

1 AMENDMENT TO HOUSE BILL 873

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 873 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Utilities Act is amended by  
5 changing Section 5-109 as follows:

6 (220 ILCS 5/5-109) (from Ch. 111 2/3, par. 5-109)

7 Sec. 5-109. Each public utility in the State, other than  
8 a commercial mobile radio service provider, shall each year  
9 furnish to the Commission, in such form as the Commission  
10 shall require, annual reports as to all the items mentioned  
11 in the preceding Sections of this Article, and in addition  
12 such other items, whether of a nature similar to those  
13 therein enumerated or otherwise, as the Commission may  
14 prescribe. Such annual reports shall contain all the  
15 required information for the period of 12 ~~to-twelve~~ months  
16 ending on the thirtieth day of June in each year, or ending  
17 on the thirty-first day of December in each year, as the  
18 Commission may by order prescribe for each class of public  
19 utilities, except commercial mobile radio service providers,  
20 and shall be filed with the Commission at its office in  
21 Springfield within 3 ~~three~~ months after the close of the year  
22 for which the report is made. The Commission shall have

1 authority to require any public utility to file monthly  
2 reports of earnings and expenses of such utility, and to file  
3 other periodical or special, or both periodical and special  
4 reports concerning any matter about which the Commission is  
5 authorized by law to keep itself informed. All reports shall  
6 be under oath.

7 When any report is erroneous or defective or appears to  
8 the Commission to be erroneous or defective, the Commission  
9 may notify the public utility to amend such report within 30  
10 ~~thirty~~ days, and before or after the termination of such  
11 period the Commission may examine the officers, agents, or  
12 employees, and books, records, accounts, vouchers, plant,  
13 equipment and property of such public utility, and correct  
14 such items in the report as upon such examination the  
15 Commission may find defective or erroneous.

16 All reports made to the Commission by any public utility  
17 and the contents thereof shall be open to public inspection,  
18 unless otherwise ordered by the Commission. Such reports  
19 shall be preserved in the office of the Commission.

20 Any public utility which fails to make and file any  
21 report called for by the Commission within the time  
22 specified; or to make specific answer to any question  
23 propounded by the Commission within 30 ~~thirty~~ days from the  
24 time it is lawfully required to do so, or within such further  
25 time, not to exceed 90 ~~ninety~~ days, as may in its discretion  
26 be allowed by the Commission, shall forfeit up to \$100 for  
27 each and every day it may so be in default if the utility  
28 collects less than \$100,000 annually in gross revenue; and if  
29 the utility collects \$100,000 or more annually in gross  
30 revenue, it shall forfeit \$100 per day for each and every day  
31 it is in default.

32 Any person who wilfully makes any false return or report  
33 to the Commission, or to any member, officer or employee  
34 thereof, and any person who aids or abets such person shall

1 be guilty of a Class A misdemeanor.

2 (Source: P.A. 84-617.)

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