SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

78TH LEGISLATIVE DAY

Perfunctory Session

WEDNESDAY, NOVEMBER 1, 2017

3:52 O'CLOCK P.M.

NO. 78
[November 1, 2017]

SENATE
Daily Journal Index
78th Legislative Day

The Senate met pursuant to the directive of the President.
Pursuant to Senate Rule 2-5(c)2, the Secretary of the Senate conducted the perfunctory session.
Silent prayer was observed.

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

November 1, 2017

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am scheduling a Perfunctory Session to convene on November 1, 2017.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

November 1, 2017

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Don Harmon to temporarily replace Senator James Clayborne as Chairman of the Senate Committee on Assignments. In addition, I hereby appoint Senator Mattie Hunter to temporarily replace Senator James Clayborne as a member of the Senate Committee on Assignments and I hereby appoint Senator Donne Trotter to temporarily replace Senator Kimberly Lightford as a member of the Senate Committee on Assignments. These appointments will expire upon adjournment of the Senate Committee on Assignments on November 1, 2017.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Republican Leader Bill Brady

COMMUNICATION

ILLINOIS STATE SENATE
KWAME RAOUL
STATE SENATOR · 13TH DISTRICT

November 1, 2017

Mr. Tim Anderson
Secretary of the Senate
Room 403, State House
Springfield, Illinois 62706

Dear Mr. Secretary:

Pursuant to Senate Rule 3-1(d), effective immediately, I am resigning from my appointed position (member and Co-Chair) on the Special Committee on State and Pension Fund Investments.

Thank you for your attention to this matter.

Sincerely,
s/Kwame Raoul
Kwame Raoul
State Senator

cc: Senate President John J. Cullerton
Senate Minority Leader Bill Brady

COMMUNICATION FROM THE MINORITY LEADER

SPRINGFIELD OFFICE:
309G STATE HOUSE
SPRINGFIELD, ILLINOIS 62706
PHONE: 217/782-9407
FAX: 217/782-6216

DISTRICT OFFICE
2203 EASTLAND DRIVE, SUITE 3
BLOOMINGTON, ILLINOIS 61704
PHONE: 309/664-4440
FAX: 309/664-8597
BILLBRADY@SENATORBILLBRADY.COM

ILLINOIS STATE SENATE
BILL BRADY
SENATE REPUBLICAN LEADER
44th SENATE DISTRICT

November 1, 2017

Mr. Tim Anderson
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 3-5 (c), I am hereby appointing **Senator Nybo** to replace **Senator Althoff** to serve as Minority Spokesperson of the Senate Committee on Assignments. This appointment is effective immediately and shall automatically expire upon adjournment of the Committee on Assignments.

[November 1, 2017]

Sincerely,
s/Bill Brady
Bill Brady
Illinois Senate Republican Leader
44th District

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

LEGISLATIVE MEASURE FILED

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 333

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1039
Offered by Senator Bennett and all Senators:
Mourns the death of Robert "Bob" V. Fox of Danville.

SENATE RESOLUTION NO. 1040
Offered by Senator Koehler and all Senators:
Mourns the death of Marva Ann Jones of Peoria.

SENATE RESOLUTION NO. 1041
Offered by Senator Koehler and all Senators:
Mourns the death of Dr. Edward P. "Ed" Glover of Brimfield.

SENATE RESOLUTION NO. 1042
Offered by Senator Koehler and all Senators:
Mourns the death of Norman A. "Norm" Ulrich, Sr., of East Peoria.

SENATE RESOLUTION NO. 1043
Offered by Senator Bennett and all Senators:
Mourns the death of Marilyn F. Campbell of Georgetown.

SENATE RESOLUTION NO. 1044
Offered by Senator Manar and all Senators:
Mourns the death of John Henry Henske of Litchfield.

SENATE RESOLUTION NO. 1045
Offered by Senator Bertino-Tarrant and all Senators:
Mourns the death of John F. "Jack" Zlogar, Sr., of Joliet.

SENATE RESOLUTION NO. 1046
Offered by Senator McConnaughay and all Senators:
Mourns the death of Louis R. Coulombe of Batavia, formerly of St. Charles.

SENATE RESOLUTION NO. 1047
Offered by Senator McConnaughay and all Senators:
Mourns the death of Howard Irwin Moulton of Dundee.

SENATE RESOLUTION NO. 1048
Offered by Senator McConnaughay and all Senators:
Mourns the death of Robert A. "Bob" Suding of Crystal Lake.

SENATE RESOLUTION NO. 1049

Offered by Senator McConnaughay and all Senators:
Mourns the death of Howard F. Hoffman of Hampshire.

SENATE RESOLUTION NO. 1050

Offered by Senator McConnaughay and all Senators:
Mourns the death of Thomas M. "Tom" McGavock of Dundee.

SENATE RESOLUTION NO. 1051

Offered by Senator Bennett and all Senators:
Mourns the death of Alexander George "Lex" Samaras of Danville.

SENATE RESOLUTION NO. 1052

Offered by Senator Hastings and all Senators:
Mourns the death of Carolyn L. Simone.

SENATE RESOLUTION NO. 1054

Offered by Senator Anderson and all Senators:
Mourns the death of Robert W. Hellberg of Moline.

SENATE RESOLUTION NO. 1055

Offered by Senator Haine and all Senators:
Mourns the death of William "Mike" Higgins of Alton.

SENATE RESOLUTION NO. 1056

Offered by Senator Castro and all Senators:
Mourns the death of Anne E. DeDobbelaere of Elgin.

By direction of the Secretary, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senator Hutchinson offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 1053

WHEREAS, President Donald Trump and Congressional Republicans are proposing radical changes to America's tax code; and

WHEREAS, The changes President Trump and his Congressional allies are discussing would benefit millionaires and billionaires while hurting working families; and

WHEREAS, President Trump and Congressional Republicans have discussed removing the state and local deduction, also known as SALT, as a way to pay for their proposed tax cuts for the wealthy; and

WHEREAS, The state and local deduction allows families that pay state and local income or sales tax to deduct those taxes from their federal income tax; and

WHEREAS, This deduction prevents families from being doubled taxed, once by the federal government and again by the state; and

WHEREAS, The state and local deduction has broad bipartisan support and has been helping Illinoisans since 1913; and

WHEREAS, Illinois has the fifth highest number of taxpayers who claim the state and local tax deduction in the nation; and

WHEREAS, Nearly two million Illinois taxpayers claimed more than $24 billion in SALT deductions in 2015, with each claiming an average $12,500 in deductions; and

WHEREAS, Of Illinoisans who claim a SALT deduction, approximately 85% earn less than $200,000 per year; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we strongly oppose any and all efforts by the Trump Administration and Congress to eliminate the state and local deduction; and be it further

RESOLVED, That we call upon Governor Rauner to work with the Illinois Congressional Delegation to ensure that the State and local deduction is not eliminated; and be it further

RESOLVED, That suitable copies of this resolution be delivered to all members of the Illinois Congressional Delegation.

MESSAGES FROM THE HOUSE

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the Governor's specific recommendations for change notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 302

A bill for AN ACT concerning regulation.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 25, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:
Today, I return House Bill 302 with specific recommendations for change to provide a clear, constitutional threshold to help Illinois families receive insurance benefits and to stop the inappropriate payment of contingency fees to private auditing firms.

Few things are more traumatic than the death of a loved one. Life insurance provides an important resource for financial assistance after such a loss. As public servants, we have a duty to protect beneficiaries and ensure they receive the benefits they are owed. That is why I signed legislation (Public Act 99-0893) creating the Unclaimed Life Insurance Benefits Act, which took effect January 1, 2017. The Unclaimed Life Insurance Benefits Act requires life insurance companies to continually cross check in-force policies with the Social Security Administration's Death Master File to determine potential beneficiary eligibility. If a potential match is identified and a beneficiary has not yet come forward, insurers are required to make a good faith effort to locate the beneficiary or beneficiaries and provide claim assistance.

While the current law is forward-looking for all policies in force as of January 1, 2017, HB 302 retroactively would require insurers to cross check policies that have lapsed or terminated. For those insurers with electronically searchable records, records must be searched back to 2000. However, if an insurer does not have electronically searchable records, the search must be conducted back to only 2012.

While I support the intent of this legislation, HB 302 is inequitable and potentially unconstitutional. Illinois' administrative rules only require insurance companies to keep lapsed or terminated policy records for the current year, plus the five prior years. *See* Title 50, Section 901.20. Creating a two-tiered

enforcement timeline creates an arbitrary and discriminatory requirement that does not uniformly impact the life insurance industry. An insurer's obligation to comply with HB 302 should not depend on differences in its record retention policies. Such differential enforcement violates due process. *See Nat'l Endowment for the Arts v. Finley*, 524 U.S. 569, 588-89 (1998) (due process protects against "arbitrary and discriminatory enforcement" of legal standards). To avoid this inequitable and constitutional flaw, I support a clear and logical threshold that mirrors the current five-year administrative recordkeeping requirements so that all insurers — regardless of their record-retention policies and capabilities — are required to retroactively search for policies in force at any time on or after January 1, 2012.

Additionally, this legislation does nothing to stop the continuing overreach of private auditing firms that currently contract with the Illinois State Treasurer's Office, and they are reaping great rewards that would otherwise benefit taxpayers. Throughout the country, including Illinois, states have retained private auditors with contingency fee arrangements for the identification of unclaimed property, including life insurance policies. The expansion of these private auditors, however, incentivizes behavior that rewards private companies at the expense of state taxpayers. One such company has made more than $20 million in finder's fees in Illinois since 2011. That money could have (and would have under current state law) gone to pay down our state's desperately underfunded pension liability. We should stop this practice and pursue more responsible financial arrangements. This will ensure that we are conducting searches of unclaimed property in a fiscally appropriate manner and in a way that best serves our state's taxpayers.

Therefore, pursuant to Article IV, section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 302, entitled, "AN ACT concerning regulation," with the following specific recommendations for change:

On page 4, by replacing line 8, with "full Death Master File."; and

On page 4, by deleting lines 9 through 15; and

On page 4, by replacing line 16 with "Thereafter, an insurer shall perform a comparison on at"; and

On page 8, by replacing lines 9 through 12 with the following:

"Sec. 30 Administrative rules. ~~(a)~~ The Department shall adopt rules to administer and implement this Act."; and

On page 8, by replacing line 22 with "(a) Except as provided in subsections (b) and (c),"; and

On page 9, by deleting lines 9 through 14; and

On page 9, line 15 by replacing "(d)" with "(c)"; and

On page 10, by replacing lines 7 and 8 with the following:

"Section 15. The Uniform Disposition of Unclaimed Property Act is amended by changing Sections 20 and 24.5 as follows:"

On page 13, immediately below line 10, by inserting the following:

(765 ILCS 1025/24.5)

Sec. 24.5 Contingency fees prohibited. The State may not enter into a contract with a person to conduct an examination of a holder ~~located within the State of Illinois~~ under which the State agrees to pay such person a fee based upon a percentage of the property recovered for the State of Illinois. ~~Nothing in this Section prohibits the Office of the State Treasurer from entering into contracts with persons to examine holders located outside the State of Illinois under which the Office of the State Treasurer agrees to pay such persons based upon a percentage of the property recovered for the State of Illinois.~~

(Source: P.A. 91-16, eff. 7-1-99.)"

With these changes, House Bill 302 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 688

A bill for AN ACT concerning public employee benefits.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

September 15, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:

Today, I veto House Bill 688 from the 100th General Assembly, which creates a mechanism for members of police and firefighter pension funds to transfer service credits between funds.

Many of Illinois' downstate fire and police funds are dangerously underfunded, and some are approaching insolvency. A rising number of retirees, combined with low funding ratios, continues to put pressure on the financial health of local governments. In its current form, this bill will introduce further financial risks. This legislation allows service credits to migrate among the respective funds, which may introduce uncertainty with respect to cashflow management. This bill may also worsen existing unfunded liabilities without comprehensive and foolproof safeguards to assure an appropriate calculation of the true cost for transferring credits. In short, this bill introduces more financial uncertainty to the long-term financial health of these funds and is inappropriate to enact into law.

Illinois is in the midst of a pension crisis that impacts the state as a whole as well as individual local governments. Dramatically underfunded pensions risk the long-term solvency of local governments and put state finances under severe stress, and the underfunding of downstate police and fire pension funds warrants further investigation. In the meantime, the General Assembly should enact pension reforms that mitigate uncertainty and reduce unfunded liabilities. Unfortunately, House Bill 688 increases uncertainty and could contribute to larger unfunded liabilities in local pension funds.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 688, entitled "AN ACT concerning employee benefits", with the foregoing objections, vetoed in its entirety.

Sincerely,
Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 732

A bill for AN ACT concerning regulation.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 25, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:
Today, I veto House Bill 732, which would limit the existing right of business owners to do roofing work on their own property.
No Illinois border state licenses commercial roofing contractors at the state level. This bill would add an unnecessary layer to the existing state regulatory framework.
Professional licenses are sometimes needed to protect public safety, but Illinois' licensing scheme is outdated, often nonsensical, and out of step with practices in other states. We must broadly examine the circumstances in which a license should be required and the costs and requirements for obtaining a license in order to promote economic growth and reduce professional barriers.
I vetoed similar legislation in the 99th General Assembly, and the reasoning for that action remains as true today as it was then. The General Assembly should work with the Department of Financial and Professional Regulation on comprehensive licensing reform. Until then, changing the scope of work for which a license is needed in a piecemeal fashion – as this bill does – is premature.
Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 732, entitled "AN ACT concerning regulation," with the foregoing objections, vetoed in its entirety.
Sincerely,
Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 1797

A bill for AN ACT concerning State government.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 25, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:
Today, I veto HB 1797, which would remit the $15 million debt owed by the Illinois International Port Authority to the State of Illinois. HB 1797 is requesting the State of Illinois absolve the port authority of its debt with no clear plan for future profitability.
Furthermore, the International Port Authority was cited in 2013 by the Illinois Auditor General for numerous findings, indicating reasons for limited profitability through financial and ineffective governance. Additionally, Auditor General Holland cited the port authority for a nonexistent, long-term plan for economic development of water or rail to pay the debt owed to Illinois. This bill does not address the broken aspects driving the port district's current financial instability, but instead masks the endemic problems with false hopes of increased economic opportunities.
The Illinois taxpayers deserve transformational changes at the International Port Authority before we should consider forgiving this debt. Internationally, new port management models have been created to deliver greater private sector participation and investment in ports. New management models could increase port utilization and create new jobs, while reducing operating costs and eliminating risks to the

taxpayers. I look forward to working with the International Port Authority and the City of Chicago to find a solution to benefit the people of Illinois and our economy in the near future.
Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 1797, entitled "AN ACT concerning State government," with the foregoing objections, vetoed in its entirety.
Sincerely,
Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 2462

A bill for AN ACT concerning employment.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 25, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:
Today, I veto House Bill 2462, which would prohibit employers from enquiring about previous salary and compensation of prospective employees.
The gender wage gap must be eliminated, and I strongly support wage equality. Massachusetts already has established a best-in-the-country approach to the issue of employers inquiring about salary history. Illinois should model its legal regime on Massachusetts' model.
I strongly encourage the sponsors and the General Assembly at large to take up the following legislative language that more closely resembles the Massachusetts approach:

"Section 5. The Equal Pay Act of 2003 is amended by changing Sections 10 and 30 and by adding Section 28 as follows:
(820 ILCS 112/10)
Sec. 10. Prohibited acts.
(a) No employer may discriminate between employees on the basis of sex by paying wages to an employee at a rate less than the rate at which the employer pays wages to another employee of the opposite sex for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where the payment is made under:

(1) a seniority system;

(2) a merit system;

(3) a system that measures earnings by quantity or quality of production; or

(4) a differential based on any other factor other than: (i) sex or (ii) a factor that would constitute unlawful discrimination under the Illinois Human Rights Act.

An employer who is paying wages in violation of this Act may not, to comply with this Act, reduce the wages of any other employee.

Nothing in this Act may be construed to require an employer to pay, to any employee at a workplace in a particular county, wages that are equal to the wages paid by that employer at a workplace in another county to employees in jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

(b) It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided under this Act. It is unlawful for any employer to discharge or in any other manner discriminate against any individual for inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of any other employee, or aiding or encouraging any person to exercise his or her rights under this Act. <u>It is unlawful for an employer to require an employee to sign a contract or waiver that would prohibit the employee from</u>

disclosing or discussing the employee's wage salary, or other compensation. However, an employer may prohibit a human resources employee, a supervisor, or any other employee whose job responsibilities require or allow access to other employees' wage ~~or~~ salary or other compensation information from disclosing such information without prior written consent from the employee whose information is sought or requested.

(b-5) It is unlawful for an employer to seek the wage, salary, or other compensation history of a prospective employee from the prospective employee or a current or former employer or to require that a prospective employee's wage, salary, or other compensation history meet certain criteria. This subsection does not apply if:

(1) the prospective employee's wage, salary or other compensation history is a matter of public record;

(2) the prospective employee is a current employee of the employer and is applying for a position with the same employer; or

(3) a prospective employee has voluntarily disclosed such information.

An employer may seek or confirm a prospective employee's wage, salary, or other compensation history after an offer of employment, with wage, salary, or other compensation, has been negotiated and made to the prospective employee.

(c) It is unlawful for any person to discharge or in any other manner discriminate against any individual because the individual:

(1) has filed any charge or has instituted or caused to be instituted any proceeding under or related to this Act;

(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Act; or

(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Act; or ~~.~~

(4) fails to comply with any wage history inquiry.

(820 ILCS 112/28 new)

Sec. 28. Self-evaluation.

(a) An employer against whom an action is brought alleging a violation of subsection (a) of Section 10 and who, within the previous 3 years and prior to the commencement of the action, has completed a self-evaluation of the employer's pay practices and can demonstrate that progress has been made towards eliminating wage differentials based on gender for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, in accordance with that evaluation, shall have an affirmative defense to liability under subsection (a) of Section 10. For purposes of this subsection, an employer's self-evaluation may be of the employer's own design, so long as it is, in light of the size of the employer reasonable in detail and scope.

A self-evaluation plan may include but is not limited to the following components:

1) An evaluation of the employer’s compensation system for internal equity;

2) An evaluation of the employer’s compensation system for industry competitiveness;

3) Examination of the employers’ compensation system and comparison of job grades or scores;

4) A review of data for personnel entering the employer;

5) An assessment of how raises are awarded; or

6) An evaluation of employee training, development and promotion opportunities.

(b) An employer who has completed a self-evaluation within the previous 3 years and prior to the commencement of the action and can demonstrate that progress has been made towards eliminating wage differentials based on gender for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, but cannot demonstrate that any steps were taken to address any identified deficiencies, shall not be entitled to an affirmative defense under this subsection, and shall be liable for any civil fine for a violation of this Act:

(1) up to $500 per employee affected, if the employer has fewer than 4 employees; or

(2) up to $2,500 per employee affected, if the employer has 4 or more employees.

(c) Evidence of a self-evaluation or remedial steps undertaken in accordance with this Section shall not be admissible in any proceeding as evidence of a violation of this Act.

(d) An employer who has not completed a self-evaluation shall not be subject to any negative or adverse inference as a result of not having completed a self-evaluation.

(e) An employer who uses the affirmative defense under this Section is not precluded from using any other affirmative defense under this Act.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2462, entitled "AN ACT concerning employment," with the foregoing objections, vetoed in its entirety.

Sincerely,
Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 2778

A bill for AN ACT concerning regulation.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 25, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:

Today, I veto House Bill 2778, which amends the Fire Protection District Act to allow a fire protection district to annex into its jurisdiction any property for which that district provides coverage under the Emergency Telephone System Act.

Fire protection districts play a critical role in the State of Illinois, but we must weigh the authority of such districts against our residents' property rights. This bill affords fire protection districts too much discretion to not only annex properties, but also to subject annexed-property owners to fire protection district fees thereafter. Our state's residents already feel the overwhelming weight of one of the heaviest property tax burdens in the country. This bill, however, would add to the property tax burden for those properties annexed by fire protection districts. As a State, we should pass legislation to relieve such financial pressures of our residents, not to add to them.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2278, entitled "AN ACT concerning regulation," with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 2977

A bill for AN ACT concerning education.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

September 22, 2017
To the Honorable Members of
The Illinois House of Representatives
100th General Assembly:
Today I veto House Bill 2977 from the 100th General Assembly, which requires all Illinois elementary schools include a unit of cursive in their curriculum before students complete 5th grade.
This legislation constitutes yet another unfunded mandate for school districts that will not protect the health or safety of Illinois students. If the General Assembly believes that cursive writing instruction should be required in elementary schools because it will improve student outcomes, it should be included in the Illinois State Learning Standards and funded accordingly.
Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 2977, entitled "AN ACT concerning education" with the foregoing objections, vetoed in its entirety.
Sincerely,
Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 3143

A bill for AN ACT concerning finance.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 18, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:
Today I veto House Bill 3143, which amends the State Prompt Payment Act to add certain human services providers to the list of those eligible for interest penalty payments from the state.

The challenges of doing business with the State of Illinois, including the years of frustration in dealing with devastating payment delays, are numerous and in need of attention. It is clear that we need dependable balanced budgets so that our partners are not forced to wait months or, in some cases, years to receive payment from the state. But the state's ongoing problems with cash flow and the timeliness of payments will not be aided by adding to its mountain of liabilities through higher interest costs, which is precisely what this bill does.

The solution to our problem is through the continued improvement of fiscal practices and truly balanced budgets that allow the state to actually meet its financial commitments. Unfortunately, while well intentioned, this bill will force Illinois taxpayers to bear even greater costs as a result of years of unbalanced budgets and fiscal mismanagement, and will tax an already insufficient pool of resources for serving our most vulnerable residents.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3143, entitled "AN ACT concerning finance", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 3298

A bill for AN ACT concerning education.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 25, 2017
To the Honorable Members of
The Illinois House of Representatives
100th General Assembly:

Today, I veto House Bill 3298, which would provide reimbursement of the substitute teacher licensure fee for licensees who prove they have provided substitute teacher services for at least 10 days within one year of receiving the license.

The bill attempts to address the substitute teacher shortage facing Illinois districts. While the shortage is a very real problem, this legislation will have unacceptable side effects. Specifically, it will cost approximately $1 million and will force the Illinois State Board of Education to eliminate a teacher mentorship program. Teacher mentorship is one of the most effective methods of supporting new teachers. Furthermore, the shortage is being taken seriously and addressed outside this costly legislation. ISBE recently implemented several strategies aimed at addressing the substitute shortage. In 2016, the agency reduced the substitute teacher license fee by 50 percent and created a one-year grace period that allows retired teachers with lapsed licenses to return their licenses to good standing without paying fines or completing additional coursework. The state has not had enough time to see whether these strategies have significantly increased the substitute teacher pool.

It is premature to implement a solution to a problem that has been addressed through previous legislation and policy, especially when the enactment of this bill would have the unintended consequence of eliminating effective highly effective strategy of supporting new teachers. The General Assembly should wait to see the impact of ISBE's existing strategies to address the substitute teacher shortage and then determine whether further measures are necessary to solve this problem.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3298 entitled "AN ACT concerning education,: with the foregoing objections, vetoed in its entirety.

Sincerely,
Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 3419

A bill for AN ACT concerning finance.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 18, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:

Today I veto House Bill 3419 from the 100th General Assembly, which prohibits companies that have restructured through corporate inversions from bidding on or entering into State contracts. It also precludes State retirement systems from investing in any such companies.

This legislation requires the State to penalize companies that utilize a completely legal form of federal tax planning. This is shortsighted and sets dangerous precedent for how the State interacts with vendors and businesses in Illinois, and represents an unnecessary interjection into federal tax policy. Our federal tax policies may be ripe for reform, but punishing the entities that have legally pursued new corporate structures due to non-competitive federal policies does not accomplish that reform.

Instead, by barring these businesses from contracting with the State on various projects, this bill minimizes the pool of eligible vendors to meet our state's needs, which could mean diminished competition and higher costs for taxpayers, and could lead to taxpayers not being eligible to receive the highest quality services because of the diminished pool. Moreover, this brand of exclusionary policy could make Illinois a less attractive place to do business at all for those companies that are penalized under this legislation.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3419, entitled "AN ACT concerning finance", with the foregoing objections, vetoed in its entirety.

Sincerely,
Bruce Rauner
GOVERNOR

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the veto of the Governor notwithstanding, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL 3649

A bill for AN ACT concerning finance.

I am further instructed to deliver to you the objections of the Governor which are contained in the attached copy of his letter to the House of Representatives:

Passed the House, October 25, 2017, by a three-fifths vote.

TIMOTHY D. MAPES, Clerk of the House

August 18, 2017
To the Honorable Members of
The Illinois House of Representatives,
100th General Assembly:

Today I veto House Bill 3649, which requires state agencies to report every month to the Comptroller on their current liabilities, interest, and the appropriations status of those liabilities.

The inclination to provide more transparency about the state of our finances is a good one. Unfortunately, this legislation more closely resembles an attempt by the Comptroller to micromanage executive agencies than an attempt to get the information most helpful to the monitoring of state government.

State agencies currently report annually on their liabilities and interest, and this dramatically increased reporting requirement will be both time-consuming and will yield decreasing marginal information. This legislation neglects to account for the realities of agency record-keeping and reporting, which makes compliance with this mandate especially difficult and expensive. Due to asymmetries in technology and variances in the input and calculation of the required information, this bill will be highly burdensome for agencies and will require an allocation of significant additional resources to reporting compliance.

Our state agencies should always be striving toward sound fiscal management and maximum transparency. However, due to factors unaccounted for by this legislation like lagging technology and variances in the input and calculation of the required information, the primary effect of this mandate will be to divert limited funds and staff attention from their core functions in providing services to the citizens of Illinois.

Therefore, pursuant to Section 9(b) of Article IV of the Illinois Constitution of 1970, I hereby return House Bill 3649, entitled "AN ACT concerning finance", with the foregoing objections, vetoed in its entirety.

Sincerely,

Bruce Rauner
GOVERNOR

A message from the House by
Mr. Mapes, 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. 1322
A bill for AN ACT concerning regulation.
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. 2 to SENATE BILL NO. 1322
Passed the House, as amended, October 25, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1322

AMENDMENT NO. 2. Amend Senate Bill 1322 by replacing everything after the enacting clause with the following:

"Section 5. The Nurse Practice Act is amended by changing Section 65-35 as follows:
(225 ILCS 65/65-35) (was 225 ILCS 65/15-15)
(Text of Section before amendment by P.A. 100-513)
(Section scheduled to be repealed on January 1, 2028)
Sec. 65-35. Written collaborative agreements.
(a) A written collaborative agreement is required for all advanced practice nurses engaged in clinical practice, except for advanced practice nurses who are authorized to practice in a hospital, hospital affiliate, or ambulatory surgical treatment center.
(a-5) If an advanced practice nurse engages in clinical practice outside of a hospital, hospital affiliate, or ambulatory surgical treatment center in which he or she is authorized to practice, the advanced practice nurse must have a written collaborative agreement.
(b) A written collaborative agreement shall describe the relationship of the advanced practice nurse with the collaborating physician or podiatric physician and shall describe the categories of care, treatment, or procedures to be provided by the advanced practice nurse. A collaborative agreement with a dentist must be in accordance with subsection (c-10) of this Section. Collaboration does not require an employment relationship between the collaborating physician or podiatric physician and advanced practice nurse.
The collaborative relationship under an agreement shall not be construed to require the personal presence of a physician or podiatric physician at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician or podiatric physician in person or by telecommunications or electronic communications as set forth in the written agreement.
(b-5) Absent an employment relationship, a written collaborative agreement may not (1) restrict the categories of patients of an advanced practice nurse within the scope of the advanced practice nurses training and experience, (2) limit third party payors or government health programs, such as the medical assistance program or Medicare with which the advanced practice nurse contracts, or (3) limit the geographic area or practice location of the advanced practice nurse in this State.
(c) In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, a physician, a dentist, or a podiatric physician must participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.
(c-5) A certified registered nurse anesthetist, who provides anesthesia services outside of a hospital or ambulatory surgical treatment center shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the podiatric physician performing the procedure. Outside of a hospital or ambulatory surgical treatment center, the certified registered nurse anesthetist may provide only those services that the collaborating podiatric physician is authorized to provide pursuant to the Podiatric Medical Practice Act of 1987 and rules adopted thereunder. A certified registered nurse anesthetist may select, order, and administer medication, including controlled

substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or the operating physician or operating podiatric physician.

(c-10) A certified registered nurse anesthetist who provides anesthesia services in a dental office shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the operating dentist performing the procedure. The agreement shall describe the working relationship of the certified registered nurse anesthetist and dentist and shall authorize the categories of care, treatment, or procedures to be performed by the certified registered nurse anesthetist. In a collaborating dentist's office, the certified registered nurse anesthetist may only provide those services that the operating dentist with the appropriate permit is authorized to provide pursuant to the Illinois Dental Practice Act and rules adopted thereunder. For anesthesia services, an anesthesiologist, physician, or operating dentist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the operating dentist.

(d) A copy of the signed, written collaborative agreement must be available to the Department upon request from both the advanced practice nurse and the collaborating physician, dentist, or podiatric physician.

(e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons in accordance with Section 54.2 of the Medical Practice Act of 1987. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders. Nothing in this Act shall be construed to authorize an advanced practice nurse to provide health care services required by law or rule to be performed by a physician.

(f) An advanced practice nurse shall inform each collaborating physician, dentist, or podiatric physician of all collaborative agreements he or she has signed and provide a copy of these to any collaborating physician, dentist, or podiatric physician upon request.

(g) (Blank).

(Source: P.A. 98-192, eff. 1-1-14; 98-214, eff. 8-9-13; 98-756, eff. 7-16-14; 99-173, eff. 7-29-15.)

(Text of Section after amendment by P.A. 100-513)

(Section scheduled to be repealed on January 1, 2028)

Sec. 65-35. Written collaborative agreements.

(a) A written collaborative agreement is required for all advanced practice registered nurses engaged in clinical practice prior to meeting the requirements of Section 65-43, except for advanced practice registered nurses who are privileged to practice in a hospital, hospital affiliate, or ambulatory surgical treatment center.

(a-5) If an advanced practice registered nurse engages in clinical practice outside of a hospital, hospital affiliate, or ambulatory surgical treatment center in which he or she is privileged to practice, the advanced practice registered nurse must have a written collaborative agreement, except as set forth in Section 65-43.

(b) A written collaborative agreement shall describe the relationship of the advanced practice registered nurse with the collaborating physician and shall describe the categories of care, treatment, or procedures to be provided by the advanced practice registered nurse. A collaborative agreement with a podiatric physician must be in accordance with subsection (c-5) or (c-15) of this Section. A collaborative agreement with a dentist must be in accordance with subsection (c-10) of this Section. A collaborative agreement with a podiatric physician must be in accordance with subsection (c-5) of this Section. Collaboration does not require an employment relationship between the collaborating physician and the advanced practice registered nurse.

The collaborative relationship under an agreement shall not be construed to require the personal presence of a collaborating physician at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician in person or by telecommunications or electronic communications as set forth in the written agreement.

(b-5) Absent an employment relationship, a written collaborative agreement may not (1) restrict the categories of patients of an advanced practice registered nurse within the scope of the advanced practice registered nurses training and experience, (2) limit third party payors or government health programs, such as the medical assistance program or Medicare with which the advanced practice registered nurse

contracts, or (3) limit the geographic area or practice location of the advanced practice registered nurse in this State.

(c) In the case of anesthesia services provided by a certified registered nurse anesthetist, an anesthesiologist, a physician, a dentist, or a podiatric physician must participate through discussion of and agreement with the anesthesia plan and remain physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions.

(c-5) A certified registered nurse anesthetist, who provides anesthesia services outside of a hospital or ambulatory surgical treatment center shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the podiatric physician performing the procedure. Outside of a hospital or ambulatory surgical treatment center, the certified registered nurse anesthetist may provide only those services that the collaborating podiatric physician is authorized to provide pursuant to the Podiatric Medical Practice Act of 1987 and rules adopted thereunder. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the anesthesiologist or the operating physician or operating podiatric physician.

(c-10) A certified registered nurse anesthetist who provides anesthesia services in a dental office shall enter into a written collaborative agreement with an anesthesiologist or the physician licensed to practice medicine in all its branches or the operating dentist performing the procedure. The agreement shall describe the working relationship of the certified registered nurse anesthetist and dentist and shall authorize the categories of care, treatment, or procedures to be performed by the certified registered nurse anesthetist. In a collaborating dentist's office, the certified registered nurse anesthetist may only provide those services that the operating dentist with the appropriate permit is authorized to provide pursuant to the Illinois Dental Practice Act and rules adopted thereunder. For anesthesia services, an anesthesiologist, physician, or operating dentist shall participate through discussion of and agreement with the anesthesia plan and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. A certified registered nurse anesthetist may select, order, and administer medication, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the operating dentist.

(c-15) An advanced practice registered nurse who had a written collaborative agreement with a podiatric physician immediately before the effective date of Public Act 100-513 may continue in that collaborative relationship under the requirements of this Section and Section 65-40, as those Sections existed immediately before the amendment of those Sections by Public Act 100-513 with regard to a written collaborative agreement between an advanced practice registered nurse and a podiatric physician, until the collaborative relationship between the advanced practice registered nurse and podiatric physician terminates.

(d) A copy of the signed, written collaborative agreement must be available to the Department upon request from both the advanced practice registered nurse and the collaborating physician, dentist, or podiatric physician.

(e) Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a licensed practical nurse, a registered professional nurse, or other persons in accordance with Section 54.2 of the Medical Practice Act of 1987. Nothing in this Act shall be construed to limit the method of delegation that may be authorized by any means, including, but not limited to, oral, written, electronic, standing orders, protocols, guidelines, or verbal orders.

(e-5) Nothing in this Act shall be construed to authorize an advanced practice registered nurse to provide health care services required by law or rule to be performed by a physician, including those acts to be performed by a physician in Section 3.1 of the Illinois Abortion Law of 1975.

(f) An advanced practice registered nurse shall inform each collaborating physician, dentist, or podiatric physician of all collaborative agreements he or she has signed and provide a copy of these to any collaborating physician, dentist, or podiatric physician upon request.

(g) (Blank).

(Source: P.A. 99-173, eff. 7-29-15; 100-513, eff. 1-1-18.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99. Effective date. This Act takes effect January 1, 2018.".

Under the rules, the foregoing **Senate Bill No. 1322**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by
Mr. Mapes, 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. 1345

A bill for AN ACT concerning 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. 2 to SENATE BILL NO. 1345

Passed the House, as amended, October 25, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1345

AMENDMENT NO. 2. Amend Senate Bill 1345 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 1-160 and 15-108.2 as follows:

(40 ILCS 5/1-160)

Sec. 1-160. Provisions applicable to new hires.

(a) The provisions of this Section apply to a person who, on or after January 1, 2011, first becomes a member or a participant under any reciprocal retirement system or pension fund established under this Code, other than a retirement system or pension fund established under Article 2, 3, 4, 5, 6, 15 or 18 of this Code, notwithstanding any other provision of this Code to the contrary, but do not apply to any self-managed plan established under this Code, to any person with respect to service as a sheriff's law enforcement employee under Article 7, or to any participant of the retirement plan established under Section 22-101. Notwithstanding anything to the contrary in this Section, for purposes of this Section, a person who participated in a retirement system under Article 15 prior to January 1, 2011 shall be deemed a person who first became a member or participant prior to January 1, 2011 under any retirement system or pension fund subject to this Section. The changes made to this Section by Public Act 98-596 are a clarification of existing law and are intended to be retroactive to January 1, 2011 (the effective date of Public Act 96-889), notwithstanding the provisions of Section 1-103.1 of this Code.

This Section does not apply to a person who first becomes a noncovered employee ~~member or participant~~ under Article 14 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who first becomes a member or participant under Article 16 on or after the implementation date of the plan created under Section 1-161 for that Article, unless that person elects under subsection (b) of Section 1-161 to instead receive the benefits provided under this Section and the applicable provisions of that Article.

This Section does not apply to a person who elects under subsection (c-5) of Section 1-161 to receive the benefits under Section 1-161.

This Section does not apply to a person who first becomes a member or participant of an affected pension fund on or after 6 months after the resolution or ordinance date, as defined in Section 1-162, unless that person elects under subsection (c) of Section 1-162 to receive the benefits provided under this Section and the applicable provisions of the Article under which he or she is a member or participant.

(b) "Final average salary" means the average monthly (or annual) salary obtained by dividing the total salary or earnings calculated under the Article applicable to the member or participant during the 96 consecutive months (or 8 consecutive years) of service within the last 120 months (or 10 years) of service in which the total salary or earnings calculated under the applicable Article was the highest by the number of months (or years) of service in that period. For the purposes of a person who first becomes a member or participant of any retirement system or pension fund to which this Section applies on or after January 1, 2011, in this Code, "final average salary" shall be substituted for the following:

(1) In Article 7 (except for service as sheriff's law enforcement employees), "final rate of earnings".

(2) In Articles 8, 9, 10, 11, and 12, "highest average annual salary for any 4 consecutive years within the last 10 years of service immediately preceding the date of withdrawal".

(3) In Article 13, "average final salary".

(4) In Article 14, "final average compensation".

(5) In Article 17, "average salary".

(6) In Section 22-207, "wages or salary received by him at the date of retirement or discharge".

(b-5) Beginning on January 1, 2011, for all purposes under this Code (including without limitation the calculation of benefits and employee contributions), the annual earnings, salary, or wages (based on the plan year) of a member or participant to whom this Section applies shall not exceed $106,800; however, that amount shall annually thereafter be increased by the lesser of (i) 3% of that amount, including all previous adjustments, or (ii) one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, including all previous adjustments.

For the purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Public Pension Division of the Department of Insurance and made available to the boards of the retirement systems and pension funds by November 1 of each year.

(c) A member or participant is entitled to a retirement annuity upon written application if he or she has attained age 67 (beginning January 1, 2015, age 65 with respect to service under Article 12 of this Code that is subject to this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article.

A member or participant who has attained age 62 (beginning January 1, 2015, age 60 with respect to service under Article 12 of this Code that is subject to this Section) and has at least 10 years of service credit and is otherwise eligible under the requirements of the applicable Article may elect to receive the lower retirement annuity provided in subsection (d) of this Section.

(c-5) A person who first becomes a member or a participant under Article 8 or Article 11 of this Code on or after the effective date of this amendatory Act of the 100th General Assembly, notwithstanding any other provision of this Code to the contrary, is entitled to a retirement annuity upon written application if he or she has attained age 65 and has at least 10 years of service credit under Article 8 or Article 11 of this Code and is otherwise eligible under the requirements of Article 8 or Article 11 of this Code, whichever is applicable.

(d) The retirement annuity of a member or participant who is retiring after attaining age 62 (beginning January 1, 2015, age 60 with respect to service under Article 12 of this Code that is subject to this Section) with at least 10 years of service credit shall be reduced by one-half of 1% for each full month that the member's age is under age 67 (beginning January 1, 2015, age 65 with respect to service under Article 12 of this Code that is subject to this Section).

(d-5) The retirement annuity of a person who first becomes a member or a participant under Article 8 or Article 11 of this Code on or after the effective date of this amendatory Act of the 100th General Assembly who is retiring at age 60 with at least 10 years of service credit under Article 8 or Article 11 shall be reduced by one-half of 1% for each full month that the member's age is under age 65.

(d-10) Each person who first became a member or participant under Article 8 or Article 11 of this Code on or after January 1, 2011 and prior to the effective date of this amendatory Act of the 100th General Assembly shall make an irrevocable election either:

(i) to be eligible for the reduced retirement age provided in subsections (c-5) and (d-5) of this Section, the eligibility for which is conditioned upon the member or participant agreeing to the increases in employee contributions for age and service annuities provided in subsection (a-5) of Section 8-174 of this Code (for service under Article 8) or subsection (a-5) of Section 11-170 of this Code (for service under Article 11); or

(ii) to not agree to item (i) of this subsection (d-10), in which case the member or participant shall continue to be subject to the retirement age provisions in subsections (c) and (d) of this Section and the employee contributions for age and service annuity as provided in subsection (a) of Section 8-174 of this Code (for service under Article 8) or subsection (a) of Section 11-170 of this Code (for service under Article 11).

The election provided for in this subsection shall be made between October 1, 2017 and November 15, 2017. A person subject to this subsection who makes the required election shall remain bound by that

election. A person subject to this subsection who fails for any reason to make the required election within the time specified in this subsection shall be deemed to have made the election under item (ii).

(e) Any retirement annuity or supplemental annuity shall be subject to annual increases on the January 1 occurring either on or after the attainment of age 67 (beginning January 1, 2015, age 65 with respect to service under Article 12 of this Code that is subject to this Section and beginning on the effective date of this amendatory Act of the 100th General Assembly, age 65 with respect to persons who: (i) first became members or participants under Article 8 or Article 11 of this Code on or after the effective date of this amendatory Act of the 100th General Assembly; or (ii) first became members or participants under Article 8 or Article 11 of this Code on or after January 1, 2011 and before the effective date of this amendatory Act of the 100th General Assembly and made the election under item (i) of subsection (d-10) of this Section) or the first anniversary of the annuity start date, whichever is later. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted retirement annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

For the purposes of Section 1-103.1 of this Code, the changes made to this Section by this amendatory Act of the 100th General Assembly are applicable without regard to whether the employee was in active service on or after the effective date of this amendatory Act of the 100th General Assembly.

(f) The initial survivor's or widow's annuity of an otherwise eligible survivor or widow of a retired member or participant who first became a member or participant on or after January 1, 2011 shall be in the amount of 66 2/3% of the retired member's or participant's retirement annuity at the date of death. In the case of the death of a member or participant who has not retired and who first became a member or participant on or after January 1, 2011, eligibility for a survivor's or widow's annuity shall be determined by the applicable Article of this Code. The initial benefit shall be 66 2/3% of the earned annuity without a reduction due to age. A child's annuity of an otherwise eligible child shall be in the amount prescribed under each Article if applicable. Any survivor's or widow's annuity shall be increased (1) on each January 1 occurring on or after the commencement of the annuity if the deceased member died while receiving a retirement annuity or (2) in other cases, on each January 1 occurring after the first anniversary of the commencement of the annuity. Each annual increase shall be calculated at 3% or one-half the annual unadjusted percentage increase (but not less than zero) in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the originally granted survivor's annuity. If the annual unadjusted percentage change in the consumer price index-u for the 12 months ending with the September preceding each November 1 is zero or there is a decrease, then the annuity shall not be increased.

(g) The benefits in Section 14-110 apply only if the person is a State policeman, a fire fighter in the fire protection service of a department, or a security employee of the Department of Corrections or the Department of Juvenile Justice, as those terms are defined in subsection (b) of Section 14-110. A person who meets the requirements of this Section is entitled to an annuity calculated under the provisions of Section 14-110, in lieu of the regular or minimum retirement annuity, only if the person has withdrawn from service with not less than 20 years of eligible creditable service and has attained age 60, regardless of whether the attainment of age 60 occurs while the person is still in service.

(h) If a person who first becomes a member or a participant of a retirement system or pension fund subject to this Section on or after January 1, 2011 is receiving a retirement annuity or retirement pension under that system or fund and becomes a member or participant under any other system or fund created by this Code and is employed on a full-time basis, except for those members or participants exempted from the provisions of this Section under subsection (a) of this Section, then the person's retirement annuity or retirement pension under that system or fund shall be suspended during that employment. Upon termination of that employment, the person's retirement annuity or retirement pension payments shall resume and be recalculated if recalculation is provided for under the applicable Article of this Code.

If a person who first becomes a member of a retirement system or pension fund subject to this Section on or after January 1, 2012 and is receiving a retirement annuity or retirement pension under that system or fund and accepts on a contractual basis a position to provide services to a governmental entity from which he or she has retired, then that person's annuity or retirement pension earned as an active employee of the employer shall be suspended during that contractual service. A person receiving an annuity or retirement pension under this Code shall notify the pension fund or retirement system from which he or she is receiving an annuity or retirement pension, as well as his or her contractual employer, of his or her retirement status before accepting contractual employment. A person who fails to submit such notification shall be guilty of a Class A misdemeanor and required to pay a fine of $1,000. Upon termination of that

contractual employment, the person's retirement annuity or retirement pension payments shall resume and, if appropriate, be recalculated under the applicable provisions of this Code.

(i) (Blank).

(j) In the case of a conflict between the provisions of this Section and any other provision of this Code, the provisions of this Section shall control.

(Source: P.A. 100-23, eff. 7-6-17; 100-201, eff. 8-18-17.)

(40 ILCS 5/15-108.2)

Sec. 15-108.2. Tier 2 member. "Tier 2 member": A person who first becomes a participant under this Article on or after January 1, 2011 and before the implementation date, as defined under subsection (a) of Section 1-161, determined by the Board ~~6 months after the effective date of this amendatory Act of the 100th General Assembly~~, other than a person in the self-managed plan established under Section 15-158.2 or a person who makes the election under subsection (c) of Section 1-161, unless the person is otherwise a Tier 1 member. The changes made to this Section by this amendatory Act of the 98th General Assembly are a correction of existing law and are intended to be retroactive to the effective date of Public Act 96-889, notwithstanding the provisions of Section 1-103.1 of this Code.

(Source: P.A. 100-23, eff. 7-6-17.)

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

Under the rules, the foregoing **Senate Bill No. 1345**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, 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. 1381

A bill for AN ACT concerning regulation.

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. 1381

House Amendment No. 2 to SENATE BILL NO. 1381

Passed the House, as amended, October 25, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1381

AMENDMENT NO. 1. Amend Senate Bill 1381 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Section 13-100 as follows:

(220 ILCS 5/13-100) (from Ch. 111 2/3, par. 13-100)

(Section scheduled to be repealed on July 1, 2017)

Sec. 13-100. This Article shall be known and ~~and~~ may be cited as the Universal Telephone Service Protection Law of 1985.

(Source: P.A. 84-1063.)".

AMENDMENT NO. 2 TO SENATE BILL 1381

AMENDMENT NO. 2. Amend Senate Bill 1381, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Unemployment Insurance Act is amended by changing Sections 401, 403, 1505, and 1506.6 as follows:

(820 ILCS 405/401) (from Ch. 48, par. 401)

Sec. 401. Weekly Benefit Amount - Dependents' Allowances.

A. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's weekly benefit amount shall be an amount equal to the weekly benefit amount as defined in the provisions of this Act as amended and in effect on November 18, 2011.

B. 1. With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual's weekly benefit amount shall be 48% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than $51. Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, an individual's weekly benefit amount shall be 47% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than $51. With respect to any benefit year beginning in calendar year 2020 ~~2018~~, an individual's weekly benefit amount shall be 40.3% ~~42.9%~~ of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than $51.

2. For the purposes of this subsection:

An individual's "prior average weekly wage" means the total wages for insured work paid to that individual during the 2 calendar quarters of his base period in which such total wages were highest, divided by 26. If the quotient is not already a multiple of one dollar, it shall be rounded to the nearest dollar; however if the quotient is equally near 2 multiples of one dollar, it shall be rounded to the higher multiple of one dollar.

"Determination date" means June 1 and December 1 of each calendar year except that, for the purposes of this Act only, there shall be no June 1 determination date in any year.

"Determination period" means, with respect to each June 1 determination date, the 12 consecutive calendar months ending on the immediately preceding December 31 and, with respect to each December 1 determination date, the 12 consecutive calendar months ending on the immediately preceding June 30.

"Benefit period" means the 12 consecutive calendar month period beginning on the first day of the first calendar month immediately following a determination date, except that, with respect to any calendar year in which there is a June 1 determination date, "benefit period" shall mean the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the preceding December 1 determination date and the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the June 1 determination date.

"Gross wages" means all the wages paid to individuals during the determination period immediately preceding a determination date for insured work, and reported to the Director by employers prior to the first day of the third calendar month preceding that date.

"Covered employment" for any calendar month means the total number of individuals, as determined by the Director, engaged in insured work at mid-month.

"Average monthly covered employment" means one-twelfth of the sum of the covered employment for the 12 months of a determination period.

"Statewide average annual wage" means the quotient, obtained by dividing gross wages by average monthly covered employment for the same determination period, rounded (if not already a multiple of one cent) to the nearest cent.

"Statewide average weekly wage" means the quotient, obtained by dividing the statewide average annual wage by 52, rounded (if not already a multiple of one cent) to the nearest cent. Notwithstanding any provision of this Section to the contrary, the statewide average weekly wage for any benefit period prior to calendar year 2012 shall be as determined by the provisions of this Act as amended and in effect on November 18, 2011. Notwithstanding any provisions of this Section to the contrary, the statewide average weekly wage for the benefit period of calendar year 2012 shall be $856.55 and for each calendar year thereafter, the statewide average weekly wage shall be the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period plus (or minus) an amount equal to the percentage change in the statewide average weekly wage, as computed in accordance with the first sentence of this paragraph, between the 2 immediately preceding benefit periods, multiplied by the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period. However, for purposes of the Workers' Compensation Act, the statewide average weekly wage will be computed using June 1 and December 1 determination dates of each calendar year and such determination shall not be subject to the limitation of the statewide average weekly wage as computed in accordance with the preceding sentence of this paragraph.

With respect to any week beginning in a benefit year beginning prior to January 4, 2004, "maximum weekly benefit amount" with respect to each week beginning within a benefit period shall be as defined in the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means

48% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 47% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning in calendar year 2020 ~~2018~~, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 40.3% ~~42.9%~~ of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

C. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's eligibility for a dependent allowance with respect to a nonworking spouse or one or more dependent children shall be as defined by the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 57% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 17.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after January 6, 2008 and before January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 18.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

The additional amount paid pursuant to this subsection in the case of an individual with a dependent child or dependent children shall be referred to as the "dependent child allowance", and the percentage rate by which an individual's prior average weekly wage is multiplied pursuant to this subsection to calculate the dependent child allowance shall be referred to as the "dependent child allowance rate".

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) $15, provided that the total amount payable to the individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of $50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 47% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning in calendar year 2020 ~~2018~~, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) $15, provided that the total amount payable to the individual with respect to a week shall not exceed 49.3% ~~51.9%~~ of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next

higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of $50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 40.3% ~~42.9%~~ plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to each benefit year beginning after calendar year 2012, the dependent child allowance rate shall be the sum of the allowance adjustment applicable pursuant to Section 1400.1 to the calendar year in which the benefit year begins, plus the dependent child allowance rate with respect to each benefit year beginning in the immediately preceding calendar year, except as otherwise provided in this subsection. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2010 shall be 17.9%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2011 shall be 17.4%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2012 shall be 17.0% and, with respect to each benefit year beginning after calendar year 2012, shall not be less than 17.0% or greater than 17.9%.

For the purposes of this subsection:

"Dependent" means a child or a nonworking spouse.

"Child" means a natural child, stepchild, or adopted child of an individual claiming benefits under this Act or a child who is in the custody of any such individual by court order, for whom the individual is supplying and, for at least 90 consecutive days (or for the duration of the parental relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, has supplied more than one-half the cost of support, or has supplied at least 1/4 of the cost of support if the individual and the other parent, together, are supplying and, during the aforesaid period, have supplied more than one-half the cost of support, and are, and were during the aforesaid period, members of the same household; and who, on the first day of such week (a) is under 18 years of age, or (b) is, and has been during the immediately preceding 90 days, unable to work because of illness or other disability: provided, that no person who has been determined to be a child of an individual who has been allowed benefits with respect to a week in the individual's benefit year shall be deemed to be a child of the other parent, and no other person shall be determined to be a child of such other parent, during the remainder of that benefit year.

"Nonworking spouse" means the lawful husband or wife of an individual claiming benefits under this Act, for whom more than one-half the cost of support has been supplied by the individual for at least 90 consecutive days (or for the duration of the marital relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, but only if the nonworking spouse is currently ineligible to receive benefits under this Act by reason of the provisions of Section 500E.

An individual who was obligated by law to provide for the support of a child or of a nonworking spouse for the aforesaid period of 90 consecutive days, but was prevented by illness or injury from doing so, shall be deemed to have provided more than one-half the cost of supporting the child or nonworking spouse for that period.

(Source: P.A. 99-488, eff. 12-4-15.)

(820 ILCS 405/403) (from Ch. 48, par. 403)

Sec. 403. Maximum total amount of benefits.

A. With respect to any benefit year beginning prior to September 30, 1979, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits as shall be determined in the manner set forth in this Act as amended and in effect on November 9, 1977.

B. With respect to any benefit year beginning on or after September 30, 1979, except as otherwise provided in this Section, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 26 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning in calendar year 2012, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 25 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. ~~If the maximum amount includable as "wages" pursuant to Section 235 is $13,560 with respect to calendar year 2013, then, with respect to any benefit year beginning after March 31, 2013 and before April 1, 2014, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 25 times his or her weekly benefit amount plus dependents allowances, or to~~

~~the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller.~~ With respect to any benefit year beginning in calendar year 2020 ~~2018~~, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 24 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller.
(Source: P.A. 99-488, eff. 12-4-15.)

(820 ILCS 405/1505) (from Ch. 48, par. 575)

Sec. 1505. Adjustment of state experience factor. The state experience factor shall be adjusted in accordance with the following provisions:

A. For calendar years prior to 1988, the state experience factor shall be adjusted in accordance with the provisions of this Act as amended and in effect on November 18, 2011.

B. (Blank).

C. For calendar year 1988 and each calendar year thereafter, for which the state experience factor is being determined.

1. For every $50,000,000 (or fraction thereof) by which the adjusted trust fund balance falls below the target balance set forth in this subsection, the state experience factor for the succeeding year shall be increased one percent absolute.

For every $50,000,000 (or fraction thereof) by which the adjusted trust fund balance exceeds the target balance set forth in this subsection, the state experience factor for the succeeding year shall be decreased by one percent absolute.

The target balance in each calendar year prior to 2003 is $750,000,000. The target balance in calendar year 2003 is $920,000,000. The target balance in calendar year 2004 is $960,000,000. The target balance in calendar year 2005 and each calendar year thereafter is $1,000,000,000.

2. For the purposes of this subsection:

"Net trust fund balance" is the amount standing to the credit of this State's account in the unemployment trust fund as of June 30 of the calendar year immediately preceding the year for which a state experience factor is being determined.

"Adjusted trust fund balance" is the net trust fund balance minus the sum of the benefit reserves for fund building for July 1, 1987 through June 30 of the year prior to the year for which the state experience factor is being determined. The adjusted trust fund balance shall not be less than zero. If the preceding calculation results in a number which is less than zero, the amount by which it is less than zero shall reduce the sum of the benefit reserves for fund building for subsequent years.

For the purpose of determining the state experience factor for 1989 and for each calendar year thereafter, the following "benefit reserves for fund building" shall apply for each state experience factor calculation in which that 12 month period is applicable:

a. For the 12 month period ending on June 30, 1988, the "benefit reserve for fund building" shall be 8/104th of the total benefits paid from January 1, 1988 through June 30, 1988.

b. For the 12 month period ending on June 30, 1989, the "benefit reserve for fund building" shall be the sum of:

i. 8/104ths of the total benefits paid from July 1, 1988 through December 31, 1988, plus

ii. 4/108ths of the total benefits paid from January 1, 1989 through June 30, 1989.

c. For the 12 month period ending on June 30, 1990, the "benefit reserve for fund building" shall be 4/108ths of the total benefits paid from July 1, 1989 through December 31, 1989.

d. For 1992 and for each calendar year thereafter, the "benefit reserve for fund building" for the 12 month period ending on June 30, 1991 and for each subsequent 12 month period shall be zero.

3. Notwithstanding the preceding provisions of this subsection, for calendar years 1988 through 2003, the state experience factor shall not be increased or decreased by more than 15 percent absolute.

D. Notwithstanding the provisions of subsection C, the adjusted state experience factor:

1. Shall be 111 percent for calendar year 1988;

2. Shall not be less than 75 percent nor greater than 135 percent for calendar years 1989 through 2003; and shall not be less than 75% nor greater than 150% for calendar year 2004 and each calendar year thereafter, not counting any increase pursuant to subsection D-1, D-2, or D-3;

3. Shall not be decreased by more than 5 percent absolute for any calendar year,

beginning in calendar year 1989 and through calendar year 1992, by more than 6% absolute for calendar years 1993 through 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 12% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor of the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;

4. Shall not be increased by more than 15% absolute for calendar year 1993, by more than 14% absolute for calendar years 1994 and 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 16% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor for the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;

5. Shall be 100% for calendar years 1996, 1997, and 1998.

D-1. The adjusted state experience factor for each of calendar years 2013 through 2015 shall be increased by 5% absolute above the adjusted state experience factor as calculated without regard to this subsection. The adjusted state experience factor for each of calendar years 2016 through 2018 shall be increased by 6% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2018 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2019.

D-2. (Blank).

D-3. The adjusted state experience factor for calendar year 2020 ~~2018~~ shall be increased by 21% ~~19%~~ absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2020 ~~2018~~ pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2021 ~~2019~~.

E. The amount standing to the credit of this State's account in the unemployment trust fund as of June 30 shall be deemed to include as part thereof (a) any amount receivable on that date from any Federal governmental agency, or as a payment in lieu of contributions under the provisions of Sections 1403 and 1405 B and paragraph 2 of Section 302C, in reimbursement of benefits paid to individuals, and (b) amounts credited by the Secretary of the Treasury of the United States to this State's account in the unemployment trust fund pursuant to Section 903 of the Federal Social Security Act, as amended, including any such amounts which have been appropriated by the General Assembly in accordance with the provisions of Section 2100 B for expenses of administration, except any amounts which have been obligated on or before that date pursuant to such appropriation.

(Source: P.A. 99-488, eff. 12-4-15.)

(820 ILCS 405/1506.6)

Sec. 1506.6. Surcharge; specified period. For each employer whose contribution rate for calendar year 2020 ~~2018~~ is determined pursuant to Section 1500 or 1506.1, ~~including but not limited to an employer whose contribution rate pursuant to Section 1506.1 is 0.0%,~~ in addition to the contribution rate established pursuant to Section 1506.3, an additional surcharge of 0.425% ~~0.3%~~ shall be added to the contribution rate. The surcharge established by this Section shall be due at the same time as other contributions with respect to the quarter are due, as provided in Section 1400. Payments attributable to the surcharge established pursuant to this Section shall be contributions and deposited into the clearing account.

(Source: P.A. 99-488, eff. 12-4-15.)

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

Under the rules, the foregoing **Senate Bill No. 1381**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 48

Concurred in by the House, October 25, 2017.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 185

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 201

A bill for AN ACT concerning employment.

HOUSE BILL NO. 1059

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1464

A bill for AN ACT concerning criminal law.

Passed the House, October 25, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 185, 201, 1059 and 1464** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1279

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 1281

A bill for AN ACT concerning regulation.

Passed the House, October 25, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1279 and 1281** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, 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. 863

A bill for AN ACT concerning 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. 863

Passed the House, as amended, October 26, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 863

AMENDMENT NO. 1. Amend Senate Bill 863 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 21B-35 as follows:

(105 ILCS 5/21B-35)

Sec. 21B-35. Minimum requirements for educators trained in other states or countries.

(a) All applicants who have not been entitled by an Illinois-approved educator preparation program at an Illinois institution of higher education applying for a Professional Educator License endorsed in a teaching field or school support personnel area must meet all of the following requirements:

(1) Provide evidence of completing a comparable state-approved educator preparation program, as defined by the State Superintendent of Education, or hold ~~Hold~~ a comparable and valid educator license or certificate with similar grade level and subject matter credentials from another state. The State Board of Education shall have the authority to determine what constitutes similar grade level and subject matter credentials from another state. A comparable educator license or certificate is one that demonstrates that the license or certificate holder meets similar requirements as candidates entitled by an Illinois-approved educator preparation program in teaching or school support personnel areas concerning coursework aligned to standards concerning methods of instruction of the exceptional child, methods of reading and reading in the content area, and instructional strategies for English learners. An applicant who holds a comparable and valid educator license or certificate from another state must submit verification to the State Board of Education that the applicant has completed coursework concerning methods of instruction of the exceptional child, methods of reading and reading in the content area, and instructional strategies for English learners.

(2) Have a degree from a regionally accredited institution of higher education.

(3) (Blank).

(4) (Blank).

(5) (Blank).

(6) Have successfully met all Illinois examination requirements. Applicants who have successfully completed a test of basic skills, as defined by rules, at the time of initial licensure in another state shall not be required to complete a test of basic skills. Applicants who have successfully completed a test of content, as defined by rules, at the time of initial licensure in another state shall not be required to complete a test of content. Applicants for a teaching endorsement who have successfully completed an evidence-based assessment of teacher effectiveness, as defined by rules, at the time of initial licensure in another state shall not be required to complete an evidence-based assessment of teacher effectiveness.

(7) For applicants for a teaching endorsement, have completed student teaching or an equivalent experience or, for applicants for a school service personnel endorsement, have completed an internship or an equivalent experience.

If one or more of the criteria in this subsection (a) are not met, then applicants who have not been entitled by an Illinois-approved educator preparation program at an Illinois institution of higher education who hold a valid, comparable certificate from another state may qualify for a provisional educator endorsement on an Educator License with Stipulations, in accordance with Section 21B-20 of this Code.

(b) In order to receive a Professional Educator License endorsed in a teaching field, applicants trained in another country must meet all of the following requirements:

(1) Have completed a comparable education program in another country.

(2) Have had transcripts evaluated by an evaluation service approved by the State Superintendent of Education.

(3) Have a degree comparable to a degree from a regionally accredited institution of higher education.

(4) Have completed coursework aligned to standards concerning methods of instruction of the exceptional child, methods of reading and reading in the content area, and instructional strategies for English learners.

(5) (Blank).

(6) (Blank).

(7) Have successfully met all State licensure examination requirements. Applicants who have successfully completed a test of basic skills, as defined by rules, at the time of initial licensure in another country shall not be required to complete a test of basic skills. Applicants who have successfully completed a test of content, as defined by rules, at the time of initial licensure in another country shall not be required to complete a test of content. Applicants for a teaching endorsement who have successfully completed an evidence-based assessment of teacher effectiveness, as defined by rules, at the time of initial licensure in another country shall not be required to complete an evidence-based assessment of teacher effectiveness.

(8) Have completed student teaching or an equivalent experience.

(b-5) All applicants who have not been entitled by an Illinois-approved educator preparation program at an Illinois institution of higher education and applicants trained in another country applying for a Professional Educator License endorsed for principal or superintendent must meet all of the following requirements:

(1) Have completed an educator preparation program approved by another state or comparable educator program in another country leading to the receipt of a license or certificate for the Illinois endorsement sought.

(2) Have successfully met all State licensure examination requirements, as required by Section 21B-30 of this Code. Applicants who have successfully completed a test of basic skills, as defined by rules, at the time of initial licensure in another state or country shall not be required to complete a test of basic skills. Applicants who have successfully completed a test of content, as defined by rules, at the time of initial licensure in another state or country shall not be required to complete a test of content.

(3) (Blank).

(4) Have completed coursework aligned to standards concerning methods of instruction of the exceptional child, methods of reading and reading in the content area, and instructional strategies for English learners.

(5) Have completed a master's degree.

(6) Have successfully completed teaching, school support, or administrative experience as defined by rule.

A provisional educator endorsement to serve as a superintendent or principal may be affixed to an Educator License with Stipulations in accordance with Section 21B-20 of this Code.

(b-7) All applicants who have not been entitled by an Illinois-approved educator preparation program at an Illinois institution of higher education applying for a Professional Educator License endorsed for Director of Special Education must meet all of the following requirements:

(1) Have completed a master's degree.

(2) Have 2 years of full-time experience providing special education services.

(3) Have successfully completed all examination requirements, as required by Section 21B-30 of this Code. Applicants who have successfully completed a test of content, as identified by rules, at the time of initial licensure in another state or country shall not be required to complete a test of content.

(4) Have completed coursework aligned to standards concerning methods of instruction of the exceptional child, methods of reading and reading in the content area, and instructional strategies for English learners.

A provisional educator endorsement to serve as Director of Special Education may be affixed to an Educator License with Stipulations in accordance with Section 21B-20 of this Code.

(b-10) All applicants who have not been entitled by an Illinois-approved educator preparation program at an Illinois institution of higher education applying for a Professional Educator License endorsed for chief school business official must meet all of the following requirements:

(1) Have completed a master's degree in school business management, finance, or accounting.

(2) Have successfully completed an internship in school business management or have 2 years of experience as a school business administrator.

(3) Have successfully met all State examination requirements, as required by Section 21B-30 of this Code. Applicants who have successfully completed a test of content, as identified by rules, at the time of initial licensure in another state or country shall not be required to complete a test of content.

(4) Have completed modules aligned to standards concerning methods of instruction of the exceptional child, methods of reading and reading in the content area, and instructional strategies for English learners.

A provisional educator endorsement to serve as a chief school business official may be affixed to an Educator License with Stipulations.

(c) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to implement this Section.

(Source: P.A. 99-58, eff. 7-16-15; 99-920, eff. 1-6-17; 100-13, eff. 7-1-17.)

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

Under the rules, the foregoing **Senate Bill No. 863**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1023

A bill for AN ACT concerning State government.

Passed the House, October 26, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1023** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 2984

A bill for AN ACT concerning health.

HOUSE BILL NO. 4095

A bill for AN ACT concerning business.

Passed the House, October 26, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2984 and 4095** were taken up, ordered printed and placed on first reading.

INTRODUCTION OF BILLS

SENATE BILL NO. 2253. Introduced by Senator Weaver, a bill for AN ACT concerning criminal law.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2254. Introduced by Senator Manar, a bill for AN ACT concerning government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2255. Introduced by Senator Murphy, a bill for AN ACT concerning finance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2256. Introduced by Senator Murphy, a bill for AN ACT concerning finance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2257. Introduced by Senator Tracy, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2258. Introduced by Senator Righter, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2259. Introduced by Senator Murphy, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 2260. Introduced by Senator Tracy, a bill for AN ACT concerning revenue.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 185, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 201, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1023, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1059, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1279, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1281, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1464, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2984, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4095, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 4:00 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 4:26 o'clock p.m., the Senate reconvened.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Harmon, Chairperson of the Committee on Assignments, during its November 1, 2017 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **House Bill No. 185.**

Executive: **House Bill No. 1910.**

Licensed Activities and Pensions: **House Bills Numbered 1279 and 1281.**

Public Health: **House Bill No. 1059.**

State Government: **House Bill No. 3248; Senate Resolutions Numbered 534, 546 and 1053.**

Senator Harmon, Chairperson of the Committee on Assignments, during its November 1, 2017 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 1 to Senate Bill 333

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Harmon, Chairperson of the Committee on Assignments, during its November 1, 2017 meeting, to which was referred **House Bill No. 685** on August 4, 2017, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 685** was returned to the order of third reading.

At the hour of 4:28 o'clock p.m., pursuant to **Senate Joint Resolution No. 48**, the Chair announced the Senate stand adjourned until Tuesday, November 7, 2017, or until the call of the President.