



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-THIRD GENERAL ASSEMBLY**

**54TH LEGISLATIVE DAY**

**WEDNESDAY, MAY 28, 2003**

**10:15 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**54th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator Rickey Hendon, Chicago, Illinois, presiding.  
 Prayer by Reverend Brandon Boyd, Loami Christian Church, Loami, Illinois.  
 Senator Link led the Senate in the Pledge of Allegiance.

The Journal of Thursday, May 22, 2003, was being read when on motion of Senator Woolard further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Woolard moved that reading and approval of the Journals of Friday, May 23, 2003 and Tuesday, May 27, 2003 be postponed pending arrival of the printed Journals.  
 The motion prevailed.

### LEGISLATIVE MEASURES FILED

The following Floor amendments to the House Bills listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Floor Amendment No. 1 to House Bill 948  
 Senate Floor Amendment No. 1 to House Bill 2362  
 Senate Floor Amendment No. 1 to House Bill 2696  
 Senate Floor Amendment No. 1 to House Joint Resolution 12  
 Senate Floor Amendment No. 1 to Senate Joint Resolution 36

### MESSAGES FROM THE HOUSE

A message from the House by  
 Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 46

A bill for AN ACT concerning taxes.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 46

Passed the House, as amended, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

### AMENDMENT NO. 1 TO SENATE BILL 46

AMENDMENT NO. 1. Amend Senate Bill 46 by replacing everything after the enacting clause with the following:

"Section 5. If and only if both Senate Bill 1212 and House Bill 46 of the 93rd General Assembly become law, then the Use Tax Act is amended by changing Section 3-10 and by adding Sections 3-41, 3-42, 3-43, 3-44, and 3-44.5 as follows:

(35 ILCS 105/3-10) (from Ch. 120, par. 439.3-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of either the selling price or the fair market value, if any, of the tangible personal property. In all cases where property functionally used or consumed is the same as the property that was purchased at retail, then the tax is imposed on the selling price of the property. In all cases where property functionally used or consumed is a by-product or waste product that has been refined, manufactured, or produced from property purchased at retail, then the tax is imposed on the lower of the fair market value, if any, of the specific property so used in this State or on the selling price of the property purchased at retail. For purposes of this Section "fair market value" means the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts. The fair market value shall be established by Illinois sales by the taxpayer of the same property as that functionally used

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or consumed, or if there are no such sales by the taxpayer, then comparable sales or purchases of property of like kind and character in Illinois.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, the tax imposed by this Act applies to (i) 70% of the proceeds of sales made on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013, and (iii) ~~to~~ 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of gasohol is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the proceeds of sales made thereafter.

With respect to biodiesel blends with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013 and (ii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel and biodiesel blends with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the proceeds of sales made thereafter.

With respect to food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, the tax is imposed at the rate of 1%. For the purposes of this Section, the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size. "Soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

If the property that is purchased at retail from a retailer is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use. (Source: P.A. 90-605, eff. 6-30-98; 90-606, eff. 6-30-98; 91-51, eff. 6-30-99; 91-872, eff. 7-1-00.)

(35 ILCS 105/3-41 new)

Sec. 3-41. Biodiesel. "Biodiesel" means a renewable diesel fuel derived from biomass that is intended for use in diesel engines.

(35 ILCS 105/3-42 new)

Sec. 3-42. Biodiesel blend. "Biodiesel blend" means a blend of biodiesel with petroleum-based diesel fuel in which the resultant product contains no less than 1% and no more than 99% biodiesel.

(35 ILCS 105/3-43 new)

Sec. 3-43 Biomass. "Biomass" means non-fossil organic materials that have an intrinsic chemical energy content. "Biomass" includes, but is not limited to, soybean oil, other vegetable oils, and ethanol.

(35 ILCS 105/3-44 new)

Sec. 3-44. Majority blended ethanol fuel. "Majority blended ethanol fuel" means motor fuel that contains not less than 70% and no more than 90% denatured ethanol and no less than 10% and no more than 30% gasoline.

(35 ILCS 105/3-44.5 new)

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Sec. 3-44.5 Diesel fuel. "Diesel fuel" means any product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without electric spark.

Section 10. If and only if both Senate Bill 1212 and House Bill 46 of the 93rd General Assembly become law, then the Service Use Tax Act is amended by changing Section 3-10 as follows:

(35 ILCS 110/3-10) (from Ch. 120, par. 439.33-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the selling price of tangible personal property transferred as an incident to the sale of service, but, for the purpose of computing this tax, in no event shall the selling price be less than the cost price of the property to the serviceman.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the selling price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013, and (iii) ~~100%~~ 100% of the selling price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred as an incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size. "Soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, "food for human consumption that is to be

consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

If the property that is acquired from a serviceman is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use. (Source: P.A. 90-605, eff. 6-30-98; 90-606, eff. 6-30-98; 91-51, eff. 6-30-99; 91-541, eff. 8-13-99; 91-872, eff. 7-1-00.)

Section 15. If and only if both Senate Bill 1212 and House Bill 46 of the 93rd General Assembly become law, then the Service Occupation Tax Act is amended by changing Section 3-10 as follows:

(35 ILCS 115/3-10) (from Ch. 120, par. 439.103-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the "selling price", as defined in Section 2 of the Service Use Tax Act, of the tangible personal property. For the purpose of computing this tax, in no event shall the "selling price" be less than the cost price to the serviceman of the tangible personal property transferred. The selling price of each item of tangible personal property transferred as an incident of a sale of service may be shown as a distinct and separate item on the serviceman's billing to the service customer. If the selling price is not so shown, the selling price of the tangible personal property is deemed to be 50% of the serviceman's entire billing to the service customer. When, however, a serviceman contracts to design, develop, and produce special order machinery or equipment, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the completion of the contract.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act shall apply to (i) 70% of the cost price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013, and (iii) to 100% of the cost price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013 and (ii) 100% of the proceeds of the selling price thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel material, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the selling price thereafter.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, or the Child Care Act of 1969. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be

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consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. For the purposes of this Section, the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed can, carton, or container, regardless of size. "Soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. (Source: P.A. 90-605, eff. 6-30-98; 90-606, eff. 6-30-98; 91-51, 6-30-99; 91-541, eff. 8-13-99; 91-872, eff. 7-1-00.)

Section 20. If and only if both Senate Bill 1212 and House Bill 46 of the 93rd General Assembly become law, then the Retailers' Occupation Tax Act is amended by changing Section 2-10 as follows:

(35 ILCS 120/2-10) (from Ch. 120, par. 441-10)

Sec. 2-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of gross receipts from sales of tangible personal property made in the course of business.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

Within 14 days after the effective date of this amendatory Act of the 91st General Assembly, each retailer of motor fuel and gasohol shall cause the following notice to be posted in a prominently visible place on each retail dispensing device that is used to dispense motor fuel or gasohol in the State of Illinois: "As of July 1, 2000, the State of Illinois has eliminated the State's share of sales tax on motor fuel and gasohol through December 31, 2000. The price on this pump should reflect the elimination of the tax." The notice shall be printed in bold print on a sign that is no smaller than 4 inches by 8 inches. The sign shall be clearly visible to customers. Any retailer who fails to post or maintain a required sign through December 31, 2000 is guilty of a petty offense for which the fine shall be \$500 per day per each retail premises where a violation occurs.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the proceeds of sales made on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013, and (iii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the proceeds of sales made thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013 and (ii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2013 but applies to 100% of the proceeds of sales made thereafter.

With respect to food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, the tax is imposed at the rate of 1%.

For the purposes of this Section, the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size. "Soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. (Source: P.A. 90-605, eff. 6-30-98; 90-606, eff. 6-30-98; 91-51, eff. 6-30-99; 91-872, eff. 7-1-00.)

Section 25. If and only if both Senate Bill 1212 and House Bill 46 of the 93rd General Assembly become law, then the Motor Fuel Tax Law is amended by changing Section 2 as follows:

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

Sec. 2. A tax is imposed on the privilege of operating motor vehicles upon the public highways and recreational-type watercraft upon the waters of this State.

(a) Prior to August 1, 1989, the tax is imposed at the rate of 13 cents per gallon on all motor fuel used in motor vehicles operating on the public highways and recreational type watercraft operating upon the waters of this State. Beginning on August 1, 1989 and until January 1, 1990, the rate of the tax imposed in this paragraph shall be 16 cents per gallon. Beginning January 1, 1990, the rate of tax imposed in this paragraph shall be 19 cents per gallon.

(b) The tax on the privilege of operating motor vehicles which use diesel fuel shall be the rate according to paragraph (a) plus an additional 2 1/2 cents per gallon. "Diesel fuel" is defined as any petroleum product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without electric spark.

(c) A tax is imposed upon the privilege of engaging in the business of selling motor fuel as a retailer or reseller on all motor fuel used in motor vehicles operating on the public highways and recreational type watercraft operating upon the waters of this State: (1) at the rate of 3 cents per gallon on motor fuel owned or possessed by such retailer or reseller at 12:01 a.m. on August 1, 1989; and (2) at the rate of 3 cents per gallon on motor fuel owned or possessed by such retailer or reseller at 12:01 A.M. on January 1, 1990.

Retailers and resellers who are subject to this additional tax shall be required to inventory such motor fuel and pay this additional tax in a manner prescribed by the Department of Revenue.

The tax imposed in this paragraph (c) shall be in addition to all other taxes imposed by the State of Illinois or any unit of local government in this State.

(d) Except as provided in Section 2a, the collection of a tax based on gallonage of gasoline used for the propulsion of any aircraft is prohibited on and after October 1, 1979.

(e) The collection of a tax, based on gallonage of all products commonly or commercially known or sold as 1-K kerosene, regardless of its classification or uses, is prohibited (i) on and after July 1, 1992 until December 31, 1999, except when the 1-K kerosene is either: (1) delivered into bulk storage facilities of a bulk user, or (2) delivered directly into the fuel supply tanks of motor vehicles and (ii) on and after January 1, 2000. Beginning on January 1, 2000, the collection of a tax, based on gallonage of all products commonly or commercially known or sold as 1-K kerosene, regardless of its classification or uses, is prohibited except when the 1-K kerosene is delivered directly into a storage tank that is located at a facility that has withdrawal facilities that are readily accessible to and are capable of dispensing 1-K kerosene into the fuel supply tanks of motor vehicles.

Any person who sells or uses 1-K kerosene for use in motor vehicles upon which the tax imposed by this Law has not been paid shall be liable for any tax due on the sales or use of 1-K kerosene. (Source: P.A. 91-173, eff. 1-1-00.)

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

Under the rules, the foregoing **Senate Bill No. 46**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by  
Mr. Rossi, Clerk:

[May 28, 2003]



Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 274

A bill for AN ACT to amend certain Acts in relation to liens.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 274

Passed the House, as amended, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 274

AMENDMENT NO. 1. Amend Senate Bill 274 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Health Care Services Lien Act.

Section 5. Definitions. In this Act:

"Health care professional" means any individual in any of the following license categories: licensed physician, licensed dentist, licensed optometrist, licensed naprapath, licensed clinical psychologist, or licensed physical therapist.

"Health care provider" means any entity in any of the following license categories: licensed hospital, licensed home health agency, licensed ambulatory surgical treatment center, or licensed emergency medical services personnel.

Section 10. Lien created; limitation.

(a) Every health care professional and health care provider that renders any service in the treatment, care, or maintenance of an injured person, except services rendered under the provisions of the Workers' Compensation Act or the Workers' Occupational Diseases Act, shall have a lien upon all claims and causes of action of the injured person for the amount of the health care professional's or health care provider's reasonable charges up to the date of payment of damages to the injured person. The total amount of all liens under this Act, however, shall not exceed 40% of the verdict, judgment, award, settlement, or compromise secured by or on behalf of the injured person on his or her claim or right of action.

(b) The lien shall include a written notice containing the name and address of the injured person, the date of the injury, the name and address of the health care professional or health care provider, and the name of the party alleged to be liable to make compensation to the injured person for the injuries received. The lien notice shall be served on both the injured person and the party against whom the claim or right of action exists. Notwithstanding any other provision of this Act, payment in good faith to any person other than the healthcare professional or healthcare provider claiming or asserting such lien prior to the service of such notice of lien shall, to the extent of the payment so made, bar or prevent the creation of an enforceable lien. Service shall be made by registered or certified mail or in person.

(c) All health care professionals and health care providers holding liens under this Act with respect to a particular injured person shall share proportionate amounts within the statutory limitation set forth in subsection (a). The statutory limitations under this Section may be waived or otherwise reduced only by the lienholder. No individual licensed category of health care professional (such as physicians) or health care provider (such as hospitals) as set forth in Section 5, however, may receive more than one-third of the verdict, judgment, award, settlement, or compromise secured by or on behalf of the injured person on his or her claim or right of action. If the total amount of all liens under this Act meets or exceeds 40% of the verdict, judgment, award, settlement, or compromise, then:

(1) all the liens of health care professionals shall not exceed 20% of the verdict, judgment, award, settlement, or compromise; and

(2) all the liens of health care providers shall not exceed 20% of the verdict, judgment, award, settlement, or compromise;

provided, however, that health care services liens shall be satisfied to the extent possible for all health care professionals and health care providers by reallocating the amount unused within the aggregate total limitation of 40% for all health care services liens under this Act; and provided further that the amounts of liens under paragraphs (1) and (2) are subject to the one-third limitation under this subsection.

If the total amount of all liens under this Act meets or exceeds 40% of the verdict, judgment, award, settlement, or compromise, the total amount of all the liens of attorneys under the Attorneys Lien Act shall not exceed 30% of the verdict, judgment, award, settlement, or compromise. If an appeal is taken by any party to a suit based on the claim or cause of action, however, the attorney's lien shall not be

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affected or limited by the provisions of this Act.

(d) If services furnished by health care professionals and health care providers are billed at one all-inclusive rate, the total reasonable charges for those services shall be reasonably allocated among the health care professionals and health care providers and treated as separate liens for purposes of this Act, including the filing of separate lien notices. For services provided under an all-inclusive rate, the liens of health care professionals and health care providers may be asserted by the entity that bills the all-inclusive rate.

(e) Payments under the liens shall be made directly to the health care professionals and health care providers. For services provided under an all-inclusive rate, payments under liens shall be made directly to the entity that bills the all-inclusive rate.

Section 15. Notice of judgment or award. A judgment, award, settlement, or compromise secured by or on behalf of an injured person may not be satisfied without the injured person or his or her authorized representative first giving notice of the judgment, award, settlement, or compromise to the health care professional or health care provider that rendered a service in the treatment, care, or maintenance of the injured person and that has served a lien notice pursuant to subsection (b) of Section 10. The notice shall be in writing and served upon the lien holder or, in the case of a lien holder operated entirely by a unit of local government, upon the individual or entity authorized to receive service under Section 2-211 of the Code of Civil Procedure.

Section 20. Items to which lien attaches. The lien of a health care professional or health care provider under this Act shall, from and after the time of the service of the lien notice, attach to any verdict, judgment, award, settlement, or compromise secured by or on behalf of the injured person. If the verdict, judgment, award, settlement, or compromise is to be paid over time by means of an annuity or otherwise, any lien under this Act shall be satisfied by the party obligated to compensate the injured person to the fullest extent permitted by Section 10 before the establishment of the annuity or other extended payment mechanism.

Section 25. Examination of health care records.

(a) Upon written request by medical authorization signed by the patient or the patient's representative, or by subpoena, any party to a pending court action against whom a claim is asserted for damages resulting from injuries shall be permitted to examine the records of any health care professional or health care provider concerning the health care professional's or health care provider's treatment, care, or maintenance of the injured person. Within 20 days after receiving a written request by medical authorization signed by the patient or the patient's representative, or by subpoena, a health care professional or health care provider claiming a lien under this Act must furnish to the requesting party, or file with the clerk of the court in which the action is pending, all of the following:

(1) A written statement of the nature and extent of the injuries sustained by the injured person.

(2) A written statement of the nature and extent of the treatment, care, or maintenance given to or furnished for the injured person by the health care professional or health care provider.

(3) A written statement of the history, if any, as given by the injured person, insofar as shown by the health care records, as to the manner in which the injuries were received.

(b) If a health care professional or health care provider fails or refuses to give or file a written statement in conformity with and as required by subsection (a) after being so requested in writing in conformity with subsection (a), the lien of that health care professional or health care provider under this Act shall immediately become null and void.

Section 30. Adjudication of rights. On petition filed by the injured person or the health care professional or health care provider and on the petitioner's written notice to all interested adverse parties, the circuit court shall adjudicate the rights of all interested parties and enforce their liens.

Section 35. Liens created under prior law. A lien validly created under the Clinical Psychologists Lien Act, the Dentists Lien Act, the Emergency Medical Services Personnel Lien Act, Home Health Agency Lien Act, the Hospital Lien Act, the Optometrists Lien Act, the Physical Therapist Lien Act, or the Physicians Lien Act remains in full force and effect on and after July 1, 2003. Such a lien shall be enforceable according to, and otherwise governed by, the provisions of the Act or Code under which it was created, as those provisions existed on June 30, 2003.

Section 40. Attorney's lien. Nothing in this Act shall affect the priority of any attorney's lien under the Attorneys Lien Act.

Section 45. Amounts not recovered under lien. Nothing in this Act shall be construed as limiting the right of a health care professional or health care provider, or attorney, to pursue collection, through all available means, of its reasonable charges for the services it furnishes to an injured person. Notwithstanding any other provision of law, a lien holder may seek payment of the amount of its reasonable charges that remain not paid after the satisfaction of its lien under this Act.

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Section 900. The Attorneys Lien Act is amended by changing Section 1 as follows:

(770 ILCS 5/1) (from Ch. 13, par. 14)

Sec. 1. Attorneys at law shall have a lien upon all claims, demands and causes of action, including all claims for unliquidated damages, which may be placed in their hands by their clients for suit or collection, or upon which suit or action has been instituted, for the amount of any fee which may have been agreed upon by and between such attorneys and their clients, or, in the absence of such agreement, for a reasonable fee, for the services of such suits, claims, demands or causes of action, plus costs and expenses. In the case of a claim, demand, or cause of action with respect to which the total amount of all liens under the Health Care Services Lien Act meets or exceeds 40% of the sum paid or due the injured person, the total amount of all liens under this Act shall not exceed 30% of the sum paid or due the injured person. All attorneys shall share proportionate amounts within this statutory limitation. If an appeal is taken by any party to a suit based on the claim or cause of action, however, the attorney's lien shall not be affected or limited by the provisions of this Act.

To enforce such lien, such attorneys shall serve notice in writing, which service may be made by registered or certified mail, upon the party against whom their clients may have such suits, claims or causes of action, claiming such lien and stating therein the interest they have in such suits, claims, demands or causes of action. Such lien shall attach to any verdict, judgment or order entered and to any money or property which may be recovered, on account of such suits, claims, demands or causes of action, from and after the time of service of the notice. On petition filed by such attorneys or their clients any court of competent jurisdiction shall, on not less than 5 days' notice to the adverse party, adjudicate the rights of the parties and enforce the lien. (Source: P.A. 86-1156; 87-425.)

(770 ILCS 10/Act rep.)

Section 905. The Clinical Psychologists Lien Act is repealed.

(770 ILCS 20/Act rep.)

Section 910. The Dentists Lien Act is repealed.

(770 ILCS 22/Act rep.)

Section 915. The Emergency Medical Services Personnel Lien Act is repealed.

(770 ILCS 25/Act rep.)

Section 920. The Home Health Agency Lien Act is repealed.

(770 ILCS 35/Act rep.)

Section 925. The Hospital Lien Act is repealed.

(770 ILCS 72/Act rep.)

Section 930. The Optometrists Lien Act is repealed.

(770 ILCS 75/Act rep.)

Section 935. The Physical Therapist Lien Act is repealed.

(770 ILCS 80/Act rep.)

Section 940. The Physicians Lien Act is repealed. Section 945. If and only if the provisions of House Bill 1205 of the 93rd General Assembly creating the Naprapathic Lien Act become law, the Naprapathic Lien Act is repealed.

Section 999. Effective date. This Act takes effect on July 1, 2003."

Under the rules, the foregoing **Senate Bill No. 274**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1638

A bill for AN ACT in relation to insurance.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1638

Passed the House, as amended, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1638

[May 28, 2003]

AMENDMENT NO. 1. Amend Senate Bill 1638 by replacing the title with the following:  
"AN ACT in relation to public employee benefits."; and  
by replacing everything after the enacting clause with the following:  
"Section 5. The Public Safety Employee Benefits Act is amended by adding Section 3 as follows:

(820 ILCS 320/3 new)

Sec. 3. Definition. For the purposes of this Act, the term "firefighter" includes, without limitation, a licensed emergency medical technician (EMT) who is a sworn member of a public fire department.

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

Under the rules, the foregoing **Senate Bill No. 1638**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 43

A bill for AN ACT in relation to health, which may be known as the Colleen O'Sullivan Law.  
Which amendments are as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 43

Senate Amendment No. 3 to HOUSE BILL NO. 43

Non-concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

Under the rules, the foregoing **House Bill No. 43**, with Senate Amendments numbered 2 and 3 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 16

A bill for AN ACT regarding child support.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 16

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 81

A bill for AN ACT concerning health care.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 81

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 88

[May 28, 2003]

A bill for AN ACT in relation to health care.  
Which amendment is as follows:  
Senate Amendment No. 2 to HOUSE BILL NO. 88

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 120

A bill for AN ACT in relation to fire protection.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 120

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 184

A bill for AN ACT in relation to animals.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 184

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 218

A bill for AN ACT concerning vehicles.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 218

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 223

A bill for AN ACT in relation to interrogations.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 223

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

[May 28, 2003]

HOUSE BILL 259

A bill for AN ACT in relation to credit and debit cards.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 259

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 312

A bill for AN ACT in relation to criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 312

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 414

A bill for AN ACT in relation to children.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 414

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 467

A bill for AN ACT concerning electronic fund transfers.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 467

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 527

A bill for AN ACT in relation to local government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 527

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

[May 28, 2003]

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 538

A bill for AN ACT in relation to criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 538

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 1096

A bill for AN ACT in relation to deer hunting.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1096

Senate Amendment No. 2 to HOUSE BILL NO. 1096

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 1382

A bill for AN ACT concerning families.

Which amendments are as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 1382

Senate Amendment No. 4 to HOUSE BILL NO. 1382

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1385

A bill for AN ACT in relation to townships.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1385

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1530

A bill for AN ACT in relation to public health.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1530

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

[May 28, 2003]

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1632

A bill for AN ACT concerning business transactions.

Which amendment is as follows:

Senate Amendment No. 3 to HOUSE BILL NO. 1632

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 2493

A bill for AN ACT concerning bonds.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2493

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 2545

A bill for AN ACT in relation to juvenile offenders, which may be referred to as the Redeploy Illinois Program amendments.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2545

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 2797

A bill for AN ACT regarding schools.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2797

Senate Amendment No. 3 to HOUSE BILL NO. 2797

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 2805

A bill for AN ACT concerning higher education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2805

[May 28, 2003]



Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3061

A bill for AN ACT concerning transportation.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3061

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3106

A bill for AN ACT in relation to vehicles.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3106

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3387

A bill for AN ACT in relation to criminal law.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3387

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3407

A bill for AN ACT concerning business transactions.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3407

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3501

A bill for AN ACT in relation to domestic violence.

Which amendment is as follows:

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Senate Amendment No. 1 to HOUSE BILL NO. 3501

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3582

A bill for AN ACT concerning structured settlements.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3582

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3587

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3587

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 3501

A bill for AN ACT in relation to domestic violence.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 3501

Concurred in by the House, May 27, 2003.

ANTHONY D. ROSSI, Clerk of the House

#### REPORTS FROM STANDING COMMITTEES

Senator Clayborne, Chairperson of the Committee on Environment and Energy, to which was referred **House Joint Resolution No. 12** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 12** was placed on the Secretary's Desk.

Senator Walsh, Chairperson of the Committee on Agriculture and Conservation to which was referred **House Bill No. 46** reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a second reading.

#### JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 1 to Senate Bill 46

Motion to Concur in House Amendment 1 to Senate Bill 274

[May 28, 2003]

Motion to Concur in House Amendment 1 to Senate Bill 974  
 Motion to Concur in House Amendment 1 to Senate Bill 1044  
 Motion to Concur in House Amendment 1 to Senate Bill 1102  
 Motion to Concur in House Amendment 1 to Senate Bill 1149  
 Motion to Concur in House Amendment 1 to Senate Bill 1210  
 Motion to Concur in House Amendment 1 to Senate Bill 1342  
 Motion to Concur in House Amendment 1 to Senate Bill 1506  
 Motion to Concur in House Amendment 1 to Senate Bill 1530

## PRESENTATION OF RESOLUTION

### SENATE RESOLUTION 176

Offered by Senators Shadid-Risinger and all Senators:  
 Mourns the death of Deputy James J. "Jim" Mulay of Dunlap.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

## READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Munoz, **House Bill No. 3543**, having been printed as received from the House of Representatives, together with all Senate amendments adopted thereto, was taken up and read by title a third time.

Pending roll call on motion of Senator Munoz, further consideration of **House Bill No. 3543** was postponed.

## HOUSE BILL RECALLED

On motion of Senator Demuzio, **House Bill No. 3640** was recalled from the order of third reading to the order of second reading.

Senators Winkel – Demuzio offered the following amendment and Senator Demuzio moved its adoption:

### AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 3640 by replacing everything after the enacting clause with the following:

"Section 5. The Military Code of Illinois is amended by adding Section 25.6 as follows:  
 (20 ILCS 1805/25.6 new)

Sec. 25.6. Illinois Military Flags Commission.

(a) The Illinois Military Flags Commission is established for the purpose of assisting the Adjutant General with his or her responsibilities under Section 25 of this Code. The Commission shall advise the Adjutant General on how to best collect, preserve, and present or display to the public the colors, flags, guidons, and military trophies of war belonging to the State in order to disseminate information relating to the history of the Illinois National Guard.

(b) The Commission consists of 15 members: the Adjutant General, the State Historian, the Director of the Illinois State Museum, and the Director of the Historic Preservation Agency, all ex officio; 4 members of the General Assembly, one of whom shall be appointed by the President of the Senate, one by the Minority Leader of the Senate, one by the Speaker of the House of Representatives, and one by the Minority Leader of the House of Representatives; and 7 residents of the State appointed by the Governor. When appointing members to the Commission, the Governor must endeavor to appoint persons in a manner to maintain as regionally diverse a membership as possible. Persons appointed to the Commission should provide it with experience in areas such as, but not limited to, knowledge of military history, particularly of the American Civil War, and the education of citizens. Any vacancy in the Commission shall be filled by an appointment in the same manner as the original appointment. Members of the Commission shall serve without compensation, but shall be reimbursed for their reasonable expenses incurred in the performance of their duties.

(c) This Section is repealed on January 1, 2006.

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

[May 28, 2003]

The motion prevailed.

And the amendment was adopted, and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Demuzio, **House Bill No. 3640**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Soden
Bomke	Halvorson	Obama	Sullivan, D.
Brady	Harmon	Peterson	Sullivan, J.
Burzynski	Hendon	Petka	Syverson
Clayborne	Hunter	Radogno	Trotter
Collins	Jacobs	Rauschenberger	Viverito
Cronin	Jones, J.	Righter	Walsh
Crotty	Jones, W.	Risinger	Watson
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Sandoval	Wojcik
Demuzio	Luechtefeld	Schoenberg	Woolard
Dillard	Maloney	Shadid	Mr. President
Garrett	Martinez	Sieben	
Geo-Karis	Meeks	Silverstein	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Clayborne, **House Bill No. 235**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 37; Nays 21.

The following voted in the affirmative:

Althoff	Geo-Karis	Martinez	Sullivan, J.
Clayborne	Haine	Meeks	Trotter
Collins	Halvorson	Munoz	Viverito
Cronin	Harmon	Radogno	Walsh
Crotty	Hendon	Risinger	Welch
Cullerton	Hunter	Ronen	Woolard
del Valle	Jacobs	Sandoval	Mr. President
DeLeo	Lightford	Schoenberg	
Demuzio	Link	Shadid	
Garrett	Maloney	Silverstein	

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The following voted in the negative:

Bomke	Lauzen	Roskam	Watson
Brady	Luechtefeld	Rutherford	Winkel
Burzynski	Peterson	Sieben	Wojcik
Dillard	Petka	Soden	
Jones, J.	Rauschenberger	Sullivan, D.	
Jones, W.	Righter	Syverson	

This bill, having received the vote of constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

Senator Obama asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **House Bill No. 235**.

### REPORT FROM RULES COMMITTEE

Senator Demuzio, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

**Senate Floor Amendment No. 2 to House Bill 276**  
**Senate Floor Amendment No. 4 to House Bill 1482**

The foregoing floor amendments were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on Rules, during its May 28, 2003 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Education: **Motion to Concur in House Amendments 1, 3 and 4 to Senate Bill 372**

Environment and Energy: **Motion to Concur in House Amendment 1 to Senate Bill 361; Motion to Concur in House Amendment 1 to Senate Bill 884; Motion to Concur in House Amendments 1 and 2 to Senate Bill 1066**

Executive: **Motion to Concur in House Amendment 1 to Senate Bill 408; Motion to Concur in House Amendment 2 to Senate Bill 553; Motion to Concur in House Amendment 1 to Senate Bill 1047**

Health and Human Services: **Motion to Concur in House Amendment 1 to Senate Bill 61; Motion to Concur in House Amendment 1 to Senate Bill 76; Motion to Concur in House Amendment 1 to Senate Bill 252; Motion to Concur in House Amendments 1 and 2 to Senate Bill 371; Motion to Concur in House Amendment 1 to Senate Bill 460; Motion to Concur in House Amendment 2 to Senate Bill 1156; Motion to Concur in House Amendment 2 to Senate Bill 1364; Motion to Concur in House Amendment 1 to Senate Bill 1414; Motion to Concur in House Amendment 1 to Senate Bill 1542**

Judiciary: **Motion to Concur in House Amendments 1 and 2 to Senate Bill 404; Motion to Concur in House Amendment 1 to Senate Bill 472; Motion to Concur in House Amendment 1 to Senate Bill 679; Motion to Concur in House Amendment 1 to Senate Bill 1440; Motion to Concur in House Amendment 1 to Senate Bill 1457; Motion to Concur in House Amendment 1 to Senate Bill 1785**

Licensed Activities: **Motion to Concur in House Amendments 1 and 2 to Senate Bill 354**

Local Government: **Motion to Concur in House Amendment 1 to Senate Bill 196; Motion to Concur in House Amendment 1 to Senate Bill 267; Motion to Concur in House Amendment 1 to Senate**

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**Bill 524; Motion to Concur in House Amendment 2 to Senate Bill 1124; Motion to Concur in House Amendment 1 to Senate Bill 1353**

Revenue: **Motion to Concur in House Amendment 1 to Senate Bill 133; Motion to Concur in House Amendment 1 to Senate Bill 813; Motion to Concur in House Amendment 1 to Senate Bill 1401**

State Government: **Motion to Concur in House Amendment 1 to Senate Bill 1069**

Senator Demuzio, Chairperson of the Committee on Rules, during its May 28, 2003 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Senate Floor Amendment No. 1 to Senate Bill 1916.**  
 Financial Institutions: **Senate Floor Amendment No. 3 to House Bill 2550.**  
 Judiciary: **Senate Floor Amendment No. 1 to House Bill 2504.**  
 Labor and Commerce: **Senate Floor Amendment No. 3 to House Bill 2221; Senate Floor Amendment No. 1 to House Bill 2362.**  
 Licensed Activities: **Senate Floor Amendment No. 1 to House Bill 1006.**  
 Local Government: **Senate Floor Amendment No. 2 to House Bill 1251.**  
 Revenue: **Senate Floor Amendment No. 1 to House Bill 859.**  
 State Government: **Senate Floor Amendment No. 1 to House Bill 666; Senate Floor Amendment No. 2 to House Bill 940; Senate Floor Amendment No. 1 to House Bill 2983.**

Senator Demuzio, Chairperson of the Committee on Rules, during its May 28, 2003 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Resolution No. 170.**  
 Executive: **Senate Resolutions Numbered 89, 102, 131, 153, 164, 171, 172, 173, House Joint Resolutions Numbered 14 and 21.**  
 Transportation: **Senate Resolution No. 168.**

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION 177**

Offered by Senator Haine and all Senators:  
 Mourns the death of James Stalcup of Wood River.

**SENATE RESOLUTION 178**

Offered by Senator E. Jones and all Senators:  
 Mourns the death of Ivory Jean Jackson of Chicago.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

**READING OF BILLS OF THE SENATE A THIRD TIME**

On motion of Senator del Valle, **Senate Bill No. 1400**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 34; Nays 22.

The following voted in the affirmative:

Clayborne	Garrett	Maloney	Sullivan, J.
Collins	Haine	Martinez	Trotter

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Cronin	Halvorson	Munoz	Viverito
Crotty	Harmon	Obama	Walsh
Cullerton	Hendon	Ronen	Welch
del Valle	Hunter	Sandoval	Woolard
DeLeo	Jacobs	Schoenberg	Mr. President
Demuzio	Lightford	Shadid	
Dillard	Link	Silverstein	

The following voted in the negative:

Althoff	Lauzen	Righter	Sullivan, D.
Bomke	Luechtefeld	Risinger	Watson
Brady	Meeks	Roskam	Winkel
Burzynski	Peterson	Rutherford	Wojcik
Jones, J.	Petka	Sieben	
Jones, W.	Radogno	Soden	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Meeks asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 1400**.

#### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Obama, **Senate Bill No. 59**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Obama moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 59**.

Ordered that the Secretary inform the House of Representatives thereof.

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On motion of Senator Cullerton, **Senate Bill No. 105**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Cullerton moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 105**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **Senate Bill No. 154**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

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And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 154**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Risinger, **Senate Bill No. 190**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Risinger moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Haine	Peterson	Sullivan, D.
Bomke	Halvorson	Petka	Sullivan, J.
Brady	Hendon	Radogno	Syverson
Burzynski	Hunter	Rauschenberger	Trotter
Clayborne	Jacobs	Righter	Viverito
Collins	Jones, J.	Risinger	Walsh
Cronin	Jones, W.	Ronen	Watson
Crotty	Lauzen	Roskam	Welch
Cullerton	Lightford	Rutherford	Winkel
del Valle	Link	Sandoval	Wojcik
DeLeo	Maloney	Schoenberg	Woolard
Demuzio	Martinez	Shadid	Mr. President
Dillard	Meeks	Sieben	
Garrett	Munoz	Silverstein	
Geo-Karis	Obama	Soden	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 190**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Watson, **Senate Bill No. 199**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Watson moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Haine	Obama	Soden
Bomke	Halvorson	Peterson	Sullivan, D.
Brady	Harmon	Petka	Sullivan, J.
Burzynski	Hendon	Radogno	Syverson
Clayborne	Hunter	Rauschenberger	Trotter
Collins	Jacobs	Righter	Viverito
Cronin	Jones, J.	Risinger	Walsh
Crotty	Jones, W.	Ronen	Watson
Cullerton	Lauzen	Roskam	Welch
del Valle	Lightford	Rutherford	Winkel
DeLeo	Link	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	Mr. President
Garrett	Meeks	Sieben	

Geo-Karis

Munoz

Silverstein

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 199**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **Senate Bill No. 228**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 228**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sieben, **Senate Bill No. 257**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Sieben moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 55; Nays 2.

The following voted in the affirmative:

Althoff	Halvorson	Obama	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Burzynski	Hunter	Radogno	Syverson
Clayborne	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Maloney	Sandoval	Wojcik

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Dillard	Martinez	Shadid	Woolard
Geo-Karis	Meeks	Sieben	Mr. President
Haine	Munoz	Silverstein	

The following voted in the negative:

Collins  
Garrett

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 257**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Obama, **Senate Bill No. 263**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Obama moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 263**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Walsh, **Senate Bill No. 272**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Walsh moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.

Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 272**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **Senate Bill No. 329**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Welch
del Valle	Lightford	Roskam	Winkel
DeLeo	Link	Rutherford	Wojcik
Demuzio	Luechtefeld	Sandoval	Woolard
Dillard	Maloney	Schoenberg	Mr. President
Garrett	Martinez	Shadid	
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 329**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator DeLeo, **Senate Bill No. 332**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator DeLeo moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Halvorson	Obama	Soden
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Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Burzynski	Hunter	Radogno	Syverson
Clayborne	Jacobs	Rauschenberger	Trotter
Collins	Jones, J.	Righter	Viverito
Cronin	Jones, W.	Risinger	Walsh
Crotty	Lauzen	Ronen	Watson
Cullerton	Lightford	Roskam	Welch
del Valle	Link	Rutherford	Winkel
DeLeo	Luechtefeld	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	Mr. President
Garrett	Meeks	Sieben	
Geo-Karis	Munoz	Silverstein	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 332**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Haine asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 332**.

On motion of Senator Demuzio, **Senate Bill No. 566**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Demuzio moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 58; Nays 1.

The following voted in the affirmative:

Althoff	Halvorson	Obama	Soden
Bomke	Harmon	Peterson	Sullivan, D.
Brady	Hendon	Petka	Sullivan, J.
Burzynski	Hunter	Radogno	Syverson
Clayborne	Jacobs	Rauschenberger	Trotter
Collins	Jones, J.	Righter	Viverito
Cronin	Jones, W.	Risinger	Walsh
Crotty	Lauzen	Ronen	Watson
Cullerton	Lightford	Roskam	Welch
del Valle	Link	Rutherford	Winkel
DeLeo	Luechtefeld	Sandoval	Wojcik
Demuzio	Maloney	Schoenberg	Woolard
Dillard	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	
Haine	Munoz	Silverstein	

The following voted in the negative:

Garrett

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 566**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Shadid, **Senate Bill No. 639**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

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Senator Shadid moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 639**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sandoval, **Senate Bill No. 680**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Sandoval moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 680**.

Ordered that the Secretary inform the House of Representatives thereof.

[May 28, 2003]

On motion of Senator Haine, **Senate Bill No. 686**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Haine moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Harmon	Peterson	Sullivan, D.
Bomke	Hendon	Petka	Sullivan, J.
Brady	Hunter	Radogno	Syverson
Burzynski	Jacobs	Rauschenberger	Trotter
Clayborne	Jones, J.	Righter	Viverito
Collins	Jones, W.	Risinger	Walsh
Cronin	Lauzen	Ronen	Watson
Crotty	Lightford	Roskam	Welch
Cullerton	Link	Rutherford	Winkel
del Valle	Luechtefeld	Sandoval	Wojcik
DeLeo	Maloney	Schoenberg	Woolard
Demuzio	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	
Haine	Munoz	Silverstein	
Halvorson	Obama	Soden	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 686**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cullerton, **Senate Bill No. 689**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Cullerton moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 59; Nays None.

The following voted in the affirmative:

Althoff	Haine	Munoz	Silverstein
Bomke	Halvorson	Obama	Soden
Brady	Harmon	Peterson	Sullivan, D.
Burzynski	Hendon	Petka	Sullivan, J.
Clayborne	Hunter	Radogno	Syverson
Collins	Jacobs	Rauschenberger	Trotter
Cronin	Jones, J.	Righter	Viverito
Crotty	Jones, W.	Risinger	Walsh
Cullerton	Lauzen	Ronen	Watson
del Valle	Lightford	Roskam	Welch
DeLeo	Link	Rutherford	Winkel
Demuzio	Luechtefeld	Sandoval	Wojcik
Dillard	Maloney	Schoenberg	Woolard
Garrett	Martinez	Shadid	Mr. President
Geo-Karis	Meeks	Sieben	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 689**.

Ordered that the Secretary inform the House of Representatives thereof.

### COMMITTEE MEETING ANNOUNCEMENTS

Senator Silverstein, Chairperson of the Committee on Executive announced that the Executive Committee will meet today in Room 212 Capitol Building, at 1:00 o'clock p.m.

Senator Link, Chairperson of the Committee on Revenue announced that the Revenue Committee will meet today in Room 400 Capitol Building, at 1:00 o'clock p.m.

Senator Woolard, Chairperson of the Committee on State Government announced that the State Government Committee will meet today in Room A-1 Stratton Building, at 1:00 o'clock p.m.

Senator Clayborne, Chairperson of the Committee on Environment and Energy announced that the Environment and Energy Committee will meet today in Room 212 Capitol Building, at 1:30 o'clock p.m.

Senator Obama, Chairperson of the Committee on Health and Human Services announced that the Health and Human Services Committee will meet today in Room 400 Capitol Building, at 1:30 o'clock p.m.

Senator Lightford, Chairperson of the Committee on Financial Institutions announced that the Financial Institutions Committee will meet today in Room 400 Capitol Building, at 3:30 o'clock p.m.

Senator del Valle, Chairperson of the Committee on Education announced that the Education Committee will meet today in Room 212 Capitol Building, at 2:00 o'clock p.m.

Senator Haine, Chairperson of the Committee on Local Government announced that the Local Government Committee will meet today in Room A-1 Stratton Building, at 2:00 o'clock p.m.

Senator Cullerton, Co-Chairperson of the Committee on Judiciary announced that the Judiciary Committee will meet today in Room 400 Capitol Building, at 2:30 o'clock p.m.

Senator Ronen, Chairperson of the Committee on Labor and Commerce announced that the Labor and Commerce Committee will meet today in Room 400 Capitol Building, at 3:00 o'clock p.m.

Senator Crotty, Vice-Chairperson of the Committee on Licensed Activities announced that the Licensed Activities Committee will meet today in Room A-1 Stratton Building, at 3:00 o'clock p.m.

Senator Halvorson requested a Democrat Caucus immediately upon recess.

At the hour of 12:01 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

### AFTER RECESS

At the hour of 5:27 o'clock p.m., the Senate resumed consideration of business.  
Senator Viverito, presiding.

### REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive to which was referred the following Senate floor amendment reported that the Committee recommends that it be adopted:

Senate Floor Amendment No. 2 to House Bill 1023

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred the Motions to concur with House Amendments to the following Senate Bills, reported that the Committee recommends that they be adopted:

Motion to Concur in House Amendment 1 to Senate Bill 408

Motion to Concur in House Amendment 2 to Senate Bill 553

Under the rules, the foregoing Motions are eligible for consideration by the Senate.

[May 28, 2003]



Senator Link, Chairperson of the Committee on Revenue to which was referred the following Senate floor amendment reported that the Committee recommends that it be adopted:

Senate Floor Amendment No. 1 to House Bill 859

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Link, Chairperson of the Committee on Revenue, to which was referred the Motions to concur with House Amendments to the following Senate Bills, reported that the Committee recommends that they be adopted:

Motion to Concur in House Amendment 1 to Senate Bill 133  
 Motion to Concur in House Amendment 1 to Senate Bill 813  
 Motion to Concur in House Amendment 1 to Senate Bill 1401

Under the rules, the foregoing Motions are eligible for consideration by the Senate.

Senator Woolard, Chairperson of the Committee on State Government to which was referred the following Senate floor amendments reported that the Committee recommends that they be adopted:

Senate Floor Amendment No. 1 to House Bill 666  
 Senate Floor Amendment No. 2 to House Bill 940  
 Senate Floor Amendment No. 1 to House Bill 2983

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Woolard, Chairperson of the Committee on State Government, to which was referred the Motion to concur with House Amendment to the following Senate Bill, reported that the Committee recommends that it be adopted:

Motion to Concur in House Amendment 1 to Senate Bill 1069

Under the rules, the foregoing Motion is eligible for consideration by the Senate.

Senator Clayborne, Chairperson of the Committee on Environment and Energy, to which was referred the Motions to concur with House Amendments to the following Senate Bills, reported that the Committee recommends that they be adopted:

Motion to Concur in House Amendment 1 to Senate Bill 361  
 Motion to Concur in House Amendment 1 to Senate Bill 884  
 Motion to Concur in House Amendments 1 and 2 to Senate Bill 1066

Under the rules, the foregoing Motions are eligible for consideration by the Senate.

Senator Obama, Chairperson of the Committee on Health and Human Services, to which was referred the Motions to concur with House Amendments to the following Senate Bills, reported that the Committee recommends that they be adopted:

Motion to Concur in House Amendment 1 to Senate Bill 61  
 Motion to Concur in House Amendment 1 to Senate Bill 76  
 Motion to Concur in House Amendment 1 to Senate Bill 252  
 Motion to Concur in House Amendments 1 and 2 to Senate Bill 371  
 Motion to Concur in House Amendment 1 to Senate Bill 460  
 Motion to Concur in House Amendment 2 to Senate Bill 1156  
 Motion to Concur in House Amendment 2 to Senate Bill 1364  
 Motion to Concur in House Amendment 1 to Senate Bill 1414  
 Motion to Concur in House Amendment 1 to Senate Bill 1542

Under the rules, the foregoing Motions are eligible for consideration by the Senate.

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Senator Lightford, Chairperson of the Committee on Financial Institutions to which was referred the following Senate floor amendment reported that the Committee recommends that it be adopted:

Senate Floor Amendment No. 3 to House Bill 2550

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator del Valle, Chairperson of the Committee on Education, to which was referred the Motion to concur with House Amendment to the following Senate Bill, reported that the Committee recommends that it be adopted:

Motion to Concur in House Amendments 1, 3 and 4 to Senate Bill 372

Under the rules, the foregoing Motion is eligible for consideration by the Senate.

Senator Haine, Chairperson of the Committee on Local Government to which was referred the following Senate floor amendment reported that the Committee recommends that it be adopted:

Senate Floor Amendment No. 2 to House Bill 1251

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Haine, Chairperson of the Committee on Local Government, to which was referred the Motions to concur with House Amendments to the following Senate Bills, reported that the Committee recommends that they be adopted:

Motion to Concur in House Amendment 1 to Senate Bill 196  
 Motion to Concur in House Amendment 1 to Senate Bill 267  
 Motion to Concur in House Amendment 1 to Senate Bill 524  
 Motion to Concur in House Amendment 2 to Senate Bill 1124  
 Motion to Concur in House Amendment 1 to Senate Bill 1353

Under the rules, the foregoing Motions are eligible for consideration by the Senate.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary to which was referred the following Senate floor amendment reported that the Committee recommends that it be approved for consideration:

Senate Floor Amendment No. 1 to House Bill 2504

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, to which was referred the Motions to concur with House Amendments to the following Senate Bills, reported that the Committee recommends that they be approved for consideration:

Motion to Concur in House Amendment 1 to Senate Bill 472  
 Motion to Concur in House Amendment 1 to Senate Bill 679  
 Motion to Concur in House Amendment 1 to Senate Bill 1440  
 Motion to Concur in House Amendment 1 to Senate Bill 1457  
 Motion to Concur in House Amendment 1 to Senate Bill 1785

Under the rules, the foregoing Motions are eligible for consideration by the Senate.

Senator Ronen, Chairperson of the Committee on Labor and Commerce to which was referred the following Senate floor amendments reported that the Committee recommends that they be adopted:

Senate Floor Amendment No. 3 to House Bill 2221

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Senate Floor Amendment No. 1 to House Bill 2362

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Munoz, Chairperson of the Committee on Licensed Activities to which was referred the following Senate floor amendment reported that the Committee recommends that it be adopted:

Senate Floor Amendment No. 1 to House Bill 1006

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Munoz, Chairperson of the Committee on Licensed Activities, to which was referred the Motion to concur with House Amendment to the following Senate Bill, reported that the Committee recommends that it be adopted:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 354

Under the rules, the foregoing Motion is eligible for consideration by the Senate.

### PRESENTATION OF RESOLUTION

#### SENATE RESOLUTION 179

Offered by Senators Demuzio, E. Jones and all Senators:

Mourns the death of Roy A. Schmidt of Carlinville.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

### MESSAGES FROM THE HOUSE

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 947

A bill for AN ACT concerning criminal law.

Together with the following amendmets which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 947

House Amendment No. 2 to SENATE BILL NO. 947

House Amendment No. 4 to SENATE BILL NO. 947

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

#### AMENDMENT NO. 1 TO SENATE BILL 947

AMENDMENT NO. 1. Amend Senate Bill 947 by replacing the title with the following:

"AN ACT in relation to firearms."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Firearm Owners Identification Card Act is amended by adding Section 3.5 as follows:

(430 ILCS 65/3.5 new)

Sec. 3.5. Private transfers of firearms by persons attending gun shows.

(a) Any person who is not a federally licensed firearm dealer who desires to transfer a firearm while that person is on the grounds of a gun show must do so only through a federally licensed firearm dealer. The dealer must follow the procedure set forth in Section 3.1 of this Act as if the dealer were the seller of the firearm.

(b) In this Act:

"Gun show" means the entire premises provided for an event or function, including but not limited to

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parking areas for the event or function, that is sponsored to facilitate, in whole or in part, the purchase, sale, offer for sale, or collection of firearms at which:

(1) 25 or more firearms are offered or exhibited for sale, transfer, or exchange; or

(2) not less than 3 gun show vendors exhibit, sell, offer for sale, transfer, or exchange firearms.

"Gun show promoter" means a person who organizes or operates a gun show.

"Gun show vendor" means any person who exhibits, sells, offers for sale, transfers, or exchanges, any firearms at a gun show, regardless of whether the person arranges with a gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange any firearm.

(c) The Department of State Police shall adopt rules to carry out the provisions of this Section."

#### AMENDMENT NO. 2 TO SENATE BILL 947

AMENDMENT NO. 2. Amend Senate Bill 947, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Firearm Owners Identification Card Act is amended by adding Section 3.5 as follows:

(430 ILCS 65/3.5 new)

#### Sec. 3.5. Private transfers of firearms by persons attending gun shows.

(a) To ensure that, prior to any sale or transfer of a firearm at a gun show in the State of Illinois, a background check is conducted on the transferor and the transferee of the firearm, the Department of State Police shall establish a system which shall be available for requests from individuals selling or transferring firearms at a gun show, other than a federally licensed firearms dealer, to conduct background checks under this system.

The Department of State Police shall utilize technology which allows the person to be charged a fee equivalent to the cost of providing the service. Fees collected by the Department of State Police shall be deposited in the State Police Services Fund and used to provide the service.

The Department of State Police shall establish a service of conducting background checks for individuals selling or transferring firearms at a gun show, other than a federally licensed firearm dealer. Gun show promoters and other interested parties shall access the background check system through a process established by the Department of State Police.

Upon receiving a request from an individual selling or transferring firearms at a gun show, other than a federally licensed firearm dealer, the Department of State Police shall provide, during the initial transferor inquiry, an approval, denial, or conditional denial of the transfer. The time period for the Department to respond shall begin at the time the inquiry is received. When the Department provides a conditional denial, the dealer shall not transfer the firearm until an approval is provided by the Department. However, if any approval or denial is not provided in accordance with the Brady Handgun Violence Prevention Act (Brady Act, 1993), Title 18 U.S. Code, Section 922(t) and in Section 24-3 of the Criminal Code of 1961, the transfer may proceed. Failure of the Department to provide an approval or denial within the prescribed length of times does not relieve the transferor from compliance with any other statutory restrictions on firearm transfers. Regardless of the requirements of this Section, transactions must comply with all State and federal firearm laws.

(b) Any 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, 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 and shall provide the following information to the Department:

(A) A valid Firearm Owner's Identification Card number of the transferor and transferee. If there is not a valid Firearm Owner's Identification Card number, the following shall be provided:

(i) Name.

(ii) Date of Birth.

(iii) Race.

(iv) Sex.

(v) State of residency.

(B) The telephone number of the transferor and transferee.

(C) The type of firearm (long gun or short gun).

(2) Receive an approval from the Department of State Police that, after a background check was conducted, nothing in the records accessed by the Department shall prohibit, based on State or federal law, the purchaser from purchasing or possessing a firearm.

(c) From the background check under this Section, the Department of State Police shall:

(1) Determine from records and other information available to it whether the recipient is disqualified under State or federal laws from completing the transfer or is otherwise prohibited by State or federal law from purchasing or possessing a firearm; and

(2) Notify the transferor when a recipient is disqualified from completing the transfer or provide the transferor with a unique approval number indicating that the recipient is qualified to complete the transfer. The unique approval number is a permit valid for 30 days for the requested transfer. If the firearm is not transferred from the transferor to the recipient within 30 days after receipt of the unique approval number, a new request must be made by the transferor.

(d) The Department of State Police shall provide, during the initial transferor inquiry, an approval, denial, or conditional denial of the transfer. The time period for the Department to respond shall begin at the time the inquiry is received. When the Department provides a conditional denial, the transferor shall not transfer the firearm until an approval is provided by the Department. However, if any approval or denial is not provided in accordance with the Brady Handgun Violence Prevention Act (Brady Act, 1993), Title 18 U.S. Code, Section 922(t) or in Section 24-3 of the Criminal Code of 1961, the transfer may proceed. Failure of the Department to provide an approval or denial within the prescribed length of times does not relieve the transferor from compliance with any other statutory restrictions on firearm transfers. Regardless of the requirements of this Section, transactions must comply with all State and federal firearm laws.

(e) A public employee or public agency incurs no criminal or civil liability for performing the background checks required by this Section, provided the employee or agency acts in good faith without malice.

(f) A transferor other than a gun dealer may not transfer a firearm at a gun show unless the transferor:

(1) Requests a background check under this Section prior to completing the transferor;

(2) Receives notification that the recipient is qualified to complete the transfer;

(3) Has complied with Section 24-3 of the Criminal Code of 1961; and

(4) Has the recipient complete the form described in this Section.

(g) The transferor shall retain the completed form referred to in subsection (h) of this Section for at least 10 years and shall make the completed form available to law enforcement agencies for the purpose of criminal investigations. A gun show promoter shall post in a prominent place at the gun show a notice explaining the requirements of this Section. The gun show promoter shall provide the form required by subsection (h) of this Section to any person transferring a firearm at the gun show.

(h) The Department of State Police shall develop a form to be completed by a person seeking to obtain a firearm at a gun show from a transferor other than a gun show dealer. The Department shall consider including in the form all of the requirements for disclosure of information that are required by federal law for over-the-counter firearms transactions.

(i) Failure to comply with the requirement of this Section is a Class A misdemeanor. Failure to comply with the requirements of this Section is a Class 2 felony if the person has 2 or more previous convictions under this Section.

(j) In this Section:

"Gun show" means the entire premises provided for an event or function, including but not limited to parking areas for the event or function, that is sponsored to facilitate, in whole or in part, the purchase, sale, offer for sale, or collection of firearms at which:

(1) 25 or more firearms are offered or exhibited for sale, transfer, or exchange; or

(2) not less than 3 gun show vendors exhibit, sell, offer for sale, transfer, or exchange firearms.

"Gun show promoter" means a person who organizes or operates a gun show.

"Gun show vendor" means any person who exhibits, sells, offers for sale, transfers, or exchanges any firearms at a gun show, regardless of whether the person arranges with a gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange any firearm.

(k) The Department of State Police shall adopt rules to carry out the provisions of this Section."

#### AMENDMENT NO. 4 TO SENATE BILL 947

AMENDMENT NO. 4. Amend Senate Bill 947, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 1, line 20, after the period, by inserting the following:

"The fee may not exceed \$2, however."; and

on page 2, line 15, by replacing "dealer" with "transferor"; and

on page 3, by replacing lines 2 through 9 with the following:

"number of the transferor and transferee."

Under the rules, the foregoing **Senate Bill No. 947**, with House Amendments numbered 1, 2 and 4 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1336

A bill for AN ACT concerning public construction.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1336

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1336

AMENDMENT NO. 1. Amend Senate Bill 1336 on page 2, line 15, by changing "A" to "In the case of State construction contracts, a".

Under the rules, the foregoing **Senate Bill No. 1336**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1417

A bill for AN ACT concerning insurance.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1417

House Amendment No. 2 to SENATE BILL NO. 1417

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1417

AMENDMENT NO. 1. Amend Senate Bill 1417 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 356x as follows:

(215 ILCS 5/356x)

Sec. 356x. Coverage for colorectal cancer screening; application. (a) An insurer shall provide in each group policy, contract, or certificate of accident and health insurance amended, delivered, issued, or renewed covering persons who are residents of this State coverage for colorectal cancer screening with sigmoidoscopy or fecal occult blood testing once every 3 years for persons who are at least 50 years old.

(b) For persons who may be classified as high risk for colorectal cancer because the person or a first degree family member of the person has a history of colorectal cancer, the coverage required under subsection (a) shall apply to persons who have attained at least 30 years of age.

(c) This Section does not apply to agreements, contracts, or policies that provide coverage for a specified disease or other limited benefit coverage. (Source: P.A. 90-741, eff. 1-1-99.)"

AMENDMENT NO. 2 TO SENATE BILL 1417

AMENDMENT NO. 2. Amend Senate Bill 1417, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 356x as follows:

(215 ILCS 5/356x)

Sec. 356x. Coverage for colorectal cancer examination and screening. (a) An individual or group policy of accident and health insurance or a managed care plan that is amended, delivered, issued,

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or renewed on or after the effective date of this amendatory Act of the 93rd General Assembly that provides coverage to a resident of this State must provide benefits or coverage for all colorectal cancer examinations and laboratory tests for colorectal cancer as prescribed by a physician, in accordance with the published American Cancer Society guidelines on colorectal cancer screening or other existing colorectal cancer screening guidelines issued by nationally recognized professional medical societies or federal government agencies, including the National Cancer Institute, the Centers for Disease Control and Prevention, and the American College of Gastroenterology.

~~(b) Coverage required under this Section may not impose any deductible, coinsurance, waiting period, or other cost-sharing limitation that is greater than that required for other coverage under the policy. An insurer shall provide in each group policy, contract, or certificate of accident and health insurance amended, delivered, issued, or renewed covering persons who are residents of this State coverage for colorectal cancer screening with sigmoidoscopy or fecal occult blood testing once every 3 years for persons who are at least 50 years old.~~

~~(b) For persons who may be classified as high risk for colorectal cancer because the person or a first degree family member of the person has a history of colorectal cancer, the coverage required under subsection (a) shall apply to persons who have attained at least 30 years of age.~~

~~(e) This Section does not apply to agreements, contracts, or policies that provide coverage for a specified disease or other limited benefit coverage. (Source: P.A. 90-741, eff. 1-1-99.)~~

Section 99. Effective date. This Act takes effect on January 1, 2004."

Under the rules, the foregoing **Senate Bill No. 1417**, with House Amendments numbered 1 and 2 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1493

A bill for AN ACT in relation to alcohol.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1493

House Amendment No. 3 to SENATE BILL NO. 1493

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1493

AMENDMENT NO. 1. Amend Senate Bill 1493 on page 2, by replacing lines 2 through 8 with the following:

"of the licensed premises that generally informs those patrons of the locations of exits and fire escapes at the licensed premises."

AMENDMENT NO. 3 TO SENATE BILL 1493

AMENDMENT NO. 3. Amend Senate Bill 1493 on page 1, by replacing line 27 with the following: "authorized capacity (i) of at least 250 persons, (ii) set by the State Fire Marshal, or (iii) set by local ordinance, whichever is lowest, must place a"

Under the rules, the foregoing **Senate Bill No. 1493**, with House Amendments numbered 1 and 3 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1527

A bill for AN ACT concerning wildlife.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

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House Amendment No. 1 to SENATE BILL NO. 1527  
House Amendment No. 2 to SENATE BILL NO. 1527

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1527

AMENDMENT NO. 1. Amend Senate Bill 1527 on page 1, immediately below line 31, by inserting the following:

"(7) Recreational hunting does not include the intentional capture, trapping, or dispatching of dogs and cats. Dogs and cats are under the sole jurisdiction of the Department of Agriculture."

AMENDMENT NO. 2 TO SENATE BILL 1527

AMENDMENT NO. 2. Amend Senate Bill 1527, AS AMENDED, in Section 5, by replacing item (7) with the following:

"(7) Recreational hunting does not include the intentional capture, trapping, or dispatching of any species of dog that is commonly kept as a household pet or aid animal or any member of the family Felidae."

Under the rules, the foregoing **Senate Bill No. 1527**, with House Amendments numbered 1 and 2 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1980

A bill for AN ACT in relation to higher education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1980

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1980

AMENDMENT NO. 1. Amend Senate Bill 1980 by replacing everything after the enacting clause with the following:

"Section 5. The Public Community College Act is amended by changing Section 3-7 as follows:

(110 ILCS 805/3-7) (from Ch. 122, par. 103-7)

Sec. 3-7. (a) The election of the members of the board of trustees shall be nonpartisan and shall be held at the time and in the manner provided in the general election law.

(b) Unless otherwise provided in this Act, members shall be elected to serve 6 year terms. The term of members elected in 1985 and thereafter shall be from the date the member is officially determined to be elected to the board by a canvass conducted pursuant to the Election Code, to the date that the winner of the seat is officially determined by the canvass conducted pursuant to the Election Code the next time the seat on the board is to be filled by election.

(c) A board of trustees of a community college district which is contiguous or has been contiguous to an experimental community college district as authorized and defined by Article IV of this Act may, on its own motion, or shall, upon the petition of the lesser of 1/10 or 2,000 of the voters registered in the district, order submitted to the voters of the district at the next general election the proposition for the election of board members by trustee district rather than at large, and such proposition shall thereupon be certified by the secretary of the board to the proper election authority in accordance with the general election law for submission.

If the proposition is approved by a majority of those voting on the proposition, the State Board of Elections, in 1991, shall reapportion the trustee districts to reflect the results of the last decennial census, and shall divide the community college district into 7 trustee districts, each of which shall be compact, contiguous and substantially equal in population to each other district. In 2001, and in the year following each decennial census thereafter, the board of trustees of community college District #522 shall

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reapportion the trustee districts to reflect the results of the census, and shall divide the community college district into 7 trustee districts, each of which shall be compact, contiguous, and substantially equal in population to each other district. The division of the community college district into trustee districts shall be completed and formally approved by a majority of the members of the board of trustees of community college District #522 in 2001 and in the year following each decennial census. At the same meeting of the board of trustees, the board shall, publicly by lot, divide the trustee districts as equally as possible into 2 groups. Beginning in 2003 and every 10 years thereafter, trustees or their successors from one group shall be elected for successive terms of 4 years and 6 years; and members or their successors from the second group shall be elected for successive terms of 6 years and 4 years. One member shall be elected from each such trustee district. Each member elected in 2001 shall be elected at the 2001 consolidated election from the trustee districts established in 1991. The term of each member elected in 2001 shall end on the date that the trustees elected in 2003 are officially determined by a canvass conducted pursuant to the Election Code.

(d) In Community College District No. 526, the election of board members shall be by trustee district rather than at large beginning with the consolidated election in 2005.

For the 2005, 2007, and 2009 consolidated elections, the community college district is divided into 7 trustee districts as follows:

TRUSTEE DISTRICT 1

Sangamon County (pt)

Capital CCD (pt)

Tract 0001.00

Tract 0002.01 (pt)

BG 1 (pt)

Block 1010

Block 1011

Block 1013

Block 1014

Block 1015

Block 1016

Block 1017

Block 1018

BG 2 (pt)

Block 2002

Block 2003

Block 2004

Block 2005

Block 2008

Block 2013

Block 2014

Block 2015

Block 2016

Block 2017

Block 2018

Block 2019

Block 2020

Block 2021

BG 3 (pt)

Block 3000

Block 3001

Block 3008

Block 3009

Tract 0002.02

Tract 0003.00

Tract 0004.00

Tract 0005.01

Tract 0005.03

Tract 0005.04

Tract 0006.00 (pt)

BG 1
BG 2 (pt)
Block 2000
Block 2001
Block 2002
Block 2003
Block 2004
Block 2005
Block 2006
Block 2008
Block 2011
Block 2012
Block 2015
Block 2017
Block 2018
Block 2020
Block 2021
Block 2022
Block 2023
Block 2024
Block 2025
Block 2027
Block 2028
Block 2029
Block 2030
BG 3
BG 4 (pt)
Block 4000
Block 4002
Block 4003
Block 4004
Block 4005
Block 4006
Block 4007
Block 4010
Block 4018
Block 4019
BG 5 (pt)
Block 5001
Block 5004
Block 5006
Block 5007
Block 5015
Block 5016
Block 5018
Tract 0007.00 (pt)
BG 1 (pt)
Block 1033
Block 1036
BG 2 (pt)
Block 2000
Block 2001
Block 2002
Block 2003
Block 2004
Block 2005
Block 2006
Block 2007
Block 2008

Block 2009  
Block 2010  
Block 2011  
Block 2012  
Block 2013  
Block 2014  
Block 2015  
Block 2016  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Tract 0008.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1008  
Block 1009  
Block 1010  
Block 1011  
Block 1012  
Block 1013  
Block 1014  
Block 1015  
Block 1016  
Block 1017  
Block 1018  
Block 1019  
Block 1020  
Block 1021  
Block 1023  
Block 1024  
Block 1025  
Block 1026  
Block 1027  
Block 1028  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2002  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2010  
Block 2011  
Block 2012  
BG 3 (pt)  
Block 3003  
Tract 0009.00  
Tract 0010.01 (pt)  
BG 2 (pt)

Block 2000  
Block 2002  
Block 2016  
Block 2017  
Block 2018  
 Tract 0010.02 (pt)  
BG 1 (pt)  
Block 1016  
BG 2  
BG 3  
BG 4 (pt)  
Block 4000  
BG 5 (pt)  
Block 5000  
BG 6 (pt)  
Block 6000  
Block 6001  
Block 6002  
Block 6003  
Block 6005  
 Tract 0011.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1008  
Block 1009  
Block 1010  
Block 1011  
BG 3 (pt)  
Block 3000  
Block 3001  
Block 3002  
Block 3003  
Block 3004  
Block 3005  
Block 3006  
Block 3007  
Block 3009  
Block 3010  
Block 3011  
Block 3012  
Block 3013  
 Tract 0012.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1008

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Block 1009  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2002  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2009  
Tract 0013.00  
Tract 0014.00  
Tract 0016.00 (pt)  
BG 1 (pt)  
Block 1001  
Block 1002  
Tract 0018.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1008  
Block 1009  
Block 1010  
Block 1011  
Block 1012  
Block 1013  
Block 1014  
Block 1015  
Block 1016  
Block 1017  
Block 1018  
Block 1019  
Block 1020  
Block 1030  
Block 1031  
Tract 0019.00 (pt)  
BG 1 (pt)  
Block 1000  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2002  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2008  
Block 2010  
Block 2011  
Block 2012  
Block 2013

Block 2014  
Block 2015  
Block 2016  
Tract 0037.00  
Tract 0038.01 (pt)  
BG 1  
Clear Lake CCD (pt)  
Tract 0001.00 (pt)  
BG 1 (pt)  
Block 1018  
Tract 0005.01  
Tract 0038.01 (pt)  
BG 1 (pt)  
Block 1003  
Block 1010  
Block 1011  
Block 1012  
Block 1015  
Block 1016  
Block 1018  
Block 1019  
Block 1022  
Block 1023  
Block 1026  
Block 1027  
Block 1032  
Block 1033  
Block 1034  
Block 1035  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2002  
Block 2999  
Springfield CCD (pt)  
Tract 0001.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4 (pt)  
Block 4000  
Block 4001  
Block 4002  
Block 4005  
Block 4006  
Block 4010  
Block 4012  
Block 4018  
Block 4021  
Block 4022  
Block 4024  
Block 4025  
Block 4032  
Block 4040  
Block 4041  
Block 4044  
Block 4047  
Block 4049  
Block 4051

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Block 4052  
Block 4053  
Block 4055  
Block 4995  
Block 4996  
Block 4997  
Block 4999  
Tract 0002.01 (pt)  
BG 1 (pt)  
Block 1012  
Block 1019  
Block 1020  
BG 2 (pt)  
Block 2000  
Block 2001  
BG 3 (pt)  
Block 3002  
Tract 0002.02  
Tract 0003.00  
Tract 0004.00  
Tract 0005.01  
Tract 0005.04  
Tract 0006.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4  
BG 5 (pt)  
Block 5000  
Block 5002  
Block 5003  
Block 5005  
Block 5008  
Block 5009  
Block 5010  
Block 5011  
Block 5012  
Block 5013  
Block 5014  
Block 5017  
Block 5019  
Block 5020  
Block 5021  
Tract 0007.00  
Tract 0016.00 (pt)  
BG 1 (pt)  
Block 1000  
Tract 0037.00 (pt)  
BG 1 (pt)  
Block 1023  
Block 1025  
Block 1991  
Block 1996  
Block 1997  
Block 1998  
Block 1999  
BG 2  
BG 3  
BG 4

TRUSTEE DISTRICT 2Sangamon County (pt)Ball CCD (pt)Tract 0031.00 (pt)BG 3 (pt)Block 3056Block 3058Block 3064Block 3067Block 3069Block 3071Block 3073Block 3075Block 3079Block 3081Block 3084Block 3085Block 3088Block 3089Block 3166Block 3173BG 4 (pt)Block 4013Block 4014Block 4015Block 4016Block 4020Block 4022Block 4024Block 4029Block 4038Block 4043Block 4044Block 4045Block 4047Block 4049Block 4051Block 4052Block 4055Block 4057Block 4059Block 4061Block 4062BG 5Tract 0032.01 (pt)BG 2 (pt)Block 2025Tract 0032.03 (pt)BG 2 (pt)Block 2009Block 2010BG 4 (pt)Block 4006Block 4008Capital CCD (pt)Tract 0006.00 (pt)BG 2 (pt)Block 2031

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Block 2033  
Block 2034  
BG 4 (pt)  
Block 4011  
Block 4012  
Block 4015  
BG 5 (pt)  
Block 5026  
Block 5032  
Block 5036  
Block 5037  
Block 5038  
Block 5039  
Block 5041  
Block 5043  
Block 5044  
BG 6  
Tract 0007.00 (pt)  
BG 1 (pt)  
Block 1037  
BG 2 (pt)  
Block 2022  
Tract 0008.00 (pt)  
BG 1 (pt)  
Block 1022  
BG 2 (pt)  
Block 2007  
Block 2008  
Block 2009  
Block 2013  
Block 2014  
Block 2015  
Block 2016  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Block 2022  
Block 2023  
Block 2024  
Block 2025  
Block 2026  
Block 2027  
Block 2028  
BG 3 (pt)  
Block 3000  
Block 3001  
Block 3002  
Tract 0015.00  
Tract 0016.00 (pt)  
BG 1 (pt)  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1008  
Block 1009

Block 1010  
Block 1011  
Block 1012  
Block 1013  
Block 1016  
Block 1020  
Block 1021  
Block 1022  
Block 1023  
BG 2  
BG 3  
BG 4  
Tract 0017.00  
Tract 0023.00  
Tract 0024.00  
Tract 0025.00  
Tract 0026.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4 (pt)  
Block 4000  
Block 4003  
Tract 0027.00 (pt)  
BG 1  
BG 2  
BG 3 (pt)  
Block 3000  
Block 3019  
Block 3020  
Block 3040  
Block 3042  
Block 3043  
Block 3044  
Block 3045  
BG 4 (pt)  
Block 4016  
Block 4017  
Block 4018  
Block 4019  
Block 4020  
Block 4023  
Block 4024  
Block 4025  
Block 4028  
Block 4029  
Tract 0030.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4 (pt)  
Block 4001  
Block 4002  
Block 4005  
Block 4006  
Block 4007  
Block 4008  
Block 4009  
Block 4010

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Block 4011  
Block 4012  
Block 4013  
Block 4014  
Block 4015  
Block 4016  
Block 4017  
Block 4018  
Block 4020  
Block 4022  
Block 4023  
Block 4024  
Block 4025  
Block 4027  
Block 4030  
Block 4031  
Block 4032  
Block 4042  
Block 4044  
Block 4047  
Block 4048  
Block 4049  
Block 4050  
Block 4051  
Block 4052  
Block 4053  
Block 4056  
Tract 0031.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4  
BG 5 (pt)  
Block 5002  
Block 5003  
Block 5005  
Block 5007  
Block 5008  
Block 5009  
Block 5010  
Block 5012  
Block 5013  
Block 5014  
Block 5015  
Block 5016  
Block 5019  
Block 5020  
Block 5022  
Block 5025  
Block 5026  
Block 5029  
Block 5030  
Block 5031  
Block 5032  
Block 5034  
Block 5035  
Block 5037  
Block 5039  
Block 5053

Block 5054  
Block 5055  
Block 5998  
Block 5999  
Tract 0032.01 (pt)  
BG 2  
Tract 0032.03 (pt)  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2012  
BG 4  
Tract 0038.01 (pt)  
BG 2  
Tract 0039.01  
Tract 0039.02  
Clear Lake CCD (pt)  
Tract 0006.00  
Tract 0038.01 (pt)  
BG 1 (pt)  
Block 1031  
Block 1993  
Block 1994  
Block 1999  
BG 2 (pt)  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2008  
Block 2009  
Block 2010  
Block 2011  
Block 2012  
Block 2013  
Block 2014  
Block 2015  
Block 2016  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Block 2022  
Block 2023  
Block 2024  
Block 2030  
Block 2031  
Block 2032  
Block 2033  
Block 2034  
Block 2991  
Block 2992  
Block 2993  
Block 2994  
Block 2995  
Block 2996  
Block 2997

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Block 2998  
BG 3  
Tract 0038.02  
Tract 0039.02  
Rochester CCD (pt)  
Tract 0031.00 (pt)  
BG 1  
BG 3 (pt)  
Block 3006  
Block 3011  
Block 3015  
Block 3019  
Block 3023  
Block 3025  
Block 3028  
Block 3034  
Block 3035  
Block 3036  
Block 3043  
Block 3047  
Block 3048  
Tract 0039.01 (pt)  
BG 1 (pt)  
Block 1000  
Block 1009  
Block 1010  
Block 1011  
Block 1012  
Block 1014  
Block 1016  
Block 1017  
Block 1995  
Block 1996  
Block 1997  
Block 1998  
Block 1999  
BG 2  
BG 4 (pt)  
Block 4006  
Block 4007  
Block 4008  
Block 4009  
Block 4010  
Block 4011  
Block 4012  
Block 4013  
Block 4014  
Block 4015  
Block 4016  
Block 4017  
Tract 0039.02 (pt)  
BG 1  
BG 2 (pt)  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2008

Block 2009  
Block 2010  
Block 2011  
Block 2012  
Block 2013  
Block 2014  
Block 2015  
Block 2016  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Block 2022  
Block 2023  
Block 2024  
Block 2025  
Block 2026  
Block 2027  
Block 2028  
Block 2029  
Block 2030  
Block 2031  
Block 2032  
Block 2033  
BG 3  
Tract 0040.00  
Springfield CCD (pt)  
Tract 0006.00 (pt)  
BG 5 (pt)  
Block 5022  
Block 5023  
Block 5024  
Block 5025  
Block 5027  
Block 5028  
Block 5029  
Block 5030  
Block 5031  
Block 5033  
Block 5034  
Block 5035  
Block 5040  
Block 5042  
BG 6  
Tract 0016.00 (pt)  
BG 1 (pt)  
Block 1014  
Block 1015  
Block 1017  
Block 1018  
Block 1019  
BG 2  
BG 3  
Tract 0024.00  
Tract 0039.02  
Woodside CCD (pt)  
Tract 0006.00  
Tract 0016.00

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Tract 0024.00  
Tract 0025.00  
Tract 0026.00  
Tract 0027.00 (pt)  
BG 1  
BG 2  
BG 3 (pt)  
Block 3001  
Block 3002  
Block 3003  
Block 3004  
Block 3005  
Block 3006  
Block 3009  
Block 3010  
Block 3011  
Block 3012  
Block 3013  
Block 3014  
Block 3015  
Block 3016  
Block 3017  
Block 3018  
Block 3021  
Block 3022  
Block 3023  
Block 3024  
Block 3025  
Block 3026  
Block 3027  
Block 3028  
Block 3029  
Block 3030  
Block 3034  
Block 3035  
Block 3037  
Block 3041  
Block 3046  
BG 4  
Tract 0030.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4 (pt)  
Block 4000  
Block 4003  
Block 4004  
Block 4019  
Block 4021  
Block 4026  
Block 4028  
Block 4029  
Block 4033  
Block 4034  
Block 4035  
Block 4036  
Block 4037  
Block 4038  
Block 4039

Block 4040  
Block 4041  
Block 4043  
Block 4045  
Block 4046  
Block 4054  
Block 4055  
Tract 0031.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4  
BG 5 (pt)  
Block 5000  
Block 5001  
Block 5004  
Block 5006  
Block 5011  
Block 5017  
Block 5018  
Block 5021  
Block 5023  
Block 5024  
Block 5027  
Block 5028  
Block 5038  
Tract 0032.01 (pt)  
BG 2  
Tract 0039.02

TRUSTEE DISTRICT 3

Sangamon County (pt)

Ball CCD (pt)

Tract 0032.01 (pt)  
BG 1  
BG 2 (pt)  
Block 2002  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Block 2023  
Block 2024  
Block 2027  
Block 2028  
Block 2029  
Block 2030  
Block 2031  
Block 2032  
Block 2033  
Block 2034  
Block 2037  
Block 2038  
Block 2041  
Block 2042  
Block 2045  
Tract 0032.03 (pt)  
BG 1 (pt)

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Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1008  
Block 1009  
Block 1010  
Block 1011  
Block 1038  
Block 1052  
BG 2 (pt)  
Block 2002  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2008  
Block 2011  
Block 2013  
Block 2014  
Block 2015  
Block 2016  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Block 2022  
Capital CCD (pt)  
Tract 0010.02 (pt)  
BG 4 (pt)  
Block 4001  
Block 4002  
Block 4003  
Block 4004  
Block 4005  
Block 4006  
Block 4007  
Block 4008  
Block 4009  
BG 5 (pt)  
Block 5001  
Block 5002  
Block 5003  
Block 5004  
Block 5005  
Block 5006  
Block 5007  
Block 5008  
Block 5009  
Block 5010  
Block 5011  
Block 5012  
Block 5013  
BG 6 (pt)

Block 6004  
Block 6006  
Block 6007  
Tract 0011.00 (pt)  
BG 1 (pt)  
Block 1012  
Block 1013  
Block 1014  
Block 1015  
Block 1016  
BG 2  
BG 3 (pt)  
Block 3008  
Block 3014  
Block 3015  
Tract 0012.00 (pt)  
BG 1 (pt)  
Block 1010  
Block 1011  
Block 1012  
Block 1013  
Block 1014  
BG 2 (pt)  
Block 2008  
BG 3  
BG 4  
Tract 0018.00 (pt)  
BG 1 (pt)  
Block 1021  
Block 1022  
Block 1023  
Block 1024  
Block 1025  
Block 1026  
Block 1027  
Block 1028  
Block 1029  
Block 1032  
Block 1033  
Block 1034  
Block 1035  
Block 1036  
Block 1037  
Block 1038  
Block 1039  
Block 1040  
Block 1041  
Block 1042  
Block 1043  
Block 1044  
Block 1045  
Block 1046  
Block 1047  
Block 1048  
Block 1049  
BG 2  
Tract 0019.00 (pt)  
BG 1 (pt)  
Block 1001

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Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1008  
Block 1009  
Block 1010  
Block 1011  
Block 1012  
Block 1013  
Block 1014  
Block 1015  
Block 1016  
Block 1017  
BG 2 (pt)  
Block 2009  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Block 2022  
Block 2023  
Block 2024  
Block 2025  
Block 2026  
Block 2027  
Block 2028  
Block 2029  
Block 2030  
Block 2031  
Block 2032  
Block 2033  
Block 2034  
Block 2035  
Block 2036  
BG 3  
Tract 0020.00  
Tract 0021.00  
Tract 0022.00  
Tract 0026.00 (pt)  
BG 4 (pt)  
Block 4001  
Block 4002  
Block 4004  
Block 4005  
Block 4006  
Block 4007  
Block 4008  
Block 4009  
Block 4010  
Block 4011  
Block 4012  
Block 4013  
Block 4014  
Tract 0027.00 (pt)  
BG 3 (pt)

Block 3007  
Block 3008  
Block 3031  
Block 3032  
Block 3033  
Block 3036  
BG 4 (pt)  
Block 4000  
Block 4001  
Block 4002  
Block 4003  
Tract 0028.01  
Tract 0028.02  
Tract 0029.00  
Tract 0030.00 (pt)  
BG 4 (pt)  
Block 4058  
Block 4059  
Tract 0031.00 (pt)  
BG 5 (pt)  
Block 5041  
Block 5043  
Block 5052  
Tract 0032.01 (pt)  
BG 1  
Tract 0032.03 (pt)  
BG 2 (pt)  
Block 2003  
Tract 0036.03 (pt)  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2002  
Block 2003  
Block 2042  
Block 2051  
Tract 0036.04 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1013  
Block 1018  
Block 1023  
Block 1024  
Block 1025  
Block 1026  
Block 1027  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2002  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2008  
Block 2009  
Block 2010

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Block 2011  
Block 2012  
Block 2013  
Block 2014  
Block 2015  
Block 2018  
Block 2030  
Chatham CCD (pt)  
Tract 0032.01  
Tract 0032.02 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1009  
Block 1010  
Block 1011  
Block 1012  
Block 1013  
Block 1014  
Block 1015  
Block 1016  
BG 2  
BG 3 (pt)  
Block 3000  
Block 3001  
Block 3031  
Block 3033  
Block 3034  
Block 3035  
Block 3036  
Block 3037  
Block 3038  
Tract 0032.03 (pt)  
BG 1 (pt)  
Block 1012  
Block 1013  
Block 1014  
Block 1015  
Block 1016  
Block 1017  
Block 1018  
Block 1019  
Block 1020  
Block 1021  
Block 1022  
Block 1023  
Block 1024  
Block 1025  
Block 1026  
Block 1027  
Block 1028  
Block 1029  
Block 1030  
Block 1031

Block 1032  
Block 1033  
Block 1034  
Block 1035  
Block 1036  
Block 1037  
Block 1040  
Block 1041  
Block 1042  
Curran CCD (pt)  
Tract 0020.00  
Tract 0029.00  
Tract 0036.04 (pt)  
BG 1 (pt)  
Block 1002  
Block 1003  
Block 1009  
Block 1010  
Block 1011  
Block 1012  
Block 1014  
Block 1022  
BG 2 (pt)  
Block 2029  
Woodside CCD (pt)  
Tract 0018.00  
Tract 0020.00  
Tract 0021.00  
Tract 0027.00 (pt)  
BG 3 (pt)  
Block 3038  
Block 3039  
Tract 0028.01  
Tract 0028.02  
Tract 0029.00  
Tract 0030.00 (pt)  
BG 4 (pt)  
Block 4057  
Block 4060  
Block 4061  
Tract 0031.00 (pt)  
BG 5 (pt)  
Block 5040  
Block 5042  
Block 5044  
Block 5045  
Block 5046  
Block 5047  
Block 5048  
Block 5049  
Block 5050  
Block 5051  
Tract 0032.01 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1005  
Block 1015  
Tract 0036.03

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TRUSTEE DISTRICT 4Christian County (pt)Bear Creek CCDBuckhart CCD (pt)Tract 9581.00 (pt)BG 2 (pt)Block 2066Block 2067Block 2068Block 2069Block 2070Block 2071Block 2072Block 2078Block 2079Block 2080Block 2081Block 2082Block 2083Block 2084Block 2085Block 2086Block 2096Block 2097Block 2098Block 2099Block 2100Block 2101Block 2102Block 2103Block 2108Block 2109Block 2110Block 2111Block 2112Block 2113BG 3Tract 9582.00Greenwood CCD (pt)Tract 9590.00 (pt)BG 4 (pt)Block 4044Block 4045Block 4046Block 4047Block 4048Block 4099Block 4100Block 4101Block 4102Block 4103Block 4104Block 4105Block 4106Block 4107Block 4108Block 4109Block 4111

Block 4116  
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Block 4155  
Block 4156  
Block 4157  
Block 4158  
Block 4159  
Johnson CCD  
King CCD  
Locust CCD (pt)  
Tract 9587.00 (pt)  
BG 3 (pt)  
Block 3002  
Block 3003  
Block 3004  
Block 3007  
Block 3008  
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Block 3010  
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Block 3049

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Block 3050  
Block 3051  
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Block 3154  
Block 3155  
Block 3995  
Block 3997  
Block 3999  
Tract 9590.00  
May CCD (pt)  
Tract 9586.00 (pt)  
BG 2 (pt)  
Block 2125  
Block 2126  
Block 2127  
Block 2130  
Block 2167  
Block 2168  
Block 2169  
Block 2170  
Block 2180  
Block 2181  
Block 2182  
Block 2183  
BG 3 (pt)  
Block 3051  
Block 3053  
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Block 3093  
Tract 9587.00

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Tract 9590.00  
Mosquito CCD (pt)  
Tract 9581.00 (pt)  
BG 1 (pt)  
Block 1004  
Block 1005  
Block 1006  
Block 1010  
Block 1011  
Block 1012  
Block 1013  
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Block 1022  
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Block 1024  
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Block 1107  
Block 1108  
Block 1109  
Block 1110  
Block 1111  
Block 1120  
Block 1121  
Mount Auburn CCD  
Ricks CCD  
Rosamond CCD (pt)  
Tract 9587.00 (pt)  
BG 3 (pt)  
Block 3156  
Block 3157  
South Fork CCD  
Stonington CCD (pt)

Tract 9586.00 (pt)  
BG 2 (pt)  
Block 2017  
Taylorville CCD  
De Witt County (pt)  
Tunbridge CCD (pt)  
Tract 9716.00 (pt)  
BG 3 (pt)  
Block 3172  
BG 4 (pt)  
Block 4057  
Block 4058  
Block 4059  
Block 4060  
Block 4061  
Logan County (pt)  
Aetna CCD (pt)  
Tract 9536.00 (pt)  
BG 1 (pt)  
Block 1020  
Block 1021  
Block 1022  
Block 1023  
Block 1024  
Block 1026  
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Block 1085

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Block 1086  
Block 1087  
Block 1088  
Block 1089  
Block 1090  
Block 1091  
Block 1092  
 BG 4  
 Broadwell CCD (pt)  
 Tract 9535.00 (pt)  
 BG 1 (pt)  
Block 1094  
Block 1096  
Block 1097  
Block 1098  
Block 1099  
Block 1100  
Block 1103  
Block 1104  
Block 1105  
Block 1156  
 Chester CCD (pt)  
 Tract 9535.00 (pt)  
 BG 1 (pt)  
Block 1115  
Block 1116  
Block 1117  
Block 1120  
Block 1121  
Block 1127  
 Tract 9536.00 (pt)  
 BG 1 (pt)  
Block 1064  
Block 1065  
Block 1097  
Block 1098  
Block 1099  
 Corwin CCD (pt)  
 Tract 9535.00 (pt)  
 BG 2 (pt)  
Block 2005  
Block 2006  
Block 2010  
Block 2015  
Block 2016  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
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Block 2134

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Block 2135  
Block 2136  
Block 2137  
Block 2138  
Block 2139  
Block 2140  
Block 2141  
Block 2142  
Elkhart CCD  
Hurlbut CCD  
Laenna CCD (pt)  
Tract 9536.00 (pt)  
BG 1  
BG 4 (pt)  
Block 4000  
Block 4001  
Block 4002  
Block 4005  
Block 4006  
Block 4007  
Block 4008  
Block 4009  
Block 4010  
Block 4011  
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Block 4015  
Block 4019  
Block 4020  
Block 4021  
Block 4023  
Block 4024  
Block 4025  
Block 4061  
Block 4062  
Block 4063  
Block 4064  
Block 4073  
Block 4074  
Lake Fork CCD (pt)  
Tract 9536.00 (pt)  
BG 4 (pt)  
Block 4072  
Block 4075  
Block 4076  
Block 4088  
Block 4089  
Block 4090  
Block 4091  
Block 4095  
Block 4096  
Mount Pulaski CCD  
Prairie Creek CCD (pt)  
Tract 9530.00 (pt)  
BG 2 (pt)  
Block 2039  
Block 2041  
Block 2042

Block 2045  
Block 2046  
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Block 2050  
Block 2052  
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Block 2055  
Sheridan CCD (pt)  
Tract 9530.00 (pt)  
BG 2 (pt)  
Block 2056  
Block 2057  
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Block 2106  
Block 2107  
Block 2108  
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Block 2112  
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Block 2119  
Block 2120  
Block 2121  
Block 2122  
Tract 9535.00 (pt)  
BG 2 (pt)  
Block 2007  
Block 2011  
Block 2012  
Block 2013  
Block 2014  
Macon County (pt)  
Austin CCD (pt)  
Tract 0028.00 (pt)  
BG 1 (pt)  
Block 1009  
Block 1010  
Sangamon County (pt)  
Auburn CCD (pt)  
Tract 0033.00 (pt)  
BG 4  
BG 5 (pt)  
Block 5038  
Block 5039  
Tract 0034.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4 (pt)  
Block 4004  
Block 4005  
Block 4006  
Block 4007  
Block 4008  
Block 4009  
Block 4011  
Block 4012  
Block 4013  
Block 4014  
Block 4015  
Block 4016  
Block 4017  
Block 4018  
Block 4019  
Block 4020  
Block 4021  
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Block 4023  
Block 4027  
BG 5 (pt)  
Block 5000  
Block 5001  
Block 5002  
Block 5003  
Block 5004  
Block 5005  
Block 5006  
Block 5007  
Block 5008  
Block 5009  
Block 5010  
Block 5011  
Block 5012  
Block 5013  
Block 5014  
Block 5015  
Block 5019  
Block 5036  
Ball CCD (pt)  
Tract 0031.00 (pt)  
BG 3 (pt)  
Block 3055  
Block 3062  
Block 3087  
Block 3164  
BG 4 (pt)  
Block 4037  
Block 4063  
Block 4066  
Block 4067  
Block 4068  
Tract 0032.03 (pt)  
BG 1 (pt)  
Block 1039  
Block 1046  
Block 1051  
BG 2 (pt)  
Block 2023  
Block 2024  
Block 2025  
Block 2026  
BG 3  
BG 4 (pt)  
Block 4000  
Block 4009  
Block 4010  
Block 4011  
Block 4012  
Block 4013  
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Block 4019  
Block 4020  
Block 4022  
Block 4023  
Block 4024

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Block 4025  
Block 4026  
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Block 4041  
Block 4042  
Block 4043  
Block 4044  
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Block 4046  
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Block 4048  
Block 4049  
Block 4995  
Block 4996  
Block 4997  
Tract 0033.00  
Buffalo Hart CCD  
Cooper CCD  
Cotton Hill CCD  
Divernon CCD  
Illioopolis CCD (pt)  
Tract 0040.00 (pt)  
BG 2 (pt)  
Block 2000  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2011  
Block 2016  
Block 2101  
Lanesville CCD (pt)  
Tract 0040.00 (pt)  
BG 2 (pt)  
Block 2007  
Block 2008  
Block 2009  
Block 2010  
Block 2102  
Block 2104  
BG 3 (pt)  
Block 3003  
Block 3004  
Block 3034  
Block 3035  
Block 3091

Block 3092  
Block 3093  
Block 3094  
BG 5 (pt)  
Block 5003  
Block 5004  
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Block 5006  
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Block 5010  
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Block 5012  
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Block 5083  
Block 5084  
Mechanicsburg CCD  
Pawnee CCD  
Rochester CCD (pt)  
Tract 0031.00 (pt)  
BG 3 (pt)  
Block 3033  
Tract 0039.01 (pt)  
BG 1 (pt)  
Block 1020  
Block 1021  
Block 1022  
BG 3  
BG 4 (pt)  
Block 4005  
Block 4018  
Block 4019  
Block 4020  
Block 4021  
Block 4022  
Block 4023  
Block 4024  
Block 4025  
Block 4026  
Block 4036  
Block 4996  
Block 4999  
Tract 0039.02 (pt)  
BG 2 (pt)  
Block 2035  
Williams CCD (pt)

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Tract 0037.00 (pt)  
BG 3 (pt)  
Block 3000  
BG 5  
BG 6 (pt)  
Block 6000  
Block 6001  
Block 6002  
Block 6003  
Block 6004  
Block 6023  
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Block 6050  
Block 6052  
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Block 6054  
Block 6055  
Block 6056  
Block 6057  
Block 6058  
Tract 0040.00 (pt)  
BG 3 (pt)  
Block 3017  
Block 3018  
Block 3022  
Block 3023

TRUSTEE DISTRICT 5  
Cass County (pt)  
Ashland CCD  
Bluff Springs CCD (pt)  
Tract 9602.00  
Tract 9603.00 (pt)  
BG 1 (pt)  
Block 1006  
Block 1007  
Block 1008  
Block 1009

Block 1025  
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Block 1996  
BG 2 (pt)  
Block 2042  
Block 2043  
Block 2044  
Block 2045  
Chandlerville CCD (pt)  
Tract 9601.00 (pt)  
BG 1 (pt)  
Block 1002  
Block 1003

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Block 1004  
Block 1005  
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Block 1111  
Block 1113  
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Block 1117  
Block 1118  
Block 1119  
Block 1120  
Block 1121  
Block 1122  
Block 1123  
Block 1984  
Block 1985  
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Block 1987  
Block 1988  
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Block 1993  
Block 1994  
Block 1995  
Block 1996  
Block 1997  
Block 1998  
BG 2  
Newmansville CCD  
Panther Creek CCD  
Philadelphia CCD  
Sangamon Valley CCD (pt)  
Tract 9601.00  
Tract 9602.00  
Tract 9603.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1010  
Block 1011

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Block 1012  
Block 1013  
Block 1014  
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Block 1020  
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Block 1024  
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Block 1080  
Block 1081  
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Block 1083  
Block 1084  
Block 1085  
Block 1091  
Block 1997  
Block 1999  
Virginia CCD  
Mason County (pt)  
  Allens Grove CCD (pt)  
    Tract 9567.00 (pt)  
      BG 1 (pt)  
        Block 1077  
        Block 1078  
        Block 1079  
        Block 1095  
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        Block 1098  
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        Block 1101  
        Block 1102  
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        Block 1104  
        Block 1105  
        Block 1109  
        Block 1110  
    Bath CCD (pt)  
      Tract 9566.00 (pt)  
        BG 3 (pt)  
          Block 3122  
          Block 3125  
          Block 3126  
          Block 3145  
          Block 3149

Block 3975  
Block 3976  
Block 3978  
Block 3980  
 Crane Creek CCD  
Forest City CCD (pt)  
Tract 9563.00 (pt)  
BG 3 (pt)  
Block 3186  
Block 3187  
Tract 9564.00 (pt)  
BG 1 (pt)  
Block 1085  
Block 1086  
Block 1091  
Block 1092  
Block 1095  
Block 1135  
 Havana CCD (pt)  
Tract 9564.00 (pt)  
BG 3 (pt)  
Block 3043  
Block 3068  
Block 3069  
Block 3070  
Block 3072  
Block 3073  
Block 3074  
 Kilbourne CCD (pt)  
Tract 9566.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1099  
Block 1100  
Block 1101  
Block 1102  
Block 1105  
BG 3 (pt)  
Block 3001  
Block 3002  
Block 3131  
Block 3132  
Block 3139  
Block 3140  
Block 3990  
Block 3992  
Block 3998  
Block 3999  
Tract 9567.00  
 Lynchburg CCD (pt)  
Tract 9566.00 (pt)  
BG 2 (pt)  
Block 2080  
Block 2148  
Block 2153  
Block 2986

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Block 2989  
Mason City CCD (pt)  
Tract 9567.00 (pt)  
BG 2 (pt)  
Block 2000  
Block 2001  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
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Block 2110  
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Block 2192  
Block 2990  
Block 2991  
Block 2992  
Block 2993  
Block 2994  
Block 2995  
Block 2996  
Block 2997  
Block 2998  
Block 2999  
Tract 9568.00  
Pennsylvania CCD (pt)  
Tract 9567.00 (pt)  
BG 2 (pt)  
Block 2017  
Block 2018  
Block 2019  
Block 2020  
Block 2021  
Block 2022  
Block 2026  
Block 2027  
Block 2028  
Block 2029  
Block 2030  
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Block 2037

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Block 2038  
Block 2039  
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Block 2049  
Block 2050  
Block 2051  
Block 2052  
Block 2053  
Quiver CCD (pt)  
Tract 9564.00 (pt)  
BG 1 (pt)  
Block 1076  
Block 1079  
Block 1096  
Block 1097  
Block 1098  
Block 1099  
Block 1110  
Block 1117  
Block 1118  
Block 1119  
Block 1120  
Block 1121  
Block 1122  
Block 1123  
Block 1124  
Block 1125  
Block 1126  
Block 1127  
Block 1128  
Block 1129  
Block 1130  
Block 1131  
Block 1132  
Block 1133  
Block 1134  
BG 3 (pt)  
Block 3000  
Block 3031  
Salt Creek CCD  
Sherman CCD  
Menard County  
Sangamon County (pt)  
Capital CCD (pt)  
Tract 0002.01 (pt)  
BG 1 (pt)  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006

Block 1007  
Block 1008  
Block 1009  
 BG 2 (pt)  
Block 2010  
Block 2012  
 BG 3 (pt)  
Block 3003  
Block 3004  
Block 3007  
 Tract 0010.01 (pt)  
 BG 1  
 BG 2 (pt)  
Block 2001  
Block 2003  
Block 2004  
Block 2005  
Block 2007  
Block 2008  
Block 2009  
Block 2010  
Block 2011  
Block 2012  
Block 2013  
Block 2014  
Block 2015  
 Tract 0010.02 (pt)  
 BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
Block 1005  
Block 1006  
Block 1007  
Block 1009  
Block 1010  
Block 1013  
Block 1014  
Block 1015  
Block 1999  
 Tract 0036.02  
 Tract 0036.03 (pt)  
 BG 1  
 BG 2 (pt)  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2008  
Block 2010  
Block 2011  
Block 2012  
Block 2016  
Block 2017  
Block 2019  
Block 2022  
Block 2023

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Block 2029  
Block 2030  
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Block 2060  
Block 2061  
Block 2074  
Block 2075  
Block 2076  
Tract 0036.04 (pt)  
BG 1 (pt)  
Block 1004  
Block 1005  
Block 1007  
Block 1008  
Block 1015  
Block 1016  
Block 1017  
Block 1019  
Block 1020  
Block 1021  
Block 1029  
BG 2 (pt)  
Block 2016  
Block 2017  
Block 2019  
Block 2020  
Block 2021  
Block 2027  
Cartwright CCD  
Chatham CCD (pt)  
Tract 0032.02 (pt)  
BG 1 (pt)  
Block 1007  
Block 1008  
BG 3 (pt)  
Block 3002  
Block 3003  
Block 3004  
Block 3005  
Block 3006  
Block 3007  
Block 3012  
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Block 3050  
Block 3051  
Block 3052  
Block 3053  
Block 3054  
Block 3055  
Block 3056  
Block 3057  
Block 3058  
Tract 0032.03 (pt)  
BG 1 (pt)  
Block 1043  
Block 1044  
Block 1045  
Block 1047  
Block 1048  
Block 1049  
Block 1050  
BG 3  
Tract 0033.00  
Tract 0034.00  
Tract 0036.03  
Clear Lake CCD (pt)  
Tract 0001.00 (pt)  
BG 1 (pt)  
Block 1000  
Tract 0037.00  
Tract 0038.01 (pt)  
BG 1 (pt)  
Block 1000  
Block 1013  
Block 1992  
Block 1995

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Block 1997  
Curran CCD (pt)  
Tract 0032.02  
Tract 0036.01  
Tract 0036.03  
Tract 0036.04 (pt)  
BG 1 (pt)  
Block 1006  
Block 1028  
BG 2 (pt)  
Block 2022  
Block 2023  
Block 2024  
Block 2025  
Block 2026  
Block 2028  
Fancy Creek CCD  
Gardner CCD  
Island Grove CCD  
Maxwell CCD  
New Berlin CCD  
Springfield CCD (pt)  
Tract 0001.00 (pt)  
BG 4 (pt)  
Block 4056  
Block 4057  
Block 4059  
Block 4994  
Tract 0002.01 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
BG 2 (pt)  
Block 2006  
Block 2007  
Block 2009  
Block 2011  
BG 3 (pt)  
Block 3005  
Block 3006  
Tract 0010.01  
Tract 0036.01  
Tract 0036.02  
Tract 0037.00 (pt)  
BG 1 (pt)  
Block 1020  
Block 1021  
Block 1022  
Block 1992  
Block 1994  
Block 1995  
Williams CCD (pt)  
Tract 0037.00 (pt)  
BG 3 (pt)  
Block 3001  
Block 3002  
Block 3003  
Block 3004  
Block 3005

Block 3006  
Block 3007  
Block 3008  
Block 3009  
Block 3010  
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Block 3049  
Block 3050  
Block 3051  
Block 3052  
Block 3053  
Block 3054  
Block 3055  
Block 3056  
Block 3999  
BG 4  
BG 6 (pt)  
Block 6051  
Tract 0038.01  
Tract 0038.02  
Tract 0040.00 (pt)  
BG 3 (pt)  
Block 3024  
Block 3104  
Block 3105  
Block 3106  
Block 3107  
Block 3108  
Block 3109  
Woodside CCD (pt)  
Tract 0032.01 (pt)  
BG 1 (pt)  
Block 1007

TRUSTEE DISTRICT 6  
Cass County (pt)  
Arenzville CCD  
Beardstown CCD  
Bluff Springs CCD (pt)

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Tract 9603.00 (pt)  
BG 1 (pt)  
Block 1987  
Block 1989  
BG 2 (pt)  
Block 2000  
Block 2038  
Block 2039  
Block 2040  
Block 2041  
Block 2046  
Block 2047  
Block 2064  
Block 2065  
Block 2069  
Block 2070  
Block 2192  
Block 2193  
Block 2194  
Hagener CCD (pt)  
Tract 9602.00  
Tract 9603.00 (pt)  
BG 2 (pt)  
Block 2059  
Block 2060  
Block 2061  
Block 2062  
Block 2080  
Block 2081  
Block 2082  
Block 2111  
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Block 2199  
Block 2204  
Block 2205  
Block 2211  
Block 2213  
Block 2214  
Block 2221  
Block 2222  
Block 2223  
Block 2224  
Morgan County (pt)  
Alexander CCD  
Arcadia CCD  
Chapin CCD (pt)  
Tract 9514.00 (pt)  
BG 1  
BG 4 (pt)  
Block 4000  
Block 4001  
Block 4002  
Block 4003  
Block 4004  
Block 4012  
Block 4013  
Block 4014  
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Block 4019  
Block 4020  
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Block 4032

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Block 4033  
Block 4034  
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Block 4041  
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Block 4043  
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Block 4049  
Block 4050  
Block 4051  
Block 4052  
Block 4053  
Block 4054  
Block 4055  
Block 4056  
Block 4057  
Block 4058  
Block 4060  
Block 4064  
Block 4065  
Block 4066  
Block 4067  
Block 4068

Concord CCD

Franklin CCD

Jacksonville No. 1 CCD  
Jacksonville No. 2 CCD  
Jacksonville No. 3 CCD  
Jacksonville No. 4 CCD  
Jacksonville No. 5 CCD  
Jacksonville No. 6 CCD  
Jacksonville No. 7 CCD  
Jacksonville No. 8 CCD  
Jacksonville No. 9 CCD  
Jacksonville No. 10 CCD  
Jacksonville No. 11 CCD  
Jacksonville No. 12 CCD  
Jacksonville No. 13 CCD  
Jacksonville No. 14 CCD  
Jacksonville No. 15 CCD  
Jacksonville No. 16 CCD  
Jacksonville No. 17 CCD  
Jacksonville No. 18 CCD  
Jacksonville No. 19 CCD  
Jacksonville No. 22 CCD  
Jacksonville No. 23 CCD  
Jacksonville No. 24 CCD  
Jacksonville No. 25 CCD  
Jacksonville No. 26 CCD  
Jacksonville No. 27 CCD

Jacksonville No. 28 CCD  
Literberry CCD  
Lynnville CCD  
Markham CCD  
Meredosia No. 1 CCD (pt)  
Tract 9514.00 (pt)  
BG 1 (pt)  
Block 1009  
Block 1015  
Block 1016  
Block 1054  
Block 1055  
Block 1056  
Block 1057  
Block 1058  
Block 1072  
Meredosia No. 2 CCD (pt)  
Tract 9514.00 (pt)  
BG 1 (pt)  
Block 1073  
Murrayville No. 1 CCD (pt)  
Tract 9522.00 (pt)  
BG 1  
BG 3 (pt)  
Block 3000  
Block 3001  
Block 3002  
Block 3003  
Block 3017  
Block 3018  
Block 3019  
Block 3020  
Block 3021  
Block 3022  
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Block 3051  
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Block 3056  
Block 3075  
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Block 3099

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Block 3101  
Block 3104  
Block 3105  
Block 3107  
Block 3108  
Murrayville No. 2 CCD  
Nortonville CCD (pt)  
Tract 9522.00 (pt)  
BG 1 (pt)  
Block 1158  
Block 1159  
Block 1160  
Block 1161  
Block 1166  
Block 1168  
Block 1169  
Block 1170  
Block 1171  
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Block 1180  
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Block 1195  
Block 1196  
Block 1197  
Block 1200  
Block 1201  
Block 1202  
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Block 1210  
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Block 1212  
Block 1213  
Block 1214  
BG 3

Tract 9523.00  
Pisgah CCD  
Prentice CCD  
Waverly No. 1 CCD  
Waverly No. 2 CCD  
Waverly No. 3 CCD  
Woodson CCD  
Schuyler County (pt)  
Frederick CCD (pt)  
Tract 9703.00 (pt)  
BG 1 (pt)  
Block 1997  
Scott County (pt)  
Aalsey CCD  
Bloomfield CCD (pt)  
Tract 9706.00 (pt)  
BG 2 (pt)  
Block 2103  
Block 2135  
Block 2136  
Block 2141  
Block 2158  
Block 2159  
Block 2160  
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Block 2202  
Block 2203  
Block 2204  
Block 2205  
Block 2995  
Tract 9707.00  
Exeter-Bluffs CCD (pt)  
Tract 9706.00 (pt)  
BG 2 (pt)  
Block 2099  
Block 2100  
Glasgow CCD  
Manchester CCD

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Merritt CCD (pt)Tract 9706.00 (pt)BG 1 (pt)Block 1000Block 1001Block 1002Block 1003Block 1004Block 1005Block 1096Block 1097Block 1099Block 1100Block 1101Block 1102Block 1103Block 1104Block 1105Block 1106Block 1107Block 1108Block 1109Block 1110Winchester No. 1 CCDWinchester No. 2 CCDWinchester No. 3 CCDTRUSTEE DISTRICT 7Bond County (pt)Lagrange CCD (pt)Tract 9512.00 (pt)BG 1 (pt)Block 1014Block 1018Block 1022Block 1023Block 1024Block 1025Block 1026Block 1027Block 1028Block 1029Block 1030Block 1132Tract 9514.00 (pt)BG 1 (pt)Block 1107Shoal Creek CCD (pt)Tract 9514.00 (pt)BG 1 (pt)Block 1000Block 1001Block 1002Block 1003Block 1004Block 1005Block 1006Block 1007Block 1008

Block 1009  
Block 1010  
Block 1022  
Block 1023  
Block 1024  
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Block 1099  
Block 1100  
Block 1101  
Block 1102  
Block 1105  
Block 1106  
Block 1141  
Fayette County (pt)  
Hurricane CCD (pt)  
Tract 9507.00 (pt)  
BG 2 (pt)  
Block 2011  
Block 2012  
Macoupin County (pt)  
Barr CCD (pt)  
Tract 9562.00 (pt)  
BG 4 (pt)  
Block 4021  
Block 4022  
Block 4023  
Block 4034  
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Block 4041  
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Block 4043  
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Block 4050  
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Block 4053  
Block 4054  
Block 4055  
Block 4056

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Block 4057  
Block 4059  
Block 4060  
Block 4061  
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Block 4064  
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Block 4089  
Block 4090  
Block 4091  
Block 4092  
Block 4100  
Block 4101  
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Block 4110  
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Block 4112  
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Block 4132  
Block 4133  
Block 4134  
Block 4135  
Bird CCD (pt)  
Tract 9565.00 (pt)  
BG 1 (pt)  
Block 1005  
Block 1006  
Block 1007  
Block 1008  
Block 1009  
Block 1044  
Block 1045  
Block 1046  
Block 1047  
Block 1048  
Cahokia CCD (pt)  
Tract 9570.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1013  
Block 1014  
Block 1029  
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Block 1092  
Block 1093  
Block 1094  
Block 1997  
Block 1998  
Block 1999  
BG 4 (pt)  
Block 4000  
Block 4001  
Tract 9571.00 (pt)  
BG 1 (pt)  
Block 1001  
Block 1002  
Block 1003  
Block 1004  
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Block 1010  
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Block 1017

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Block 1018  
Block 1019  
Block 1020  
Block 1021  
Block 1022  
Block 1023  
Block 1027  
Block 1039  
Block 1040  
Block 1997  
Block 1999  
Girard CCD  
Honey Point CCD (pt)  
Tract 9563.00 (pt)  
BG 3 (pt)  
Block 3053  
BG 4 (pt)  
Block 4000  
Block 4001  
Block 4072  
Block 4073  
Block 4091  
Block 4092  
Block 4095  
Block 4096  
Block 4120  
Block 4121  
Mount Olive CCD (pt)  
Tract 9570.00 (pt)  
BG 4 (pt)  
Block 4046  
Block 4047  
Block 4048  
Block 4049  
Block 4050  
Block 4051  
Block 4052  
Block 4053  
Block 4054  
Block 4055  
Block 4056  
Block 4057  
Block 4058  
BG 5 (pt)  
Block 5000  
Block 5001  
Block 5002  
Block 5003  
Block 5004  
Block 5005  
Block 5006  
Block 5007  
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Block 5009  
Block 5010  
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Block 5029  
Block 5030  
Block 5031  
Block 5999  
Tract 9571.00  
Nilwood CCD (pt)  
Tract 9561.00  
Tract 9563.00 (pt)  
BG 1 (pt)  
Block 1000  
Block 1001  
Block 1002  
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Block 1086  
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Block 1097  
Block 1098  
Block 1146  
Block 1147  
Block 1148  
Block 1149  
BG 2  
North Otter CCD  
North Palmyra CCD  
Scottville CCD  
Shaws Point CCD (pt)  
Tract 9563.00 (pt)  
BG 3 (pt)  
Block 3003  
South Otter CCD (pt)  
Tract 9561.00

Tract 9562.00 (pt)  
BG 1 (pt)  
Block 1063  
Block 1064  
Tract 9563.00 (pt)  
BG 1 (pt)  
Block 1061  
BG 2 (pt)  
Block 2002  
Block 2003  
Block 2004  
Block 2005  
Block 2006  
Block 2007  
Block 2008  
Block 2009  
Block 2010  
Block 2011  
Block 2012  
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Block 2064  
Block 2067  
Block 2995  
Block 2996  
Block 2997  
Block 2998  
Block 2999  
South Palmyra CCD (pt)  
Tract 9562.00 (pt)  
BG 1  
BG 2  
BG 3  
BG 4 (pt)  
Block 4001  
Block 4002  
Block 4003

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Block 4004  
Block 4005  
Block 4010  
Block 4011  
Block 4012  
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All counties, townships, census tracts, block groups, and blocks are those that appear on maps published by the United States Bureau of the Census for the 2000 census. The term "tract" means census tract. Trustee districts created by this subsection (d) for the purpose of electing board members shall not be altered by operation of any other statute, ordinance, or resolution. Any part of the community college district that has not been described as included in one of the trustee districts described in this subsection (d) is included within the trustee district that (i) is contiguous to the part and (ii) contains the least population of all trustee districts contiguous to the part according to the 2000 decennial census of Illinois. If any part of the community college district is described in this subsection (d) as being in more than one trustee district, the part is included within the trustee district that (i) is one of the trustee districts in which that part is listed in this subsection (d), (ii) is contiguous to that part, and (iii) contains the least population according to the 2000 decennial census of Illinois. If any part of the community college district (i) is described in this subsection (d) as being in one trustee district and (ii) is entirely surrounded by another trustee district, then the part shall be incorporated into the trustee district that surrounds the part. If any part of the community college district (i) is described in this subsection (d) as being in one trustee district and (ii) is not contiguous to another part of that trustee district, then the part is included within the contiguous trustee district that contains the least population according to the 2000 decennial census of Illinois. The Speaker of the House, the Minority Leader of the House, the President of the Senate, and the Minority Leader of the Senate shall by joint letter of transmittal present to the Secretary of State for deposit into the State Archives an official set of United States Bureau of the Census maps and descriptions used for conducting the 2000 census, and those maps shall serve as the official record of all counties, townships, census tracts, block groups, and blocks referred to in this subsection (d). The State Board of Elections shall prepare and make available to the public a metes and bounds description of the trustee districts created under this subsection (d).

For each at-large seat on the board that is to be filled by election in 2005 or 2007, the seat shall be filled by a trustee elected from a trustee district. The State Board shall determine which trustee district seat is to replace which at-large seat by lot. The term of each trustee elected at the 2005 or 2007 consolidated election shall end on the date that the trustees elected in 2009 are officially determined by a canvass conducted pursuant to the Election Code. For the 2009 consolidated election, one trustee shall be elected from each trustee district to serve a 4-year term.

At least one year prior to the 2013 consolidated election, the board shall meet to, publicly by lot, divide the trustee districts as equally as possible into 3 groups. Beginning with the 2013 consolidated election and the consolidated election every 10 years thereafter, trustees or their successors from the first group shall be elected for successive terms of 2 years, 4 years, and 4 years; trustees or their successors from the second group shall be elected for successive terms of 4 years, 2 years, and 4 years; and trustees or their successors from the third group shall be elected for successive terms of 4 years, 4 years, and 2 years.

(e) Each member must on the date of his election be a citizen of the United States, of the age of 18 years or over, and a resident of the State and the territory which on the date of the election is included in the community college district for at least one year immediately preceding his election. In Community College District No. 526, each member elected at the consolidated election in 2005 or thereafter must also be a resident of the trustee district he or she represents for at least one year immediately preceding his or her election, except that in the first consolidated election for each trustee district following reapportionment by the General Assembly, a candidate for the board may be elected from any trustee district that contains a part of the trustee district in which he or she resided at the time of the reapportionment and may be reelected if a resident of the new trustee district he or she represents for one year prior to reelection. In the event a person who is a member of a common school board is elected or appointed to a board of trustees of a community college district, that person shall be permitted to serve the remainder of his or her term of office as a member of the common school board. Upon the expiration of the common school board term, that person shall not be eligible for election or appointment to a

common school board during the term of office with the community college district board of trustees.

(f) Whenever a vacancy occurs, the remaining members shall fill the vacancy, and the person so appointed shall serve until a successor is elected at the next regular election for board members and is certified in accordance with Sections 22-17 and 22-18 of the Election Code. If the remaining members fail so to act within 60 days after the vacancy occurs, the chairman of the State Board shall fill that vacancy, and the person so appointed shall serve until a successor is elected at the next regular election for board members and is certified in accordance with Sections 22-17 and 22-18 of the Election Code. The person appointed to fill the vacancy shall have the same residential qualifications as his predecessor in office was required to have. In either instance, if the vacancy occurs with less than 4 months remaining before the next scheduled consolidated election, and the term of office of the board member vacating the position is not scheduled to expire at that election, then the term of the person so appointed shall extend through that election and until the succeeding consolidated election. If the term of office of the board member vacating the position is scheduled to expire at the upcoming consolidated election, the appointed member shall serve only until a successor is elected and qualified at that election.

(g) Members of the board shall serve without compensation but shall be reimbursed for their reasonable expenses incurred in connection with their service as members. Compensation, for purposes of this Section, means any salary or other benefits not expressly authorized by this Act to be provided or paid to, for or on behalf of members of the board. The board of each community college district may adopt a policy providing for the issuance of bank credit cards, for use by any board member who requests the same in writing and agrees to use the card only for the reasonable expenses which he or she incurs in connection with his or her service as a board member. Expenses charged to such credit cards shall be accounted for separately and shall be submitted to the chief financial officer of the district for review prior to being reported to the board at its next regular meeting.

(h) Except in an election of the initial board for a new community college district created pursuant to Section 6-6.1, the ballot for the election of members of the board for a community college district shall indicate the length of term for each office to be filled. In the election of a board for any community college district, the ballot shall not contain any political party designation. (Source: P.A. 92-1, eff. 3-30-01.)"

Under the rules, the foregoing **Senate Bill No. 1980**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 24

A bill for AN ACT concerning transmitters of money.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 24

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 24

AMENDMENT NO. 1. Amend Senate Bill 24 on page 3 by replacing line 13 with the following: "money and other similar consideration, including but not limited to checks, debit payments, money orders, drafts, credit payments, and traveler's checks"; and on page 3, line 27, by changing "licensee" to "licensee; each licensee that transmits money directly shall also conspicuously display a disclosure notice"; and on page 3, line 28, by deleting "all of"; and on page 3, line 30, by changing "The name" to "In the case of an authorized seller only, the name"; and by deleting lines 32 and 33 on page 3 and line 1 on page 4; and on page 4, line 2, by replacing "(3)" with "(2)"; and on page 4, line 5, by replacing "(4)" with "(3)"; and on page 4, line 7, after "Department"; by inserting "within 30 days"; and on page 5, line 1, after "instrument" by inserting "other than a stored value card"; and on page 5, line 10, after "instrument" by inserting "other than a stored value card"; and

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on page 6, line 1, after the period, by inserting the following:

"The receipt or a separate disclosure at the time of the money transmission shall also include a statement of the licensee's refund procedures as well as a toll-free telephone number for customer assistance. An inadvertent or non-wilful failure to give a consumer the disclosure provided for in this Section shall not constitute a violation of this Act."; and

on page 6, by deleting lines 21 through 34; and

on page 7 by deleting lines 1 and 2.

Under the rules, the foregoing **Senate Bill No. 24**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 130

A bill for AN ACT concerning the children's health insurance program.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 130

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 130

AMENDMENT NO. 1. Amend Senate Bill 130 by replacing everything after the enacting clause with the following:

"Section 5. The Children's Health Insurance Program Act is amended by changing Sections 20 and 40 as follows:

(215 ILCS 106/20) (Section scheduled to be repealed on July 1, 2003)

Sec. 20. Eligibility. (a) To be eligible for this Program, a person must be a person who has a child eligible under this Act and who is eligible under a waiver of federal requirements pursuant to an application made pursuant to subdivision (a)(1) of Section 40 of this Act or who is a child who:

- (1) is a child who is not eligible for medical assistance;
- (2) is a child whose annual household income, as determined by the Department, is above 133% of the federal poverty level and at or below ~~200%~~ 185% of the federal poverty level;
- (3) is a resident of the State of Illinois; and
- (4) is a child who is either a United States citizen or included in one of the following categories of non-citizens:

(A) unmarried dependent children of either a United States Veteran honorably discharged or a person on active military duty;

(B) refugees under Section 207 of the Immigration and Nationality Act;

(C) asylees under Section 208 of the Immigration and Nationality Act;

(D) persons for whom deportation has been withheld under Section 243(h) of the Immigration and Nationality Act;

(E) persons granted conditional entry under Section 203(a)(7) of the Immigration and Nationality Act as in effect prior to April 1, 1980;

(F) persons lawfully admitted for permanent residence under the Immigration and Nationality Act; and

(G) parolees, for at least one year, under Section 212(d)(5) of the Immigration and Nationality Act.

Those children who are in the categories set forth in subdivisions (4)(F) and (4)(G) of this subsection, who enter the United States on or after August 22, 1996, shall not be eligible for 5 years beginning on the date the child entered the United States.

(b) A child who is determined to be eligible for assistance may remain eligible for 12 months, provided the child maintains his or her residence in the State, has not yet attained 19 years of age, and is not excluded pursuant to subsection (c). A child who has been determined to be eligible for assistance must reapply or otherwise establish eligibility at least annually. An eligible child shall be required, as determined by the Department by rule, to report promptly those changes in income and other

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circumstances that affect eligibility. The eligibility of a child may be redetermined based on the information reported or may be terminated based on the failure to report or failure to report accurately. A child's responsible relative or caretaker may also be held liable to the Department for any payments made by the Department on such child's behalf that were inappropriate. An applicant shall be provided with notice of these obligations.

(c) A child shall not be eligible for coverage under this Program if:

(1) the premium required pursuant to Section 30 of this Act has not been paid. If the required premiums are not paid the liability of the Program shall be limited to benefits incurred under the Program for the time period for which premiums had been paid. If the required monthly premium is not paid, the child shall be ineligible for re-enrollment for a minimum period of 3 months. Re-enrollment shall be completed prior to the next covered medical visit and the first month's required premium shall be paid in advance of the next covered medical visit. The Department shall promulgate rules regarding grace periods, notice requirements, and hearing procedures pursuant to this subsection;

(2) the child is an inmate of a public institution or a patient in an institution for mental diseases; or

(3) the child is a member of a family that is eligible for health benefits covered under the State of Illinois health benefits plan on the basis of a member's employment with a public agency.

(Source: P.A. 92-597, eff. 6-28-02.)

(215 ILCS 106/40) (Section scheduled to be repealed on July 1, 2003)

Sec. 40. Waivers. (a) The Department shall request any necessary waivers of federal requirements in order to allow receipt of federal funding for:

(1) the coverage of families with eligible children under this Act; and

(2) for the coverage of children who would otherwise be eligible under this Act, but who have health insurance.

(b) The failure of the responsible federal agency to approve a waiver for children who would otherwise be eligible under this Act but who have health insurance shall not prevent the implementation of any Section of this Act provided that there are sufficient appropriated funds.

(c) Eligibility of a person under an approved waiver due to the relationship with a child pursuant to Article V of the Illinois Public Aid Code or this Act shall be limited to such a person whose countable income is determined by the Department to be at or below such income eligibility standard as the Department by rule shall establish. The income level established by the Department shall not be below 90% ~~65%~~ of the federal poverty level. Such persons who are determined to be eligible must reapply, or otherwise establish eligibility, at least annually. An eligible person shall be required, as determined by the Department by rule, to report promptly those changes in income and other circumstances that affect eligibility. The eligibility of a person may be redetermined based on the information reported or may be terminated based on the failure to report or failure to report accurately. A person may also be held liable to the Department for any payments made by the Department on such person's behalf that were inappropriate. An applicant shall be provided with notice of these obligations. (Source: P.A. 92-597, eff. 6-28-02.)

(215 ILCS 106/97 rep.)

Section 10. The Children's Health Insurance Program Act is amended by repealing Section 97.

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

Under the rules, the foregoing **Senate Bill No. 130**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 487

A bill for AN ACT in relation to the regulation of professions.

Together with the following amendmets which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 487

House Amendment No. 3 to SENATE BILL NO. 487

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

[May 28, 2003]



## AMENDMENT NO. 1 TO SENATE BILL 487

AMENDMENT NO. 1. Amend Senate Bill 487 on page 1, by replacing lines 4 through 30 with the following: "

## ARTICLE 5. GENERAL PROVISIONS.

Section 5-5. Short title; Act supersedes the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993. This Act may be cited as the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004 and it supersedes the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 repealed by this Act.

Section 5-10. Definitions. As used in this Act:

"Advertisement" means any printed material that is published in a phone book, newspaper, magazine, pamphlet, newsletter, or other similar type of publication that is intended to either attract business or merely provide contact information to the public for an agency or licensee. Advertisement shall include any material disseminated by printed or electronic means or media, but shall not include a licensee's or an agency's letterhead, business cards, or other stationery used in routine business correspondence or customary name, address, and number type listings in a telephone directory.

"Alarm system" means any system, including an electronic access control system, a surveillance video system, a security video system, a burglar alarm system, a fire alarm system, or any other electronic system, that activates an audible, visible, remote, or recorded signal that is designed for the protection or detection of intrusion, entry, theft, fire, vandalism, escape, or trespass.

"Armed employee" means a licensee or registered person who is employed by an agency licensed or an armed proprietary security force registered under this Act who carries a weapon while engaged in the performance of official duties within the course and scope of his or her employment during the hours and times the employee is scheduled to work or is commuting between his or her home or place of employment, provided that commuting is accomplished within one hour from departure from home or place of employment.

"Armed proprietary security force" means a security force made up of 5 or more armed individuals employed by a private, commercial, or industrial operation or one or more armed individuals employed by a financial institution as security officers for the protection of persons or property.

"Board" means the Private Detective, Private Alarm, Private Security, and Locksmith Board.

"Branch office" means a business location removed from the place of business for which an agency license has been issued, including but not limited to locations where active employee records that are required to be maintained under this Act are kept, where prospective new employees are processed, or where members of the public are invited in to transact business. A branch office does not include an office or other facility located on the property of an existing client that is utilized solely for the benefit of that client and is not owned or leased by the agency.

"Corporation" means an artificial person or legal entity created by or under the authority of the laws of a state, including without limitation a corporation, limited liability company, or any other legal entity.

"Department" means the Department of Professional Regulation.

"Director" means the Director of Professional Regulation.

"Employee" means a person who works for a person or agency that has the right to control the details of the work performed and is not dependent upon whether or not federal or state payroll taxes are withheld.

"Fire alarm system" means any system that is activated by an automatic or manual device in the detection of smoke, heat, or fire that activates an audible, visible, or remote signal requiring a response.

"Firearm authorization card" means a card issued by the Department that authorizes the holder to carry a weapon during the performance of his or her duties as specified in this Act.

"Firm" means an unincorporated business entity, including but not limited to proprietorships and partnerships.

"Locksmith" means a person who engages in a business or holds himself out to the public as providing a service that includes, but is not limited to, the servicing, installing, originating first keys, recoding, repairing, maintaining, manipulating, or bypassing of a mechanical or electronic locking device, access control or video surveillance system at premises, vehicles, safes, vaults, safe deposit boxes, or automatic teller machines.

"Locksmith agency" means a person, firm, corporation, or other legal entity that engages in the locksmith business and employs, in addition to the locksmith licensee-in-charge, at least one other person in conducting such business.

"Locksmith licensee-in-charge" means a person who has been designated by agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole

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responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Peace officer" or "police officer" means a person who, by virtue of office or public employment, is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses. Officers, agents, or employees of the federal government commissioned by federal statute to make arrests for violations of federal laws are considered peace officers.

"Permanent employee registration card" means a card issued by the Department to an individual who has applied to the Department and meets the requirements for employment by a licensed agency under this Act.

"Person" means a natural person.

"Private alarm contractor" means a person who engages in a business that individually or through others undertakes, offers to undertake, purports to have the capacity to undertake, or submits a bid to sell, install, monitor, maintain, alter, repair, replace, or service alarm and other security-related systems or parts thereof, including fire alarm systems, at protected premises or premises to be protected or responds to alarm systems at a protected premises on an emergency basis and not as a full-time security officer. "Private alarm contractor" does not include a person, firm, or corporation that manufactures or sells alarm systems only from its place of business and does not sell, install, monitor, maintain, alter, repair, replace, service, or respond to alarm systems at protected premises or premises to be protected.

"Private alarm contractor agency" means a person, corporation, or other entity that engages in the private alarm contracting business and employs, in addition to the private alarm contractor-in-charge, at least one other person in conducting such business.

"Private alarm contractor licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Private detective" means any person who by any means, including but not limited to manual or electronic methods, engages in the business of, accepts employment to furnish, or agrees to make or makes investigations for a fee or other consideration to obtain information relating to:

- (1) Crimes or wrongs done or threatened against the United States, any state or territory of the United States, or any local government of a state or territory.
- (2) The identity, habits, conduct, business occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movements, whereabouts, affiliations, associations, transactions, acts, reputation, or character of any person, firm, or other entity by any means, manual or electronic.
- (3) The location, disposition, or recovery of lost or stolen property.
- (4) The cause, origin, or responsibility for fires, accidents, or injuries to individuals or real or personal property.
- (5) The truth or falsity of any statement or representation.
- (6) Securing evidence to be used before any court, board, or investigating body.
- (7) The protection of individuals from bodily harm or death (bodyguard functions).
- (8) Service of process in criminal and civil proceedings without court order.

"Private detective agency" means a person, firm, corporation, or other legal entity that engages in the private detective business and employs, in addition to the licensee-in-charge, one or more persons in conducting such business.

"Private detective licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Private security contractor" means a person who engages in the business of providing a private security officer, watchman, patrol, or a similar service by any other title or name on a contractual basis for another person, firm, corporation, or other entity for a fee or other consideration and performing one or more of the following functions:

- (1) The prevention or detection of intrusion, entry, theft, vandalism, abuse, fire, or trespass on private or governmental property.
- (2) The prevention, observation, or detection of any unauthorized activity on private or

governmental property.

(3) The protection of persons authorized to be on the premises of the person, firm, or other entity for which the security contractor contractually provides security services.

(4) The prevention of the misappropriation or concealment of goods, money, bonds, stocks, notes, documents, or papers.

(5) The control, regulation, or direction of the movement of the public for the time specifically required for the protection of property owned or controlled by the client.

(6) The protection of individuals from bodily harm or death (bodyguard functions).

"Private security contractor agency" means a person, firm, corporation, or other legal entity that engages in the private security contractor business and that employs, in addition to the licensee-in-charge, one or more persons in conducting such business.

"Private security contractor licensee-in-charge" means a person who has been designated by an agency to be the licensee-in-charge of an agency, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the licensed agency's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in agency affairs.

"Public member" means a person who is not a licensee or related to a licensee, or who is not an employer or employee of a licensee. The term "related to" shall be determined by the rules of the Department.

Section 5-15. Legislative intent. The intent of the General Assembly in enacting this statute is to regulate persons, corporations, and firms licensed under this Act for the protection of the public. These practices are declared to affect the public health, safety, and welfare and are subject to State regulation and licensure. This Act shall be construed to carry out these purposes.

#### ARTICLE 10. GENERAL LICENSING PROVISIONS.

Section 10-5. Requirement of license.

(a) It is unlawful for a person to act as or provide the functions of a private detective, private security contractor, private alarm contractor, or locksmith or to advertise or to assume to act as any one of these, or to use these or any other title implying that the person is engaged in any of these activities unless licensed as such by the Department. An individual or sole proprietor who does not employ any employees other than himself or herself may operate under a "doing business as" or assumed name certification without having to obtain an agency license, so long as the assumed name is first registered with the Department.

(b) It is unlawful for a person, firm, corporation, or other legal entity to act as an agency licensed under this Act, to advertise, or to assume to act as a licensed agency or to use a title implying that the person, firm, or other entity is engaged in the practice as a private detective agency, private security contractor agency, private alarm contractor agency, or locksmith agency unless licensed by the Department.

(c) No agency shall operate a branch office without first applying for and receiving a branch office license for each location.

Section 10-10. General exemptions. This Act does not apply to any of the following:

(1) A person, firm, or corporation engaging in fire protection engineering, including the design, testing, and inspection of fire protection systems.

(2) The practice of professional engineering as defined in the Professional Engineering Practice Act of 1989.

(3) The practice of structural engineering as defined in the Structural Engineering Practice Act of 1989.

(4) The practice of architecture as defined in the Illinois Architecture Practice Act of 1989.

(5) The activities of persons or firms licensed under the Illinois Public Accounting Act if performed in the course of their professional practice.

(6) An attorney licensed to practice in Illinois while engaging in the practice of law.

(7) A person engaged exclusively and employed by a person, firm, association, or corporation in the business of transporting persons or property in interstate commerce and making an investigation related to the business of that employer.

Section 10-20. Application for license; forms.

(a) Each license application shall be on forms provided by the Department.

(b) Application for a license by endorsement shall be made in accordance with the provisions of Section 10-40.

(c) Every application for an original, renewal, or restored license shall include the applicant's Social Security number.

Section 10-25. Issuance of license; renewal; fees.

(a) The Department shall, upon the applicant's satisfactory completion of the requirements set forth in this Act and upon receipt of the fee, issue the license indicating the name and business location of the licensee and the date of expiration.

(b) An applicant may, upon satisfactory completion of the requirements set forth in this Act and upon receipt of fees related to the application and testing for licensure, elect to defer the issuance of the applicant's initial license for a period not longer than 6 years. An applicant who fails to request issuance of his or her initial license or agency license and to remit the fees required for that license within 6 years shall be required to resubmit an application together with all required fees.

(c) The expiration date, renewal period, and conditions for renewal and restoration of each license, permanent employee registration card, and firearm authorization card shall be set by rule. The holder may renew the license, permanent employee registration card, or firearm authorization card during the 30 days preceding its expiration by paying the required fee and by meeting conditions that the Department may specify. Any license holder who notifies the Department on forms prescribed by the Department may place his or her license on inactive status for a period of not longer than 6 years and shall, subject to the rules of the Department, be excused from payment of renewal fees until the license holder notifies the Department, in writing, of an intention to resume active status. Practice while on inactive status constitutes unlicensed practice. A non-renewed license that has lapsed for less than 6 years may be restored upon payment of the restoration fee and all lapsed renewal fees. A license that has lapsed for more than 6 years may be restored by paying the required restoration fee and all lapsed renewal fees and by providing evidence of competence to resume practice satisfactory to the Department and the Board, which may include passing a written examination. All restoration fees and lapsed renewal fees shall be waived for an applicant whose license lapsed while on active duty in the armed forces of the United States if application for restoration is made within 12 months after discharge from the service.

(d) Any permanent employee registration card expired for less than one year may be restored upon payment of lapsed renewal fees. Any permanent employee registration card expired for one year or more may be restored by making application to the Department and filing proof acceptable to the Department of the licensee's fitness to have the permanent employee registration card restored, including verification of fingerprint processing through the Department of State Police and Federal Bureau of Investigation and paying the restoration fee.

Section 10-30. Unlawful acts. It is unlawful for a licensee or an employee of a licensed agency:

(1) Upon termination of employment by the agency, to fail to return upon demand or within 72 hours of termination of employment any firearm issued by the employer together with the employee's firearm authorization card.

(2) Upon termination of employment by the agency, to fail to return within 72 hours of termination of employment any uniform, badge, identification card, or equipment issued, but not sold, to the employee by the agency.

(3) To falsify the employee's statement required by this Act.

(4) To have a badge, shoulder patch, or any other identification that contains the words "law enforcement". In addition, no license holder or employee of a licensed agency shall in any manner imply that the person is an employee or agent of a governmental agency or display a badge or identification card, emblem, or uniform citing the words "police", "sheriff", "highway patrol trooper", or "law enforcement".

Section 10-35. Examination of applicants; forfeiture of fee.

(a) Applicants for licensure shall be examined as provided by this Section if they are qualified to be examined under this Act. All applicants taking the examination shall be evaluated using the same standards as others who are examined for the respective license.

(b) Examinations for licensure shall be held at such time and place as the Department may determine, but shall be held at least twice a year.

(c) Examinations shall test the amount of knowledge and skill needed to perform the duties set forth in this Act and be in the interest of the protection of the public. The Department may contract with a testing service for the preparation and conduct of the examination.

(d) If an applicant neglects, fails, or refuses to take an examination within one year after filing an application, the fee shall be forfeited. However, an applicant may, after the one-year period, make a new application for examination, accompanied by the required fee. If an applicant fails to pass the examination within 3 years after filing an application, the application shall be denied. An applicant may make a new application after the 3-year period.

Section 10-40. Licensure by endorsement. The Department shall promulgate rules for licensure by endorsement without examination and may license under this Act upon payment of the fee an applicant

who is registered or licensed under the laws of another state, territory, or country if the requirements for registration or licensure in the jurisdiction in which the applicant was licensed or registered were, at the date of his or her registration or licensure, substantially equal to the requirements then in force in Illinois and that state or country has similar requirements for licensure or registration by endorsement. Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee forfeited, and the applicant must re-apply and meet the requirements in effect at the time of reapplication.

Section 10-45. Emergency care without a fee. A license holder, agency, or registered employee of a private security contractor, as defined in Section 5-10 of this Act, who in good faith provides emergency care without fee to any person or takes actions in good faith that directly relate to the employee's job responsibilities to protect people and property, as defined by the areas in which registered security officers receive training under Sections 20-20 and 25-20 shall not, as a result of his or her acts or omissions, except willful and wanton misconduct, in providing the care, be liable to a person to whom such care is provided for civil damages.

#### ARTICLE 15. PRIVATE DETECTIVES.

Section 15-5. Exemptions; private detective. The provisions of this Act relating to the licensure of private detectives do not apply to any of the following:

(1) An employee of the United States, Illinois, or a political subdivision of either while the employee is engaged in the performance of his or her official duties within the scope of his or her employment. However, any such person who offers his or her services as a private detective or uses a similar title when these services are performed for compensation or other consideration, whether received directly or indirectly, is subject to this Act.

(2) A person, firm, or other entity engaged exclusively in tracing and compiling lineage or ancestry who does not hold himself or herself out to be a private detective.

(3) A person engaged exclusively in obtaining and furnishing information as to the financial rating or credit worthiness of persons or a person who provides reports in connection with (i) consumer credit transactions, (ii) information for employment purposes, or (iii) information for the underwriting of consumer insurance.

(4) Insurance adjusters employed or under contract as adjusters who engage in no other investigative activities other than those directly connected with adjustment of claims against an insurance company or a self-insured entity by which they are employed or with which they have a contract. No insurance adjuster or company may use the term "investigation" or any derivative thereof, in its name or in its advertising.

Section 15-10. Qualifications for licensure as a private detective.

(a) A person is qualified for licensure as a private detective if he or she meets all of the following requirements:

(1) Is at least 21 years of age.

(2) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.

(3) Is of good moral character. Good character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure.

(4) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.

(5) Is not suffering from dependence on alcohol or from narcotic addiction or dependence.

(6) Has a minimum of 3 years experience of the 5 years immediately preceding application working full-time for a licensed private detective agency as a registered private detective agency employee or with 3 years experience of the 5 years immediately preceding his or her application employed as a full-time investigator for a licensed attorney or in a law enforcement agency of a federal or state political subdivision, which shall include a state's attorney's office or a public defender's office. The Board and the Department shall approve such full-time investigator experience. An applicant who has a baccalaureate degree, or higher, in law enforcement or a related field or a business degree from an accredited college or university shall be given credit for 2 of the 3 years of the required experience. An applicant who has an associate degree in law enforcement or in a related field or in business from an accredited college or university shall be given credit for one of the 3 years of the required experience.

(7) Has not been dishonorably discharged from the armed forces of the United States or has not been discharged from a law enforcement agency of the United States or of any state or of any

political subdivision thereof, which shall include a state's attorney office, for reasons relating to his or her conduct as an employee of that law enforcement agency.

(8) Has passed an examination authorized by the Department.

(9) Submits his or her fingerprints, proof of having general liability insurance required under subsection (b), and the required license fee.

(10) Has not violated Section 10-5 of this Act.

(b) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license.

Section 15-15. Qualifications for licensure as a private detective agency.

(a) Upon receipt of the required fee and proof that the applicant has a full-time Illinois licensed private detective-in-charge, which is a continuing requirement for agency licensure, the Department shall issue a license as a private detective agency to any of the following:

(1) An individual who submits an application and is a licensed private detective under this Act.

(2) A firm that submits an application and all of the members of the firm are licensed private detectives under this Act.

(3) A corporation or limited liability company doing business in Illinois that is authorized by its articles of incorporation or organization to engage in the business of conducting a private detective agency, provided at least one full-time executive employee is licensed as a private detective under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.

(b) No private detective may be the licensee-in-charge for more than one private detective agency. Upon written request by a representative of an agency, within 10 days after the loss of a licensee-in-charge of an agency because of the death of that individual or because of the termination of the employment of that individual, the Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed agency. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. Not more than 2 extensions may be granted to any agency. No temporary permit shall be issued for a loss of the licensee-in-charge because of disciplinary action by the Department related to his or her conduct on behalf of the agency.

Section 15-25. Training; private detective and employees.

(a) Registered employees of a private detective agency shall complete, within 30 days of their employment, a minimum of 20 hours of training provided by a qualified instructor. The substance of the training shall be related to the work performed by the registered employee.

(b) It is the responsibility of the employer to certify, on a form provided by the Department, that the employee has successfully completed the training. The form shall be a permanent record of training completed by the employee and shall be placed in the employee's file with the employer for the period the employee remains with the employer. An agency may place a notarized copy of the Department form in lieu of the original into the permanent employee registration card file. The original form shall be given to the employee when his or her employment is terminated. Failure to return the original form to the employee is grounds for disciplinary action. The employee shall not be required to repeat the required training once the employee has been issued the form. An employer may provide or require additional training.

(c) Any certification of completion of the 20-hour basic training issued under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 or any prior Act shall be accepted as proof of training under this Act.

#### ARTICLE 20. PRIVATE ALARM CONTRACTORS.

Section 20-5. Exemptions; private alarm contractor.

(a) The provisions of this Act related to the licensure of private alarm contractors do not apply to any of the following:

(1) A person who sells alarm system equipment and is not an employee, agent, or independent contractor of an entity that installs, monitors, maintains, alters, repairs, services, or responds to alarm systems at protected premises or premises to be protected if all of the following conditions are met:

(A) The alarm systems are approved either by Underwriters Laboratories or another authoritative entity recognized by the Department and identified by a federally-registered trademark.

(B) The owner of the trademark has authorized the person to sell the trademark owner's



products and the person provides proof to the Department of this authorization.

(C) The owner of the trademark maintains and provides, upon the Department's request, proof of liability insurance for bodily injury or property damage from defective products of not less than \$1,000,000 combined single limit. The insurance policy need not apply exclusively to alarm systems.

(2) A person who sells, installs, maintains, or repairs automobile alarm systems.

(3) A licensed electrical contractor who repairs or services fire alarm systems on an emergency call-in basis or who sells, installs, maintains, alters, repairs, or services only fire alarm systems and not alarm or other security related electronic systems.

(b) Persons who have no access to confidential or security information and who otherwise do not provide security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of delivery drivers, reception personnel, building cleaning, landscape and maintenance personnel, and employees involved in vehicle and equipment repair. Confidential or security information is that which pertains to employee files, scheduling, client contracts, or technical security and alarm data.

Section 20-10. Qualifications for licensure as a private alarm contractor.

(a) A person is qualified for licensure as a private alarm contractor if he or she meets all of the following requirements:

(1) Is at least 21 years of age.

(2) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.

(3) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure.

(4) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.

(5) Is not suffering from dependence on alcohol or from narcotic addiction or dependence.

(6) Has a minimum of 3 years experience of the 5 years immediately preceding application working as a full-time manager for a licensed private alarm contractor agency or for an entity that designs, sells, installs, services, or monitors alarm systems that, in the judgment of the Board, satisfies the standards of alarm industry competence. An applicant who has received a 4-year degree or higher in electrical engineering or a related field from a program approved by the Board shall be given credit for 2 years of the required experience. An applicant who has successfully completed a national certification program approved by the Board shall be given credit for one year of the required experience.

(7) Has not been dishonorably discharged from the armed forces of the United States.

(8) Has passed an examination authorized by the Department.

(9) Submits his or her fingerprints, proof of having general liability insurance required under subsection (c), and the required license fee.

(10) Has not violated Section 10-5 of this Act.

(b) A person is qualified to receive a license as a private alarm contractor without meeting the requirement of item (8) of subsection (a) if he or she:

(1) applies for a license between September 2, 2003 and September 5, 2003 in writing on forms supplied by the Department; and

(2) has held a permanent employee registration card for a minimum of 2 years.

(c) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license.

Section 20-15. Qualifications for licensure as a private alarm contractor agency.

(a) Upon receipt of the required fee and proof that the applicant has a full-time Illinois licensed private alarm contractor-in-charge, which is a continuing requirement for agency licensure, the Department shall issue a license as a private alarm contractor agency to any of the following:

(1) An individual who submits an application and is a licensed private alarm contractor under this Act.

(2) A firm that submits an application and all of the members of the firm are licensed private alarm contractors under this Act.

(3) A corporation or limited liability company doing business in Illinois that is authorized by its articles of incorporation or organization to engage in the business of conducting a private alarm contractor agency if at least one executive employee is licensed as a private alarm contractor under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.

(b) No private alarm contractor may be the private alarm contractor-in-charge for more than one private alarm contractor agency. Upon written request by a representative of an agency, within 10 days after the loss of a licensed private alarm contractor-in-charge of an agency because of the death of that individual or because of the termination of the employment of that individual, the Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed agency. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. Not more than 2 extensions may be granted to any agency. No temporary permit shall be issued for loss of the licensee-in-charge because of disciplinary action by the Department related to his or her conduct on behalf of the agency.

(c) No private alarm contractor, private alarm contractor agency, or person may install or connect an alarm system or fire alarm system that connects automatically and directly to a governmentally operated police or fire dispatch system in a manner that violates subsection (a) of Section 15.2 of the Emergency Telephone System Act. In addition to the penalties provided by the Emergency Telephone System Act, a private alarm contractor agency that violates this Section shall pay the Department an additional penalty of \$250 per occurrence.

Section 20-20. Training; private alarm contractor and employees.

(a) Registered employees of the private alarm contractor agency who carry a firearm and respond to alarm systems shall complete, within 30 days of their employment, a minimum of 20 hours of classroom training provided by a qualified instructor and shall include all of the following subjects:

- (1) The law regarding arrest and search and seizure as it applies to the private alarm industry.
- (2) Civil and criminal liability for acts related to the private alarm industry.
- (3) The use of force, including but not limited to the use of nonlethal force (i.e., disabling spray, baton, stungun, or similar weapon).
- (4) Arrest and control techniques.
- (5) The offenses under the Criminal Code of 1961 that are directly related to the protection of persons and property.
- (6) The law on private alarm forces and on reporting to law enforcement agencies.
- (7) Fire prevention, fire equipment, and fire safety.
- (8) Civil rights and public relations.

(b) All other employees of a private alarm contractor agency shall complete a minimum of 20 hours of training provided by a qualified instructor within 30 days of their employment. The substance of the training shall be related to the work performed by the registered employee.

(c) It is the responsibility of the employer to certify, on forms provided by the Department, that the employee has successfully completed the training. The form shall be a permanent record of training completed by the employee and shall be placed in the employee's file with the employer for the term the employee is retained by the employer. A private alarm contractor agency may place a notarized copy of the Department form in lieu of the original into the permanent employee registration card file. The form shall be returned to the employee when his or her employment is terminated. Failure to return the form to the employee is grounds for discipline. The employee shall not be required to complete the training required under this Act once the employee has been issued a form.

(d) Nothing in this Act prevents any employer from providing or requiring additional training beyond the required 20 hours that the employer feels is necessary and appropriate for competent job performance.

(e) Any certification of completion of the 20-hour basic training issued under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 or any prior Act shall be accepted as proof of training under this Act.

#### ARTICLE 25. PRIVATE SECURITY CONTRACTORS.

Section 25-5. Exemptions; private security contractor. The provisions of this Act related to licensure of a private security contractor do not apply to any of the following:

- (1) An employee of the United States, Illinois, or a political subdivision of either while the employee is engaged in the performance of his or her official duties within the scope of his or her employment. However, any such person who offers his or her services as a private security contractor or uses a similar title when these services are performed for compensation or other consideration,

whether received directly or indirectly, is subject to this Act.

(2) A person employed as either an armed or unarmed security officer at a nuclear energy, storage, weapons, or development site or facility regulated by the United States Nuclear Regulatory Commission who has completed the background screening and training mandated by the regulations of the United States Nuclear Regulatory Commission.

(3) A person, watchman, or proprietary security officer employed exclusively by only one employer in connection with the exclusive activities of that employer.

Section 25-10. Qualifications for licensure as a private security contractor.

(a) A person is qualified for licensure as a private security contractor if he or she meets all of the following requirements:

- (1) Is at least 21 years of age.
- (2) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.
- (3) Is of good moral character. Good character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure.
- (4) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.
- (5) Is not suffering from dependence on alcohol or from narcotic addiction or dependence.
- (6) Has a minimum of 3 years experience of the 5 years immediately preceding application working as a full-time manager for a licensed private security contractor agency or a manager of a proprietary security force of 30 or more persons registered with the Department or with 3 years experience of the 5 years immediately preceding his or her application employed as a full-time supervisor in a law enforcement agency of a federal or state political subdivision, which shall include a state's attorney's office or public defender's office. The Board and the Department shall approve such full-time supervisory experience. An applicant who has a baccalaureate degree or higher in police science or a related field or a business degree from an accredited college or university shall be given credit for 2 of the 3 years of the required experience. An applicant who has an associate degree in police science or in a related field or in business from an accredited college or university shall be given credit for one of the 3 years of the required experience.
- (7) Has not been dishonorably discharged from the armed forces of the United States.
- (8) Has passed an examination authorized by the Department.
- (9) Submits his or her fingerprints, proof of having general liability insurance required under subsection (b), and the required license fee.
- (10) Has not violated Section 10-5 of this Act.

(b) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license.

Section 25-15. Qualifications for licensure as a private security contractor agency.

(a) Upon receipt of the required fee and proof that the applicant has a full-time Illinois licensed private security contractor-in-charge, which is a continuing requirement for agency licensure, the Department shall issue, without examination, a license as a private security contractor agency to any of the following:

- (1) An individual who submits an application and is a licensed private security contractor under this Act.
  - (2) A firm that submits an application and all of the members of the firm are licensed private security contractors under this Act.
  - (3) A corporation or limited liability company doing business in Illinois that is authorized by its articles of incorporation or organization to engage in the business of conducting a private security contractor agency if at least one officer or executive employee is licensed as a private security contractor under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.
- (b) No private security contractor may be the private security contractor licensee-in-charge for more than one private security contractor agency. Upon written request by a representative of the agency, within 10 days after the loss of a private security contractor licensee-in-charge of an agency because of the death of that individual or because of the termination of the employment of that individual, the

Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed agency. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. Not more than 2 extensions may be granted to any agency. No temporary permit shall be issued for loss of the licensee-in-charge because of disciplinary action by the Department related to his or her conduct on behalf of the agency.

Section 25-20. Training; private security contractor and employees.

(a) Registered employees of the private security contractor agency who provide traditional guarding or other private security related functions or who respond to alarm systems shall complete, within 30 days of their employment, a minimum of 20 hours of classroom basic training provided by a qualified instructor, which shall include the following subjects:

- (1) The law regarding arrest and search and seizure as it applies to private security.
- (2) Civil and criminal liability for acts related to private security.
- (3) The use of force, including but not limited to the use of nonlethal force (i.e., disabling spray, baton, stungun or similar weapon).
- (4) Arrest and control techniques.
- (5) The offenses under the Criminal Code of 1961 that are directly related to the protection of persons and property.
- (6) The law on private security forces and on reporting to law enforcement agencies.
- (7) Fire prevention, fire equipment, and fire safety.
- (8) The procedures for service of process and for report writing.
- (9) Civil rights and public relations.

(b) All other employees of a private security contractor agency shall complete a minimum of 20 hours of training provided by the qualified instructor within 30 days of their employment. The substance of the training shall be related to the work performed by the registered employee.

(c) Registered employees of the private security contractor agency who provide guarding or other private security related functions, in addition to the classroom training required under subsection (a), within 6 months of their employment, shall complete an additional 8 hours of training on subjects to be determined by the employer, which training may be site-specific and may be conducted on-the-job.

(d) In addition to the basic training provided for in subsections (a) and (c), registered employees of the private security contractor agency who provide guarding or other private security related functions shall complete an additional 8 hours of refresher training on subjects to be determined by the employer each calendar year commencing with the calendar year following the employee's first employment anniversary date, which refresher training may be site-specific and may be conducted on-the-job.

(e) It is the responsibility of the employer to certify, on a form provided by the Department, that the employee has successfully completed the basic and refresher training. The form shall be a permanent record of training completed by the employee and shall be placed in the employee's file with the employer for the period the employee remains with the employer. An agency may place a notarized copy of the Department form in lieu of the original into the permanent employee registration card file. The original form shall be given to the employee when his or her employment is terminated. Failure to return the original form to the employee is grounds for disciplinary action. The employee shall not be required to repeat the required training once the employee has been issued the form. An employer may provide or require additional training.

(f) Any certification of completion of the 20-hour basic training issued under the Private Detective, Private Alarm, Private Security and Locksmith Act of 1993 or any prior Act shall be accepted as proof of training under this Act.

Section 25-30. Uniforms.

(a) No licensee under this Act or any employee of a licensed agency shall wear or display a badge, shoulder patch or other identification that contains the words "law enforcement". No license holder or employee of a licensed agency shall imply in any manner that the person is an employee or agent of a governmental entity, display a badge or identification card, emblem, or uniform using the words "police", "sheriff", "highway patrol", "trooper", "law enforcement" or any similar term.

(b) All military-style uniforms, if worn, by employees of a licensed private security contractor agency, must bear the name of the private security contractor agency, which shall be plainly visible on a patch, badge, or other insignia.

#### ARTICLE 30. LOCKSMITHS.

Section 30-5. Exemptions; locksmith. The provisions of this Act do not apply to any of the following if the person performing the service does not hold himself or herself out as a locksmith:

- (1) Automobile service dealers who service, install, repair, or rebuild automobile locks.

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(2) Police officers, firefighters, or municipal employees who open a lock in an emergency situation.

(3) A retail merchant selling locks or similar security accessories, duplicating keys, or installing, programming, or servicing electronic garage door devices.

(4) A member of the building trades who installs or removes complete locks or locking devices in the course of residential or commercial new construction or remodeling.

(5) An employee of a towing service, reposessor, or automobile club opening automotive locks in the normal course of his or her duties. Additionally, this Act shall not prohibit an employee of a towing service from opening motor vehicles to enable a vehicle to be moved without towing, provided the towing service does not hold itself out to the public, by directory advertisement, through a sign at the facilities of the towing service, or by any other form of advertisement, as a locksmith.

(6) A student in the course of study in locksmith programs approved by the Department.

(7) Warranty service by a lock manufacturer or its employees on the manufacturer's own products.

(8) A maintenance employee of a property management company at a multi-family residential building who services, installs, repairs, or opens locks for tenants.

(9) A person employed exclusively by only one employer in connection with the exclusive activities of that employer, providing that person does not hold himself or herself out to the public as a locksmith.

(10) Persons who have no access to confidential or security information and who otherwise do not provide traditional locksmith services, as defined in this Act, are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of key cutters, cashiers, drivers, and reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts, master key charts, access codes, or technical security and alarm data.

Section 30-10. Qualifications for licensure as a locksmith.

(a) A person is qualified for licensure as a locksmith if he or she meets all of the following requirements:

(1) Is at least 18 years of age.

(2) Has not been convicted of any felony in any jurisdiction or at least 10 years have elapsed since the time of full discharge from a sentence imposed for a felony conviction.

(3) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure.

(4) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared him or her to be competent.

(5) Is not suffering from dependence on alcohol or from narcotic addiction or dependence.

(6) Has not been dishonorably discharged from the armed forces of the United States.

(7) Has passed an examination authorized by the Department.

(8) Submits his or her fingerprints, proof of having general liability insurance required under subsection (b), and the required license fee.

(9) Has not violated Section 10-5 of this Act.

(b) It is the responsibility of the applicant to obtain general liability insurance in an amount and coverage appropriate for the applicant's circumstances as determined by rule. The applicant shall provide evidence of insurance to the Department before being issued a license. Failure to maintain general liability insurance and to provide the Department with written proof of the insurance shall result in cancellation of the license. A locksmith employed by a licensed locksmith agency or employed by a private concern may provide proof that his or her actions as a locksmith are covered by the liability insurance of his or her employer.

Section 30-15. Qualifications for licensure as a locksmith agency.

(a) Upon receipt of the required fee and proof that the applicant is an Illinois licensed locksmith who shall assume responsibility for the operation of the agency and the directed actions of the agency's employees, which is a continuing requirement for agency licensure, the Department shall issue a license as a locksmith agency to any of the following:

(1) An individual who submits an application and is a licensed locksmith under this Act.

(2) A firm that submits an application and all of the members of the firm are licensed locksmiths under this Act.

(3) A corporation or limited liability company doing business in Illinois that is authorized by its articles of incorporation or organization to engage in the business of conducting a locksmith agency if

at least one officer or executive employee is a licensed locksmith under this Act and all unlicensed officers and directors of the corporation or limited liability company are determined by the Department to be persons of good moral character.

(b) An individual licensed as a locksmith operating under a business name other than the licensed locksmith's own name shall not be required to obtain a locksmith agency license if that licensed locksmith does not employ any persons to engage in the practice of locksmithing.

(c) No locksmith may be the locksmith licensee in-charge for more than one locksmith agency. Upon written request by a representative of the agency, within 10 days after the loss of a locksmith-in-charge of an agency because of the death of that individual or because of the termination of the employment of that individual, the Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed agency. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. Not more than 2 extensions may be granted to any agency. No temporary permit shall be issued for loss of the licensee-in-charge because of disciplinary action by the Department related to his or her conduct on behalf of the agency.

Section 30-20. Training; locksmith and employees.

(a) Registered employees of a licensed locksmith agency shall complete a minimum of 20 hours of training provided by a qualified instructor within 30 days of their employment. The substance of the training shall be prescribed by rule.

(b) It is the responsibility of the employer to certify, on a form provided by the Department, that the employee has successfully completed the training. The form shall be a permanent record of training completed by the employee and shall be placed in the employee's file with the employer for the period the employee remains with the employer. An agency may place a notarized copy of the Department form in lieu of the original into the PERC file. The original form shall be given to the employee when his or her employment is terminated. Failure to return the original form to the employee is grounds for disciplinary action. The employee shall not be required to repeat the required training once the employee has been issued the form. An employer may provide or require additional training.

(c) Any certification of completion of the 20-hour basic training issued under the Private Detective, Private Alarm, Private Security and Locksmith Act of 1993 or any prior Act shall be accepted as proof of training under this Act.

Section 30-25. Customer identification; record keeping.

(a) A locksmith who bypasses, manipulates, or originates a first key by code for a device safeguarding an area where access is meant to be limited, whether or not for compensation, shall document where the work was performed and the name, address, date of birth, telephone number, and driver's license number or other identification number of the person requesting the work to be done and shall obtain the signature of that person. A copy of the work order form shall be kept by the licensed locksmith for a period of 2 years and shall include the name and license number of the locksmith or the name and identification number of the registered employee who performed the services. Work order forms required to be kept under this Section shall be available for inspection upon written request made 3 days in advance by a law enforcement agency.

(b) A locksmith who bypasses, manipulates, or originates a first key for a motor vehicle, whether or not for compensation, shall document the name, address, date of birth, telephone number, vehicle identification number, and driver's license number or other identification number of the person requesting entry and obtain the signature of that person. A copy of the work order form shall be kept by the licensed locksmith for a period of 2 years and shall include the name and license number of the locksmith or the name and identification number of the registered employee who performed the services. Work order forms required to be kept under this Section shall be available for inspection upon written request made 3 days in advance by a law enforcement agency. ARTICLE 35. BUSINESS PRACTICE PROVISIONS.

Section 35-5. Display of license. Each licensee shall prominently display his or her individual, agency, or branch office license at each place where business is being conducted, as required under this Act. A licensee-in-charge is required to post his or her license only at the agency office.

Section 35-10. Inspection of facilities. Each licensee shall permit his or her office facilities and registered employee files to be audited or inspected at reasonable times and in a reasonable manner upon 24 hours notice by the Department.

Section 35-15. Advertisements; penalties.

(a) No licensee providing services regulated by this Act may knowingly advertise those services without including his or her license number in the advertisement. The publisher of the advertising, however, is not required to verify the accuracy of the advertisement or the license number.

(b) A licensee who advertises services regulated by this Act who knowingly (i) fails to display his or her license at his or her place of business, (ii) fails to provide the publisher with the current license number, or (iii) provides the publisher with a false license number or a license number other than that of the person or agency doing the advertising or a licensee who knowingly allows his or her license number to be displayed or used by another person or agency to circumvent any provision of this subsection, is guilty of a Class A misdemeanor. Each day an advertisement is published or a licensee allows his or her license to be used in violation of this Section constitutes a separate offense. In addition to the penalties and remedies provided in this Section, a licensee who violates any provision of this Section shall be subject to the disciplinary action, fines, and civil penalty provisions of this Act.

Section 35-20. Renewal provisions.

(a) As a condition of renewal of a license, each licensee shall report to the Department information pertaining to the licensee's business location, status as active or inactive, proof of continued general liability insurance coverage, and any other data as determined by rule to be reasonably related to the administration of this Act. Licensees shall report this information as a condition of renewal, except that a change in home or office address or a change of the licensee-in-charge shall be reported within 10 days of when it occurs.

(b) Upon renewal, every licensee shall report to the Department every instance during the licensure period in which the quality of his or her professional services in the State of Illinois was the subject of legal action that resulted in a settlement or a verdict in excess of \$10,000.

Section 35-25. Duplicate licenses. If a license, permanent employee registration card, or firearm authorization card is lost, a duplicate shall be issued upon proof of such loss together with the payment of the required fee. If a licensee decides to change his or her name, the Department shall issue a license in the new name upon proof that the change was done pursuant to law and payment of the required fee. Notification of a name change shall be made to the Department within 30 days after the change.

Section 35-30. Employee requirements. All employees of a licensed agency, other than those exempted, shall apply for a permanent employee registration card. The holder of an agency license issued under this Act, known in this Section as "employer", may employ in the conduct of his or her business employees under the following provisions:

(1) No person shall be issued a permanent employee registration card who:

(A) Is younger than 18 years of age.

(B) Is younger than 21 years of age if the services will include being armed.

(C) Has been determined by the Department to be unfit by reason of conviction of an offense in this or another state, other than a traffic offense. The Department shall adopt rules for making those determinations that shall afford the applicant due process of law.

(D) Has had a license or permanent employee registration card denied, suspended, or revoked under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of subsection (a) of Section 20-10, subsection (b) of Section 20-10, item (6) or (8) of subsection (a) of Section 25-10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(E) Has been declared incompetent by any court of competent jurisdiction by reason of mental disease or defect and has not been restored.

(F) Has been dishonorably discharged from the armed services of the United States.

(2) No person may be employed by a private detective agency, private security contractor agency, private alarm contractor agency, or locksmith agency under this Section until he or she has executed and furnished to the employer, on forms furnished by the Department, a verified statement to be known as "Employee's Statement" setting forth:

(A) The person's full name, age, and residence address.

(B) The business or occupation engaged in for the 5 years immediately before the date of the execution of the statement, the place where the business or occupation was engaged in, and the names of employers, if any.

(C) That the person has not had a license or employee registration denied, revoked, or suspended under this Act (i) within one year before the date the person's application for permanent employee registration card is received by the Department; and (ii) that refusal, denial, suspension, or revocation was based on any provision of this Act other than Section 40-50, item (6) or (8) of subsection (a) of Section 15-10, subsection (b) of Section 15-10, item (6) or (8) of subsection (a) of Section 20-10, subsection (b) of Section 20-10, item (6) or (8) of subsection (a) of Section 25-

10, subsection (b) of Section 25-10, item (7) of subsection (a) of Section 30-10, subsection (b) of Section 30-10, or Section 10-40.

(D) Any conviction of a felony or misdemeanor.

(E) Any declaration of incompetence by a court of competent jurisdiction that has not been restored.

(F) Any dishonorable discharge from the armed services of the United States.

(G) Any other information as may be required by any rule of the Department to show the good character, competency, and integrity of the person executing the statement.

(c) Each applicant for a permanent employee registration card shall have his or her fingerprints submitted to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information as prescribed by the Department of State Police. These fingerprints shall be checked against the Department of State Police and Federal Bureau of Investigation criminal history record databases now and hereafter filed. The Department of State Police shall charge applicants a fee for conducting the criminal history records check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the records check. The Department of State Police shall furnish, pursuant to positive identification, records of Illinois convictions to the Department. The Department may require applicants to pay a separate fingerprinting fee, either to the Department or directly to the vendor. The Department, in its discretion, may allow an applicant who does not have reasonable access to a designated vendor to provide his or her fingerprints in an alternative manner. The Department, in its discretion, may also use other procedures in performing or obtaining criminal background checks of applicants. Instead of submitting his or her fingerprints, an individual may submit proof that is satisfactory to the Department that an equivalent security clearance has been conducted. Also, an individual who has retired as a peace officer within 12 months of application may submit verification, on forms provided by the Department and signed by his or her employer, of his or her previous full-time employment as a peace officer.

(d) The Department shall issue a permanent employee registration card, in a form the Department prescribes, to all qualified applicants. The holder of a permanent employee registration card shall carry the card at all times while actually engaged in the performance of the duties of his or her employment. Expiration and requirements for renewal of permanent employee registration cards shall be established by rule of the Department. Possession of a permanent employee registration card does not in any way imply that the holder of the card is employed by an agency unless the permanent employee registration card is accompanied by the employee identification card required by subsection (f) of this Section.

(e) Each employer shall maintain a record of each employee that is accessible to the duly authorized representatives of the Department. The record shall contain the following information:

(1) A photograph taken within 10 days of the date that the employee begins employment with the employer. The photograph shall be replaced with a current photograph every 3 calendar years.

(2) The Employee's Statement specified in subsection (b) of this Section.

(3) All correspondence or documents relating to the character and integrity of the employee received by the employer from any official source or law enforcement agency.

(4) In the case of former employees, the employee identification card of that person issued under subsection (f) of this Section. Each employee record shall duly note if the employee is employed in an armed capacity. Armed employee files shall contain a copy of an active firearm owner's identification card and a copy of an active firearm authorization card. Each employer shall maintain a record for each armed employee of each instance in which the employee's weapon was discharged during the course of his or her professional duties or activities. The record shall be maintained on forms provided by the Department, a copy of which must be filed with the Department within 15 days of an instance. The record shall include the date and time of the occurrence, the circumstances involved in the occurrence, and any other information as the Department may require. Failure to provide this information to the Department or failure to maintain the record as a part of each armed employee's permanent file is grounds for disciplinary action. The Department, upon receipt of a report, shall have the authority to make any investigation it considers appropriate into any occurrence in which an employee's weapon was discharged and to take disciplinary action as may be appropriate.

(5) The Department may, by rule, prescribe further record requirements.

(f) Every employer shall furnish an employee identification card to each of his or her employees. This employee identification card shall contain a recent photograph of the employee, the employee's name, the name and agency license number of the employer, the employee's personal description, the signature of the employer, the signature of that employee, the date of issuance, and an employee identification card number.

(g) No employer may issue an employee identification card to any person who is not employed by



the employer in accordance with this Section or falsely state or represent that a person is or has been in his or her employ. It is unlawful for an applicant for registered employment to file with the Department the fingerprints of a person other than himself or herself.

(h) Every employer shall obtain the identification card of every employee who terminates employment with him or her.

(i) Every employer shall maintain a separate roster of the names of all employees currently working in an armed capacity and submit the roster to the Department on request.

(j) No agency may employ any person to perform a licensed activity under this Act unless the person possesses a valid permanent employee registration card or a valid license under this Act, or is exempt pursuant to subsection (n).

(k) Notwithstanding the provisions of subsection (j), an agency may employ a person in a temporary capacity if all of the following conditions are met:

(1) The agency completes in its entirety and submits to the Department an application for a permanent employee registration card, including the required fingerprint receipt and fees.

(2) The agency has verification from the Department that the applicant has no record of any criminal conviction pursuant to the criminal history check conducted by the Department of State Police. The agency shall maintain the verification of the results of the Department of State Police criminal history check as part of the employee record as required under subsection (e) of this Section.

(3) The agency exercises due diligence to ensure that the person is qualified under the requirements of the Act to be issued a permanent employee registration card.

(4) The agency maintains a separate roster of the names of all employees whose applications are currently pending with the Department and submits the roster to the Department on a monthly basis. Rosters are to be maintained by the agency for a period of at least 24 months.

An agency may employ only a permanent employee applicant for which it either submitted a permanent employee application and all required forms and fees or it confirms with the Department that a permanent employee application and all required forms and fees have been submitted by another agency, licensee or the permanent employee and all other requirements of this Section are met.

The Department shall have the authority to revoke, without a hearing, the temporary authority of an individual to work upon receipt of Federal Bureau of Investigation fingerprint data or a report of another official authority indicating a criminal conviction. If the Department has not received a temporary employee's Federal Bureau of Investigation fingerprint data within 120 days of the date the Department received the Department of State Police fingerprint data, the Department may, at its discretion, revoke the employee's temporary authority to work with 15 days written notice to the individual and the employing agency.

An agency may not employ a person in a temporary capacity if it knows or reasonably should have known that the person has been convicted of a crime under the laws of this State, has been convicted in another state of any crime that is a crime under the laws of this State, has been convicted of any crime in a federal court, or has been posted as an unapproved applicant by the Department. Notice by the Department to the agency, via certified mail, personal delivery, electronic mail, or posting on the Department's Internet site accessible to the agency that the person has been convicted of a crime shall be deemed constructive knowledge of the conviction on the part of the agency. The Department may adopt rules to implement this subsection (k).

(l) No person may be employed under this Section in any capacity if:

(1) the person, while so employed, is being paid by the United States or any political subdivision for the time so employed in addition to any payments he or she may receive from the employer; or

(2) the person wears any portion of his or her official uniform, emblem of authority, or equipment while so employed.

(m) If information is discovered affecting the registration of a person whose fingerprints were submitted under this Section, the Department shall so notify the agency that submitted the fingerprints on behalf of that person.

(n) Peace officers shall be exempt from the requirements of this Section relating to permanent employee registration cards. The agency shall remain responsible for any peace officer employed under this exemption, regardless of whether the peace officer is compensated as an employee or as an independent contractor and as further defined by rule.

(o) Persons who have no access to confidential or security information and who otherwise do not provide traditional security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ushers, directors, ticket takers, cashiers, drivers, and reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts, or technical security and alarm data.

Section 35-35. Requirement of a firearm authorization card.

(a) No person shall perform duties that include the use, carrying, or possession of a firearm in the performance of those duties without complying with the provisions of this Section and having been issued a valid firearm authorization card by the Department.

(b) No employer shall employ any person to perform the duties for which employee registration is required and allow that person to carry a firearm unless that person has complied with all the firearm training requirements of this Section and has been issued a firearm authorization card. This Act permits only the following to carry firearms while actually engaged in the performance of their duties or while commuting directly to or from their places of employment: persons licensed as private detectives and their registered employees; persons licensed as private security contractors and their registered employees; persons licensed as private alarm contractors and their registered employees; and employees of a registered armed proprietary security force.

(c) Possession of a valid firearm authorization card allows an employee to carry a firearm not otherwise prohibited by law while the employee is engaged in the performance of his or her duties or while the employee is commuting directly to or from the employee's place or places of employment, provided that this is accomplished within one hour from departure from home or place of employment.

(d) The Department shall issue a firearm authorization card to a person who has passed an approved firearm training course, who is currently employed by an agency licensed by this Act and has met all the requirements of this Act, and who possesses a valid firearm owner identification card. Application for the firearm authorization card shall be made by the employer to the Department on forms provided by the Department. The Department shall forward the card to the employer who shall be responsible for its issuance to the employee. The firearm authorization card shall be issued by the Department and shall identify the person holding it and the name of the course where the employee received firearm instruction and shall specify the type of weapon or weapons the person is authorized by the Department to carry and for which the person has been trained.

(e) Expiration and requirements for renewal of firearm authorization cards shall be determined by rule.

(f) The Department may, in addition to any other disciplinary action permitted by this Act, refuse to issue, suspend, or revoke a firearm authorization card if the applicant or holder has been convicted of any felony or crime involving the illegal use, carrying, or possession of a deadly weapon or for a violation of this Act or rules promulgated under this Act. The Department shall refuse to issue or shall revoke a firearm authorization card if the applicant or holder fails to possess a valid firearm owners identification card. The Director shall summarily suspend a firearm authorization card if the Director finds that its continued use would constitute an imminent danger to the public. A hearing shall be held before the Board within 30 days if the Director summarily suspends a firearm authorization card.

(g) Notwithstanding any other provision of this Act to the contrary, all requirements relating to firearms authorization cards do not apply to a peace officer.

Section 35-40. Firearm authorization; training requirements.

(a) The Department shall, pursuant to rule, approve or disapprove training programs for the firearm training course, which shall be taught by a qualified instructor. Qualifications for instructors shall be set by rule. The firearm training course shall be conducted by entities, by a licensee, or by an agency licensed by this Act, provided the course is approved by the Department. The firearm course shall consist of the following minimum requirements:

(1) 40 hours of training, 20 hours of which shall be as described in Sections 15-20, 20-20, or 25-20, as applicable, and 20 hours of which shall include all of the following:

(A) Instruction in the dangers of and misuse of firearms, their storage, safety rules, and care and cleaning of firearms.

(B) Practice firing on a range with live ammunition.

(C) Instruction in the legal use of firearms.

(D) A presentation of the ethical and moral considerations necessary for any person who possesses a firearm.

(E) A review of the laws regarding arrest, search, and seizure.

(F) Liability for acts that may be performed in the course of employment.

(2) An examination shall be given at the completion of the course. The examination shall consist of a firearms qualification course and a written examination. Successful completion shall be determined by the Department.

(b) The firearm training requirement may be waived for an employee who has completed training provided by the Illinois Law Enforcement Training Standards Board or the equivalent public body of another state, provided documentation showing requalification with the weapon on the firing range is

submitted to the Department.

Section 35-45. Armed proprietary security force.

(a) All financial institutions that employ one or more armed employees and all commercial or industrial operations that employ 5 or more persons as armed employees shall register their security forces with the Department on forms provided by the Department.

(b) All armed employees of the registered proprietary security force must complete a 20-hour basic training course and 20-hour firearm training.

(c) Every proprietary security force is required to apply to the Department, on forms supplied by the Department, for a firearm authorization card for each armed employee.

(d) The Department may provide rules for the administration of this Section.

#### ARTICLE 40. DISCIPLINARY PROVISIONS.

Section 40-5. Injunctive relief. The practice of a private detective, private security contractor, private alarm contractor, locksmith, private detective agency, private security contractor agency, private alarm contractor agency, or locksmith agency by any person, firm, corporation, or other legal entity that has not been issued a license by the Department or whose license has been suspended, revoked, or not renewed is hereby declared to be inimical to the public safety and welfare and to constitute a public nuisance. The Director, through the Attorney General, the State's Attorney of any county, any resident of the State, or any legal entity within the State may apply for injunctive relief in any court to enjoin any person, firm, or other entity that has not been issued a license or whose license has been suspended, revoked, or not renewed from conducting a licensed activity. Upon the filing of a verified petition in court, if satisfied by affidavit or otherwise that the person, firm, corporation, or other legal entity is or has been conducting activities in violation of this Act, the court may enter a temporary restraining order or preliminary injunction, without bond, enjoining the defendant from further activity. A copy of the verified complaint shall be served upon the defendant and the proceedings shall be conducted as in civil cases. If it is established the defendant has been or is conducting activities in violation of this Act, the court may enter a judgment enjoining the defendant from that activity. In case of violation of any injunctive order or judgment entered under this Section, the court may punish the offender for contempt of court. Injunctive proceedings shall be in addition to all other penalties under this Act.

Section 40-10. Disciplinary sanctions.

(a) The Department may deny issuance, refuse to renew, or restore or may reprimand, place on probation, suspend, or revoke any license, registration, permanent employee registration card, or firearm authorization card, and it may impose a fine not to exceed \$1,500 for a first violation and not to exceed \$5,000 for a second or subsequent violation for any of the following:

- (1) Fraud or deception in obtaining or renewing of a license or registration.
- (2) Professional incompetence as manifested by poor standards of service.
- (3) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
- (4) Conviction in Illinois or another state of any crime that is a felony under the laws of Illinois; a felony in a federal court; a misdemeanor, an essential element of which is dishonesty; or directly related to professional practice.
- (5) Performing any services in a grossly negligent manner or permitting any of a licensee's employees to perform services in a grossly negligent manner, regardless of whether actual damage to the public is established.
- (6) Continued practice, although the person has become unfit to practice due to any of the following:
  - (A) Physical illness, including, but not limited to, deterioration through the aging process or loss of motor skills that results in the inability to serve the public with reasonable judgment, skill, or safety.
  - (B) Mental disability demonstrated by the entry of an order or judgment by a court that a person is in need of mental treatment or is incompetent.
  - (C) Addiction to or dependency on alcohol or drugs that is likely to endanger the public. If the Department has reasonable cause to believe that a person is addicted to or dependent on alcohol or drugs that may endanger the public, the Department may require the person to undergo an examination to determine the extent of the addiction or dependency.
- (7) Receiving, directly or indirectly, compensation for any services not rendered.
- (8) Willfully deceiving or defrauding the public on a material matter.
- (9) Failing to account for or remit any moneys or documents coming into the licensee's possession that belong to another person or entity.
- (10) Discipline by another United States jurisdiction or foreign nation, if at least one of the

grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(11) Giving differential treatment to a person that is to that person's detriment because of race, color, creed, sex, religion, or national origin.

(12) Engaging in false or misleading advertising.

(13) Aiding, assisting, or willingly permitting another person to violate this Act or rules promulgated under it.

(14) Performing and charging for services without authorization to do so from the person or entity serviced.

(15) Directly or indirectly offering or accepting any benefit to or from any employee, agent, or fiduciary without the consent of the latter's employer or principal with intent to or the understanding that this action will influence his or her conduct in relation to his or her employer's or principal's affairs.

(16) Violation of any disciplinary order imposed on a licensee by the Department.

(17) Failing to comply with any provision of this Act or rule promulgated under it.

(18) Conducting an agency without a valid license.

(19) Revealing confidential information, except as required by law, including but not limited to information available under Section 2-123 of the Illinois Vehicle Code.

(20) Failing to make available to the Department, upon request, any books, records, or forms required by this Act.

(21) Failing, within 30 days, to respond to a written request for information from the Department.

(22) Failing to provide employment information or experience information required by the Department regarding an applicant for licensure.

(23) Failing to make available to the Department at the time of the request any indicia of licensure or registration issued under this Act.

(24) Purporting to be a licensee-in-charge of an agency without active participation in the agency.

(b) The Department shall seek to be consistent in the application of disciplinary sanctions.

Section 40-15. Suspension or revocation of permanent employee registration card. Individuals registered as employees pursuant to the provisions of Section 35-30 of this Act shall be subject to the disciplinary sanctions of this Act and shall otherwise comply with this Act and the rules promulgated under it. Notwithstanding any other provision in this Act to the contrary, registered employees of an agency shall not be responsible for compliance with any requirement that this Act assigns to the agency or the licensee-in-charge regardless of the employee's job title, job duties, or position in the agency. The procedures for disciplining a licensee shall also apply in taking action against a registered employee.

Section 40-20. Confidential information; violation. Any person who is or has been an employee of a licensee shall not divulge to anyone, other than to his or her employer, except as required by law or at his employer's direction, any confidential or proprietary information acquired during his or her employment. Any individual who violates this Section or who files false papers or reports to his or her employer may be disciplined under Section 40-10 of this Act.

Section 40-25. Submission to physical or mental examination. The Department may order a licensee or a registrant to submit to a reasonable physical or mental examination if the licensee or registrant's mental or physical capacity to work safely is an issue in a disciplinary proceeding. The failure to submit to a Director's order to submit to a reasonable mental or physical exam shall constitute a violation of this Act subject to the disciplinary provisions in Section 40-10.

Section 40-30. Insufficient funds; checks. A person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it was drawn shall pay to the Department, in addition to the amount already owed, a penalty of \$50. The Department shall notify the person by first class mail that his or her check or payment was returned and that the person shall pay to the Department by certified check or money order the amount of the returned check plus a \$50 penalty within 30 calendar days after the date of the notification. If, after the expiration of 30 calendar days of the notification, the person has failed to remit the necessary funds and penalty, the Department shall automatically terminate the license or deny the application without a hearing. If the returned check or other payment was for issuance of a license under this Act and that person practices as a licensee, that person may be subject to discipline for unlicensed practice as provided in this Act. If, after termination or denial, the person seeks a license, he or she shall petition the Department for restoration and he or she may be subject to additional discipline or fines. The Director may waive the penalties or fines due under this Section in individual cases where the Director finds that the penalties or fines would be unreasonable or unnecessarily burdensome.

Section 40-35. Disciplinary action for educational loan defaults. The Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship

provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State. The Department may issue a license or renewal if the person has established a satisfactory repayment record as determined by the Illinois Student Assistance Commission or other appropriate governmental agency of this State. Additionally, a license issued by the Department may be suspended or revoked if the Director, after the opportunity for a hearing under this Act, finds that the licensee has failed to make satisfactory repayment to the Illinois Student Assistance Commission for a delinquent or defaulted loan.

Section 40-40. Nonpayment of child support. In cases where the Department of Public Aid or any circuit court has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Public Aid or a circuit court. Redetermination of the delinquency by the Department shall not be required. In cases regarding the renewal of a license, the Department shall not renew any license if the Department of Public Aid or a circuit court has certified the licensee to be more than 30 days delinquent in the payment of child support, unless the licensee has arranged for payment of past and current child support obligations in a manner satisfactory to the Department of Public Aid or circuit court. The Department may impose conditions, restrictions or disciplinary action upon that renewal in accordance with Section 40-10 of this Act.

Section 40-45. Failure to file a tax return. The Department may refuse to issue or may suspend the license of any person, firm, or other entity that fails to file a tax return, to pay a tax, penalty, or interest shown in a filed return, or to pay any final assessment of a tax, penalty, or interest, as required by any law administered by the Department of Revenue until the requirements of the law are satisfied or a repayment agreement with the Department of Revenue has been entered into.

Section 40-50. Statute of limitations. No action may be taken under this Act against a person or entity licensed under this Act unless the action is commenced within 5 years after the occurrence of the alleged violations. A continuing violation shall be deemed to have occurred on the date when the circumstances last existed that give rise to the alleged violation.

#### ARTICLE 45. INVESTIGATION AND HEARING PROVISIONS

Section 45-10. Complaints investigated by the Department.

(a) The Department shall investigate all complaints concerning violations regarding licensees or unlicensed activity.

(b) Following an investigation, the Department may file formal charges against the licensee. The formal charges shall inform the licensee of the facts that are the basis of the charges with enough specificity to enable the licensee to prepare an intelligent defense.

(c) Each licensee whose conduct is the subject of a formal charge that seeks to impose disciplinary action against the licensee shall be served notice of that charge at least 30 days before the date of the hearing. The hearing shall be presided over by a Board member or by a hearing officer authorized by the Department. Service shall be considered to have been given if the notice was personally received by the licensee or if the notice was mailed by certified mail, return receipt requested, to the licensee at the licensee's address on file with the Department.

(d) The notice of formal charges shall consist of the following information:

- (1) The time, place, and date of the hearing.
- (2) That the licensee shall appear personally at the hearing and may be represented by counsel.
- (3) That the licensee may produce witnesses and evidence on his or her behalf and has the right to cross-examine witnesses and evidence produced against him or her.
- (4) That the hearing could result in disciplinary action.
- (5) That rules for the conduct of hearings are available from the Department.
- (6) That a hearing officer authorized by the Department shall conduct the hearing and, following the conclusion of that hearing, shall make findings of fact, conclusions of law, and recommendations, separately stated, to the Board as to what disciplinary action, if any, should be imposed on the licensee.
- (7) That the licensee shall file a written answer to the Board under oath within 20 days after the service of the notice, and that if the licensee fails to file an answer default will be taken and the license or certificate may be suspended, revoked, or placed on probationary status, or other disciplinary action may be taken, including limiting the scope, nature, or extent of practice, as the Director may consider proper.

In case the licensee, after receiving notice, fails to file an answer, that person's license or certificate may, in the discretion of the Director, having received first the recommendation of the

Board, be suspended, revoked, or placed on probationary status; or the Director may take whatever disciplinary action is considered under this Act, including limiting the scope, nature, or extent of the person's practice, without a hearing, if the act or acts charged constitute sufficient grounds for the action under this Act.

Section 45-15. Hearing; rehearing; public record.

(a) The Board or the hearing officer authorized by the Department shall hear evidence in support of the formal charges and evidence produced by the licensee. At the conclusion of the hearing, the Board shall make findings of fact, conclusions of law, and recommendations and submit them to the Director and to all parties to the proceeding.

(b) The Board's findings of fact, conclusions of law, and recommendations shall be served on the licensee in the same manner as was the service of the notice of formal charges. Within 20 days after the service, any party to the proceeding may present to the Director a motion, in writing, specifying the grounds for a rehearing or reconsideration of the decision or sanctions.

(c) The Director, following the time allowed for filing a motion for rehearing or reconsideration, shall review the Board's findings of fact, conclusions of law and recommendations and any subsequently filed motions. After review of the information, the Director may hear oral arguments and thereafter shall issue an order. The report of findings of fact, conclusions of law and recommendations of the Board shall be the basis for the Department's order. If the Director finds that substantial justice was not done, the Director may issue an order in contravention of the Board's recommendations. The Director shall provide the Board with a written explanation of any deviation and shall specify the reasons for the action. The findings of the Board and the Director are not admissible as evidence against the person in a criminal prosecution brought for the violation of this Act.

(d) All proceedings under this Section are matters of public record and shall be preserved.

(e) Upon the suspension or revocation of a license, the licensee shall surrender the license to the Department and, upon failure to do so, the Department shall seize the same.

Section 45-20. Temporary suspension of a license. The Director may temporarily suspend a license without a hearing, simultaneously with the initiation of the procedure for a hearing provided for in this Act, if the Director finds that evidence indicates that a licensee's continuation in business would constitute an imminent danger to the public. If the Director temporarily suspends a license without a hearing, a hearing by the Department shall be held within 30 days after the suspension has occurred.

Section 45-25. Disposition by consent order. Disposition may be made of any charge by consent order between the Department and the licensee. The Board shall be apprised of the consent order at its next meeting.

Section 45-30. Restoration of license after disciplinary proceedings. The Department shall reinstate any license to good standing under this Act upon recommendation to the Director, after a hearing before the Board or a hearing officer authorized by the Department. The Department shall be satisfied that the applicant's renewed practice is not contrary to the public interest.

Section 45-35. Cease and desist orders. Whenever the Department has reason to believe a person, firm, corporation, or other legal entity has violated any provision of Section 10-5, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person, firm, corporation, or other legal entity. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

Section 45-40. Administrative review. All final administrative decisions of the Department are subject to judicial review under Article III of the Code of Civil Procedure. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. The proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; but if the party is not a resident of Illinois, the venue shall be in Sangamon County. The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless there is filed in the court with the complaint a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record. Costs shall be computed at the cost of preparing the record. Exhibits shall be certified without cost. Failure on the part of the applicant or licensee to file a receipt in court is grounds for dismissal of the action. During all judicial proceedings incident to a disciplinary action, the sanctions imposed upon a licensee by the Department shall remain in effect, unless the court determines justice requires a stay of the order.

Section 45-45. Prima facie proof. An order of revocation or suspension or placing a license on probationary status or other disciplinary action as the Department may consider proper or a certified

copy thereof, over the seal of the Department and purporting to be signed by the Director, is prima facie proof that:

- (1) the signature is that of the Director;
- (2) the Director is qualified to act; and
- (3) the members of the Board are qualified to act.

Section 45-50. Unlicensed practice; fraud in obtaining a license.

(a) A person who violates any of the following provisions shall be guilty of a Class A misdemeanor; a person who commits a second or subsequent violation of these provisions is guilty of a Class 4 felony:

(1) The practice of or attempted practice of or holding out as available to practice as a private detective, private security contractor, private alarm contractor, or locksmith without a license.

(2) Operation of or attempt to operate a private detective agency, private security contractor agency, private alarm contractor agency, or locksmith agency without ever having been issued a valid agency license.

(3) The obtaining of or the attempt to obtain any license or authorization issued under this Act by fraudulent misrepresentation.

(b) Whenever a licensee is convicted of a felony related to the violations set forth in this Section, the clerk of the court in any jurisdiction shall promptly report the conviction to the Department and the Department shall immediately revoke any license as a private detective, private security contractor, private alarm contractor, or locksmith held by that licensee. The individual shall not be eligible for licensure under this Act until at least 10 years have elapsed since the time of full discharge from any sentence imposed for a felony conviction. If any person in making any oath or affidavit required by this Act swears falsely, the person is guilty of perjury and may be punished accordingly.

(c) In addition to any other penalty provided by law, a person who violates any provision of this Section shall pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense, as determined by the Department. The civil penalty shall be imposed in accordance with this Act.

Section 45-55. Subpoenas.

(a) The Department may subpoena and bring before it any person to take the testimony with the same fees and in the same manner as prescribed in civil cases.

(b) Any circuit court, upon the application of the licensee, the Department, or the Board, may order the attendance of witnesses and the production of relevant books and papers before the Board in any hearing under this Act. The circuit court may compel obedience to its order by proceedings for contempt.

(c) The Director, the hearing officer or a certified shorthand court reporter may administer oaths at any hearing the Department conducts. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony, production of documents or records shall be in accordance with this Act.

Section 45-60. Stenographers. The Department, at its expense, shall provide a stenographer to preserve a record of all hearing and pre-hearing proceedings if a license may be revoked, suspended, or placed on probationary status or other disciplinary action is taken. The notice of hearing, the complaint, all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board, and the orders of the Department shall constitute the record of the proceedings. The Department shall furnish a transcript of the record upon payment of the costs of copying and transmitting the record.

#### ARTICLE 50. ADMINISTRATIVE PROVISIONS

Section 50-5. Personnel; investigators. The Director shall employ, pursuant to the Personnel Code, personnel, on a full-time or part-time basis, for the enforcement of this Act. Each investigator shall have a minimum of 2 years investigative experience out of the immediately preceding 5 years. No investigator may hold an active license issued pursuant to this Act, nor may an investigator have a financial interest in a business licensed under this Act. This prohibition, however, does not apply to an investigator holding stock in a business licensed under this Act, provided the investigator does not hold more than 5% of the stock in the business. Any person licensed under this Act who is employed by the Department shall surrender his or her license to the Department for the duration of that employment. The licensee shall be exempt from all renewal fees while employed. While employed by the Department, the licensee is not required to maintain the general liability insurance coverage required by this Act.

Section 50-10. The Private Detective, Private Alarm, Private Security, and Locksmith Board.

(a) The Private Detective, Private Alarm, Private Security, and Locksmith Board shall consist of 11 members appointed by the Director and comprised of 2 licensed private detectives, 3 licensed private security contractors, 2 licensed private alarm contractors, 2 licensed locksmiths, one public member who is not licensed or registered under this Act and who has no connection with a business licensed under this Act, and one member representing the employees registered under this Act. Each member shall be a

resident of Illinois. Each licensed member shall have at least 5 years experience as a licensee in the professional area in which the person is licensed and be in good standing and actively engaged in that profession. In making appointments, the Director shall consider the recommendations of the professionals and the professional organizations representing the licensees. The membership shall reasonably reflect the different geographic areas in Illinois.

(b) Members shall serve 4 year terms and may serve until their successors are appointed. No member shall serve for more than 2 successive terms. Appointments to fill vacancies shall be made in the same manner as the original appointments for the unexpired portion of the vacated term. Members of the Board in office on the effective date of this Act pursuant to the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 shall serve for the duration of their terms and may be appointed for one additional term.

(c) A member of the Board may be removed for cause. A member subject to formal disciplinary proceedings shall disqualify himself or herself from all Board business until the charge is resolved. A member also shall disqualify himself or herself from any matter on which the member cannot act objectively.

(d) Members shall receive compensation as set by law. Each member shall receive reimbursement as set by the Governor's Travel Control Board for expenses incurred in carrying out the duties as a Board member.

(e) A majority of Board members constitutes a quorum. A majority vote of the quorum is required for a decision.

(f) The Board shall elect a chairperson and vice chairperson.

(g) Board members are not liable for their acts, omissions, decisions, or other conduct in connection with their duties on the Board, except those determined to be willful, wanton, or intentional misconduct.

(h) The Board may recommend policies, procedures, and rules relevant to the administration and enforcement of this Act.

Section 50-15. Powers and duties of the Department.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois and shall exercise all other powers and duties set forth in this Act.

(b) The Director shall prescribe forms to be issued for the administration and enforcement of this Act.

Section 50-20. Rules. The Department may promulgate rules for the administration and enforcement of this Act. The rules shall include standards for registration, licensure, professional conduct, and discipline. The Department shall consult with the Board prior to promulgating any rule. Proposed rules shall be transmitted, prior to publication in the Illinois Register, to the Board and the Department shall review the Board's recommendations and shall notify the Board with an explanation of any deviations from the Board's recommendations.

Section 50-25. Home rule. Pursuant to paragraph (h) of Section 6 of Article VII of the Illinois Constitution of 1970, the power to regulate the private detective, private security, private alarm, or locksmith business or their employees shall be exercised exclusively by the State and may not be exercised by any unit of local government, including home rule units.

Section 50-30. Fees; deposit of fees and fines. The Department shall by rule provide for fees for the administration and enforcement of this Act, and those fees are nonrefundable. All of the fees and fines collected under this Act shall be deposited into the General Professions Dedicated Fund and be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration and enforcement of this Act.

Section 50-35. Rosters. The Department shall, upon request and payment of the fee, provide a list of the names and addresses of all licensees under this Act.

Section 50-40. Rights and obligations. All rights and obligations incurred and any actions commenced under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 shall not be impaired by the enactment of this Act. Rules adopted under the Private Detective, Private Alarm Private Security, and Locksmith Act of 1993, unless inconsistent with this Act, shall remain in effect until amended or revoked. All licenses issued by the Department permitting the holder to act as a private detective, private detective agency, private security contractor, private security contractor agency, private alarm contractor, private alarm contractor agency, locksmith, or locksmith agency that are valid on the effective date of this Act shall be considered valid under this Act. All licenses issued under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 are valid and are subject to the same authority of the Department to revoke or suspend them as licenses issued under this Act."; and  
by deleting pages 2 through 62; and

[May 28, 2003]



on page 63, by deleting lines 1 through 27.

AMENDMENT NO. 3 TO SENATE BILL 487

AMENDMENT NO. 3. Amend Senate Bill 487, AS AMENDED, with page and line references to House Amendment No. 1, on page 21, by replacing lines 7 through 9 with the following:

"Department;

(2) provides proof of ownership of a licensed alarm contractor agency; and

(3) provides proof of at least 7 years of experience in the installation, design, sales, repair, maintenance, alteration, or service of alarm systems or any other low voltage electronic systems."; and

on page 27, lines 3 and 4, by deleting ", without examination,"; and

on page 30, line 30, after "programming," by inserting "repairing, maintaining, reprogramming, rebuilding,"; and

on page 34, line 28, by replacing "PERC" with "permanent employee registration card".

Under the rules, the foregoing **Senate Bill No. 487**, with House Amendments numbered 1 and 3 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 684

A bill for AN ACT concerning speech-language pathology.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 684

House Amendment No. 2 to SENATE BILL NO. 684

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 684

AMENDMENT NO. 1. Amend Senate Bill 684 on page 1, line 19, by replacing "Act," with "Act or"; and

on page 1, by replacing line 22 with the following:

"Association and a regular license in"; and

on page 4, lines 2 and 3, by replacing "upon becoming law" with "on January 1, 2004".

AMENDMENT NO. 2 TO SENATE BILL 684

AMENDMENT NO. 2. Amend Senate Bill 684, AS AMENDED, in Section 5, Sec. 14-1.09b, subsection (b), by replacing item (1) with the following:

"(1) Holds (A) a regular license as a speech-language pathologist pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act, (B) a current Certificate of Clinical Competence in speech-language pathology from the American Speech-Language-Hearing Association and a regular license in speech-language pathology from another state or territory or the District of Columbia and has applied for a regular license as a speech-language pathologist pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act, or (C) a temporary license pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act and has completed an approved program."

Under the rules, the foregoing **Senate Bill No. 684**, with House Amendments numbered 1 and 2 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 699

[May 28, 2003]

A bill for AN ACT concerning electronic transmissions.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:  
House Amendment No. 1 to SENATE BILL NO. 699

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 699

AMENDMENT NO. 1. Amend Senate Bill 699 on page 1, line 11, by inserting "within the territorial limits of the public body" immediately after "physically"; and on page 1, by replacing line 16 with the following: "physically present within the territorial limits of the public body."; and on page 5, line 21, by inserting "rescheduled." immediately after "emergency."; and on page 5, by replacing line 29 with the following: "territorial limits of the public body for personal reasons, for"; and on page 6, line 2, by inserting "regularly scheduled" immediately before "meetings"; and on page 6, line 5, by inserting "recording secretary or clerk of the" immediately before "public body"; and on page 6, by replacing lines 10 through 12 with the following: "determining a quorum and voting if the member is present by electronic means; provided, however, that if the public body is (i) voting on an ordinance or a resolution authorizing, approving, or providing for the issuance of bonds (as that term is defined in the Local Government Debt Reform Act) or (ii) conducting any hearing required by law, then any member attending the meeting by electronic means shall be considered absent for purposes of determining a quorum and voting.".

Under the rules, the foregoing **Senate Bill No. 699**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by  
Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 726

A bill for AN ACT in relation to executive agencies.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:  
House Amendment No. 1 to SENATE BILL NO. 726

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 726

AMENDMENT NO. 1. Amend Senate Bill 726 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by adding Section 2705-207 as follows:

(20 ILCS 2705/2705-207 new)

Sec. 2705-207. Regional Transportation Task Force.

(a) The Regional Transportation Task Force is created within the Department.

(b) The Task Force shall consist of 11 voting members, as follows: 3 members appointed by the Governor, one of whom shall be designated as chair of the task force at the time of appointment; 2 members appointed by the President of the Senate; 2 members appointed by the Senate Minority Leader; 2 members appointed by the Speaker of the House of Representatives; and 2 members appointed by the House Minority Leader.

The following shall serve, ex officio, as non-voting members: the Secretary of Transportation; one member designated by the Chicago Area Transportation Study (CATS); one member designated by the Northeastern Illinois Planning Commission (NIPC); one member designated by the Regional Transportation Authority (RTA); one member designated by the Illinois State Toll Highway Authority

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(ISTHA); 2 members of Congress representing Illinois from different political parties, as designated by the Governor; and 4 members designated by the Metropolitan Mayors Caucus.

If a vacancy occurs in the task force membership, the vacancy shall be filled in the same manner as the initial appointment.

(c) The task force may begin to conduct business upon the appointment of a majority of the voting members, including the chair.

(d) The task force may adopt bylaws; it must meet at least once each calendar quarter; and it may establish committees and officers as it deems necessary. For purposes of task force meetings, a quorum is 6 voting members. Meetings of the task force are subject to the Open Meetings Act. The task force must afford an opportunity for public comment at each of its meetings.

(e) Task force members shall serve without compensation, but may be reimbursed for their reasonable travel expenses from funds available for that purpose. The Department shall provide staff and administrative support services to the task force. The Department and the task force may accept donated services and other resources from registered not-for-profit organizations as may be necessary to complete the work of the task force with minimal expense to the State of Illinois.

(f) The task force shall gather information and make recommendations to the Governor and to the General Assembly regarding metro area transportation programs in northeastern Illinois, which includes, without limitation, the counties of Cook, DuPage, Kane, Lake, McHenry, and Will. These recommendations must include, without limitation:

(1) examining the feasibility of merging CATS, NIPC, RTA, and ISTHA into a single agency;

(2) identifying areas where functions of these and other agencies are redundant or unnecessary;

(3) identifying methods to promote cost effectiveness, efficiency, and equality in meeting area transportation needs; and

(4) examining regional and economic impact as it relates to potential policy implementation.

(g) The task force shall submit a report to the Governor and the General Assembly by March 1, 2004 concerning its findings and recommendations.

(h) This Section is repealed on January 1, 2005.

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

Under the rules, the foregoing **Senate Bill No. 726**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 750

A bill for AN ACT in relation to higher education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 750

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

#### AMENDMENT NO. 1 TO SENATE BILL 750

AMENDMENT NO. 1. Amend Senate Bill 750 as follows:

by inserting immediately above the enacting clause the following:

"WHEREAS, The establishment of a Danville Area Community College/Lakeview Baccalaureate Nursing Degree Pilot Program is based on the General Assembly's intent to create an innovative means to increase access to nursing education at the baccalaureate degree level for persons whose circumstances restrict their access to a baccalaureate nursing degree; this education is intended to address the community's workforce needs for baccalaureate-prepared nurses; and

WHEREAS, The primary purpose of a Danville Area Community College/Lakeview Baccalaureate Nursing Degree Pilot Program is to provide high quality baccalaureate nursing education; and

WHEREAS, The purpose of a Danville Area Community College/Lakeview Baccalaureate Nursing Degree Pilot Program is to promote economic development by preparing people for nursing careers that require a baccalaureate degree and are in demand by existing and emerging public and private employers; therefore, be it"; and

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by replacing everything after the enacting clause with the following:

"Section 5. The Public Community College Act is amended by adding Section 3-60 as follows:

(110 ILCS 805/3-60 new)

Sec. 3-60. Danville Area Community College/Lakeview Baccalaureate Nursing Degree Pilot Program.

(a) In this Section, "program" means the Danville Area Community College/Lakeview Baccalaureate Nursing Degree Pilot Program.

(b) The Board of Trustees of Community College District No. 507 shall create a Danville Area Community College/Lakeview Baccalaureate Nursing Degree Pilot Program. The Board of Trustees shall seek approval of the program from the State Board and the Board of Higher Education and shall seek expanded accreditation from the Higher Learning Commission of the North Central Association of Colleges and Schools for granting limited baccalaureate degrees.

(c) Under the program, the Board of Trustees shall have the following powers and duties:

(1) The Board of Trustees may offer baccalaureate nursing degrees.

(2) The Board of Trustees shall maintain the mission and policies of a community college, including the open-door admissions policy and the authority to offer all programs consistent with the authority of a community college.

(3) The Board of Trustees shall establish the amount of matriculation fees, tuition, and other authorized student fees.

(d) State funding shall continue to be determined as it is calculated under Section 2-16.02 of this Act, and credit hours generated by the program shall be included in the calculation.

(e) The Board of Higher Education shall conduct a comprehensive evaluation of the program and report its findings to the General Assembly before July 1, 2008. The evaluation shall determine whether the program has successfully done the following:

(1) continued and increased access to nursing education at the baccalaureate degree level in Vermilion County; and

(2) addressed the community's workforce needs for baccalaureate-prepared nurses.

(f) The Auditor General shall perform an audit of the program and make recommendations to the General Assembly regarding the program before July 1, 2009.

Section 99. Effective date. This Act takes effect on January 1, 2004."

Under the rules, the foregoing **Senate Bill No. 750**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 820

A bill for AN ACT in relation to public employee benefits.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 820

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 820

AMENDMENT NO. 1\_\_\_\_. Amend Senate Bill 820 by replacing the title with the following:

"AN ACT in relation to public employee benefits."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 16-113, 16-129.1, 16-133.2, 16-149.2, 16-150, 16-151, 16-182, 16-184, 16-185, and 16-186.3 as follows:

(40 ILCS 5/16-113) (from Ch. 108 1/2, par. 16-113)

Sec. 16-113. Accumulated contributions. "Accumulated contributions": The sum of all contributions to this System made by or on behalf of a member in respect to membership service and credited to his or her account in the Benefit Trust Reserve ~~Members' Contribution Reserve~~, together with regular interest thereon. (Source: P.A. 83-1440.)

(40 ILCS 5/16-129.1)

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Sec. 16-129.1. Optional increase in retirement annuity. (a) A member of the System may qualify for the augmented rate under subdivision (a)(B)(1) of Section 16-133 for all years of creditable service earned before July 1, 1998 by making the optional contribution specified in subsection (b). A member may not elect to qualify for the augmented rate for only a portion of his or her creditable service earned before July 1, 1998.

(b) The contribution shall be an amount equal to 1.0% of the member's highest salary rate in the 4 consecutive school years immediately prior to but not including the school year in which the application occurs, multiplied by the number of years of creditable service earned by the member before July 1, 1998 or 20, whichever is less. This contribution shall be reduced by 1.0% of that salary rate for every 3 full years of creditable service earned by the member after June 30, 1998. The contribution shall be further reduced at the rate of 25% of the contribution (as reduced for service after June 30, 1998) for each year of the member's total creditable service in excess of 34 years. The contribution shall not in any event exceed 20% of that salary rate.

The member shall pay to the System the amount of the contribution as calculated at the time of application under this Section. The amount of the contribution determined under this subsection shall be recalculated at the time of retirement, and if the System determines that the amount paid by the member exceeds the recalculated amount, the System shall refund the difference to the member with regular interest from the date of payment to the date of refund.

The contribution required by this subsection shall be paid in one of the following ways or in a combination of the following ways that does not extend over more than 5 years:

(i) in a lump sum on or before the date of retirement;

(ii) in substantially equal installments over a period of time not to exceed 5 years, as a deduction from salary in accordance with subsection (b) of Section 16-154;

(iii) ~~if the member becomes an annuitant before June 30, 2003,~~ in substantially equal monthly installments over a 24-month period, by reducing the annuitant's monthly benefit over a 24-month period by the amount of the otherwise applicable contribution. For federal and Illinois tax purposes, the monthly amount by which the annuitant's benefit is reduced shall not be treated as a contribution by the annuitant, but rather as a reduction of the annuitant's monthly benefit.

(c) If the member fails to make the full contribution under this Section in a timely fashion, the payments made under this Section shall be refunded to the member, without interest. If the member dies before making the full contribution, the payments made under this Section, together with regular interest thereon, shall be refunded to the member's designated beneficiary for benefits under Section 16-138.

(d) For purposes of this Section and subdivision (a)(B)(1) of Section 16-133, optional creditable service established by a member shall be deemed to have been earned at the time of the employment or other qualifying event upon which the service is based, rather than at the time the credit was established in this System.

(e) The contributions required under this Section are the responsibility of the teacher and not the teacher's employer. However, an employer of teachers may, after the effective date of this amendatory Act of 1998, specifically agree, through collective bargaining or otherwise, to make the contributions required by this Section on behalf of those teachers.

(f) A person who, on or after July 1, 1998 and before June 4, 1999, began receiving a retirement annuity calculated at the augmented rate may apply in writing to have the annuity recalculated to reflect the changes to this Section and Section 16-133 that were enacted in Public Act 91-17. The amount of any resulting decrease in the optional contribution shall be refunded to the annuitant, without interest. Any resulting increase in retirement annuity shall take effect on the next annuity payment date following the date of application under this subsection. (Source: P.A. 91-17, eff. 6-4-99; 92-416, eff. 8-17-01.)

(40 ILCS 5/16-133.2) (from Ch. 108 1/2, par. 16-133.2)

Sec. 16-133.2. Early retirement without discount. A member retiring after June 1, 1980 and on or before June 30, 2005, and applying for a retirement annuity within 6 months of the last day of teaching for which retirement contributions were required, may elect at the time of application for a retirement annuity, to make a one time member contribution to the System and thereby avoid the reduction in the retirement annuity for retirement before age 60 specified in paragraph (B) of Section 16-133. The exercise of the election shall also obligate the last employer to make a one time non-refundable contribution to the System. Substitute teachers wishing to exercise this election must teach 85 or more days in one school term with one employer, who shall be deemed the last employer for purposes of this Section. The last day of teaching with that employer must be within 6 months of the date of application for retirement. All substitute teaching credit applied toward the required 85 days must be earned after June 30, 1990.

The one time member and employer contributions shall be a percentage of the retiring member's

highest annual salary rate used in the determination of the average salary for retirement annuity purposes. However, when determining the one-time member and employer contributions, that part of a member's salary with the same employer which exceeds the annual salary rate for the preceding year by more than 20% shall be excluded. The member contribution shall be at the rate of 7% for the lesser of the following 2 periods: (1) for each year that the member is less than age 60; or (2) for each year that the member's creditable service is less than 35 years. If a member is at least age 55 and has at least 34 years of creditable service, no member or employer contribution for the early retirement option shall be required. The employer contribution shall be at the rate of 20% for each year the member is under age 60.

Upon receipt of the application and election, the System shall determine the one time employee and employer contributions required. The member contribution shall be credited to the individual account of the member and the employer contribution shall be credited to the ~~Benefit Trust Reserve Employer's Contribution Reserve~~. The provisions of this Section shall not be applicable until the member's contribution, if any, has been received by the System; however, the date such contributions are received shall not be considered in determining the effective date of retirement.

The number of members working for a single employer who may retire under this Section in any year may be limited at the option of the employer to a specified percentage of those eligible, not less than 30%, with the right to participate to be allocated among those applying on the basis of seniority in the service of the employer. (Source: P.A. 90-582, eff. 5-27-98; 91-17, eff. 6-4-99.)

(40 ILCS 5/16-149.2) (from Ch. 108 1/2, par. 16-149.2)

Sec. 16-149.2. Disability retirement annuity. (a) A member whose disability benefit has been terminated under the provisions of Section 16-149 may be retired on a disability retirement annuity payable effective the day following such termination provided the member remains disabled under the standard of disability provided in Section 16-149.

The disability retirement annuity shall be payable upon receipt of written certificates from at least 2 licensed physicians designated by the System verifying the continuation of the disability condition. A disability retirement annuity shall not be paid during any period for which the member receives benefits under Section 16-133, Section 16-149, or Section 16-149.1 or has a right to receive a salary as a teacher, or is employed in any capacity as a teacher by the employers included under this System or in an equivalent capacity in any other public or private school, college or university.

(b) The disability retirement annuity shall be equal to the larger of: (1) 35% of the most recent annual contract salary rate or for part-time and substitute members after June 30, 1990, the most recent annualized salary rate; or (2) if disability commences prior to the member's attainment of age 55, the amount computed in accordance with Section 16-133, provided the amount computed under paragraph (B) of Section 16-133 shall be reduced by 1/2 of 1% for each month that the member is less than age 55; or (3) if disability commences after the member's attainment of age 55, and the member is not receiving a retirement annuity under Section 16-133, the amount computed in accordance with Section 16-133.

Prior to July 1, 1990, if the most recent period of service of any member eligible to receive a disability retirement annuity was rendered on a less than full-time but not less than half-time basis, the amount of the disability retirement annuity payable shall be computed on the basis of the salary received by such member for the member's last year of service on a full-time basis if such salary was greater than the member's most recent salary.

(c) If an annuitant receiving a disability retirement annuity under this Section is engaged in or able to engage in gainful employment paying more than the difference between the disability retirement annuity and the salary rate upon which the disability benefit is based, with no salary to be considered less than the minimum prescribed in Section 24-8 of the School Code, the disability retirement annuity shall be reduced to an amount which together with the amount earned by the annuitant, equals the salary rate upon which the disability benefit is based. However, for the purposes of this subsection (c) only, the salary rate upon which the benefit is based shall be deemed to increase by 15% on the tenth anniversary of the commencement of the annuity.

Once each year during the first 5 years following retirement on a disability retirement annuity, and once in every 3-year period thereafter, the System may require an annuitant to undergo a medical examination, by a physician or physicians designated by the System. If the annuitant refuses to submit to such medical examination, the annuity shall be discontinued until such time as the annuitant consents to the examination, and if refusal continues for one year, all the rights to the annuity shall be revoked.

(d) If an annuitant in receipt of a disability retirement annuity returns to active service as a teacher or is no longer disabled, such annuity shall cease and the annuitant shall again become a member of the Retirement System and, if in active service as a teacher, shall make regular contributions. ~~The remaining accumulated contributions shall be transferred to the Members' Contribution Reserve from the~~

~~Employer's Contribution Reserve.~~ All service for which the annuitant had credit on the date of disability shall be properly reestablished.

An annuitant in receipt of a disability retirement annuity who returns to active service as a teacher and who again becomes disabled shall not be entitled to a recomputation of the disability retirement annuity based on amendments enacted while the annuitant was in receipt of the annuity unless at least one year of creditable service is rendered after the latest re-entry into service.

(e) An annuitant in receipt of a disability retirement annuity may, upon reaching retirement age as specified in Section 16-132, apply for a retirement annuity which is to be calculated as specified in Section 16-133. The disability retirement annuity shall be discontinued upon commencement of the retirement annuity.

(f) The board shall prescribe rules governing the filing, investigation, control, and supervision of disability retirement claims. The rules shall include specific standards to be used when requesting additional medical examinations, hospital records or other data necessary for determining the employment capacity and condition of the annuitant. Costs incurred by a claimant in connection with completing a claim for disability benefits shall be paid by the claimant.

The changes to this Section made by this amendatory Act of 1991 shall apply not only to persons who on or after its effective date are in service as a teacher under the System, but also to persons whose status as a teacher terminated prior to that date, whether or not the person is an annuitant on that date. (Source: P.A. 86-273; 86-1488; 87-794.)

(40 ILCS 5/16-150) (from Ch. 108 1/2, par. 16-150)

Sec. 16-150. Re-entry. If an annuitant under this System is again employed as a teacher for an aggregate period exceeding that permitted by Section 16-118, his or her retirement annuity shall be terminated and the annuitant shall thereupon be regarded as an active member. ~~The annuitant's remaining accumulated contributions shall be transferred to the Members' Contribution Reserve from the Employer's Contribution Reserve.~~

Such annuitant is not entitled to a recomputation of his or her retirement annuity unless at least one full year of creditable service is rendered after the latest re-entry into service and the annuitant must have rendered at least 3 years of creditable service after last re-entry into service to qualify for a recomputation of the retirement annuity based on amendments enacted while in receipt of a retirement annuity, except when retirement was due to disability.

However, regardless of age, an annuitant in receipt of a retirement annuity may be given temporary employment by a school board not exceeding that permitted under Section 16-118 and continue to receive the retirement annuity.

Unless retirement was necessitated by disability, a retirement shall be considered cancelled and the retirement allowance must be repaid in full if the annuitant is employed as a teacher within the school year during which service was terminated.

An annuitant's retirement which does not include a period of at least one full and complete school year shall be considered cancelled and the retirement annuity must be repaid in full unless such retirement was necessitated by disability. (Source: P.A. 86-273; 87-794.)

(40 ILCS 5/16-151) (from Ch. 108 1/2, par. 16-151)

Sec. 16-151. Refund. Upon termination of employment as a teacher for any cause other than death or retirement, a member shall be paid the following amount upon demand made at least 4 months after ceasing to teach:

(1) from the ~~Benefit Trust Reserve~~ Members' Contribution Reserve, the actual total contributions paid by or on behalf of the member for membership service which have not been previously refunded and which are then credited to the member's individual account in the Benefit Trust Reserve ~~Members' Contribution Reserve~~, without interest thereon, and

(2) from the ~~Benefit Trust Reserve~~ Employer's Contribution Reserve, the actual contributions not previously refunded, paid by or on behalf of the member for prior service and towards the cost of the automatic annual increase in retirement annuity as provided under Section 16-152, without interest thereon.

Any such amounts may be paid to the member either in one sum or, at the election of the board, in 4 quarterly payments.

Contributions credited to a member for periods of disability as provided in Sections 16-149 and 16-149.1 are not refundable.

Upon acceptance of a refund, all accrued rights and credits in the System are forfeited and may be reinstated only if the refund is repaid together with interest from the date of the refund to the date of repayment at the following rates compounded annually: for periods prior to July 1, 1965, regular interest; for periods from July 1, 1965 to June 30, 1977, 4% per year; for periods on and after July 1,

1977, regular interest. Repayment shall be permitted upon return to membership; however, service credit previously forfeited by a refund and subsequently reinstated may not be used as a basis for the payment of benefits, other than a refund of contributions, prior to the completion of one year of creditable service following the refund, except when repayment is permitted under the provisions of the "Retirement Systems Reciprocal Act" contained in Article 20. (Source: P.A. 90-448, eff. 8-16-97.)

(40 ILCS 5/16-182) (from Ch. 108 1/2, par. 16-182)

Sec. 16-182. Members' Contribution Reserve. (a) ~~On July 1, 2003, the Members' Contribution Reserve is abolished and the remaining balance shall be transferred from that Reserve to the Benefit Trust Reserve. A Members' Contribution Reserve shall be established for the purpose of accumulating with regular interest the contributions of members made prior to retirement.~~

~~This Reserve shall be credited with:~~

~~(1) The total accumulated contributions for membership service, as of the date this reserve is established, exclusive of contributions for annual increases in retirement annuity and survivor benefits.~~

~~(2) The member contributions received under Section 16-133.2.~~

~~(3) The normal contributions under Section 16-128 and Section 16-131.2 together with regular interest.~~

~~(4) The total of all normal contributions for each fiscal year as of the end of the fiscal year.~~

~~(5) The excess of the accumulated contributions of an annuitant at retirement over the retirement annuity payments received, to be computed upon re entry into service after termination of a retirement annuity as provided in Section 16-150, or after termination of a disability retirement annuity as provided in Section 16-149.2.~~

~~(6) Regular interest on the accumulated contributions in the members' contribution reserve as of the end of the previous fiscal year, credited to the date of retirement or death for those retiring or dying during the fiscal year, and to the end of the fiscal year for all other members.~~

~~(b) This Reserve shall be charged with:~~

~~(1) The accumulated contributions of members retired under the provisions of Sections 16-133, 16-136.4 and 16-149.2.~~

~~(2) The accumulated contributions of members granted a refund under the provisions of Section 16-151.~~

~~(3) The accumulated contributions of deceased members upon payment of a refund as provided in Section 16-138.~~

~~(4) The accumulated contributions together with regular interest as provided in Section 16-131.1.~~

~~(c) Upon the granting of a retirement annuity or the payment of a single sum retirement benefit or a death or refund benefit, all individual accumulated credits of the member concerned shall be terminated.~~

~~(d) Amounts credited to the account of a member under this Reserve shall not be used until such member dies, retires, accepts a refund, or requests a transfer of contributions. (Source: P.A. 87-11.)~~

(40 ILCS 5/16-184) (from Ch. 108 1/2, par. 16-184)

Sec. 16-184. Supplementary Annuity Reserve. (a) ~~Except as provided in subsection (b), a Reserve to be known as the Supplementary Annuity Reserve is established for the purpose of crediting funds received and charging disbursements made for supplementary annuities under Section 16-135 and Section 16-149.4.~~

~~This Reserve shall be credited with:~~

~~(1) The total of all contributions made by annuitants to qualify for supplementary annuities.~~

~~(2) Amounts contributed to the System by the State of Illinois that are sufficient to assure payment of the supplementary annuities.~~

~~(3) Regular interest computed annually on the average balance in this reserve.~~

~~This Reserve shall be charged with all supplemental annuity payments under Section 16-135 and Section 16-149.4.~~

~~(b) On the July 1, 2003 next occurring after the effective date of this amendatory Act of the 91st General Assembly, the Supplemental Annuity Reserve is abolished and any remaining balance shall be transferred from that Reserve to the Benefit Trust Reserve Employer's Contribution Reserve. (Source: P.A. 91-887, eff. 7-6-00.)~~

(40 ILCS 5/16-185) (from Ch. 108 1/2, par. 16-185)

Sec. 16-185. Benefit Trust Employer's Contribution Reserve. (a) On July 1, 2003, the Employer's Contribution Reserve shall be renamed the Benefit Trust Reserve. The Benefit Trust Reserve shall serve as a clearing account for income and expenses of the System as well as transfers to and from the other reserve accounts established under this Article and adjustments thereto.

(b) This Reserve shall be credited with all contributions, investment income, and other income

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received by the System, except as otherwise required by this Article.:

~~(1) All amounts contributed by the State, except those credited to other reserve accounts as provided in this Article.~~

~~(2) The total member and employer contributions except those required by other reserve accounts.~~

~~(3) The total income from invested assets of the System, and other miscellaneous income.~~

~~(4) The interest portion of the accumulated contributions of members granted refunds.~~

~~(5) Contributions made by annuitants to qualify for automatic annual increases in annuity, except those required by other reserve accounts.~~

(c) This Reserve shall be charged with all benefits and refunds paid and all other expenses of the System, except as otherwise required under this Article.:

~~(1) All amounts necessary to be transferred to the Members' Contribution Reserve.~~

~~(2) All retirement annuity, single sum retirement benefit and disability retirement annuity payments, including automatic annual increases in annuities, except as provided by other reserve accounts.~~

~~(3) All amounts necessary to be refunded to withdrawing members except as provided by the Members' Contribution Reserve.~~

~~(4) All benefits paid to temporarily or accidentally disabled members of this System, and all amounts credited to the accounts of such disabled members in lieu of contributions.~~

~~(5) All amounts payable as death benefits except as provided by the Members' Contribution Reserve.~~

~~(6) All amounts necessary for the payment of costs for the health insurance program as provided under this Article.~~

~~(7) All survivor benefit contributions refunded to an annuitant as provided under Section 16-143.2.~~

~~(8) All amounts paid in accordance with Section 16-131.1 except as provided by the Members' Contribution Reserve.~~

~~(9) Interest to be credited to other reserve accounts as specified in this Article.~~

~~(10) Recognition of unrealized gains or losses in market value, upon adoption of generally accepted accounting principles that allow for such recognition.~~

(Source: P.A. 89-235, eff. 8-4-95; 90-448, eff. 8-16-97.)

(40 ILCS 5/16-186.3) (from Ch. 108 1/2, par. 16-186.3)

Sec. 16-186.3. Reserve for minimum retirement annuity. (a) A Minimum Retirement Annuity Reserve is established for the purpose of crediting funds received and charging disbursements for minimum retirement annuity payments under Section 16-136.2 and Section 16-136.3.

This Reserve shall be credited with:

(1) The total of all contributions made by annuitants to qualify for the minimum retirement annuity.

(2) Amounts contributed to the System by the State of Illinois that are sufficient to assure payment of the minimum retirement annuity payments under Section 16-136.2 and Section 16-136.3.

(3) Regular interest computed annually on the average balance in this Reserve.

This Reserve shall be charged with all minimum retirement annuity payments under Section 16-136.2 and Section 16-136.3.

(b) After all minimum retirement annuity payments have been completed, any remaining funds shall be transferred from this Reserve to the Benefit Trust Reserve ~~Employer's Contribution Reserve~~. (Source: P.A. 88-593, eff. 8-22-94.)

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

Under the rules, the foregoing **Senate Bill No. 820**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1038

A bill for AN ACT regarding schools.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1038

[May 28, 2003]

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1038

AMENDMENT NO. 1. Amend Senate Bill 1038 as follows:

on page 1, line 19, after "21", by inserting "for districts with an official school calendar end date before June 15 or within 2 weeks following the official school calendar end date for districts with a school year end date of June 15 or later. The regional superintendent shall certify and file with the State Superintendent of Education district State aid claims by July 1 for districts with an official school calendar end date before June 15 or no later than July 15 for districts with an official school calendar end date of June 15 or later"; and

on page 1, line 20, by replacing "June 21" with "these deadlines"; and

on page 1, line 24, by replacing "1 45" with "15".

Under the rules, the foregoing **Senate Bill No. 1038**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1109

A bill for AN ACT in relation to public aid.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1109

Passed the House, as amended, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1109

AMENDMENT NO. 1. Amend Senate Bill 1109, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-4.1 as follows:

(305 ILCS 5/5-4.1) (from Ch. 23, par. 5-4.1)

Sec. 5-4.1. Co-payments. The Department may by rule provide that recipients under any Article of this Code shall pay a fee as a co-payment for services. Co-payments may not exceed \$3 for brand name drugs, \$1 for other pharmacy services other than for generic drugs, and \$2 for physicians services, dental services, optical services and supplies, chiropractic services, podiatry services, and encounter rate clinic services. There shall be no co-payment for generic drugs. Co-payments may not exceed \$3 for hospital outpatient and clinic services. Provided, however, that any such rule must provide that no co-payment requirement can exist for renal dialysis, radiation therapy, cancer chemotherapy, or insulin, and other products necessary on a recurring basis, the absence of which would be life threatening, or where co-payment expenditures for required services and/or medications for chronic diseases that the Illinois Department shall by rule designate shall cause an extensive financial burden on the recipient, and provided no co-payment shall exist for emergency room encounters which are for medical emergencies. (Source: P.A. 92-597, eff. 6-28-02.)

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

Under the rules, the foregoing **Senate Bill No. 1109**, with House Amendment No. 1 was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 1586

A bill for AN ACT concerning open meetings.

[May 28, 2003]

SENATE BILL NO. 1881

A bill for AN ACT concerning taxes.

Passed the House, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 176

A bill for AN ACT concerning animal cremation services.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 176

Concurred in by the House, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 1118

A bill for AN ACT concerning higher education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 1118

Concurred in by the House, May 28, 2003.

ANTHONY D. ROSSI, Clerk of the House

**LEGISLATIVE MEASURES FILED**

The following Floor amendments to the House Bills listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Floor Amendment No. 3 to House Bill 569

Senate Floor Amendment No. 1 to House Bill 577

Senate Floor Amendment No. 1 to House Bill 2200

**JOINT ACTION MOTIONS FILED**

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 1 to Senate Bill 24

Motion to Concur in House Amendment 1 to Senate Bill 820

Motion to Concur in House Amendment 1 to Senate Bill 1638

Motion to Concur in House Amendment 1 to Senate Bill 1983

At the hour of 5:33 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, May 29, 2003, at 11:00 o'clock a.m.

[May 28, 2003]