ILCS 405/5-170

725 ILCS 5/115-1.5 new

Amends the Juvenile Court Act of 1987. Provides that in a delinquency proceeding, a minor may not waive the right to the assistance of counsel in his or her defense. Amends the Code of Criminal Procedure of 1963. Provides that a person under 17 years of age may not waive the right to the assistance of counsel in his or her defense in any judicial proceeding. Provides that except for the offenses of leaving the scene of an accident involving death or personal injuries or damage to a vehicle, driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, reckless driving, and aggravated reckless driving, this provision does not apply to proceedings involving violations of the Illinois Vehicle Code. Effective immediately.

House Amendment No. 2

Provides that the provision that prohibits a minor from waiving the right to the assistance of counsel in his or her defense in a juvenile proceeding applies only to a judicial proceeding. Provides that in an adult criminal prosecution of a person under 17 years of age the prohibition on the waiver of counsel does not apply to a minor charged with an offense for which the penalty is a fine only.

Jul 26 05 S Public Act 94-0345

SB 01960 Sen. Jeffrey M. Schoenberg-Carol Ronen
(Rep. Elizabeth Coulson-Kathleen A. Ryg-Kevin Joyce-David E. Miller)

720 ILCS 5/12-21.7 new

Amends the Criminal Code of 1961. Prohibits the sale of yo-yo waterballs in the State. Provides that a violation is a business offense punishable by a $1,001 fine for each violation. Provides that each sale of a yo-yo waterball is a separate offense.

Jun 08 05 S Public Act 94-0012

SB 01962 Sen. Jeffrey M. Schoenberg-Martin A. Sandoval-Donne E. Trotter-Jacqueline Y. Collins
(Rep. Elaine Nekritz-Elizabeth Coulson)

430 ILCS 65/Act title

430 ILCS 65/1	from Ch. 38, par. 83-1
430 ILCS 65/1.1	from Ch. 38, par. 83-1.1
430 ILCS 65/2	from Ch. 38, par. 83-2
430 ILCS 65/3	from Ch. 38, par. 83-3
430 ILCS 65/3.1	from Ch. 38, par. 83-3.1

Amends the Firearm Owners Identification Card Act. Requires a person to have a currently valid Firearm Owner's Identification Card issued in his or her own name by the Department of State Police in order to acquire or possess a stun gun or taser. Exempts certain military, law enforcement, and other specified persons.

Senate Floor Amendment No. 1

Adds reference to:

720 ILCS 5/24-3 from Ch. 38, par. 24-3

Amends the Criminal Code of 1961. Provides that it is a Class 4 felony to deliver a stun gun or taser to a person, incidental to a sale, without withholding delivery of the stun gun or taser for at least 24 hours after application for its purchase has been made.

House Amendment No. 1 (House recedes May 31, 2005)

Provides that a person acquiring or possessing a stun gun or taser must present to the transferor of the stun gun or taser such proof as required by the Department of State Police that he or she has completed a course of instruction of at least one hour in the use of a stun gun or taser approved by the Department of State Police. Provides that a person may not knowingly transfer, or cause to be transferred, any stun gun or taser unless the transferee presents such proof to the transferor as required by the Department of State Police that the transferee has completed a course of instruction of at least one hour in the use of a stun gun or taser approved by the Department of State Police.

Jun 03 05 S Public Act 94-0006

SB 01964 Sen. Jeffrey M. Schoenberg-Susan Garrett-M. Maggie Crotty-Terry Link
(Rep. Elaine Nekritz-Robert Rita-Sidney H. Mathias-Paul D. Froehlich-Karen May)

605 ILCS 10/8.1 new
605 ILCS 10/10 from Ch. 121, par. 100-10
605 ILCS 10/11 from Ch. 121, par. 100-11
605 ILCS 10/16.2 new
605 ILCS 10/16.3 new
605 ILCS 10/23 from Ch. 121, par. 100-23
605 ILCS 10/27.1 from Ch. 121, par. 100-27.1
605 ILCS 10/27.2 new
605 ILCS 10/31 from Ch. 121, par. 100-31

Amends the Toll Highway Act. Provides that the Toll Highway Authority has the power to enter into an intergovernmental agreement or contract with a unit of local government or other public or private entity for the collection by electronic means of tolls, fees, or revenues. Requires the Governor to appoint, with the advice and consent of the Senate, an Inspector General for the Authority, setting forth his or her powers and duties. Places certain restrictions on directors of the Illinois State Toll Highway Authority and their employees and agents concerning receiving financial benefit from their positions or employment with the Authority. Makes changes concerning enforcement of tolls. Provides that the Office of the Inspector General shall be represented in all legal matters by the Attorney General. Provides that the Authority may spend toll highway funds only for specified purposes. Provides that the Authority must hold and publicize an annual public hearing on its annual budget. Requires the Authority to establish an amnesty program for toll violations. Establishes procedures for, and limitations on, the amnesty. Sets procedures for administrative adjudication of violations recorded by photo surveillance. Provides that toll evasion offenses adjudicated in the Authority's administration system are not subject to the fine range for petty offenses. Provides that it is a violation of the Act to operate on a toll highway a vehicle with a license plate covered with any material that obstructs the electronic image recording of the plate. Provides that a law enforcement officer may confiscate a license plate if the plate was treated with a substance to block electronic image recording. Deletes language providing that any person may file an action against the Authority for civil damages for any personal injury or property damage caused by agents or employees of the Authority. Makes other changes. Effective immediately.

Senate Floor Amendment No. 1

Deletes reference to:

605 ILCS 10/31

Deletes everything after the enacting clause. Re-inserts the provisions of the original bill, with changes, additions, and deletions. Provides that judicial review of the administrative adjudication of photographically recorded toll violations shall occur in the circuit court of the county in which the administrative decision was rendered (rather than the county in which the hearing was held). Expands eligibility for, and amends the terms of, the toll violation amnesty program. Deletes a provision that deleted language allowing actions for civil damages for personal injury or property damage caused by agents or employees of the Authority. Effective immediately.

House Amendment No. 1

Deletes reference to:

605 ILCS 10/8.1 new

Deletes the provision regarding the office of the Inspector General.

Aug 22 05 S Public Act 94-0636

SB 01965 Sen. Rickey R. Hendon-Donne E. Trotter-Jacqueline Y. Collins-Don Harmon

(Rep. Kenneth Dunkin-Angelo Saviano-Marlow H. Colvin-Kurt M. Granberg-Thomas Holbrook, Charles E. Jefferson, Paul D. Froehlich, Sidney H. Mathias, Deborah L. Graham, Eddie Washington, Constance A. Howard, Calvin L. Giles, Monique D. Davis, Cynthia Soto, Patricia Bailey, Daniel J. Burke, Susana A Mendoza, William Davis, Eileen Lyons, Robert S. Molaro, Michael K. Smith, Mike Boland, Naomi D. Jakobsson, Sara Feigenholtz, Robin Kelly, Kevin Joyce, Maria Antonia Berrios, Annazette Collins, Wyvetter H. Younge, Jay C. Hoffman, Lou Lang, Elizabeth Coulson, David E. Miller, James H. Meyer, JoAnn D. Osmond, Suzanne Bassi, David R. Leitch, Jack D. Franks, Frank J. Mautino, Terry R. Parke, Karen A. Yarbrough, John A. Fritchey, Richard T. Bradley, Kevin A. McCarthy, James D. Brosnahan, Joseph M. Lyons, William Delgado, Robert Rita, Lovana Jones, William B. Black, Linda Chapa LaVia, John J. Millner, Milton Patterson, Patrick J Verschoore, Jack McGuire, Dave Winters, Donald L. Moffitt, Jim Sacia, Mary E. Flowers, Ed Sullivan, Jr., Karen May, Michael Tryon, Robert W. Pritchard, Roger L. Eddy, Aaron Schock, Dan Brady, Renee Kosel, Rosemary Mulligan, Ronald A. Wait, Patricia R. Bellock, Arthur L. Turner, Kathleen A. Ryg, Julie Hamos, Elaine Nekritz and Robert W. Churchill)

35 ILCS 15/25

Amends the Film Production Services Tax Credit Act. Makes a technical change in a Section concerning applications for certification.

Senate Floor Amendment No. 1

Deletes reference to:

35 ILCS 15/25

Adds reference to:

35 ILCS 5/213

Adds reference to:

35 ILCS 15/10

Adds reference to:

35 ILCS 15/15

Adds reference to:

35 ILCS 15/20

Adds reference to:

35 ILCS 15/43 new

Adds reference to:

35 ILCS 15/45

Adds reference to:

35 ILCS 15/90

Deletes everything after the enacting clause. Amends the Income Tax Act, provides that the film production services credit (i) may be transferred in accordance with rules adopted by the Department of Commerce and Economic Opportunity and (ii) may be carried forward 5 years. Amends the Film Production Services Tax Credit Act, provides that, for Illinois labor expenditures generated by the employment of residents of geographic areas of high poverty or high unemployment in an accredited production approved by the Department after January 1, 2005, the applicant shall receive an enhanced credit 10% in addition to the 25% credit. Provides that the Department of Commerce and Economic Opportunity may use training programs for skills in critical demand to accomplish the purposes of the Act. Requires the Department of Commerce and Economic Opportunity to submit a report concerning the tax credit program to the General Assembly at the end of each fiscal quarter. Provides that the Act is repealed on January 1, 2007 (now, the Act is scheduled to be repealed on January 1, 2006). Makes other changes. Effective immediately.

Senate Floor Amendment No. 2

Adds reference to:

35 ILCS 15/30

Deletes everything after the enacting clause. Reinserts the provisions of the bill as amended by Senate Amendment No. 1 with the following changes: Further amends the Film Production Services Tax Credit Act. In a Section concerning the review of applications for accredited production certificates, includes a requirement that: (i) the applicant must file a diversity plan with the Department of Commerce and Economic Opportunity that sets out the applicant's goal for hiring minority persons and females and sets out the applicant's goal for using vendors who are certified under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act; (ii) the Department must approve the diversity plan; and (iii) the Department must verify that the applicant has met or made good-faith efforts in achieving those goals set forth in the diversity plan (now, the application must include a provision setting forth the percentage of minority workers that the production company plans to employ, subject to any applicable collective bargaining agreements with a labor organization to which the applicant is a signatory, to perform work on the production.). Requires the Department of Commerce and Economic Opportunity to adopt necessary rules. Effective immediately.

SB 01965 (CONTINUED)

Jul 11 05 S Public Act 94-0171

SB 01967 Sen. Gary Forby-Iris Y. Martinez, Jacqueline Y. Collins and Martin A. Sandoval

(Rep. Robert F. Flider-Brandon W. Phelps-Daniel V. Beiser-Julie Hamos, Edward J. Acevedo, Linda Chapa LaVia, Jack D. Franks, JoAnn D. Osmond, John D'Amico, Patricia R. Bellock, Dan Reitz, Joseph M. Lyons, Naomi D. Jakobsson-Monique D. Davis, Lisa M. Dugan, Kathleen A. Ryg, Careen M Gordon, Sara Feigenholtz and Kevin Joyce)

320 ILCS 42/25

Amends the Older Adult Services Act. Provides that no later than January 1, 2006 and every January 1 thereafter, the Department on Aging and the Illinois Housing Development Authority shall file with the Governor and the General Assembly a plan that establishes goals for the number of affordable housing units to be made available to the frail elderly in the next fiscal year. Requires that the plan: (i) detail the number of new units of housing to be created, the number of units made accessible through rehabilitation and renovation, and the number of new supportive living units to be created and certified; and (ii) include recommendations for statutory or policy changes needed to reduce barriers to the establishment of affordable housing units for the frail elderly. Effective immediately.

Senate Committee Amendment No. 1

Adds the Department of Public Aid as an agency that must file a plan for affordable housing for the frail elderly.

Senate Committee Amendment No. 2

Replaces everything after the enacting clause. Amends the Older Adult Services Act. Provides that the restructuring of older adult services shall include an affordable housing component. Provides that the Department on Aging and the Departments of Public Health and Public Aid shall utilize the recommendations of Illinois' Annual Comprehensive Housing Plan, as developed by the Affordable Housing Task Force, in their efforts to address the affordable housing needs of older adults. Effective immediately.

Fiscal Note (S-AM 1) (Department of Revenue)

Does not have a fiscal impact on the Department of Revenue. The Illinois Department of Revenue cannot determine the fiscal impact that it will have on the Department on Aging, the Department of Public Aid, or the Illinois Housing Development Authority.

Fiscal Note (S-AM 2) (Department of Revenue)

Does not have a fiscal impact on the Department of Revenue. The Illinois Department of Revenue cannot determine the fiscal impact that it will have on the Department on Aging, the Department of Public Aid, or the Illinois Housing Development Authority.

Fiscal Note (S-AM 1 & 2)(Housing Development Authority)

Senate Bill 1967, as originally filed, would have required IHDA to develop and file a plan which would establish production goals for the number of housing units to be made available to the frail elderly in the next fiscal year, detailing the number of units by new construction and rehabilitation, as well as for supportive living units. Given the content of Senate Amendment 2, it references the existing housing plan required by the Governors Executive Order 2003-18, which primarily addresses the targeting and allocation of existing State administered programs and resources among priority populations, one of those being low income seniors. As such, this amendment as written is not deemed to have any noted fiscal impact on existing IHDA resources or staffing. The Executive Order required plan is actually more comprehensive in its coverage of elderly housing needs.

Fiscal Note (S-AM 1 & 2) (Dept. on Aging)

Does not pose any additional spending or staff pressures on IDoA.

Fiscal Note (S-AM 1) (Dept. of Public Aid)

This amendment has a minimal administrative impact on the Department.

Fiscal Note (S-AM 2) (Dept. of Public Aid)

This amendment has minimal administrative impact on the Department.

Jul 14 05 S Public Act 94-0236

SB 01968 Sen. Gary Forby
(Rep. Kurt M. Granberg)

735 ILCS 5/7-103.1

Amends the Code of Civil Procedure. Makes a technical change in a Section concerning the exercise of "quick-take" eminent domain powers.

House Amendment No. 1

Deletes reference to:

735 ILCS 5/7-103.1

Adds reference to:

735 ILCS 5/7-103.113 new

Deletes everything after the enacting clause. Amends the Code of Civil Procedure. Authorizes the corporate authorities of Williamson County to acquire, singularly or jointly with other parties, by gift, purchase, condemnation, or otherwise, any land or interest in land, necessary for the construction and development of a coal mine or transportation facilities to serve a coal mine, to improve or arrange for the improvement of the land and, if deemed to be in the public interest, to convey such land, or interest in land, so acquired and improved to a railroad or company developing the coal mine for fair market value. Grants quick-take authority to Williamson County for railroad construction purposes. Effective immediately.

Aug 22 05 S Public Act 94-0660

SB 01986 Sen. Steven J. Rauschenberger-Mattie Hunter, M. Maggie Crotty and Rickey R. Hendon-Dale A. Righter
(Rep. David R. Leitch-Patricia R. Bellock-Julie Hamos-Aaron Schock-Carolyn H. Krause)

305 ILCS 5/12-4.201

Amends the Illinois Public Aid Code. In provisions concerning the Department of Public Aid's data warehouse concerning medical and related services, provides that the Department shall perform all necessary administrative functions to expand its linearly-scalable data warehouse to encompass other healthcare data sources at both the Department of Human Services and the Department of Public Health. Provides that the Department shall leverage the inherent capabilities of the data warehouse to accomplish this expansion with marginal additional technical administration. Provides that the purpose of this expansion is to allow for programmatic review and analysis including the interrelatedness among the various healthcare programs in order to ascertain effectiveness toward, and ultimate impact on, clients. Provides that beginning July 1, 2005, the Department shall supply quarterly reports to the Commission on Government Forecasting and Accountability detailing progress toward this mandate. Effective immediately.

Senate Committee Amendment No. 1

Adds reference to:

305 ILCS 5/12-4.202 new

Replaces everything. Adds a preamble to the bill. Amends the Illinois Public Aid Code. Reinserts the amendatory provisions of Senate Bill 1986. Also creates the Data Warehouse Inter-Agency Coordination of Client Care Task Force to gather information and make recommendations relating to: (1) the most effective flow of information between agencies that serve the same clients through one-stop shopping across State government; (2) the creation of an overarching system to respond to requests by the General Assembly, the Office of the Governor, and the general public; and (3) the most effective use of State moneys in procuring the appropriate technology to obtain a system that can be readily expanded to accommodate the ever-growing information base in State government. Requires the task force to report by December 31, 2005, and repeals the task force provisions on January 1, 2006. Effective immediately.

Senate Floor Amendment No. 2

Provides that the purpose of the expansion of the data warehouse includes the programmatic review and analysis of the effectiveness of interrelated healthcare programs and their ultimate impact on populations (as well as on clients).

Nov 04 05 S Total Veto Stands

SB 02012 Sen. Antonio Munoz-Richard J. Winkel, Jr.
(Rep. Donald L. Moffitt-Robert Rita-Angelo Saviano)

5 ILCS 80/4.16

5 ILCS 80/4.26 new

225 ILCS 335/5 from Ch. 111, par. 7505

225 ILCS 335/7 from Ch. 111, par. 7507

225 ILCS 335/11.5

Amends the Regulatory Sunset Act to extend the repeal of the Illinois Roofing Industry Licensing Act to January 1, 2016.
Amends the Illinois Roofing Industry Licensing Act. Provides that every roofing contractor shall affix the licensee's name, as it appears on the license (now, just requires the contractor to affix the licensee's name), on all commercial vehicles (rather than just vehicles) used as part of his or her business as a roofing contractor. Removes provisions concerning fees for applicants for initial certification who apply for licensure during the second half of the biennial period, fees for any change of the license that requires the issuance of a new license, and the maximum amount of the biennial renewal fee. Changes the number of members of the Roofing Advisory Board from 8 to 7. Removes a provision requiring one of the licensed roofing contractors on the Board to be a representative of an association predominately representing retailers. Effective immediately.

Senate Committee Amendment No. 1

Deletes reference to:

5 ILCS 80/4.16

Deletes reference to:

5 ILCS 80/4.26 new

Deletes reference to:

225 ILCS 335/5

Deletes reference to:

225 ILCS 335/7

Deletes reference to:

225 ILCS 335/11.5

Adds reference to:

225 ILCS 135/10

Adds reference to:

225 ILCS 135/15

Adds reference to:

225 ILCS 135/20

Adds reference to:

225 ILCS 135/25

Adds reference to:

225 ILCS 135/30

Adds reference to:

225 ILCS 135/40

Adds reference to:

225 ILCS 135/50

Adds reference to:

225 ILCS 135/55

Adds reference to:

225 ILCS 135/60

Adds reference to:

225 ILCS 135/65

Adds reference to:

225 ILCS 135/73 new

Adds reference to:

225 ILCS 135/75

SB 02012 (CONTINUED)

Adds reference to:

225 ILCS 135/85

Adds reference to:

225 ILCS 135/95

Adds reference to:

225 ILCS 135/180

Adds reference to:

225 ILCS 135/70 rep.

Deletes everything after the enacting clause. Amends the Genetic Counselor Licensing Act. Provides that certain provisions concerning restrictions and limitations of the Act and unlicensed practice shall apply 12 months after the adoption of the final administrative rules, rather than on January 1, 2006. Provides that if an applicant fails to obtain a license under the Act within 3 years after filing his or her initial application for original licensure, the application shall be denied. Removes a provision that provides that if an applicant neglects, fails, or refuses to take an examination or fails to pass an examination for a license under the Act within 2 exam cycles after receiving a temporary license, the application will be denied. Provides that the Department of Financial and Professional Regulation may, rather than shall, issue a license to a person with certain qualifications. Sets forth additional qualifications for licensure. Provides for the issuance of a temporary letter of authorization to practice as a genetic counselor, rather than a temporary license. Makes changes to provisions concerning license renewal and continuing education requirements, fees and the deposit of fees, endorsement, and the Illinois Administrative Procedure Act. Adds a provision concerning inactive status of a license. Provides that it shall be grounds for discipline for an individual to provide genetic counseling services to individuals, couples, groups, or families without a written referral. Repeals a Section concerning implementation of the Act and transitional periods. Makes other changes.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the contents of the bill with the following changes. Defines "referral" and, in certain provisions, removes the requirement that referrals be written. Provides that in clinical settings, genetic counselors who serve as a liaison between family members of a patient and a genetic research project may, with the consent of the patient, provide information to family members for the purpose of gathering additional information, as it relates to the patient, without a referral. Provides that in non-clinical settings where no patient is being treated, genetic counselors who serve as a liaison between a genetic research project and participants in that genetic research project may provide genetic counseling services to the participants, without a referral. Removes the provision concerning a temporary letter of authorization to practice. Provides that a temporary license may be issued to an individual who has made application to the Department of Financial and Professional Regulation, has submitted evidence to the Department of admission to the certifying examination administered by the American Board of Genetic Counseling or the American Board of Medical Genetics or either of its successor agencies, has met all of the requirements for licensure under the Act, except the examination requirement, and has met any other condition established by rule. Provides that the holder of a temporary license shall practice only under the supervision of a qualified supervisor. Provides that, under certain circumstances, the Department may issue a license as a genetic counselor to an applicant licensed under the laws of another state, a U.S. territory, or another country (now, the Department may only issue a license to an applicant licensed under the laws of another state). Makes other changes.

House Amendment No. 2

Provides that in non-clinical settings where no patient is being treated, genetic counselors who serve as a liaison between a genetic research project and participants in that genetic research project may provide information (rather than genetic counseling services) to the participants, without a referral.

Aug 22 05 S Public Act 94-0661

SB 02032 Sen. John M. Sullivan, Pamela J. Althoff-Mike Jacobs-Edward D. Maloney-Martin A. Sandoval and Mattie Hunter
(Rep. David Reis-Linda Chapa LaVia-Donald L. Moffitt-Jim Watson, Richard P. Myers, Lisa M. Dugan, Robert W. Pritchard, John E. Bradley and Daniel V. Beiser)

105 ILCS 5/1-2 from Ch. 122, par. 1-2

Amends the School Code. Makes a technical change in a Section concerning the School Code's construction.

Senate Committee Amendment No. 2

Deletes reference to:

105 ILCS 5/1-2

Adds reference to:

330 ILCS 105/1 from Ch. 126 1/2, par. 26

Deletes everything after the enacting clause. Amends the Children of Deceased Veterans Act. Provides that the Department of Veterans' Affairs shall provide certain education-related benefits to the children of certain veterans who are attending or may attend a State or private (now, just State) educational institution of elementary or high school grade. Effective immediately.

Jul 01 05 S Public Act 94-0106

SB 02038 Sen. Chris Lauzen
(Rep. Timothy L. Schmitz)

Laws 1965, p. 2927, Sec. 3

Laws 1967, p. 28, Sec. 1

Amends "An Act to authorize the Department of Mental Health to convey certain State-owned lands in Kane County", as amended. Provides that certain restrictions on the use of that land do not apply to a portion of that land. Effective immediately.

House Amendment No. 1

Deletes everything after the enacting clause. Reinserts the provisions of the original bill with the following changes. Amends "An Act authorizing the Director of Mental Health and Developmental Disabilities to convey certain real property", by repealing the Section concerning the right of reentry by the Department of Mental Health and Developmental Disabilities due to the neglect or failure of the Association for Individual Development to use such lands for the specified purposes. Authorizes the Department of Corrections to convey the described property to the Community Unit School District 303. Authorizes the Director of Corrections to convey a permanent exclusive easement to the City of St. Charles, lessees of the City of St. Charles, and public utility companies with respect to specified land in Kane County. Contains findings. Effective immediately.

House Amendment No. 2

Provides that the conveyance of land to the Community Unit School District 303 is subject to the condition that the land must be used or held for public purposes unless otherwise authorized by law. Provides that if at any time the condition is breached then the land shall revert back to the State of Illinois, Department of Corrections, by operation of law.

Aug 16 05 S Public Act 94-0610

SB 02040 Sen. Deanna Demuzio
(Rep. Jim Watson-William B. Black-Michael Tryon)

415 ILCS 5/57

Amends the Environmental Protection Act. Makes a technical change to a Section concerning the intent and purpose of the Leaking Underground Storage Tank Program.

Senate Floor Amendment No. 1

Adds reference to:

415 ILCS 5/57.10

Deletes reference to:

415 ILCS 5/57

Deletes everything after the enacting clause. Provides that a no further remediation letter does not apply to off-site contamination related to the occurrence that has not been remediated due to denial of access to the off-site property. Sets forth that the no further remediation letter shall apply in favor of an owner of a parcel of real property to the extent the no further remediation letter applies to the occurrence on that parcel.

Jul 19 05 S Public Act 94-0276

SB 02043 Sen. Iris Y. Martinez-Miguel del Valle-Martin A. Sandoval-Antonio Munoz-Jacqueline Y. Collins
(Rep. Edward J. Acevedo-William Delgado-Cynthia Soto-Richard T. Bradley-Daniel J. Burke, Linda Chapa LaVia, Michelle Chavez and Maria Antonia Berrios)

5 ILCS 410/20

Amends the State Employment Records Act. Provides that each State agency shall include in its annual report a description of the agency's Hispanic employment plan and its bilingual employment plan; the financial data from the most recent fiscal year about the expenditures for the Hispanic and bilingual plans; the effectiveness of the plans, programs, methods, or strategies developed by the agency to meet the purpose of the Act; reports or information about the agency's Hispanic and bilingual programs that the agency received from the Department of Human Rights, Department of Central Management Services, the Auditor General, or the Governor; information about the agency's studies and monitoring success about the increase of Hispanics and bilingual persons at the supervisory, technical, professional, and managerial levels; and information about the agency's budget allocations for the Hispanic and bilingual employment programs.

Senate Floor Amendment No. 2

Adds reference to:

20 ILCS 405/405-120	was 20 ILCS 405/67.29

Adds reference to:

20 ILCS 405/405-125	was 20 ILCS 405/67.31

Amends the State Employment Records Act. Provides that each State agency shall include in its annual report a description of the agency's activities in implementing the State Hispanic Employment Plan and the bilingual employment plan in accord with CMS requirements. Amends the Department of Central Management Services Law. Provides that in consultation with knowledgeable persons and organizations, the Department shall each year prepare an Hispanic Employment Plan and report to the General Assembly each State agency's activities that implement the plan. Provides that each State agency shall implement strategies and programs in accord with the State Hispanic Employment Plan to increase the number of State employees who are Hispanic or bilingual in supervisory, technical, professional, and managerial positions. Each agency shall report annually to the Department and the Department of Human Rights concerning the agency's activities in implementing the plan. Each agency's annual report shall include: reports or information about the agency's Hispanic and bilingual programs that the agency received from the Department of Human Rights, Department of Central Management Services, and the Auditor General; findings made by the Governor; information about the agency's studies and monitoring success about the increase of Hispanics and bilingual persons at the supervisory, technical, professional, and managerial levels; and information about the agency's budget allocations for the Hispanic and bilingual employment programs. Makes other changes.

Aug 15 05 S Public Act 94-0597

SB 02053 Sen. Don Harmon

(Rep. Calvin L. Giles-Barbara Flynn Currie)

35 ILCS 200/1-55

Amends the Property Tax Code. Makes a technical change in a Section concerning the definition of "33 1/3%".

Senate Floor Amendment No. 1

Deletes reference to:

35 ILCS 200/1-55

Adds reference to:

35 ILCS 200/21-310

Adds reference to:

35 ILCS 200/21-315

Deletes everything after the enacting clause. Amends the Property Tax Code. In a Section concerning sales in error, deletes a provision that a county collector may not declare an administrative sale in error unless he or she discovers that a tax sale should not have occurred within one year after the date of sale if taxes were sold at an annual tax sale or within 180 days after the date of sale if taxes were sold at a scavenger tax sale. Provides that, if the owner of a certificate of purchase files an objection to the county collector's intention to declare an administrative sale in error and, thereafter, the county collector elects to apply to the circuit court for a sale in error, then, if the circuit court grants the county collector's application for a sale in error, the court may not award interest to the owner of the certificate of purchase for the period after the mailing date of the county collector's notice of intention to declare an administrative sale in error.

House Amendment No. 1

Provides that a county collector has 5 years after the date of sale if taxes were sold at either an annual tax sale or a scavenger tax sale to discover that a tax sale should not have occurred and notify the owner of the certificate of purchase that the county collector intends to declare an administrative sale in error (the bill as engrossed deleted a provision that a county collector has only one year after the date of sale if taxes were sold at an annual tax sale or 180 days after the date of sale if taxes were sold at a scavenger tax sale to discover that a tax sale should not have occurred and declare a sale in error).

House Amendment No. 2

Provides that a county collector has until the expiration of the period of redemption (instead of until 5 years after the date of sale) to discover that a tax sale should not have occurred and notify the owner of the certificate of purchase that the county collector intends to declare an administrative sale in error.

Aug 22 05 S Public Act 94-0662

SB 02054 Sen. Don Harmon

(Rep. Kevin A. McCarthy-Richard T. Bradley-Elaine Nekritz)

70 ILCS 1205/6-4 from Ch. 105, par. 6-4

Amends the Park District Code. Provides that refunding bonds issued under the Park District Refunding Bond Act that refund or continue to refund bonds approved by referendum do not limit the right of a park district to issue non-referendum bonds in accordance with this Section.

Aug 18 05 S Public Act 94-0628

SB 02060 Sen. Dave Sullivan-Adeline Jay Geo-Karis-William E. Peterson-John O. Jones-Richard J. Winkel, Jr., Pamela J. Althoff, Larry K. Bomke, Bill Brady, J. Bradley Burzynski, Dan Cronin, Gary G. Dahl, Kirk W. Dillard, Wendell E. Jones, Chris Lauzen, David Luechtefeld, Carole Pankau, Edward Petka, Christine Radogno, Steven J. Rauschenberger, Dale A. Righter, Dale E. Risinger, Peter J. Roskam, Dan Rutherford, Todd Sieben, Dave Syverson, Frank C. Watson, Kathleen L. Wojcik, M. Maggie Crotty, Mattie Hunter and Jacqueline Y. Collins

(Rep. Linda Chapa LaVia-Daniel V. Beiser-Lisa M. Dugan-Naomi D. Jakobsson, Charles E. Jefferson, Michelle Chavez, Maria Antonia Berrios, Edward J. Acevedo, Jack D. Franks, William Davis, William Delgado, Cynthia Soto and Careen M Gordon)

New Act

20 ILCS 405/405-272 new

65 ILCS 5/11-117-12.2 new

215 ILCS 5/224.05 new

220 ILCS 5/8-201.5 new

735 ILCS 5/9-107.10 new

815 ILCS 205/4 from Ch. 17, par. 6404

815 ILCS 205/4.05 new

815 ILCS 636/37 new

Provides that the bill may be referred to as the Illinois Patriot Plan. Creates the Military Personnel Cellular Phone Contract Termination Act; provides that any member of the armed services or reserve forces of the United States or member of the Illinois National Guard (a "service member") who is deployed on active duty, or the spouse of that service member, may terminate, without penalty, a cellular phone contract that meets specified requirements. Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois; provides that the Department may enter into a contract to purchase bulk long distance telephone services and make them available at cost, or may make bulk long distance telephone services available at cost under any existing contract the Department has entered into, to members of the immediate family of service members deployed on active duty so that those family members can communicate with the person so deployed. Amends the Illinois Insurance Code; provides that an individual life insurance policy insuring the life of a service member shall not lapse or be forfeited for the nonpayment of premiums during the service member's period of military service or during the 2-year period subsequent to the end of the service member's period of military service. Amends the Illinois Municipal Code and the Public Utilities Act; provides that no municipal or public utility company or electric cooperative shall stop gas or electricity from entering the residential premises of any residential consumer who is a service member deployed on active duty for nonpayment for gas or electricity supplied to the residential premises. Amends the Code of Civil Procedure; provides that in an action for possession of residential premises of a tenant or mobile home park resident who is a service member deployed on active duty or of any member of the tenant's or resident's immediate family, the court may stay the proceedings for a period of 90 days or adjust the rental obligation to preserve the parties' interests. Amends the Interest Act; provides that no creditor in connection with an obligation entered into on or after the effective date of this amendatory Act shall charge or collect from a service member who is deployed on active duty, or the spouse of that service member, interest or finance charges exceeding 6% per annum during the period that the member is deployed on active duty. Amends the Motor Vehicle Leasing Act; provides that any service member who is deployed on active duty for a period of not less than 180 days, or the spouse of that service member, may terminate any motor vehicle lease that meets certain specified requirements. Effective immediately.

Senate Floor Amendment No. 2

Replaces everything after the enacting clause with provisions substantially similar to those of Senate Bill 2060, but with changes that include the following: (1) provides that in order to be eligible for the various protections included in the bill, a service member must provide a copy of the military or gubernatorial orders calling the service member to active duty or further extending the service member's period of active duty; (2) in the provisions amending the Illinois Municipal Code and the Public Utilities Act, prohibits a municipality, utility company, or electric cooperative from stopping gas or electricity from entering the residential premises of which a service member was a primary occupant immediately before the service member was deployed on active duty (instead of the residential premises of any residential consumer who is a service member deployed on active duty); and (3) limits the applicability of the provisions amending the Interest Act to obligations entered into on or after the effective date of this amendatory Act but prior to the service member's deployment on active duty (instead of only obligations entered into on or after the effective date of this amendatory Act). Effective immediately.

House Amendment No. 1

In provisions amending the Code of Civil Procedure with respect to an action for possession, deletes a provision that the amendatory changes do not apply to landlords or mobile home park operators operating less than 4 residential premises. In provisions amending the Interest Act, (1) adds a reference to the amendatory provisions concerning limitations on interest rates in the case of military personnel and (2) makes the limitation on interest rates for military personnel subject to the federal Servicemembers Civil Relief Act.

SB 02060 (CONTINUED)

Aug 22 05 S Public Act 94-0635

SB 02062 Sen. Dale A. Righter-Louis S. Viverito

(Rep. Joseph M. Lyons-Roger L. Eddy-David Reis-Jack D. Franks-Kevin Joyce, Jerry L. Mitchell, Jack McGuire, John D'Amico, Dan Reitz, JoAnn D. Osmond, Patricia R. Bellock, Daniel V. Beiser, Brandon W. Phelps, Patrick J Verschoore, Kathleen A. Ryg, Annazette Collins, Linda Chapa LaVia and Lisa M. Dugan)

320 ILCS 42/35

Amends the Older Adult Services Act. Provides that the Director of Aging, in collaboration with the Directors of Public Health and Public Aid, may appoint additional citizen members to the Older Adult Services Advisory Committee. Provides that each such additional member must be either an individual age 60 or older or an uncompensated caregiver for a family member or friend who is age 60 or older. Effective immediately.

Jun 14 05 S Public Act 94-0031

SB 02064 Sen. Susan Garrett-Donne E. Trotter and Jacqueline Y. Collins

(Rep. Susana A Mendoza)

225 ILCS 65/5-1

Amends the Nursing and Advanced Practice Nursing Act. Makes a technical change in a Section concerning the short title.

Senate Committee Amendment No. 1

Deletes reference to:

225 ILCS 65/5-1

Adds reference to:

225 ILCS 65/10-30

Deletes everything after the enacting clause. Amends the Nursing and Advanced Practice Nursing Act. Provides that applicants for registered nurse licensure pursuant to certain provisions of the Act who are graduates of nursing educational programs in a country other than the United States or its territories and applicants licensed in another state or territory who are applying for licensure and who have received their education in a country other than the United States or its territories shall have their nursing education credentials evaluated by a nursing credentialing evaluation service approved by the Department of Financial and Professional Regulation. Provides that no such applicant may be issued a license unless the applicant's program is deemed by the nursing credentialing evaluation service to be equivalent to a professional nursing education program approved by the Department. Provides that an applicant who has graduated from a nursing educational program outside of the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and that the Department may waive the requirement that the applicant pass the TOEFL examination if the applicant submits verification of the successful completion of a nursing education program conducted in English or, in the case of applicants licensed in another state or territory who have received their education in a country other than the United States or its territories, the successful passage of an approved licensing examination given in English (now, provides that applicants for registered nurse licensure pursuant to certain provisions of the Act who are graduates of nursing educational programs in a country other than the United States or its territories must submit to the Department certification of successful completion of the Commission of Graduates of Foreign Nursing Schools (CGFNS) examination and that an applicant who is unable to provide appropriate documentation to satisfy CGFNS of her or his educational qualifications for the CGFNS examination shall be required to pass an examination to test competency in the English language, which shall be prescribed by the Department, if the applicant is determined by the Board of Nursing to be educationally prepared in nursing and provides that an applicant licensed in another state or territory who is applying for licensure and has received her or his education in a country other than the United States or its territories shall be exempt from the completion of the CGFNS examination if the applicant meets certain requirements). Effective immediately.

Senate Floor Amendment No. 2

In the provisions concerning applicants for certain registered nurse licensure who are graduates of nursing educational programs in a country other than the United States or its territories and applicants who are licensed in another state or territory who have received their education in a country other than the United States or its territories, provides that the Department may, upon recommendation from the nursing evaluation service, waive the requirement that an applicant pass the TOEFL examination if the applicant submits verification of the successful completion of a nursing education program conducted in English or the successful passage of an approved licensing examination in English, if applicable (now, no recommendation from the nursing evaluation service is required).

Jul 28 05 S Public Act 94-0352

SB 02066 Sen. Larry K. Bomke and Dave Syverson
(Rep. Rich Brauer)

820 ILCS 405/1300 from Ch. 48, par. 540

Amends the Unemployment Insurance Act. Deletes provisions that an individual may voluntarily elect to have income tax deducted and withheld from his or her unemployment insurance benefit payments only if the Director of the Department of Employment Security promulgates rules concerning the withholding. Effective immediately.

Senate Committee Amendment No. 1

Deletes the immediate effective date provision.

Jul 14 05 S Public Act 94-0237

SB 02072 Sen. Don Harmon
(Rep. Angelo Saviano)

815 ILCS 645/1 from Ch. 29, par. 51

Amends the Physical Fitness Services Act. Makes a technical change in a Section concerning the short title.

Senate Floor Amendment No. 1

Deletes reference to:

815 ILCS 645/1 from Ch. 29, par. 51

Adds reference to:

815 ILCS 645/2 from Ch. 29, par. 52

Adds reference to:

815 ILCS 645/8 from Ch. 29, par. 58

Adds reference to:

815 ILCS 645/9 from Ch. 29, par. 59

Deletes everything after the enacting clause. Further amends the Physical Fitness Services Act. Provides that the provision prohibiting a contract for physical fitness services from requiring payment of a total amount in excess of $2500 per year does not apply to any contract for family or couple memberships or group memberships, where the purchaser is a corporation or other business entity or any social, fraternal or charitable organization not created for the purpose of encouraging this contractual arrangement. Provides that no contract for family or couple memberships for basic physical fitness services shall require payment in excess of $2000 per year per person for the first 2 people covered under the membership and $1000 per year per person for each additional person covered under the membership. Defines "basic physical fitness services", "optional physical services", "personal training services", and "non-physical fitness services".

House Amendment No. 1

Deletes reference to:

815 ILCS 645/2

Deletes everything after the enacting clause. Amends the Physical Fitness Services Act. Provides that, if and only if the provisions of House Bill 2525 of the 94th General Assembly changing specified provisions of the Physical Fitness Services Act become law, the Physical Fitness Services Act is amended by: changing the term "optional physical services" to "optional physical fitness services"; and providing that certain contract prohibitions apply to contracts for "basic physical fitness services" rather than "physical fitness services".

Aug 22 05 S Public Act 94-0663

SB 02082 Sen. John J. Cullerton-John O. Jones and Gary Forby
(Rep. Kurt M. Granberg-Paul D. Froehlich-John A. Fritchey-Arthur L. Turner)

725 ILCS 124/10

725 ILCS 124/15

Amends the Code of Criminal Procedure of 1963. Provides that in a case in which the State has filed a statement of intent to seek the death penalty, the court shall require appointed counsel, after counsel has had adequate time to review the case, to submit a proposed estimated litigation budget for court approval that will be subject to modification in light of facts and developments that emerge as the case proceeds. Provides that the budget shall be incorporated into a sealed initial pretrial order that reflects the understandings of the court and counsel regarding all matters affecting counsel compensation and reimbursement and payments for investigative, expert and other services. Provides that the court shall not authorize payment of bills to appointed trial counsel that are not properly itemized.

House Amendment No. 1

Adds reference to:

5 ILCS 140/7 from Ch. 116, par. 207

Further amends the Capital Crimes Litigation Act. Provides that case budgets shall be reviewed and approved by the judge assigned to try the case. Provides that petitions for compensation shall be reviewed by both the trial judge and the presiding judge or the presiding judge's designee. Provides that if an ex parte hearing is requested by defense counsel or deemed necessary by the trial judge prior to modifying a budget, the ex parte hearing shall be before the presiding judge or the presiding judge's designee. Provides that if the presiding judge or the presiding judge's designee finds that the services were not reasonable, payment may be denied. Provides that in a case in which the State has filed a statement of intent to seek the death penalty, the court shall require appointed counsel, including those appointed in Cook County (instead of appointed counsel), to submit a proposed estimated litigation budget for court approval. Makes other technical changes. Amends the Freedom of Information Act. Provides that defense budgets and petitions for certification and expenses for court appointed trial counsel shall be exempt from inspection and copying under the Act. Provides that this exemption shall apply until the conclusion of the trial, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

Aug 22 05 S Public Act 94-0664

SB 02085 Sen. James A. DeLeo
(Rep. Michael P. McAuliffe)

65 ILCS 5/11-149-1 from Ch. 24, par. 11-149-1

Amends the Illinois Municipal Code. Provides that if a municipality has extended sewers or water mains, or both, to another body corporate and politic, the municipality cannot thereafter require the annexation of the property to the municipality as a prerequisite to the continuation and maintenance of such service. Effective immediately.

Senate Floor Amendment No. 2

Provides that the prohibition against requiring annexation of property owned by a unit of local government as a condition and maintenance of service applies to non-home rule municipalities. Changes references of "body corporate and politic" to "unit or local government".

Aug 10 05 S Public Act 94-0544

SB 02087 Sen. Kimberly A. Lightford-Dan Cronin-Don Harmon-James A. DeLeo
(Rep. Angelo Saviano-Karen A. Yarbrough-Bob Biggins-Deborah L. Graham)

20 ILCS 3901/15

20 ILCS 3901/17 new

20 ILCS 3901/20

Amends the Addison Creek Restoration Commission Act. Authorizes the Addison Creek Restoration Commission to accept loans and advances, to levy taxes, and to borrow money and issue bonds. Effective July 1, 2005.

Senate Committee Amendment No. 4

Deletes everything after the enacting clause. Re-inserts the provisions of the bill as introduced, except for the following changes. Provides that the total amount levied and extended by the Commission for all purposes, in the aggregate, in any single taxable year, shall not exceed $10,000,000. Provides that such taxes shall be levied on taxable property within that part of the territory of the Commission that is within the Addison Creek floodplain (now, on property within the territory of the Commission) and sets forth a referendum process for approval of those taxes and of issuance of the bonds by the voters. Makes corresponding changes. Effective July 1, 2005.

Nov 08 05 S Public Act 94-0682

SB 02090 Sen. Kimberly A. Lightford

(Rep. Karen A. Yarbrough-Deborah L. Graham-Calvin L. Giles-Marlow H. Colvin-Cynthia Soto and Richard T. Bradley)

730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3

730 ILCS 5/5-4-1 from Ch. 38, par. 1005-4-1

Amends the Unified Code of Corrections. Provides that when the court's sentencing order recommends a prisoner for substance abuse treatment and the crime was committed on or after September 1, 2003, the prisoner shall receive no good conduct credit for meritorious service unless he or she participates in and completes a substance abuse treatment program. Provides that a prisoner on a waiting list to participate in and complete a substance abuse program prior to release may be eligible for a waiver and receive good conduct credit for meritorious service at the discretion of the Director. Effective immediately.

Jul 08 05 S Public Act 94-0156

SB 02091 Sen. Kimberly A. Lightford-Jacqueline Y. Collins-Mattie Hunter

(Rep. Karen May-Joe Dunn-Chapin Rose-Kathleen A. Ryg)

20 ILCS 2310/2310-280 new

Amends the Department of Public Health Powers and Duties Law. Provides that hospitals and universities in Illinois may not agree to conduct clinical trials unless the results of the clinical trials will be properly reported. Provides that "properly reported" means that at least 30 days before the drug or device that is the subject of a clinical trial becomes available to the general public, the entity conducting the clinical trial will provide the clinical trial's results to physicians and the general public and register these results on a certain website maintained by the National Institutes of Health. Defines "clinical trial". Provides that the Department shall adopt rules as necessary to implement and enforce this Section including requirements for the hospital or university to notify the Department and supply information concerning a clinical trial prior to its commencement. Effective January 1, 2006.

House Amendment No. 1

Deletes everything after the enacting clause. Further amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Director of Public Health shall make available on the Department's website information directing citizens to publicly available information on ongoing clinical trials, and the results of completed clinical studies, including those sponsored by the National Institutes of Health, those sponsored by academic researchers, and those sponsored by the private sector.

Aug 10 05 S Public Act 94-0545

SB 02103 Sen. Todd Sieben

(Rep. Jim Sacia-David Reis-Patricia R. Bellock)

740 ILCS 130/5

Amends the Premises Liability Act. Provides that the immunity for an owner or operator of a firearm range extends to the owner or operator of a range in which an occupied permanent dwelling on adjacent property was built within 1,000 yards from an area of the range from which a firearm may be properly discharged if the dwelling was built after the range began its operation. Effective immediately.

Jul 29 05 S Public Act 94-0387

SB 02104 Sen. Todd Sieben

(Rep. Brandon W. Phelps)

720 ILCS 5/24-2 from Ch. 38, par. 24-2

Amends the Criminal Code of 1961. Provides that a unit of local government, including a home rule unit, may not regulate the transportation of firearms and may not regulate the transportation of ammunition, components, accessories, or accoutrements for firearms. Provides that the provisions of any ordinance or resolution adopted before, on, or after the effective date of this amendatory Act by any unit of local government that imposes restrictions or limitations on the transportation of firearms and ammunition, components, accessories, and accoutrements of firearms in a manner other than those that are imposed by this amendatory Act are invalid and all those existing ordinances and resolutions are void. Provides that this provision is a limitation of home rule powers under subsection (h) of Section 6 of Article VII of the Illinois Constitution. Effective immediately.

Nov 04 05 H Total Veto Stands - No Positive Action Taken

SB 02111 Sen. Ira I. Silverstein and Martin A. Sandoval-Kirk W. Dillard-Jacqueline Y. Collins
(Rep. James D. Brosnahan-Milton Patterson, Richard T. Bradley and Kevin A. McCarthy)

720 ILCS 5/33-3 from Ch. 38, par. 33-3

720 ILCS 5/33-7 new

Amends the Criminal Code of 1961. Increases the penalty for official misconduct committed by a public officer or employee from a Class 3 felony to a Class 2 felony. Creates the offense of public contractor misconduct. Defines the offense. Provides that a violation is a Class 2 felony.

Senate Floor Amendment No. 1

Provides that a special government agent may be guilty of official misconduct as well as a public officer or employee.

House Amendment No. 1

Deletes reference to:

720 ILCS 5/33-3

Deletes reference to:

720 ILCS 5/33-7 new

Adds reference to:

P.A. 94-487, Sec. 99 new

Deletes the title and everything after the enacting clause. Amends Public Act 94-166 (which dealt with sex offender registration requirements) by providing that it takes effect on July 1, 2006. Effective immediately.

Jan 26 06 S Total Veto Stands

SB 02112 Sen. Deanna Demuzio-Martin A. Sandoval
(Rep. Kevin A. McCarthy-Paul D. Froehlich-James D. Brosnahan-Kevin Joyce-Richard T. Bradley, Robert W. Pritchard, William B. Black, Jack D. Franks and Linda Chapa LaVia)

110 ILCS 805/2-1 from Ch. 122, par. 102-1

110 ILCS 805/2-2 from Ch. 122, par. 102-2

Amends the Public Community College Act. Provides that beginning on July 1, 2005, one of the 11 members appointed to the Illinois Community College Board by the Governor must be a faculty member at an Illinois public community college. Effective July 1, 2005.

Senate Floor Amendment No. 1

Beginning on July 1, 2005, requires one of the members of the Illinois Community College Board appointed by the Governor to be a member of the board of trustees of a public community college district. Provides that the Board membership requirements apply only to the Illinois Community College Board and shall have no effect on the membership of the board of trustees of a community college district. Provides that no member of the Board shall hold current membership on a school board or board of trustees of a public or non-public university or technical institute (now, a public or non-public college, university, or technical institute).

Jul 08 05 S Public Act 94-0157

SB 02116 Sen. Mike Jacobs, Pamela J. Althoff, Frank C. Watson-Dale A. Righter and Dale E. Risinger-Chris Lauzen
(Rep. Aaron Schock-Bill Mitchell-Rich Brauer-Gary Hannig-Frank J. Mautino, Robert W. Pritchard, Jack D. Franks and Linda Chapa LaVia)

20 ILCS 405/405-292

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. With respect to savings realized from the implementation of State agency business processing efficiency initiatives, provides that savings realized by the Department of Transportation shall be deposited into the Construction Fund, rather than the Efficiency Initiatives Revolving Fund. Effective immediately.

Senate Floor Amendment No. 1

Changes the reference from the Construction Fund to the State Construction Account Fund.

Nov 04 05 S Total Veto Stands