



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**ONE HUNDREDTH GENERAL ASSEMBLY**

**131ST LEGISLATIVE DAY**

**FRIDAY, MAY 25, 2018**

**10:37 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**131st Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Terry Link, Waukegan, Illinois, presiding.  
Prayer by Pastor Jeremy Woods, First Congregational Church, Bunker Hill, Illinois.  
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, May 24, 2018, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

**LEGISLATIVE MEASURE FILED**

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

Amendment No. 2 to House Bill 5231

**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

May 25, 2018

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Terry Link to temporarily replace Senator Kwame Raoul as a member of the Senate Judiciary Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Judiciary Committee.

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

cc: Senate Minority Leader William Brady

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

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

May 25, 2018

Mr. Tim Anderson  
Secretary of the Senate  
Room 401 State House

[May 25, 2018]

Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Linda Holmes to temporarily replace Senator Ira Silverstein as a member of the Senate Judiciary Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Judiciary Committee.

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

cc: Senate Minority Leader William Brady

### **PRESENTATION OF RESOLUTION**

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

#### **SENATE JOINT RESOLUTION NO. 76**

WHEREAS, In 1993, the Illinois Board of Higher Education, the Illinois Community College Board, and the Transfer Coordinators of Illinois Colleges and Universities brought together faculty from public and independent, associate and baccalaureate degree-granting institutions across the state to develop the Illinois Articulation Initiative (IAI); and

WHEREAS, The goal of IAI is to facilitate the transfer of courses from one participating college or university to another in order to complete a baccalaureate degree; the three key concepts providing the underlying foundation for IAI are: (1) that "associate and baccalaureate degree-granting institutions are equal partners" in educating college freshmen and sophomores, (2) that "faculties should take primary responsibility for developing and maintaining program and course articulation", and (3) that "institutions are expected to work together to assure that lower-division baccalaureate programs are comparable in scope, quality, and academic rigor"; and

WHEREAS, Today's college students can get the degree they desire, close to home, and with the assurance of a successful career right here in Illinois; and

WHEREAS, Cutting-edge academic programs, such as iTransfer.org and MyCreditsTransfer, are available to serve recent high school graduates and those who are balancing their education with working, parenting, and service to our country; and

WHEREAS, While Illinois is a leading state for college completion rates for adult learners and transfer students from community colleges, Illinois needs to increase the number of high-quality postsecondary credentials to meet the demands of the economy and an increasingly global society; and

WHEREAS, With the rising costs of higher education for Illinois students and families, the State needs to ensure that the General Education Core Curriculum courses Illinois residents enroll in at higher education institutions and as a part of dual credit in high school in Illinois will transfer with full credit for the student and be accepted at an Illinois public or private institution as they pursue a baccalaureate degree; and

WHEREAS, Illinois can do this by improving transitions all along the education pipeline; for postsecondary education, this means strengthening articulation through stable funding and the expansion of transfer tools, such as Transferology and the IAI through development of an objective measure of transfer and acceptance of credits; therefore, be it

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RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Board of Higher Education and the Illinois Community College Board jointly identify any shortcomings in attaining the goals of Public Act 99-636 that the General Education Core Curriculum courses transfer between institutions with full credit towards a baccalaureate degree; and be it further

RESOLVED, That we direct each four-year institution within the IAI to review the transfer credits of all incoming transfer students at its institution to find any instances where courses are not deemed transferable with full credit, including those courses that serve as prerequisites within a major; and be it further

RESOLVED, That we direct each public institution that participates in the Illinois Articulation Initiative to work with the Illinois Board of Higher Education and the Illinois Community College Board to assure their compliance with the law that their General Education Core curricula: (1) are aligned with the IAI course codes, (2) accept, with full credit, toward a baccalaureate degree any courses students have taken in the General Education Core Curriculum Package for other public institutions in Illinois, (3) do not require transferring students to retake general education as prerequisites core curriculum courses that were part of the IAI curriculum packages, or take additional general education courses beyond the package, and (4) the course numbering systems at each institution adequately reflect the corresponding course codes used by the Illinois Articulation Initiative; and be it further

RESOLVED, That we direct the Illinois Board of Higher Education and the Illinois Community College Board to work with the Illinois State Board of Education and each institution to educate and inform high school counselors across the State on the workings of the IAI and the General Education Core Curriculum and its course transferability processes and procedures; and be it further

RESOLVED, That we direct the Illinois Board of Higher Education and the Illinois Community College Board to develop a report on the results of this review of the Illinois Articulation Initiative and recommend to the Governor and the General Assembly any actions necessary to achieve the stated goals of this resolution by January 9, 2019; and be it further

RESOLVED, That the report filed with the General Assembly shall be filed with the Secretary of the Senate and the Clerk of the House of Representatives in electronic form only, in the manner that the Secretary and Clerk shall direct.

### **REPORTS FROM STANDING COMMITTEES**

Senator McGuire, Chairperson of the Committee on Higher Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 5020

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

Senator Sims, Vice-Chairperson of the Committee on Judiciary, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 2411

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

Senator Sims, Vice-Chairperson of the Committee on Judiciary, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 2437; Motion to Concur in House Amendment 2 to Senate Bill 2644

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

Senator Sims, Vice-Chairperson of the Committee on Judiciary, to which was referred **House Bill No. 5231**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bill No. 5143**, reported the same back with the recommendation that the bill do pass.

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

### 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, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 5341

A bill for AN ACT concerning State government.

Passed the House, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 5341** 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. 5750

A bill for AN ACT concerning appropriations.

HOUSE BILL NO. 5868

A bill for AN ACT concerning health.

Passed the House, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 5750 and 5868** 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. 65

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. 1 to SENATE BILL NO. 65

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

### AMENDMENT NO. 1 TO SENATE BILL 65

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AMENDMENT NO. 1. Amend Senate Bill 65 on page 2, line 4, by replacing "title insurance" with "products and services enumerated in Section 19 title insurance".

Under the rules, the foregoing **Senate Bill No. 65**, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 544

A bill for AN ACT concerning courts.

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. 544

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 544**

AMENDMENT NO. 1. Amend Senate Bill 544 by replacing everything after the enacting clause with the following:

"Section 5. If and only if House Bill 4594 of the 100th General Assembly becomes law, then "AN ACT concerning fees, fines, and assessments" (House Bill 4594 of the 100th General Assembly) is amended by changing Section 1-5 as follows:

(H.B. 4594, 100th G.A., Sec. 1-5)

Sec. 1-5. Definitions. In this Act:

"Assessment" means any costs imposed on a defendant under schedules 1 through 13 of this Act.

"Business offense" means a petty offense for which the fine is in excess of \$1,000.

"Case" means all charges and counts filed against a single defendant which are being prosecuted as a single proceeding before the court.

"Count" means each separate offense charged in the same indictment, information, or complaint when the indictment, information, or complaint alleges the commission of more than one offense.

"Conservation offense" means any violation of the following Acts, Codes, or ordinances, except any offense punishable upon conviction by imprisonment in the penitentiary:

- (1) Fish and Aquatic Life Code;
- (2) Wildlife Code;
- (3) Boat Registration and Safety Act;
- (4) Park District Code;
- (5) Chicago Park District Act;
- (6) State Parks Act;
- (7) State Forest Act;
- (8) Forest Fire Protection District Act;
- (9) Snowmobile Registration and Safety Act;
- (10) Endangered Species Protection Act;
- (11) Forest Products Transportation Act;
- (12) Timber Buyers Licensing Act;
- (13) Downstate Forest Preserve District Act;
- (14) Exotic Weed Act;
- (15) Ginseng Harvesting Act;
- (16) Cave Protection Act;
- (17) ordinances adopted under the Counties Code for the acquisition of property for parks or recreational areas;
- (18) Recreational Trails of Illinois Act;
- (19) Herptiles-Herps Act; or
- (20) any rule, regulation, proclamation, or ordinance adopted under any Code or Act named in paragraphs (1) through (19) of this definition.

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"Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury.

"Drug offense" means any violation of the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or any similar local ordinance which involves the possession or delivery of a drug.

"Drug-related emergency response" means the act of collecting evidence from or securing a site where controlled substances were manufactured, or where by-products from the manufacture of controlled substances are present, and cleaning up the site, whether these actions are performed by public entities or private contractors paid by public entities.

"Electronic citation" means the process of transmitting traffic, misdemeanor, municipal ordinance, conservation, or other citations and law enforcement data via electronic means to a circuit court clerk.

"Emergency response" means any incident requiring a response by a police officer, an ambulance, a firefighter carried on the rolls of a regularly constituted fire department or fire protection district, a firefighter of a volunteer fire department, or a member of a recognized not-for-profit rescue or emergency medical service provider. "Emergency response" does not include a drug-related emergency response.

"Felony offense" means an offense for which a sentence to a term of imprisonment in a penitentiary for one year or more is provided.

"Fine" means a pecuniary punishment for a conviction as ordered by a court of law.

"Highest classified offense" means the offense in the case which carries the most severe potential disposition under Article 4.5 of the Unified Code of Corrections.

"Major traffic offense" means a traffic offense under the Illinois Vehicle Code or a similar provision of a local ordinance other than a petty offense or business offense.

"Minor traffic offense" means a petty offense or business offense under the Illinois Vehicle Code or a similar provision of a local ordinance.

"Misdemeanor offense" means any offense for which a sentence to a term of imprisonment in other than a penitentiary for less than one year may be imposed.

"Offense" means a violation of any local ordinance or penal statute of this State.

"Petty offense" means any offense for which a sentence of imprisonment is not an authorized disposition.

"Service provider costs" means costs incurred as a result of services provided by an entity including, but not limited to, traffic safety programs, laboratories, ambulance companies, and fire departments. "Service provider costs" includes conditional amounts under this Act that are reimbursements for services provided.

"Street value" means the amount determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount of drug or materials seized and any testimony as may be required by the court as to the current street value of the cannabis, controlled substance, methamphetamine or salt of an optical isomer of methamphetamine, or methamphetamine manufacturing materials seized.

"Supervision" means a disposition of conditional and revocable release without probationary supervision, but under the conditions and reporting requirements as are imposed by the court, at the successful conclusion of which disposition the defendant is discharged and a judgment dismissing the charges is entered.

(Source: H.B. 4594, 100th G.A., Sec. 1-5.)

Section 10. If and only if the provisions of House Bill 4594 of the 100th General Assembly that are changed by this amendatory Act of the 100th General Assembly becomes law, then the Clerks of Courts Act is amended by changing Section 27.1b as follows:

(705 ILCS 105/27.1b)

Sec. 27.1b. Circuit court clerk fees. Notwithstanding any other provision of law, all fees charged by the clerks of the circuit court for the services described in this Section shall be established, collected, and disbursed in accordance with this Section. Except as otherwise specified in this Section, all AH fees under this Section shall be paid in advance and disbursed by each clerk on a monthly basis. In a county with a population of over 3,000,000, units of local government and school districts shall not be required to pay fees under this Section in advance and the clerk shall instead send an itemized bill to the unit of local government or school district, within 30 days of the fee being incurred, and the unit of local government or school district shall be allowed at least 30 days from the date of the itemized bill to pay; these payments shall be disbursed by each clerk on a monthly basis. Unless otherwise specified in this Section, the amount of a fee shall be determined by ordinance or resolution of the county board and remitted to the county treasurer to be used for purposes related to the operation of the court system in the county. In a county

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with population of over 3,000,000, any amount retained by the clerk of the circuit court or remitted to the county treasurer shall be subject to appropriation by the county board.

(a) Civil cases. The fee for filing a complaint, petition, or other pleading initiating a civil action shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed a total of \$366 in a county with a population of 3,000,000 or more and \$316 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$190 through December 31, 2021 and \$184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$55 in a county with a population of 3,000,000 or more and \$45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

- (i) up to \$10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;
- (ii) \$2 into the Access to Justice Fund; and
- (iii) \$9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed \$290 in a county with a population of 3,000,000 or more and in an amount not to exceed \$250 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed a total of \$357 in a county with a population of 3,000,000 or more and \$266 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$190 through December 31, 2021 and \$184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$55 in a county with a population of 3,000,000 or more and \$45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

- (i) up to \$10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;
- (ii) \$2 into the Access to Justice Fund; and
- (iii) \$9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed \$281 in a county with a population of 3,000,000 or more and in an amount not to exceed \$200 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: not to exceed a total of \$265 in a county with a population of 3,000,000 or more and \$89 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$190 through December 31, 2021 and \$184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$55 in a county with a population of 3,000,000 or more and \$22 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit \$11 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts in accordance with the clerk's instructions, as follows:

- (i) \$2 into the Access to Justice Fund; and
- (ii) \$9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed

\$199 in a county with a population of 3,000,000 or more and in an amount not to exceed \$56 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(4) SCHEDULE 4: \$0.

(b) Appearance. The fee for filing an appearance in a civil action, including a cannabis civil law action under the Cannabis Control Act, shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed a total of \$230 in a county with a population of 3,000,000 or more and \$191 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$75. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$50 in a county with a population of 3,000,000 or more and \$45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to \$21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

(i) up to \$10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;

(ii) \$2 into the Access to Justice Fund; and

(iii) \$9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed \$159 in a county with a population of 3,000,000 or more and in an amount not to exceed \$125 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed a total of \$130 in a county with a population of 3,000,000 or more and \$109 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$75. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed \$50 in a county with a population of 3,000,000 or more and \$10 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit \$9 to the State Treasurer, which the State Treasurer shall deposit into the Supreme Court Special Purpose Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed \$71 in a county with a population of 3,000,000 or more and in an amount not to exceed \$90 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: \$0.

(b-5) Kane County and Will County. In Kane County and Will County civil cases, there is an additional fee of up to \$30 as set by the county board under Section 5-1101.3 of the Counties Code to be paid by each party at the time of filing the first pleading, paper, or other appearance; provided that no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance. Distribution of fees collected under this subsection (b-5) shall be as provided in Section 5-1101.3 of the Counties Code.

(c) Counterclaim or third party complaint. When any defendant files a counterclaim or third party complaint, as part of the defendant's answer or otherwise, the defendant shall pay a filing fee for each counterclaim or third party complaint in an amount equal to the filing fee the defendant would have had to pay had the defendant brought a separate action for the relief sought in the counterclaim or third party complaint, less the amount of the appearance fee, if any, that the defendant has already paid in the action in which the counterclaim or third party complaint is filed.

(d) Alias summons. The clerk shall collect a fee not to exceed \$6 in a county with a population of 3,000,000 or more and \$5 in any other county for each alias summons or citation issued by the clerk, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$5 for each alias summons or citation issued by the clerk.

(e) Jury services. The clerk shall collect, in addition to other fees allowed by law, a sum not to exceed \$212.50, as a fee for the services of a jury in every civil action not quasi-criminal in its nature and not a proceeding for the exercise of the right of eminent domain and in every other action wherein the right of

trial by jury is or may be given by law. The jury fee shall be paid by the party demanding a jury at the time of filing the jury demand. If the fee is not paid by either party, no jury shall be called in the action or proceeding, and the action or proceeding shall be tried by the court without a jury.

(f) Change of venue. In connection with a change of venue:

(1) The clerk of the jurisdiction from which the case is transferred may charge a fee, not to exceed \$40, for the preparation and certification of the record; and

(2) The clerk of the jurisdiction to which the case is transferred may charge the same filing fee as if it were the commencement of a new suit.

(g) Petition to vacate or modify.

(1) In a proceeding involving a petition to vacate or modify any final judgment or order filed within 30 days after the judgment or order was entered, except for a forcible entry and detainer case, small claims case, petition to reopen an estate, petition to modify, terminate, or enforce a judgment or order for child or spousal support, or petition to modify, suspend, or terminate an order for withholding, the fee shall not exceed \$60 in a county with a population of 3,000,000 or more and \$50 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$50.

(2) In a proceeding involving a petition to vacate or modify any final judgment or order filed more than 30 days after the judgment or order was entered, except for a petition to modify, terminate, or enforce a judgment or order for child or spousal support, or petition to modify, suspend, or terminate an order for withholding, the fee shall not exceed \$75.

(3) In a proceeding involving a motion to vacate or amend a final order, motion to vacate an ex parte judgment, judgment of forfeiture, or "failure to appear" or "failure to comply" notices sent to the Secretary of State, the fee shall equal \$40.

(h) Appeals preparation. The fee for preparation of a record on appeal shall be based on the number of pages, as follows:

(1) if the record contains no more than 100 pages, the fee shall not exceed \$70 in a county with a population of 3,000,000 or more and \$50 in any other county;

(2) if the record contains between 100 and 200 pages, the fee shall not exceed \$100; and

(3) if the record contains 200 or more pages, the clerk may collect an additional fee not to exceed 25 cents per page.

(i) Remands. In any cases remanded to the circuit court from the Supreme Court or the appellate court for a new trial, the clerk shall reinstate the case with either its original number or a new number. The clerk shall not charge any new or additional fee for the reinstatement. Upon reinstatement, the clerk shall advise the parties of the reinstatement. Parties shall have the same right to a jury trial on remand and reinstatement that they had before the appeal, and no additional or new fee or charge shall be made for a jury trial after remand.

(j) Garnishment, wage deduction, and citation. In garnishment affidavit, wage deduction affidavit, and citation petition proceedings:

(1) if the amount in controversy in the proceeding is not more than \$1,000, the fee may not exceed \$35 in a county with a population of 3,000,000 or more and \$15 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$15;

(2) if the amount in controversy in the proceeding is greater than \$1,000 and not more than \$5,000, the fee may not exceed \$45 in a county with a population of 3,000,000 or more and \$30 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$30; and

(3) if the amount in controversy in the proceeding is greater than \$5,000, the fee may not exceed \$65 in a county with a population of 3,000,000 or more and \$50 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$50.

(j-5) Debt Collection. In any proceeding to collect a debt subject to the exception in item (ii) of subparagraph (A-5) of paragraph (1) of subsection (z) of this Section, the circuit court shall order and the clerk shall collect from each judgment debtor a fee of:

(1) \$35 if the amount in controversy in the proceeding is not more than \$1,000;

(2) \$45 if the amount in controversy in the proceeding is greater than \$1,000 and not more than \$5,000; and

(3) \$65 if the amount in controversy in the proceeding is greater than \$5,000.

(k) Collections.

(1) For all collections made of others, except the State and county and except in

maintenance or child support cases, the clerk may collect a fee of up to 2.5% of the amount collected and turned over.

(2) In child support and maintenance cases, the clerk may collect an annual fee of up to \$36 from the person making payment for maintaining child support records and the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the Court. This fee is in addition to and separate from amounts ordered to be paid as maintenance or child support and shall be deposited into a Separate Maintenance and Child Support Collection Fund, of which the clerk shall be the custodian, ex officio, to be used by the clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for the official record of the Court. The clerk may recover from the person making the maintenance or child support payment any additional cost incurred in the collection of this annual fee.

(3) The clerk may collect a fee of \$5 for certifications made to the Secretary of State as provided in Section 7-703 of the Family Financial Responsibility Law and these fees shall be deposited into the Separate Maintenance and Child Support Collection Fund.

(4) In proceedings to foreclose the lien of delinquent real estate taxes State's

Attorneys shall receive a fee of 10% of the total amount realized from the sale of real estate sold in the proceedings. The clerk shall collect the fee from the total amount realized from the sale of the real estate sold in the proceedings and remit to the County Treasurer to be credited to the earnings of the Office of State's Attorney.

(l) Mailing. The fee for the clerk mailing documents shall not exceed \$10 plus the cost of postage.

(m) Certified copies. The fee for each certified copy of a judgment, after the first copy, shall not exceed \$10.

(n) Certification, authentication, and reproduction.

(1) The fee for each certification or authentication for taking the acknowledgment of a deed or other instrument in writing with the seal of office shall not exceed \$6.

(2) The fee for reproduction of any document contained in the clerk's files shall not exceed:

(A) \$2 for the first page;

(B) 50 cents per page for the next 19 pages; and

(C) 25 cents per page for all additional pages.

(o) Record search. For each record search, within a division or municipal district, the clerk may collect a search fee not to exceed \$6 for each year searched.

(p) Hard copy. For each page of hard copy print output, when case records are maintained on an automated medium, the clerk may collect a fee not to exceed \$10 in a county with a population of 3,000,000 or more and \$6 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed \$6.

(q) Index inquiry and other records. No fee shall be charged for a single plaintiff and defendant index inquiry or single case record inquiry when this request is made in person and the records are maintained in a current automated medium, and when no hard copy print output is requested. The fees to be charged for management records, multiple case records, and multiple journal records may be specified by the Chief Judge pursuant to the guidelines for access and dissemination of information approved by the Supreme Court.

(r) Performing a marriage. There shall be a \$10 fee for performing a marriage in court.

(s) Voluntary assignment. For filing each deed of voluntary assignment, the clerk shall collect a fee not to exceed \$20. For recording a deed of voluntary assignment, the clerk shall collect a fee not to exceed \$0 cents for each 100 words. Exceptions filed to claims presented to an assignee of a debtor who has made a voluntary assignment for the benefit of creditors shall be considered and treated, for the purpose of taxing costs therein, as actions in which the party or parties filing the exceptions shall be considered as party or parties plaintiff, and the claimant or claimants as party or parties defendant, and those parties respectively shall pay to the clerk the same fees as provided by this Section to be paid in other actions.

(t) Expungement petition. The clerk may collect a fee not to exceed \$60 for each expungement petition filed and an additional fee not to exceed \$4 for each certified copy of an order to expunge arrest records.

(u) Transcripts of judgment. For the filing of a transcript of judgment, the clerk may collect the same fee as if it were the commencement of a new suit.

(v) Probate filings.

(1) For each account (other than one final account) filed in the estate of a decedent, or ward, the fee shall not exceed \$25.

(2) For filing a claim in an estate when the amount claimed is greater than \$150 and not

more than \$500, the fee shall not exceed \$40 in a county with a population of 3,000,000 or more and \$25 in any other county; when the amount claimed is greater than \$500 and not more than \$10,000, the fee shall not exceed \$55 in a county with a population of 3,000,000 or more and \$40 in any other county; and when the amount claimed is more than \$10,000, the fee shall not exceed \$75 in a county with a population of 3,000,000 or more and \$60 in any other county; except the court in allowing a claim may add to the amount allowed the filing fee paid by the claimant.

(3) For filing in an estate a claim, petition, or supplemental proceeding based upon an action seeking equitable relief including the construction or contest of a will, enforcement of a contract to make a will, and proceedings involving testamentary trusts or the appointment of testamentary trustees, the fee shall not exceed \$60.

(4) There shall be no fee for filing in an estate: (i) the appearance of any person for the purpose of consent; or (ii) the appearance of an executor, administrator, administrator to collect, guardian, guardian ad litem, or special administrator.

(5) For each jury demand, the fee shall not exceed \$137.50.

(6) For each certified copy of letters of office, of court order, or other certification, the fee shall not exceed \$2 per page.

(7) For each exemplification, the fee shall not exceed \$2, plus the fee for certification.

(8) The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay the cost of publication by the clerk directly to the newspaper.

(9) The person on whose behalf a charge is incurred for witness, court reporter, appraiser, or other miscellaneous fees shall pay the same directly to the person entitled thereto.

(10) The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay to the clerk all postage charges incurred by the clerk in mailing petitions, orders, notices, or other documents pursuant to the provisions of the Probate Act of 1975.

(w) Corrections of numbers. For correction of the case number, case title, or attorney computer identification number, if required by rule of court, on any document filed in the clerk's office, to be charged against the party that filed the document, the fee shall not exceed \$25.

(x) Miscellaneous.

(1) Interest earned on any fees collected by the clerk shall be turned over to the county general fund as an earning of the office.

(2) For any check, draft, or other bank instrument returned to the clerk for non-sufficient funds, account closed, or payment stopped, the clerk shall collect a fee of \$25.

(y) Other fees. The clerk of the circuit court may provide services in connection with the operation of the clerk's office, other than those services mentioned in this Section, as may be requested by the public and agreed to by the clerk and approved by the Chief Judge. Any charges for additional services shall be as agreed to between the clerk and the party making the request and approved by the Chief Judge. Nothing in this subsection shall be construed to require any clerk to provide any service not otherwise required by law.

(y-5) Unpaid fees. Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived under a court order, the clerk of the circuit court may add to any unpaid fees and costs under this Section a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be used to defray additional administrative costs incurred by the clerk of the circuit court in collecting unpaid fees and costs.

(z) Exceptions.

(1) No fee authorized by this Section shall apply to:

(A) police departments or other law enforcement agencies. In this Section, "law enforcement agency" means: an agency of the State or agency of a unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances; the Attorney General; or any State's Attorney;

(A-5) any unit of local government or school district, except in counties having a population of 500,000 or more the county board may by resolution set fees for units of local government or school districts no greater than the minimum fees applicable in counties with a population less than 3,000,000; provided however, no fee may be charged to any unit of local government or school district in connection with any action which, in whole or in part, is: (i) to enforce an ordinance; (ii) to collect a debt; or (iii) under the Administrative Review Law in counties having a population of 500,000 or less and the county

~~board in counties having a population exceeding 500,000 may by resolution set reduced fees for units of local government or school districts;~~

(B) any action instituted by the corporate authority of a municipality with more than 1,000,000 inhabitants under Section 11-31-1 of the Illinois Municipal Code and any action instituted under subsection (b) of Section 11-31-1 of the Illinois Municipal Code by a private owner or tenant of real property within 1,200 feet of a dangerous or unsafe building seeking an order compelling the owner or owners of the building to take any of the actions authorized under that subsection;

(C) any commitment petition or petition for an order authorizing the administration of psychotropic medication or electroconvulsive therapy under the Mental Health and Developmental Disabilities Code;

(D) a petitioner in any order of protection proceeding, including, but not limited to, fees for filing, modifying, withdrawing, certifying, or photocopying petitions for orders of protection, issuing alias summons, any related filing service, or certifying, modifying, vacating, or photocopying any orders of protection; or

(E) proceedings for the appointment of a confidential intermediary under the Adoption Act.

(2) No fee other than the filing fee contained in the applicable schedule in subsection (a) shall be charged to any person in connection with an adoption proceeding.

(3) Upon good cause shown, the court may waive any fees associated with a special needs adoption. The term "special needs adoption" has the meaning provided by the Illinois Department of Children and Family Services.

(aa) This Section is repealed on December 31, 2019.

(Source: 100HB4594enr.)

Section 99. Effective date. This Act takes effect July 1, 2019."

Under the rules, the foregoing **Senate Bill No. 544**, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 558

A bill for AN ACT concerning criminal law.

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. 558

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 558**

AMENDMENT NO. 1. Amend Senate Bill 558 on page 10, line 22, by replacing "or" with "œ"; and

on page 10, line 23, after "person", by inserting "or by the State's Attorney"; and

on page 11, line 1, by replacing "petition" with "petition; or -"; and

on page 11, immediately below line 1, by inserting the following:

"(3) by a State's Attorney on behalf of any minor child or dependent adult in the care of the named victim, if the named victim does not file a petition or request the State's Attorney file the petition."; and

on page 11, line 6, by replacing "or" with "œ"; and

on page 11, line 7, after "person", by inserting "or by the State's Attorney"; and

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on page 11, line 11, by replacing "petition" with "petition; or "; and

on page 11, immediately below line 11, by inserting the following:

"(3) by a State's Attorney on behalf of any minor child who is a family or household member of the named victim, if the named victim does not file a petition or request the State's Attorney file the petition.";  
and

on page 11, line 14, by replacing "or" with "ø"; and

on page 11, line 15, after "person", by inserting "or by the State's Attorney"; and

on page 11, line 18, by replacing "petition" with "petition; or "; and

on page 11, immediately below line 18, by inserting the following:

"(3) by a State's Attorney on behalf of any minor child who is a family or household member of the named victim, if the named victim does not file a petition or request the State's Attorney file the petition.";  
and

by replacing line 23 on page 11 through line 2 on page 12 with "State's Attorney has a good faith basis to delay filing the petition. The State's Attorney shall inform the person that the State's Attorney will not be filing the petition at that time and that the person may file a petition or may retain an attorney to file the petition. The State's Attorney may file the petition at a later date.".

Under the rules, the foregoing **Senate Bill No. 558**, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1453

A bill for AN ACT concerning State government.

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. 1453

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

#### **AMENDMENT NO. 1 TO SENATE BILL 1453**

AMENDMENT NO. 1. Amend Senate Bill 1453 by replacing everything after the enacting clause with the following:

"(20 ILCS 3970/Act rep.)

Section 5. The Interagency Coordinating Council Act is repealed.

Section 10. The Persons with Disabilities on State Agency Boards Act is amended by changing Section 10 as follows:

(20 ILCS 4007/10)

Sec. 10. Definitions. As used in this Act, unless the context requires otherwise:

"Disability" means a physical or mental characteristic resulting from disease, injury, congenital condition of birth, or functional disorder, the history of such a characteristic, or the perception of such a characteristic, when the characteristic results in substantial functional limitations in 3 or more of the following areas of major life activity: self care, fine motor skills, mobility, vision, respiration, learning, work, receptive and expressive language (hearing and speaking), self direction, capacity for independent living, and economic sufficiency.

"State human services agency" means the following:

(1) The Citizens Council on Mental Health and Developmental Disabilities created under Article 11A of the Legislative Commission Reorganization Act of 1984.

(2) Advisory councils created by the Department of Human Rights under Section 7-107 of

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the Illinois Human Rights Act.

(3) The Guardianship and Advocacy Commission created under the Guardianship and Advocacy Act.

(4) ~~(Blank). The Interagency Coordinating Council created under the Interagency Coordinating Council Act.~~

(Source: P.A. 87-977.)

Section 15. The Employment and Economic Opportunity for Persons with Disabilities Task Force Act is amended by changing Sections 10 and 15 as follows:

(20 ILCS 4095/10)

Sec. 10. Employment and Economic Opportunity for Persons with Disabilities Task Force.

(a) The Employment and Economic Opportunity for Persons with Disabilities Task Force is created.

(b) The Employment and Economic Opportunity for Persons with Disabilities Task Force shall be appointed and hold its first meeting within 90 days after the effective date of this Act, be convened by the Governor, and operate with administrative support from the Illinois Department of Human Services.

(c) The Task Force shall be comprised of the following representatives of State Government: a high-ranking member of the Governor's management team, designated by the Governor; representatives of each division of the Department of Human Services, designated by the Secretary of Human Services; the Director of Healthcare and Family Services, or his or her designee; the Director of Veterans' Affairs or his or her designee; the Director of Commerce and Economic Opportunity or his or her designee; the Director of Employment Security or his or her designee; the Director of Central Management Services or his or her designee; the Director of Juvenile Justice or his or her designee; the Executive Director of the Board of Higher Education or his or her designee; the Executive Director of the Illinois Community College Board or his or her designee; the Executive Director of the Illinois Council on Developmental Disabilities or his or her designee; and the State Superintendent of Education or his or her designee.

(d) The Task Force shall also consist of no more than 15 public members who shall be appointed by the Governor and who represent the following constituencies: statewide organizations that advocate for persons with physical, developmental and psychiatric disabilities, entities with expertise in assistive technology devices and services for persons with disabilities, advocates for veterans with disabilities, centers for independent living, disability services providers, organized labor, higher education, the private sector business community, entities that provide employment and training services to persons with disabilities, and at least 5 persons who have a disability.

(e) The Task Force shall be co-chaired by the representative of the Governor and a public member who shall be chosen by the other public members of the Task Force.

(f) The Task Force members shall serve voluntarily and without compensation. Persons with disabilities serving on the Task Force shall be accommodated to enable them to fully participate in Task Force activities.

(g) The co-chairs of the Task Force shall extend an invitation to chairs and minority spokespersons of appropriate legislative committees to attend all meetings of the Task Force, and may invite other individuals who are not members of the Task Force to participate in subcommittees of the Task Force or to take part in discussions of topics for which those individuals have particular expertise.

(h) The Task Force shall coordinate its work with existing State advisory bodies whose work may include employment and economic opportunity for persons with disabilities.

(Source: P.A. 100-131, eff. 8-18-17.)

(20 ILCS 4095/15)

Sec. 15. Task Force Responsibilities. The Task Force shall analyze programs and policies of the State to determine what changes, modifications, and innovations may be necessary to remove barriers to competitive employment and economic opportunity for persons with disabilities, including barriers such as transportation, housing, program accessibility, and benefit structure. The Task Force shall also analyze State disability systems, including the mental health, developmental disabilities, veterans' assistance, workforce investment, and rehabilitation services systems, and their effect on employment of persons with disabilities. The Task Force shall review and analyze applicable research and policy studies, innovations used in other states, and any federal policy initiatives such as customized employment, and federal funding opportunities that would increase competitive employment and economic opportunity for persons with disabilities in Illinois.

With regard to the post-secondary transition of youth with disabilities to employment, post-secondary education and training, community living, and other adult activities, the Task Force shall:

(1) design a process for collecting, analyzing, coordinating, and sharing data;

(2) be a resource for sharing information with State and local agencies involved in the delivery of services to youth with disabilities;

(3) assist local transition planning committees by developing model interagency agreements to ensure that necessary services are available;

(4) review and evaluate annual transition outcome data from information collected by State agencies that are members of the Task Force from local transition planning committees, school districts, and other appropriate sources. Data indicators under this paragraph (4) shall include:

(A) high school graduation or passage of high school equivalency testing;

(B) participation in post-secondary education, including continuing and adult education;

(C) involvement in integrated employment, supported employment, vocational training, and work-based learning activities;

(D) independent living, community participating adult services, and other adult services; and

(E) enrollment in the Prioritization of Urgency of Need for Services (PUNS) program;

(5) evaluate and report on the State's progress with regard to the implementation of the post-secondary transition requirements of the federal Workforce Innovation and Opportunity Act; and

(6) develop periodic in-service training programs to consumers and families in improving understanding and awareness of post-secondary transition services.

(Source: P.A. 96-368, eff. 8-13-09.)

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

Under the rules, the foregoing **Senate Bill No. 1453**, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2270

A bill for AN ACT concerning animals.

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. 2270

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

#### **AMENDMENT NO. 1 TO SENATE BILL 2270**

AMENDMENT NO. 1. Amend Senate Bill 2270 by replacing everything after the enacting clause with the following:

"Section 5. The Humane Care for Animals Act is amended by changing Section 3.01 as follows:

(510 ILCS 70/3.01) (from Ch. 8, par. 703.01)

Sec. 3.01. Cruel treatment.

(a) No person or owner may beat, cruelly treat, torment, starve, overwork or otherwise abuse any animal.

(b) No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.

(c) No owner of a dog or cat that is a companion animal may expose the dog or cat in a manner that places the dog or cat in a life-threatening situation for a prolonged period of time in extreme heat or cold conditions that:

(1) results in injury to or death of the animal; or

(2) results in hypothermia, hyperthermia, frostbite, or similar condition as diagnosed

by a doctor of veterinary medicine.

(c-5) Nothing in this Section shall prohibit an animal from being impounded in an emergency situation under subsection (b) of Section 12 of this Act.

(c-10) Nothing in this Section shall prohibit a law enforcement officer from taking temporary custody of a dog or cat that is a companion animal that is exposed in a manner that places the dog or cat in a life-threatening situation for a prolonged period of time in extreme heat or cold conditions that may result in injury or death of the dog or cat or may result in hypothermia, hyperthermia, frostbite, or similar condition.

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Upon taking temporary custody of the dog or cat under this subsection (c-10), the law enforcement officer shall attempt to contact the owner of the dog or cat and shall seek emergency veterinary care for the animal as soon as available. The law enforcement officer shall leave information of the location of the dog or cat if the owner cannot be reached. The owner of the dog or cat is responsible for any costs of providing care to the dog or cat.

(d) A person convicted of violating this Section is guilty of a Class A misdemeanor. A second or subsequent conviction for a violation of this Section is a Class 4 felony. In addition to any other penalty provided by law, a person who is convicted of violating subsection (a) upon a companion animal in the presence of a child, as defined in Section 12-0.1 of the Criminal Code of 2012, shall be subject to a fine of \$250 and ordered to perform community service for not less than 100 hours. In addition to any other penalty provided by law, upon conviction for violating this Section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evidence. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.

(Source: P.A. 99-311, eff. 1-1-16; 99-357, eff. 1-1-16; 99-642, eff. 7-28-16; 99-782, eff. 8-12-16.)"

Under the rules, the foregoing **Senate Bill No. 2270**, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2640

A bill for AN ACT concerning finance.

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. 2640

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

#### **AMENDMENT NO. 1 TO SENATE BILL 2640**

AMENDMENT NO. 1. Amend Senate Bill 2640 on page 2, immediately below line 11, by inserting the following:

"Section 13. The Peace Officer Fire Investigation Act is amended by changing Section 1 as follows:  
(20 ILCS 2910/1) (from Ch. 127 1/2, par. 501)

Sec. 1. Peace officer status.

(a) Any person who is a sworn member of any organized and paid fire department of a political subdivision of this State and is authorized to investigate fires or explosions for such political subdivision and to determine the cause, origin and circumstances of fires or explosions that are suspected to be arson or arson-related crimes, may be classified as a peace officer by the political subdivision or agency employing such person. A person so classified shall possess the same powers of arrest, search and seizure and the securing and service of warrants as sheriffs of counties, and police officers within the jurisdiction of their political subdivision. While in the actual investigation and matters incident thereto, such person may carry weapons as may be necessary, but only if that person has satisfactorily completed (1) a training program offered or approved by the Illinois Law Enforcement Training Standards Board which substantially conforms to standards promulgated pursuant to the Illinois Police Training Act and the Peace Officer and Probation Officer Firearm Training Act; and (2) a course in fire and arson investigation approved by the Office of the State Fire Marshal pursuant to the Illinois Fire Protection Training Act. Such training need not include exposure to vehicle and traffic law, traffic control and accident investigation, or first aid, but shall include training in the law relating to the rights of persons suspected of involvement in criminal activities.

Any person granted the powers enumerated in this subsection (a) may exercise such powers only during the actual investigation of the cause, origin and circumstances of such fires or explosions that are suspected to be arson or arson-related crimes.

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(b) Persons employed by the Office of the State Fire Marshal to conduct arson investigations shall be designated State Fire Marshal Arson Investigator Special Agents and shall be peace officers with all of the powers of peace officers in cities and sheriffs in counties, except that they may exercise those powers throughout the State. These Special Agents may exercise these powers only when engaging in official duties during the actual investigation of the cause, origin, and circumstances of such fires or explosions that are suspected to be arson or arson-related crimes and may carry weapons at all times, but only if they have satisfactorily completed (1) a training course approved by the Illinois Law Enforcement Training Standards Board that substantially conforms to the standards promulgated pursuant to the Peace Officer and Probation Officer Firearm Training Act and (2) a course in fire and arson investigation approved by the Office of the State Fire Marshal pursuant to the Illinois Fire Protection Training Act. Such training need not include exposure to vehicle and traffic law, traffic control and accident investigation, or first aid, but shall include training in the law relating to the rights of persons suspected of involvement in criminal activities.

For purposes of this subsection (b), a "State Fire Marshal Arson Investigator Special Agent" does not include any fire investigator, fireman, police officer, or other employee of the federal government; any fire investigator, fireman, police officer, or other employee of any unit of local government; or any fire investigator, fireman, police officer, or other employee of the State of Illinois other than an employee of the Office of the State Fire Marshal assigned to investigate arson.

The State Fire Marshal must authorize to each employee of the Office of the State Fire Marshal who is exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Office of the State Fire Marshal and (ii) contains a unique identifying number. No other badge shall be authorized by the Office of the State Fire Marshal, except that a badge, different from the badge issued to peace officers, may be authorized by the Office of the State Fire Marshal for the use of fire prevention inspectors employed by that Office. Nothing in this subsection prohibits the State Fire Marshal from issuing shields or other distinctive identification to employees not exercising the powers of a peace officer if the State Fire Marshal determines that a shield or distinctive identification is needed by the employee to carry out his or her responsibilities.

(c) The Office of the State Fire Marshal shall establish a policy to allow a State Fire Marshal Arson Investigator Special Agent who is honorably retiring or separating in good standing to purchase either one or both of the following: (i) any badge previously issued to that State Fire Marshal Arson Investigator Special Agent; or (ii) if the State Fire Marshal Arson Investigator Special Agent has a currently valid Firearm Owner's Identification Card, the service firearm issued or previously issued to the State Fire Marshal Arson Investigator Special Agent by the Office of the State Fire Marshal. The cost of the firearm purchased shall be the replacement value of the firearm and not the firearm's fair market value. All funds received by the agency under this program shall be deposited into the Fire Prevention Fund. (Source: P.A. 98-725, eff. 1-1-15.); and

on page 7, line 4, after the period, by inserting "The Office of the State Fire Marshal may dispose of a service firearm or badge previously issued to a State Fire Marshal Arson Investigator Special Agent who is honorably retiring or separating in good standing as provided in subsection (c) of Section 1 of the Peace Officer Fire Investigation Act.".

Under the rules, the foregoing **Senate Bill No. 2640**, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2675

A bill for AN ACT concerning State government.

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. 2675

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2675**

[May 25, 2018]

AMENDMENT NO. 1. Amend Senate Bill 2675 on page 2, by replacing lines 1 through 3 with the following:

"(c) The provisions of this Section shall not apply to: (1) construction procurements; (2) construction-related services procurements; or (3) the selection of construction-related professional services."

Under the rules, the foregoing **Senate Bill No. 2675**, 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2777

A bill for AN ACT concerning government.

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. 2777

Passed the House, as amended, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2777**

AMENDMENT NO. 1. Amend Senate Bill 2777 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Controlled Substances Act is amended by adding Section 315.5 as follows:  
(720 ILCS 570/315.5 new)

Sec. 315.5. Opioid education for prescribers. Every prescriber who is licensed to prescribe controlled substances shall, during the pre-renewal period, complete 3 hours of continuing education on safe opioid prescribing practices offered or accredited by a professional association, State government agency, or federal government agency. Notwithstanding any individual licensing Act or administrative rule, a prescriber may count these 3 hours toward the total continuing education hours required for renewal of a professional license. Continuing education on safe opioid prescribing practices applied to meet any other State licensure requirement or professional accreditation or certification requirement may be used toward the requirement under this Section. The Department of Financial and Professional Regulation may adopt rules for the administration of this Section."

Under the rules, the foregoing **Senate Bill No. 2777**, 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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 574

A bill for AN ACT concerning civil law.

SENATE BILL NO. 1829

A bill for AN ACT concerning education.

SENATE BILL NO. 2378

A bill for AN ACT concerning local government.

SENATE BILL NO. 2439

A bill for AN ACT concerning regulation.

SENATE BILL NO. 2469

A bill for AN ACT concerning aging.

SENATE BILL NO. 2471

A bill for AN ACT concerning local government.

SENATE BILL NO. 2527

A bill for AN ACT concerning education.

[May 25, 2018]

Passed the House, May 24, 2018.

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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 2345

A bill for AN ACT concerning education.

SENATE BILL NO. 2721

A bill for AN ACT concerning State government.

SENATE BILL NO. 2752

A bill for AN ACT concerning government.

SENATE BILL NO. 2765

A bill for AN ACT concerning government.

Passed the House, May 24, 2018.

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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 2569

A bill for AN ACT concerning local government.

SENATE BILL NO. 2572

A bill for AN ACT concerning education.

SENATE BILL NO. 2578

A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 2585

A bill for AN ACT concerning transportation.

SENATE BILL NO. 2620

A bill for AN ACT concerning State government.

SENATE BILL NO. 2629

A bill for AN ACT concerning government.

Passed the House, May 24, 2018.

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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 2631

A bill for AN ACT concerning regulation.

SENATE BILL NO. 2642

A bill for AN ACT concerning regulation.

SENATE BILL NO. 2654

A bill for AN ACT concerning education.

SENATE BILL NO. 2658

A bill for AN ACT concerning education.

SENATE BILL NO. 2693

A bill for AN ACT concerning education.

SENATE BILL NO. 2713

A bill for AN ACT concerning State government.

Passed the House, May 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

[May 25, 2018]

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

**House Bill No. 5341**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5750**, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 5868**, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator McGuire, **House Bill No. 3142** was taken up, read by title a second time. Committee Amendment No. 1 was held in the Committee on Assignments. There being no further amendments, the bill was ordered to a third reading.

### CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Bush moved that **Senate Joint Resolution No. 70**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Bush moved that Senate Joint Resolution No. 70 be adopted.

The motion prevailed.

And the resolution was adopted.

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

### HOUSE BILL RECALLED

On motion of Senator Haine, **House Bill No. 1595** was recalled from the order of third reading to the order of second reading.

Floor Amendment Nos. 1 and 2 were postponed in the Committee on Labor.

Senator Haine offered the following amendment and moved its adoption:

#### AMENDMENT NO. 3 TO HOUSE BILL 1595

AMENDMENT NO. 3. Amend House Bill 1595 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing Mothers in the Workplace Act is amended by changing Section 10 as follows: (820 ILCS 260/10)

Sec. 10. Break time for nursing mothers. An employer shall provide reasonable ~~unpaid~~ break time each day to an employee who needs to express breast milk for her nursing infant child each time the employee has the need to express milk for one year after the child's birth. The break time ~~may must, if possible,~~ run concurrently with any break time already provided to the employee. An employer may not reduce an employee's compensation for time used for the purpose of expressing milk or nursing a baby. An employer shall is not required to provide reasonable break time as needed by the employee unless under this Section if to do so would create an undue hardship as defined by item (J) of Section 2-102 of the Illinois Human Rights Act unduly disrupt the employer's operations.  
(Source: P.A. 92-68, eff. 7-12-01.)

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

The motion prevailed.

[May 25, 2018]

And the amendment was adopted and ordered printed.  
There being no further amendments, the bill, as amended, was ordered to a third reading.

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

On motion of Senator Haine, **House Bill No. 1595** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Weaver        |
| Clayborne       | Jones, E.  | Murphy       | Mr. President |
| Collins         | Koehler    | Nybo         |               |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator E. Jones III, **House Bill No. 128** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Sandoval      |
| Anderson        | Curran     | Manar        | Schimpf       |
| Aquino          | Fowler     | McCann       | Sims          |
| Barickman       | Haine      | McConnaughay | Stadelman     |
| Bennett         | Harmon     | McGuire      | Steans        |
| Bertino-Tarrant | Hastings   | Morrison     | Syverson      |
| Biss            | Holmes     | Mulroe       | Tracy         |
| Brady           | Hunter     | Muñoz        | Weaver        |
| Bush            | Hutchinson | Murphy       | Mr. President |
| Clayborne       | Jones, E.  | Nybo         |               |
| Collins         | Koehler    | Oberweis     |               |
| Connelly        | Landek     | Rooney       |               |
| Cullerton, T.   | Lightford  | Rose         |               |



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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

### HOUSE BILL RECALLED

On motion of Senator Harmon, **House Bill No. 1853** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO HOUSE BILL 1853

AMENDMENT NO. 1. Amend House Bill 1853 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Psychology Interjurisdictional Compact Act.

Section 5. Psychology Interjurisdictional Compact. The State of Illinois enters into the Psychology Interjurisdictional Compact in substantially the following form with all other states joining the Compact:

#### PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)

##### ARTICLE I

##### PURPOSE

Whereas, states license psychologists, in order to protect the public through verification of education, training and experience and ensure accountability for professional practice; and

Whereas, this Compact is intended to regulate the day to day practice of telepsychology (i.e. the provision of psychological services using telecommunication technologies) by psychologists across state boundaries in the performance of their psychological practice as assigned by an appropriate authority; and

Whereas, this Compact is intended to regulate the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for 30 days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority;

Whereas, this Compact is intended to authorize State Psychology Regulatory Authorities to afford legal recognition, in a manner consistent with the terms of the Compact, to psychologists licensed in another state;

Whereas, this Compact recognizes that states have a vested interest in protecting the public's health and safety through their licensing and regulation of psychologists and that such state regulation will best protect public health and safety;

Whereas, this Compact does not apply when a psychologist is licensed in both the Home and Receiving States; and

Whereas, this Compact does not apply to permanent in-person, face-to-face practice, it does allow for authorization of temporary psychological practice.

Consistent with these principles, this Compact is designed to achieve the following purposes and objectives:

1. Increase public access to professional psychological services by allowing for telepsychological practice across state lines as well as temporary in-person, face-to-face services into a state which the psychologist is not licensed to practice psychology;

2. Enhance the states' ability to protect the public's health and safety, especially client/patient safety;

3. Encourage the cooperation of Compact States in the areas of psychology licensure and regulation;

4. Facilitate the exchange of information between Compact States regarding psychologist licensure, adverse actions and disciplinary history;

5. Promote compliance with the laws governing psychological practice in each Compact State; and

6. Invest all Compact States with the authority to hold licensed psychologists accountable through the mutual recognition of Compact State licenses.

ARTICLE II  
DEFINITIONS

A. "Adverse Action" means: Any action taken by a State Psychology Regulatory Authority which finds a violation of a statute or regulation that is identified by the State Psychology Regulatory Authority as discipline and is a matter of public record.

B. "Association of State and Provincial Psychology Boards (ASPPB)" means: the recognized membership organization composed of State and Provincial Psychology Regulatory Authorities responsible for the licensure and registration of psychologists throughout the United States and Canada.

C. "Authority to Practice Interjurisdictional Telepsychology" means: a licensed psychologist's authority to practice telepsychology, within the limits authorized under this Compact, in another Compact State.

D. "Bylaws" means: those Bylaws established by the Psychology Interjurisdictional Compact Commission pursuant to Section X for its governance, or for directing and controlling its actions and conduct.

E. "Client/Patient" means: the recipient of psychological services, whether psychological services are delivered in the context of healthcare, corporate, supervision, and/or consulting services.

F. "Commissioner" means: the voting representative appointed by each State Psychology Regulatory Authority pursuant to Section X.

G. "Compact State" means: a state, the District of Columbia, or United States territory that has enacted this Compact legislation and which has not withdrawn pursuant to Article XIII, Section C or been terminated pursuant to Article XII, Section B.

H. "Coordinated Licensure Information System" also referred to as "Coordinated Database" means: an integrated process for collecting, storing, and sharing information on psychologists' licensure and enforcement activities related to psychology licensure laws, which is administered by the recognized membership organization composed of State and Provincial Psychology Regulatory Authorities.

I. "Confidentiality" means: the principle that data or information is not made available or disclosed to unauthorized persons and/or processes.

J. "Day" means: any part of a day in which psychological work is performed.

K. "Distant State" means: the Compact State where a psychologist is physically present (not through the use of telecommunications technologies), to provide temporary in-person, face-to-face psychological services.

L. "E.Passport" means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.

M. "Executive Board" means: a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

N. "Home State" means: a Compact State where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one Compact State and is practicing under the Authorization to Practice Interjurisdictional Telepsychology, the Home State is the Compact State where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one Compact State and is practicing under the Temporary Authorization to Practice, the Home State is any Compact State where the psychologist is licensed.

O. "Identity History Summary" means: a summary of information retained by the FBI, or other designee with similar authority, in connection with arrests and, in some instances, federal employment, naturalization, or military service.

P. "In-Person, Face-to-Face" means: interactions in which the psychologist and the client/patient are in the same physical space and which does not include interactions that may occur through the use of telecommunication technologies.

Q. "Interjurisdictional Practice Certificate (IPC)" means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that grants temporary authority to practice based on notification to the State Psychology Regulatory Authority of intention to practice temporarily, and verification of one's qualifications for such practice.

R. "License" means: authorization by a State Psychology Regulatory Authority to engage in the independent practice of psychology, which would be unlawful without the authorization.

S. "Non-Compact State" means: any State which is not at the time a Compact State.

T. "Psychologist" means: an individual licensed for the independent practice of psychology.

U. "Psychology Interjurisdictional Compact Commission" also referred to as "Commission" means: the national administration of which all Compact States are members.

V. "Receiving State" means: a Compact State where the client/patient is physically located when the telepsychological services are delivered.

W. "Rule" means: a written statement by the Psychology Interjurisdictional Compact Commission promulgated pursuant to Section XI of the Compact that is of general applicability, implements, interprets, or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Commission and has the force and effect of statutory law in a Compact State, and includes the amendment, repeal or suspension of an existing rule.

X. "Significant Investigatory Information" means:

1. investigative information that a State Psychology Regulatory Authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would indicate more than a violation of state statute or ethics code that would be considered more substantial than minor infraction; or

2. investigative information that indicates that the psychologist represents an immediate threat to public health and safety regardless of whether the psychologist has been notified and/or had an opportunity to respond.

Y. "State" means: a state, commonwealth, territory, or possession of the United States, the District of Columbia.

Z. "State Psychology Regulatory Authority" means: the Board, office or other agency with the legislative mandate to license and regulate the practice of psychology.

AA. "Telepsychology" means: the provision of psychological services using telecommunication technologies.

BB. "Temporary Authorization to Practice" means: a licensed psychologist's authority to conduct temporary in-person, face-to-face practice, within the limits authorized under this Compact, in another Compact State.

CC. "Temporary In-Person, Face-to-Face Practice" means: where a psychologist is physically present (not through the use of telecommunications technologies), in the Distant State to provide for the practice of psychology for 30 days within a calendar year and based on notification to the Distant State.

### ARTICLE III

#### HOME STATE LICENSURE

A. The Home State shall be a Compact State where a psychologist is licensed to practice psychology.

B. A psychologist may hold one or more Compact State licenses at a time. If the psychologist is licensed in more than one Compact State, the Home State is the Compact State where the psychologist is physically present when the services are delivered as authorized by the Authority to Practice Interjurisdictional Telepsychology under the terms of this Compact.

C. Any Compact State may require a psychologist not previously licensed in a Compact State to obtain and retain a license to be authorized to practice in the Compact State under circumstances not authorized by the Authority to Practice Interjurisdictional Telepsychology under the terms of this Compact.

D. Any Compact State may require a psychologist to obtain and retain a license to be authorized to practice in a Compact State under circumstances not authorized by Temporary Authorization to Practice under the terms of this Compact.

E. A Home State's license authorizes a psychologist to practice in a Receiving State under the Authority to Practice Interjurisdictional Telepsychology only if the Compact State:

1. Currently requires the psychologist to hold an active E.Passport;

2. Has a mechanism in place for receiving and investigating complaints about licensed individuals;

3. Notifies the Commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed individual;

4. Requires an Identity History Summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation FBI, or other designee with similar authority, no later than ten years after activation of the Compact; and

5. Complies with the Bylaws and Rules of the Commission.

F. A Home State's license grants Temporary Authorization to Practice to a psychologist in a Distant State only if the Compact State:

1. Currently requires the psychologist to hold an active IPC;

2. Has a mechanism in place for receiving and investigating complaints about licensed individuals;

3. Notifies the Commission, in compliance with the terms herein, of any adverse action

or significant investigatory information regarding a licensed individual;

4. Requires an Identity History Summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation FBI, or other designee with similar authority, no later than ten years after activation of the Compact; and

5. Complies with the Bylaws and Rules of the Commission.

#### ARTICLE IV

##### COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY

A. Compact States shall recognize the right of a psychologist, licensed in a Compact State in conformance with Article III, to practice telepsychology in other Compact States (Receiving States) in which the psychologist is not licensed, under the Authority to Practice Interjurisdictional Telepsychology as provided in the Compact.

B. To exercise the Authority to Practice Interjurisdictional Telepsychology under the terms and provisions of this Compact, a psychologist licensed to practice in a Compact State must:

1. Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

a. Regionally accredited by an accrediting body recognized by the U.S. Department of Education to grant graduate degrees, OR authorized by Provincial Statute or Royal Charter to grant doctoral degrees; OR

b. A foreign college or university deemed to be equivalent to 1 (a) above by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or by a recognized foreign credential evaluation service; AND

2. Hold a graduate degree in psychology that meets the following criteria:

a. The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program. Such a program must specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

b. The psychology program must stand as a recognizable, coherent, organizational entity within the institution;

c. There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

d. The program must consist of an integrated, organized sequence of study;

e. There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

f. The designated director of the program must be a psychologist and a member of the core faculty;

g. The program must have an identifiable body of students who are matriculated in that program for a degree;

h. The program must include supervised practicum, internship, or field training appropriate to the practice of psychology;

i. The curriculum shall encompass a minimum of three academic years of full-time graduate study for doctoral degree and a minimum of one academic year of full-time graduate study for master's degree;

j. The program includes an acceptable residency as defined by the Rules of the Commission.

3. Possess a current, full and unrestricted license to practice psychology in a Home State which is a Compact State;

4. Have no history of adverse action that violate the Rules of the Commission;

5. Have no criminal record history reported on an Identity History Summary that violates the Rules of the Commission;

6. Possess a current, active E.Passport;

7. Provide attestations in regard to areas of intended practice, conformity with standards of practice, competence in telepsychology technology; criminal background; and knowledge and adherence to legal requirements in the home and receiving states, and provide a release of information to allow for primary source verification in a manner specified by the Commission; and

8. Meet other criteria as defined by the Rules of the Commission.

C. The Home State maintains authority over the license of any psychologist practicing into a Receiving State under the Authority to Practice Interjurisdictional Telepsychology.

D. A psychologist practicing into a Receiving State under the Authority to Practice Interjurisdictional Telepsychology will be subject to the Receiving State's scope of practice. A Receiving State may, in accordance with that state's due process law, limit or revoke a psychologist's Authority to Practice Interjurisdictional Telepsychology in the Receiving State and may take any other necessary actions under the Receiving State's applicable law to protect the health and safety of the Receiving State's citizens. If a Receiving State takes action, the state shall promptly notify the Home State and the Commission.

E. If a psychologist's license in any Home State, another Compact State, or any Authority to Practice Interjurisdictional Telepsychology in any Receiving State, is restricted, suspended or otherwise limited, the E.Passport shall be revoked and therefore the psychologist shall not be eligible to practice telepsychology in a Compact State under the Authority to Practice Interjurisdictional Telepsychology.

## ARTICLE V

### COMPACT TEMPORARY AUTHORIZATION TO PRACTICE

A. Compact States shall also recognize the right of a psychologist, licensed in a Compact State in conformance with Article III, to practice temporarily in other Compact States (Distant States) in which the psychologist is not licensed, as provided in the Compact.

B. To exercise the Temporary Authorization to Practice under the terms and provisions of this Compact, a psychologist licensed to practice in a Compact State must:

1. Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

a. Regionally accredited by an accrediting body recognized by the U.S. Department of Education to grant graduate degrees, OR authorized by Provincial Statute or Royal Charter to grant doctoral degrees; OR

b. A foreign college or university deemed to be equivalent to 1 (a) above by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or by a recognized foreign credential evaluation service; AND

2. Hold a graduate degree in psychology that meets the following criteria:

a. The program, wherever it may be administratively housed, must be clearly

identified and labeled as a psychology program. Such a program must specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

b. The psychology program must stand as a recognizable, coherent, organizational entity within the institution;

c. There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

d. The program must consist of an integrated, organized sequence of study;

e. There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

f. The designated director of the program must be a psychologist and a member of the core faculty;

g. The program must have an identifiable body of students who are matriculated in that program for a degree;

h. The program must include supervised practicum, internship, or field training appropriate to the practice of psychology;

i. The curriculum shall encompass a minimum of three academic years of full-time graduate study for doctoral degrees and a minimum of one academic year of full-time graduate study for master's degree;

j. The program includes an acceptable residency as defined by the Rules of the Commission.

3. Possess a current, full and unrestricted license to practice psychology in a Home State which is a Compact State;

4. No history of adverse action that violate the Rules of the Commission;

5. No criminal record history that violates the Rules of the Commission;

6. Possess a current, active IPC;

7. Provide attestations in regard to areas of intended practice and work experience and provide a release of information to allow for primary source verification in a manner specified by the Commission; and

8. Meet other criteria as defined by the Rules of the Commission.

C. A psychologist practicing into a Distant State under the Temporary Authorization to Practice shall practice within the scope of practice authorized by the Distant State.

D. A psychologist practicing into a Distant State under the Temporary Authorization to Practice will be subject to the Distant State's authority and law. A Distant State may, in accordance with that state's due process law, limit or revoke a psychologist's Temporary Authorization to Practice in the Distant State and may take any other necessary actions under the Distant State's applicable law to protect the health and safety of the Distant State's citizens. If a Distant State takes action, the state shall promptly notify the Home State and the Commission.

E. If a psychologist's license in any Home State, another Compact State, or any Temporary Authorization to Practice in any Distant State, is restricted, suspended or otherwise limited, the IPC shall be revoked and therefore the psychologist shall not be eligible to practice in a Compact State under the Temporary Authorization to Practice.

## ARTICLE VI

### CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE

A. A psychologist may practice in a Receiving State under the Authority to Practice Interjurisdictional Telepsychology only in the performance of the scope of practice for psychology as assigned by an appropriate State Psychology Regulatory Authority, as defined in the Rules of the Commission, and under the following circumstances:

1. The psychologist initiates a client/patient contact in a Home State via telecommunications technologies with a client/patient in a Receiving State;
2. Other conditions regarding telepsychology as determined by Rules promulgated by the Commission.

## ARTICLE VII

### ADVERSE ACTIONS

A. A Home State shall have the power to impose adverse action against a psychologist's license issued by the Home State. A Distant State shall have the power to take adverse action on a psychologist's Temporary Authorization to Practice within that Distant State.

B. A Receiving State may take adverse action on a psychologist's Authority to Practice Interjurisdictional Telepsychology within that Receiving State. A Home State may take adverse action against a psychologist based on an adverse action taken by a Distant State regarding temporary in-person, face-to-face practice.

C. If a Home State takes adverse action against a psychologist's license, that psychologist's Authority to Practice Interjurisdictional Telepsychology is terminated and the E.Passport is revoked. Furthermore, that psychologist's Temporary Authorization to Practice is terminated and the IPC is revoked.

1. All Home State disciplinary orders which impose adverse action shall be reported to the Commission in accordance with the Rules promulgated by the Commission. A Compact State shall report adverse actions in accordance with the Rules of the Commission.
2. In the event discipline is reported on a psychologist, the psychologist will not be eligible for telepsychology or temporary in-person, face-to-face practice in accordance with the Rules of the Commission.
3. Other actions may be imposed as determined by the Rules promulgated by the Commission.

D. A Home State's Psychology Regulatory Authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a licensee which occurred in a Receiving State as it would if such conduct had occurred by a licensee within the Home State. In such cases, the Home State's law shall control in determining any adverse action against a psychologist's license.

E. A Distant State's Psychology Regulatory Authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a psychologist practicing under Temporary Authorization Practice which occurred in that Distant State as it would if such conduct had occurred by a licensee within the Home State. In such cases, Distant State's law shall control in determining any adverse action against a psychologist's Temporary Authorization to Practice.

F. Nothing in this Compact shall override a Compact State's decision that a psychologist's participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the Compact State's law. Compact States must require psychologists who enter any alternative programs to not provide telepsychology services under the Authority to Practice Interjurisdictional Telepsychology or provide temporary psychological services under the Temporary Authorization to Practice in any other Compact State during the term of the alternative program.

G. No other judicial or administrative remedies shall be available to a psychologist in the event a Compact State imposes an adverse action pursuant to subsection C, above.

ARTICLE VIII  
 ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S PSYCHOLOGY  
 REGULATORY AUTHORITY

A. In addition to any other powers granted under state law, a Compact State's Psychology Regulatory Authority shall have the authority under this Compact to:

1. Issue subpoenas, for both hearings and investigations, which require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a Compact State's Psychology Regulatory Authority for the attendance and testimony of witnesses, and/or the production of evidence from another Compact State shall be enforced in the latter state by any court of competent jurisdiction, according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing State Psychology Regulatory Authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state where the witnesses and/or evidence are located; and

2. Issue cease and desist and/or injunctive relief orders to revoke a psychologist's Authority to Practice Interjurisdictional Telepsychology and/or Temporary Authorization to Practice.

3. During the course of any investigation, a psychologist may not change his/her Home State licensure. A Home State Psychology Regulatory Authority is authorized to complete any pending investigations of a psychologist and to take any actions appropriate under its law. The Home State Psychology Regulatory Authority shall promptly report the conclusions of such investigations to the Commission. Once an investigation has been completed, and pending the outcome of said investigation, the psychologist may change his/her Home State licensure. The Commission shall promptly notify the new Home State of any such decisions as provided in the Rules of the Commission. All information provided to the Commission or distributed by Compact States pursuant to the psychologist shall be confidential, filed under seal and used for investigatory or disciplinary matters. The Commission may create additional rules for mandated or discretionary sharing of information by Compact States.

ARTICLE IX  
 COORDINATED LICENSURE INFORMATION SYSTEM

A. The Commission shall provide for the development and maintenance of a Coordinated Licensure Information System (Coordinated Database) and reporting system containing licensure and disciplinary action information on all psychologists individuals to whom this Compact is applicable in all Compact States as defined by the Rules of the Commission.

B. Notwithstanding any other provision of state law to the contrary, a Compact State shall submit a uniform data set to the Coordinated Database on all licensees as required by the Rules of the Commission, including:

1. Identifying information;
2. Licensure data;
3. Significant investigatory information;
4. Adverse actions against a psychologist's license;
5. An indicator that a psychologist's Authority to Practice Interjurisdictional Telepsychology and/or Temporary Authorization to Practice is revoked;
6. Non-confidential information related to alternative program participation information;
7. Any denial of application for licensure, and the reasons for such denial; and
8. Other information which may facilitate the administration of this Compact, as

determined by the Rules of the Commission.

C. The Coordinated Database administrator shall promptly notify all Compact States of any adverse action taken against, or significant investigative information on, any licensee in a Compact State.

D. Compact States reporting information to the Coordinated Database may designate information that may not be shared with the public without the express permission of the Compact State reporting the information.

E. Any information submitted to the Coordinated Database that is subsequently required to be expunged by the law of the Compact State reporting the information shall be removed from the Coordinated Database.

ARTICLE X  
 ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION

A. The Compact States hereby create and establish a joint public agency known as the Psychology Interjurisdictional Compact Commission.

1. The Commission is a body politic and an instrumentality of the Compact States.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

#### B. Membership, Voting, and Meetings

1. The Commission shall consist of one voting representative appointed by each Compact State who shall serve as that state's Commissioner. The State Psychology Regulatory Authority shall appoint its delegate. This delegate shall be empowered to act on behalf of the Compact State. This delegate shall be limited to:

- a. Executive Director, Executive Secretary or similar executive;
- b. Current member of the State Psychology Regulatory Authority of a Compact State; OR
- c. Designee empowered with the appropriate delegate authority to act on behalf of the Compact State.

2. Any Commissioner may be removed or suspended from office as provided by the law of the state from which the Commissioner is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the Compact State in which the vacancy exists.

3. Each Commissioner shall be entitled to one (1) vote with regard to the promulgation of Rules and creation of Bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A Commissioner shall vote in person or by such other means as provided in the Bylaws. The Bylaws may provide for Commissioners' participation in meetings by telephone or other means of communication.

4. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the Bylaws.

5. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Article XI.

6. The Commission may convene in a closed, non-public meeting if the Commission must discuss:

- a. Non-compliance of a Compact State with its obligations under the Compact;
- b. The employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;
- c. Current, threatened, or reasonably anticipated litigation against the Commission;
- d. Negotiation of contracts for the purchase or sale of goods, services or real estate;
- e. Accusation against any person of a crime or formally censuring any person;
- f. Disclosure of trade secrets or commercial or financial information which is privileged or confidential;
- g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- h. Disclosure of investigatory records compiled for law enforcement purposes;
- i. Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the Compact; or
- j. Matters specifically exempted from disclosure by federal and state statute.

7. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The Commission shall keep minutes which fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, of any person participating in the meeting, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the Commission or order of a court of competent jurisdiction.

C. The Commission shall, by a majority vote of the Commissioners, prescribe Bylaws and/or Rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the Compact, including but not limited to:

1. Establishing the fiscal year of the Commission;
2. Providing reasonable standards and procedures:
  - a. for the establishment and meetings of other committees; and



- b. governing any general or specific delegation of any authority or function of the Commission;
  - 3. Providing reasonable procedures for calling and conducting meetings of the Commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals of such proceedings, and proprietary information, including trade secrets. The Commission may meet in closed session only after a majority of the Commissioners vote to close a meeting to the public in whole or in part. As soon as practicable, the Commission must make public a copy of the vote to close the meeting revealing the vote of each Commissioner with no proxy votes allowed;
  - 4. Establishing the titles, duties and authority and reasonable procedures for the election of the officers of the Commission;
  - 5. Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the Commission. Notwithstanding any civil service or other similar law of any Compact State, the Bylaws shall exclusively govern the personnel policies and programs of the Commission;
  - 6. Promulgating a Code of Ethics to address permissible and prohibited activities of Commission members and employees;
  - 7. Providing a mechanism for concluding the operations of the Commission and the equitable disposition of any surplus funds that may exist after the termination of the Compact after the payment and/or reserving of all of its debts and obligations;
  - 8. The Commission shall publish its Bylaws in a convenient form and file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the Compact States;
  - 9. The Commission shall maintain its financial records in accordance with the Bylaws; and
  - 10. The Commission shall meet and take such actions as are consistent with the provisions of this Compact and the Bylaws.
- D. The Commission shall have the following powers:
- 1. The authority to promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact. The rule shall have the force and effect of law and shall be binding in all Compact States;
  - 2. To bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any State Psychology Regulatory Authority or other regulatory body responsible for psychology licensure to sue or be sued under applicable law shall not be affected;
  - 3. To purchase and maintain insurance and bonds;
  - 4. To borrow, accept or contract for services of personnel, including, but not limited to, employees of a Compact State;
  - 5. To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the Compact, and to establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
  - 6. To accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the Commission shall strive to avoid any appearance of impropriety and/or conflict of interest;
  - 7. To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the Commission shall strive to avoid any appearance of impropriety;
  - 8. To sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property real, personal or mixed;
  - 9. To establish a budget and make expenditures;
  - 10. To borrow money;
  - 11. To appoint committees, including advisory committees comprised of Members, State regulators, State legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this Compact and the Bylaws;
  - 12. To provide and receive information from, and to cooperate with, law enforcement agencies;
  - 13. To adopt and use an official seal; and
  - 14. To perform such other functions as may be necessary or appropriate to achieve the

purposes of this Compact consistent with the state regulation of psychology licensure, temporary in-person, face-to-face practice and telepsychology practice.

#### E. The Executive Board

The elected officers shall serve as the Executive Board, which shall have the power to act on behalf of the Commission according to the terms of this Compact.

1. The Executive Board shall be comprised of six members:
  - a. Five voting members who are elected from the current membership of the Commission by the Commission;
  - b. One ex-officio, nonvoting member from the recognized membership organization composed of State and Provincial Psychology Regulatory Authorities.
2. The ex-officio member must have served as staff or member on a State Psychology Regulatory Authority and will be selected by its respective organization.
3. The Commission may remove any member of the Executive Board as provided in Bylaws.
4. The Executive Board shall meet at least annually.
5. The Executive Board shall have the following duties and responsibilities:
  - a. Recommend to the entire Commission changes to the Rules or Bylaws, changes to this Compact legislation, fees paid by Compact States such as annual dues, and any other applicable fees;
  - b. Ensure Compact administration services are appropriately provided, contractual or otherwise;
  - c. Prepare and recommend the budget;
  - d. Maintain financial records on behalf of the Commission;
  - e. Monitor Compact compliance of member states and provide compliance reports to the Commission;
  - f. Establish additional committees as necessary; and
  - g. Other duties as provided in Rules or Bylaws.

#### F. Financing of the Commission

1. The Commission shall pay, or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.
2. The Commission may accept any and all appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services.
3. The Commission may levy on and collect an annual assessment from each Compact State or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission which shall promulgate a rule binding upon all Compact States.
4. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the Compact States, except by and with the authority of the Compact State.
5. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its Bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Commission.

#### G. Qualified Immunity, Defense, and Indemnification

1. The members, officers, Executive Director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person.
2. The Commission shall defend any member, officer, Executive Director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing

herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct.

3. The Commission shall indemnify and hold harmless any member, officer, Executive Director, employee or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of that person.

## ARTICLE XI RULEMAKING

A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this Article and the Rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

B. If a majority of the legislatures of the Compact States rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the Compact, then such rule shall have no further force and effect in any Compact State.

C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.

D. Prior to promulgation and adoption of a final rule or Rules by the Commission, and at least sixty (60) days in advance of the meeting at which the rule will be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:

1. On the website of the Commission; and

2. On the website of each Compact States' Psychology Regulatory Authority or the publication in which each state would otherwise publish proposed rules.

E. The Notice of Proposed Rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

2. The text of the proposed rule or amendment and the reason for the proposed rule;

3. A request for comments on the proposed rule from any interested person; and

4. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.

F. Prior to adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.

G. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five (25) persons who submit comments independently of each other;

2. A governmental subdivision or agency; or

3. A duly appointed person in an association that has having at least twenty-five (25) members.

H. If a hearing is held on the proposed rule or amendment, the Commission shall publish the place, time, and date of the scheduled public hearing.

1. All persons wishing to be heard at the hearing shall notify the Executive Director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Commission from making a transcript or recording of the hearing if it so chooses.

4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this section.

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.

J. The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

K. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing.

L. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of Commission or Compact State funds;
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
4. Protect public health and safety.

M. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule.

A challenge shall be made in writing, and delivered to the Chair of the Commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

## ARTICLE XII OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

### A. Oversight

1. The Executive, Legislative and Judicial branches of state government in each Compact State shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of this Compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a Compact State pertaining to the subject matter of this Compact which may affect the powers, responsibilities or actions of the Commission.

3. The Commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void as to the Commission, this Compact or promulgated rules.

### B. Default, Technical Assistance, and Termination

1. If the Commission determines that a Compact State has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall:

a. Provide written notice to the defaulting state and other Compact States of the nature of the default, the proposed means of remedying the default and/or any other action to be taken by the Commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to remedy the default, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the Compact States, and all rights, privileges and benefits conferred by this Compact shall be terminated on the effective date of termination. A remedy of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be submitted by the Commission to the Governor, the majority and minority leaders of the defaulting state's legislature, and each of the Compact States.

4. A Compact State which has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations which extend beyond the effective date of termination.

5. The Commission shall not bear any costs incurred by the state which is found to be in

default or which has been terminated from the Compact, unless agreed upon in writing between the Commission and the defaulting state.

6. The defaulting state may appeal the action of the Commission by petitioning the U.S. District Court for the state of Georgia or the federal district where the Compact has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

#### C. Dispute Resolution

1. Upon request by a Compact State, the Commission shall attempt to resolve disputes related to the Compact which arise among Compact States and between Compact and Non-Compact States.

2. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes that arise before the commission.

#### D. Enforcement

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and Rules of this Compact.

2. By majority vote, the Commission may initiate legal action in the United States District Court for the State of Georgia or the federal district where the Compact has its principal offices against a Compact State in default to enforce compliance with the provisions of the Compact and its promulgated Rules and Bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.

### ARTICLE XIII

#### DATE OF IMPLEMENTATION OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENTS

A. The Compact shall come into effect on the date on which the Compact is enacted into law in the seventh Compact State. The provisions which become effective at that time shall be limited to the powers granted to the Commission relating to assembly and the promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the Compact.

B. Any state which joins the Compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the Compact becomes law in that state. Any rule which has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state.

C. Any Compact State may withdraw from this Compact by enacting a statute repealing the same.

1. A Compact State's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing State's

Psychology Regulatory Authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this Compact shall be construed to invalidate or prevent any psychology licensure agreement or other cooperative arrangement between a Compact State and a Non-Compact State which does not conflict with the provisions of this Compact.

E. This Compact may be amended by the Compact States. No amendment to this Compact shall become effective and binding upon any Compact State until it is enacted into the law of all Compact States.

### ARTICLE XIV

#### CONSTRUCTION AND SEVERABILITY

This Compact shall be liberally construed so as to effectuate the purposes thereof. If this Compact shall be held contrary to the constitution of any state member thereto, the Compact shall remain in full force and effect as to the remaining Compact States.

Section 90. The Clinical Psychologist Licensing Act is amended by adding Section 11.11 as follows:  
(225 ILCS 15/11.11 new)

Sec. 11.11. Psychology Interjurisdictional Compact Act. A clinical psychologist licensed under this Act is subject to the provisions of the Psychology Interjurisdictional Compact Act.

Section 99. Effective date. This Act takes effect January 1, 2020."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

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

On motion of Senator Harmon, **House Bill No. 1853** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Van Pelt      |
| Clayborne       | Jones, E.  | Murphy       | Mr. President |
| Collins         | Koehler    | Nybo         |               |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Nybo, **House Bill No. 2040** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 40; NAY 1.

The following voted in the affirmative:

|            |            |              |               |
|------------|------------|--------------|---------------|
| Althoff    | Curran     | Manar        | Schimpf       |
| Anderson   | Fowler     | McCann       | Sims          |
| Barickman  | Haine      | McCarter     | Steans        |
| Bennett    | Holmes     | McConnaughay | Syverson      |
| Biss       | Hunter     | Morrison     | Tracy         |
| Brady      | Hutchinson | Mulroe       | Van Pelt      |
| Bush       | Jones, E.  | Nybo         | Mr. President |
| Clayborne  | Koehler    | Oberweis     |               |
| Collins    | Landek     | Rooney       |               |
| Connelly   | Lightford  | Rose         |               |
| Cunningham | Link       | Sandoval     |               |

[May 25, 2018]

The following voted in the negative:

Bertino-Tarrant

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Steans, **House Bill No. 2624** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Van Pelt      |
| Clayborne       | Jones, E.  | Murphy       | Weaver        |
| Collins         | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Althoff, **House Bill No. 2723** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 44; NAYS None.

The following voted in the affirmative:

|               |            |              |               |
|---------------|------------|--------------|---------------|
| Althoff       | Fowler     | McCann       | Sims          |
| Anderson      | Haine      | McCarter     | Stadelman     |
| Aquino        | Harmon     | McConnaughay | Steans        |
| Barickman     | Hastings   | McGuire      | Syverson      |
| Bennett       | Holmes     | Mulroe       | Tracy         |
| Biss          | Hunter     | Muñoz        | Van Pelt      |
| Bush          | Hutchinson | Nybo         | Weaver        |
| Collins       | Jones, E.  | Oberweis     | Mr. President |
| Connelly      | Koehler    | Rooney       |               |
| Cullerton, T. | Landek     | Rose         |               |

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|            |           |          |
|------------|-----------|----------|
| Cunningham | Lightford | Sandoval |
| Curran     | Link      | Schimpf  |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Steans, **House Bill No. 4146** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Curran     | Manar        | Sandoval      |
| Anderson        | Fowler     | McCann       | Schimpf       |
| Aquino          | Haine      | McCarter     | Sims          |
| Barickman       | Harmon     | McConnaughay | Stadelman     |
| Bennett         | Hastings   | McGuire      | Steans        |
| Bertino-Tarrant | Holmes     | Morrison     | Syverson      |
| Biss            | Hunter     | Mulroe       | Tracy         |
| Brady           | Hutchinson | Muñoz        | Van Pelt      |
| Bush            | Jones, E.  | Murphy       | Weaver        |
| Collins         | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |
| Cunningham      | Link       | Rose         |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Lightford, **House Bill No. 4324** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 31; NAYS 18; Present 1.

The following voted in the affirmative:

|                 |            |           |               |
|-----------------|------------|-----------|---------------|
| Aquino          | Cunningham | Koehler   | Murphy        |
| Bennett         | Haine      | Lightford | Sandoval      |
| Bertino-Tarrant | Harmon     | Link      | Sims          |
| Biss            | Hastings   | Manar     | Stadelman     |
| Bush            | Holmes     | McGuire   | Steans        |
| Clayborne       | Hunter     | Morrison  | Van Pelt      |
| Collins         | Hutchinson | Mulroe    | Mr. President |
| Cullerton, T.   | Jones, E.  | Muñoz     |               |

The following voted in the negative:

|         |        |      |          |
|---------|--------|------|----------|
| Althoff | Curran | Nybo | Syverson |
|---------|--------|------|----------|

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|           |              |          |        |
|-----------|--------------|----------|--------|
| Anderson  | Fowler       | Oberweis | Tracy  |
| Barickman | McCann       | Rooney   | Weaver |
| Brady     | McCarter     | Rose     |        |
| Connelly  | McConnaughay | Schimpf  |        |

The following voted present:

Landek

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator McConnaughay, **House Bill No. 2063** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Van Pelt      |
| Clayborne       | Jones, E.  | Murphy       | Weaver        |
| Collins         | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Sandoval, **House Bill No. 5197** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |          |              |           |
|-----------------|----------|--------------|-----------|
| Althoff         | Curran   | Manar        | Sandoval  |
| Anderson        | Fowler   | McCann       | Schimpf   |
| Aquino          | Haine    | McCarter     | Sims      |
| Barickman       | Harmon   | McConnaughay | Stadelman |
| Bennett         | Hastings | McGuire      | Steans    |
| Bertino-Tarrant | Holmes   | Morrison     | Syverson  |

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|               |            |          |               |
|---------------|------------|----------|---------------|
| Brady         | Hunter     | Mulroe   | Tracy         |
| Bush          | Hutchinson | Muñoz    | Van Pelt      |
| Clayborne     | Jones, E.  | Murphy   | Weaver        |
| Collins       | Koehler    | Nybo     | Mr. President |
| Connelly      | Landek     | Oberweis |               |
| Cullerton, T. | Lightford  | Rooney   |               |
| Cunningham    | Link       | Rose     |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Morrison, **House Bill No. 5245** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Sandoval      |
| Anderson        | Curran     | Manar        | Schimpf       |
| Aquino          | Fowler     | McCann       | Sims          |
| Barickman       | Haine      | McConnaughay | Stadelman     |
| Bennett         | Harmon     | McGuire      | Steans        |
| Bertino-Tarrant | Hastings   | Morrison     | Syverson      |
| Biss            | Holmes     | Mulroe       | Tracy         |
| Brady           | Hunter     | Muñoz        | Van Pelt      |
| Bush            | Hutchinson | Murphy       | Weaver        |
| Clayborne       | Jones, E.  | Nybo         | Mr. President |
| Collins         | Koehler    | Oberweis     |               |
| Connelly        | Landek     | Rooney       |               |
| Cullerton, T.   | Lightford  | Rose         |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Holmes, **House Bill No. 5573** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |              |           |
|-----------------|------------|--------------|-----------|
| Althoff         | Cunningham | Link         | Sandoval  |
| Anderson        | Curran     | Manar        | Schimpf   |
| Aquino          | Fowler     | McCann       | Sims      |
| Barickman       | Haine      | McCarter     | Stadelman |
| Bennett         | Harmon     | McConnaughay | Steans    |
| Bertino-Tarrant | Hastings   | McGuire      | Syverson  |
| Biss            | Holmes     | Morrison     | Tracy     |

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|               |            |          |               |
|---------------|------------|----------|---------------|
| Brady         | Hunter     | Mulroe   | Van Pelt      |
| Bush          | Hutchinson | Muñoz    | Weaver        |
| Clayborne     | Jones, E.  | Murphy   | Mr. President |
| Collins       | Koehler    | Nybo     |               |
| Connelly      | Landek     | Oberweis |               |
| Cullerton, T. | Lightford  | Rose     |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Sandoval, **House Bill No. 5632** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Sandoval      |
| Anderson        | Curran     | Manar        | Schimpf       |
| Aquino          | Fowler     | McCann       | Sims          |
| Barickman       | Haine      | McCarter     | Stears        |
| Bennett         | Harmon     | McConnaughay | Syverson      |
| Bertino-Tarrant | Hastings   | McGuire      | Tracy         |
| Biss            | Holmes     | Morrison     | Van Pelt      |
| Brady           | Hunter     | Mulroe       | Weaver        |
| Bush            | Hutchinson | Muñoz        | Mr. President |
| Clayborne       | Jones, E.  | Nybo         |               |
| Collins         | Koehler    | Oberweis     |               |
| Connelly        | Landek     | Rooney       |               |
| Cullerton, T.   | Lightford  | Rose         |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Schimpf, **House Bill No. 5683** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

|                 |            |              |           |
|-----------------|------------|--------------|-----------|
| Althoff         | Cunningham | Link         | Rose      |
| Anderson        | Curran     | Manar        | Sandoval  |
| Aquino          | Fowler     | McCann       | Schimpf   |
| Barickman       | Haine      | McCarter     | Sims      |
| Bennett         | Harmon     | McConnaughay | Stadelman |
| Bertino-Tarrant | Hastings   | McGuire      | Stears    |
| Biss            | Holmes     | Morrison     | Syverson  |
| Brady           | Hunter     | Mulroe       | Tracy     |

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|               |            |          |               |
|---------------|------------|----------|---------------|
| Bush          | Hutchinson | Muñoz    | Van Pelt      |
| Clayborne     | Jones, E.  | Murphy   | Weaver        |
| Collins       | Koehler    | Nybo     | Mr. President |
| Connelly      | Landek     | Oberweis |               |
| Cullerton, T. | Lightford  | Rooney   |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

### HOUSE BILL RECALLED

On motion of Senator Bush, **House Bill No. 5770** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Committee on Education.

Senator Bush offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO HOUSE BILL 5770

AMENDMENT NO. 2. Amend House Bill 5770 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 14-6.01 as follows:  
(105 ILCS 5/14-6.01) (from Ch. 122, par. 14-6.01)

Sec. 14-6.01. Powers and duties of school boards. School boards of one or more school districts establishing and maintaining any of the educational facilities described in this Article shall, in connection therewith, exercise similar powers and duties as are prescribed by law for the establishment, maintenance and management of other recognized educational facilities. Such school boards shall include only eligible children in the program and shall comply with all the requirements of this Article and all rules and regulations established by the State Board of Education. Such school boards shall accept in part-time attendance children with disabilities of the types described in Sections 14-1.02 through 14-1.07 who are enrolled in nonpublic schools. A request for part-time attendance must be submitted by a parent or guardian of the child with a disability and may be made only to those public schools located in the district where the child attending the nonpublic school resides; however, nothing in this Section shall be construed as prohibiting an agreement between the district where the child resides and another public school district to provide special educational services if such an arrangement is deemed more convenient and economical. Special education and related services must be provided in accordance with the student's IEP no later than 10 school attendance days after notice is provided to the parents pursuant to Section 300.503 of Title 34 of the Code of Federal Regulations and implementing rules adopted by the State Board of Education. Transportation for students in part time attendance shall be provided only if required in the child's individualized educational program on the basis of the child's disabling condition or as the special education program location may require.

Beginning with the 2019-2020 school year, a school board shall post on its Internet website, if any, and incorporate into its student handbook or newsletter notice that students with disabilities who do not qualify for an individualized education program, as required by the federal Individuals with Disabilities Education Act and implementing provisions of this Code, may qualify for services under Section 504 of the federal Rehabilitation Act of 1973 if the child (i) has a physical or mental impairment that substantially limits one or more major life activities, (ii) has a record of a physical or mental impairment, or (iii) is regarded as having a physical or mental impairment. A school board shall publish a public notice in its newsletter of general circulation or in the newsletter of another governmental entity of general circulation in the district or if neither is available in the district, then in a newspaper of general circulation in the district, the right of all children with disabilities to a free appropriate public education as provided under this Code. Such notice shall identify the location and phone number of the office or agent of the school district to whom inquiries should be directed regarding the identification, assessment and placement of such children.

School boards shall immediately provide upon request by any person written materials and other information that indicates the specific policies, procedures, rules and regulations regarding the identification, evaluation or educational placement of children with disabilities under Section 14-8.02 of the School Code. Such information shall include information regarding all rights and entitlements of such

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children under this Code, and of the opportunity to present complaints with respect to any matter relating to educational placement of the student, or the provision of a free appropriate public education and to have an impartial due process hearing on the complaint. The notice shall inform the parents or guardian in the parents' or guardian's native language, unless it is clearly not feasible to do so, of their rights and all procedures available pursuant to this Act and federal Public Law 94-142; it shall be the responsibility of the State Superintendent to develop uniform notices setting forth the procedures available under this Act and federal Public Law 94-142, as amended, to be used by all school boards. The notice shall also inform the parents or guardian of the availability upon request of a list of free or low-cost legal and other relevant services available locally to assist parents or guardians in exercising rights or entitlements under this Code.

Any parent or guardian who is deaf, or does not normally communicate using spoken English, who participates in a meeting with a representative of a local educational agency for the purposes of developing an individualized educational program shall be entitled to the services of an interpreter.

No student with a disability or, in a school district organized under Article 34 of this Code, child with a learning disability may be denied promotion, graduation or a general diploma on the basis of failing a minimal competency test when such failure can be directly related to the disabling condition of the student. For the purpose of this Act, "minimal competency testing" is defined as tests which are constructed to measure the acquisition of skills to or beyond a certain defined standard.

Effective July 1, 1966, high school districts are financially responsible for the education of pupils with disabilities who are residents in their districts when such pupils have reached age 15 but may admit children with disabilities into special educational facilities without regard to graduation from the eighth grade after such pupils have reached the age of 14 1/2 years. Upon a pupil with a disability attaining the age of 14 1/2 years, it shall be the duty of the elementary school district in which the pupil resides to notify the high school district in which the pupil resides of the pupil's current eligibility for special education services, of the pupil's current program, and of all evaluation data upon which the current program is based. After an examination of that information the high school district may accept the current placement and all subsequent timelines shall be governed by the current individualized educational program; or the high school district may elect to conduct its own evaluation and multidisciplinary staff conference and formulate its own individualized educational program, in which case the procedures and timelines contained in Section 14-8.02 shall apply.

(Source: P.A. 99-143, eff. 7-27-15; 99-592, eff. 7-22-16; 100-201, eff. 8-18-17.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

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

On motion of Senator Bush, **House Bill No. 5770** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |              |           |
|-----------------|------------|--------------|-----------|
| Althoff         | Cunningham | Link         | Rose      |
| Anderson        | Curran     | Manar        | Sandoval  |
| Aquino          | Fowler     | McCann       | Sims      |
| Barickman       | Haine      | McCarter     | Stadelman |
| Bennett         | Harmon     | McConnaughay | Stears    |
| Bertino-Tarrant | Hastings   | McGuire      | Syverson  |
| Biss            | Holmes     | Morrison     | Tracy     |
| Brady           | Hunter     | Mulroe       | Van Pelt  |
| Bush            | Hutchinson | Muñoz        | Weaver    |

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|               |           |          |               |
|---------------|-----------|----------|---------------|
| Clayborne     | Jones, E. | Murphy   | Mr. President |
| Collins       | Koehler   | Nybo     |               |
| Connelly      | Landek    | Oberweis |               |
| Cullerton, T. | Lightford | Rooney   |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator T. Cullerton, **House Bill No. 5784** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Van Pelt      |
| Clayborne       | Jones, E.  | Murphy       | Weaver        |
| Collins         | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

### HOUSE BILL RECALLED

On motion of Senator Muñoz, **House Bill No. 4897** was recalled from the order of third reading to the order of second reading.

Senator Muñoz offered the following amendment and moved its adoption:

#### AMENDMENT NO. 3 TO HOUSE BILL 4897

AMENDMENT NO. 3. Amend House Bill 4897 as follows:

on page 1, line 5, after "5-1,", by inserting "5-3,;" and

on page 18, by replacing line 24 with the following:

"(s) Craft distiller tasting permit, -  
(t) Brewer warehouse permit."; and

on page 41, immediately below line 1, by inserting the following:

"A brewer warehouse permit may be issued to the holder of a class 1 brewer license or a class 2 brewer license. If the holder of the permit is a class 1 brewer licensee, the brewer warehouse permit shall allow the holder to store or warehouse up to 930,000 gallons of tax-determined beer manufactured by the holder

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of the permit at the premises specified on the permit. If the holder of the permit is a class 2 brewer licensee, the brewer warehouse permit shall allow the holder to store or warehouse up to 3,720,000 gallons of tax-determined beer manufactured by the holder of the permit at the premises specified on the permit. Sales to non-licensees are prohibited at the premises specified in the brewer warehouse permit."; and

on page 41, immediately below line 4, by inserting the following:

"(235 ILCS 5/5-3) (from Ch. 43, par. 118)

Sec. 5-3. License fees. Except as otherwise provided herein, at the time application is made to the State Commission for a license of any class, the applicant shall pay to the State Commission the fee hereinafter provided for the kind of license applied for.

The fee for licenses issued by the State Commission shall be as follows:

| Online<br>renewal   | Initial<br>license<br>or<br>non-online<br>renewal |         |         |
|---|---|---------|---------|
| For a manufacturer's license:   |   |         |         |
| Class 1. Distiller .....  |   | \$4,000 | \$5,000 |
| Class 2. Rectifier .....  |   | 4,000   | 5,000   |
| Class 3. Brewer .....   |   | 1,200   | 1,500   |
| Class 4. First-class Wine   |   |         |         |
| Manufacturer .....  |   | 750     | 900     |
| Class 5. Second-class   |   |         |         |
| Wine Manufacturer .....   |   | 1,500   | 1,750   |
| Class 6. First-class wine-maker .....   |   | 750     | 900     |
| Class 7. Second-class wine-maker .....  |   | 1,500   | 1,750   |
| Class 8. Limited Wine   |   |         |         |
| Manufacturer.....   |   | 250     | 350     |
| Class 9. Craft Distiller.....   |   | 2,000   | 2,500   |
| Class 10. Class 1 Brewer.....   |   | 50      | 75      |
| Class 11. Class 2 Brewer.....   |   | 75      | 100     |
| For a Brew Pub License.....   |   | 1,200   | 1,500   |
| For a caterer retailer's license.....   |   | 350     | 500     |
| For a foreign importer's license .....  |   | 25      | 25      |
| For an importing distributor's<br>license.....  |   | 25      | 25      |
| For a distributor's license<br>(11,250,000 gallons<br>or over).....                           |   | 1,450   | 2,200   |
| For a distributor's license<br>(over 4,500,000 gallons, but<br>under 11,250,000 gallons)..... |   | 950     | 1,450   |
| For a distributor's license<br>(4,500,000 gallons or under).....                              |   | 300     | 450     |
| For a non-resident dealer's license<br>(500,000 gallons or over) .....                        |   | 1,200   | 1,500   |
| For a non-resident dealer's license<br>(under 500,000 gallons) .....                          |   | 250     | 350     |
| For a wine-maker's premises<br>license .....  |   | 250     | 500     |
| For a winery shipper's license<br>(under 250,000 gallons).....                                |   | 200     | 350     |
| For a winery shipper's license<br>(250,000 or over, but<br>under 500,000 gallons).....        |   | 750     | 1,000   |
| For a winery shipper's license<br>(500,000 gallons or over).....                              |   | 1,200   | 1,500   |
| For a wine-maker's premises license,<br>second location .....                                 |   | 500     | 1,000   |

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|   |           |           |
|---|-----------|-----------|
| For a wine-maker's premises license,<br>third location .....  | 500       | 1,000     |
| For a retailer's license .....  | 600       | 750       |
| For a special event retailer's<br>license, (not-for-profit) .....   | 25        | 25        |
| For a special use permit license,<br>one day only .....   | 100       | 150       |
| 2 days or more .....  | 150       | 250       |
| For a railroad license .....  | 100       | 150       |
| For a boat license .....  | 500       | 1,000     |
| For an airplane license, times the<br>licensee's maximum number of<br>aircraft in flight, serving<br>liquor over the State at any<br>given time, which either<br>originate, terminate, or make<br>an intermediate stop in<br>the State..... | 100       | 150       |
| For a non-beverage user's license:  |           |           |
| Class 1 .....   | 24        | 24        |
| Class 2 .....   | 60        | 60        |
| Class 3 .....   | 120       | 120       |
| Class 4 .....   | 240       | 240       |
| Class 5 .....   | 600       | 600       |
| For a broker's license .....  | 750       | 1,000     |
| For an auction liquor license .....   | 100       | 150       |
| For a homebrewer special<br>event permit.....   | 25        | 25        |
| For a craft distiller<br>tasting permit.....  | 25        | 25        |
| For a BASSET trainer license.....   | 300       | 350       |
| For a tasting representative<br>license.....  | 200       | 300       |
| <u>For a brewer warehouse permit.....</u>   | <u>25</u> | <u>25</u> |

Fees collected under this Section shall be paid into the Dram Shop Fund. On and after July 1, 2003 and until June 30, 2016, of the funds received for a retailer's license, in addition to the first \$175, an additional \$75 shall be paid into the Dram Shop Fund, and \$250 shall be paid into the General Revenue Fund. On and after June 30, 2016, one-half of the funds received for a retailer's license shall be paid into the Dram Shop Fund and one-half of the funds received for a retailer's license shall be paid into the General Revenue Fund. Beginning June 30, 1990 and on June 30 of each subsequent year through June 29, 2003, any balance over \$5,000,000 remaining in the Dram Shop Fund shall be credited to State liquor licensees and applied against their fees for State liquor licenses for the following year. The amount credited to each licensee shall be a proportion of the balance in the Dram Fund that is the same as the proportion of the license fee paid by the licensee under this Section for the period in which the balance was accumulated to the aggregate fees paid by all licensees during that period.

No fee shall be paid for licenses issued by the State Commission to the following non-beverage users:

(a) Hospitals, sanitariums, or clinics when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(b) Universities, colleges of learning or schools when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(c) Laboratories when their use is exclusively for the purpose of scientific research.

(Source: P.A. 99-448, eff. 8-24-15; 99-902, eff. 8-26-16; 99-904, eff. 8-26-16; 100-201, eff. 8-18-17.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

[May 25, 2018]



On motion of Senator Muñoz, **House Bill No. 4897** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Curran     | Manar        | Sandoval      |
| Anderson        | Fowler     | McCann       | Schimpf       |
| Aquino          | Haine      | McCarter     | Sims          |
| Barickman       | Harmon     | McConnaughay | Stadelman     |
| Bennett         | Hastings   | McGuire      | Steans        |
| Bertino-Tarrant | Holmes     | Morrison     | Syverson      |
| Biss            | Hunter     | Mulroe       | Tracy         |
| Brady           | Hutchinson | Muñoz        | Van Pelt      |
| Bush            | Jones, E.  | Murphy       | Weaver        |
| Clayborne       | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |
| Cunningham      | Link       | Rose         |               |

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

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

On motion of Senator Aquino, **House Bill No. 5143** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Cullerton, **House Bill No. 5231** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

### AMENDMENT NO. 1 TO HOUSE BILL 5231

AMENDMENT NO. 1. Amend House Bill 5231 by replacing everything after the enacting clause with the following:

"Section 5. The Uniform Peace Officers' Disciplinary Act is amended by changing Section 6 and adding Section 7.2 as follows:

(50 ILCS 725/6) (from Ch. 85, par. 2567)

Sec. 6. ~~Except as otherwise provided in this Act, the~~ The provisions of this Act apply only to the extent there is no collective bargaining agreement currently in effect dealing with the subject matter of this Act. (Source: P.A. 83-981.)

(50 ILCS 725/7.2 new)

Sec. 7.2. Possession of a Firearm Owner's Identification Card. An employer of an officer shall not make possession of a Firearm Owner's Identification Card a condition of continued employment. Nothing in this Section shall otherwise impair an employer's ability to determine an officer's fitness for duty. On and after the effective date of this amendatory Act of the 100th General Assembly, Section 6 of this Act shall not apply to the prohibition requiring a Firearm Owner's Identification Card as a condition of continued employment, but a collective bargaining agreement already in effect on the effective date of this amendatory Act of the 100th General Assembly cannot be modified.

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

Committee Amendment No. 2 was referred to the Committee on Assignments earlier today. There being no further amendments, the bill, as amended, was ordered to a third reading.

### SENATE BILL RECALLED

On motion of Senator Clayborne, **Senate Bill No. 2365** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was held in the Committee on Assignments.

Senator Clayborne offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO SENATE BILL 2365

AMENDMENT NO. 2. Amend Senate Bill 2365 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing Section 20-60 and by adding Sections 20-7 and 50-80 as follows:

(30 ILCS 500/20-7 new)

Sec. 20-7. Method of scoring.

(a) All procurement scoring rubrics for contracts entered into under this Code shall account for and allocate 20% of the total available points towards evaluation of each respondent's commitment to diversity, and shall require supporting documentation to that purpose.

(b) The scoring rubric requirements established under this Section shall include, but not be limited to, the following:

(1) for publicly owned businesses, the number and percentage of members of the respondent's governance board who are women, minorities, or persons with disabilities;

(2) for privately owned businesses, the respondent shall identify whether it or its affiliates are managed by women, minorities, or persons with disabilities. For the purposes of this paragraph (2), "managed by women, minorities, or persons with disabilities" means being owned or managed by a 51% or more combination of women, minorities, or persons with disabilities;

(3) the respondent shall provide the number and percentage of the respondent's owners and managers who are women, minorities, or persons with disabilities;

(4) the number and percentage of the respondent's senior executive leaders, including partner, president, chief operating officer, managing director, or other senior executives, who are women, minorities, military veterans, or persons with disabilities;

(5) the number and percentage of the respondent's staff, including both full-time and part-time employees, who are women, minorities, or persons with disabilities; and

(6) the respondent's intended use of subcontractors for a project, if any, that are women, minorities, or persons with disabilities.

(c) When a solicitation, including solicitations for sole source contracts and contracts with group purchasing organizations, is issued by any State agency or public institution of higher education and falls within a service or product offering that has a history of disparate awards to a class of business owners that are identified under the Business Enterprise Program Act, the scoring rubric allocation identified under subsection (a) shall be 30% of the total available points towards evaluation of each respondent's commitment to diversity.

(d) If any State agency contract is eligible to be paid for, in whole or in part, with federal-aid funds, grants, or loans, and the provisions of this Section would result in the loss of those federal-aid funds, grants, or loans, then the contract is exempt from the provisions of this Section in order to remain eligible for those federal-aid funds, grants, or loans.

(30 ILCS 500/20-60)

Sec. 20-60. Duration of contracts.

(a) Maximum duration. A contract may be entered into for any period of time deemed to be in the best interests of the State but not exceeding 10 years inclusive, beginning January 1, 2010, of proposed contract renewals. The length of a lease for real property or capital improvements shall be in accordance with the provisions of Section 40-25. The length of energy conservation program contracts or energy savings contracts or leases shall be in accordance with the provisions of Section 25-45. A contract for bond or mortgage insurance awarded by the Illinois Housing Development Authority, however, may be entered

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into for any period of time less than or equal to the maximum period of time that the subject bond or mortgage may remain outstanding.

(b) Subject to appropriation. All contracts made or entered into shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to make payments under the terms of the contract.

(c) The chief procurement officer shall file a proposed extension or renewal of a contract with the Procurement Policy Board prior to entering into any extension or renewal if the cost associated with the extension or renewal exceeds \$249,999. The Procurement Policy Board may object to the proposed extension or renewal within 30 calendar days and require a hearing before the Board prior to entering into the extension or renewal. If the Procurement Policy Board does not object within 30 calendar days or takes affirmative action to recommend the extension or renewal, the chief procurement officer may enter into the extension or renewal of a contract. This subsection does not apply to any emergency procurement, any procurement under Article 40, or any procurement exempted by Section 1-10(b) of this Code. If any State agency contract is paid for in whole or in part with federal-aid funds, grants, or loans and the provisions of this subsection would result in the loss of those federal-aid funds, grants, or loans, then the contract is exempt from the provisions of this subsection in order to remain eligible for those federal-aid funds, grants, or loans, and the State agency shall file notice of this exemption with the Procurement Policy Board prior to entering into the proposed extension or renewal. Nothing in this subsection permits a chief procurement officer to enter into an extension or renewal in violation of subsection (a). By August 1 each year, the Procurement Policy Board shall file a report with the General Assembly identifying for the previous fiscal year (i) the proposed extensions or renewals that were filed with the Board and whether the Board objected and (ii) the contracts exempt from this subsection.

(d) No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the Business Enterprise Program spending goal specified under the contract, and that vendor is not otherwise excused from compliance under the Business Enterprise Program Act.

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

(30 ILCS 500/50-80 new)

Sec. 50-80. Diversity training; report.

(a) All employees under each Chief Procurement Officer, as defined under Section 1-15.15, shall complete annual training for diversity and inclusion as prescribed by the Chief Procurement Officer in consultation with the Executive Ethics Commission.

(b) Each Chief Procurement Officer shall submit to the Executive Ethics Commission an annual report that summarizes diversity training that was completed during the previous year, and lays out the plan for the diversity training programs in the coming year. Each Chief Procurement Officer shall also submit to the Executive Ethics Commission an annual report detailing the current status of its diversity efforts, and an action plan to increase diversity internally within their respective offices, as well as a plan to increase the diversity of their vendors engaged in contracts, with a particular focus on those most underrepresented in contract awards.

Section 10. The Business Enterprise for Minorities, Women, and Persons with Disabilities Act is amended by changing Section 4f as follows:

(30 ILCS 575/4f)

(Section scheduled to be repealed on June 30, 2020)

Sec. 4f. Award of State contracts.

(1) It is hereby declared to be the public policy of the State of Illinois to promote and encourage each State agency and public institution of higher education to use businesses owned by minorities, women, and persons with disabilities in the area of goods and services, including, but not limited to, insurance services, investment management services, information technology services, accounting services, architectural and engineering services, and legal services. Furthermore, each State agency and public institution of higher education shall utilize such firms to the greatest extent feasible within the bounds of financial and fiduciary prudence, and take affirmative steps to remove any barriers to the full participation of such firms in the procurement and contracting opportunities afforded.

(a) When a State agency or public institution of higher education, other than a community college, awards a contract for insurance services, for each State agency or public institution of higher education, it shall be the aspirational goal to use insurance brokers owned by minorities, women, and persons with disabilities as defined by this Act, for not less than 20% of the total annual premiums or fees.

(b) When a State agency or public institution of higher education, other than a

community college, awards a contract for investment services, for each State agency or public institution of higher education, it shall be the aspirational goal to use emerging investment managers owned by minorities, women, and persons with disabilities as defined by this Act, for not less than 20% of the total funds under management. Furthermore, it is the aspirational goal that not less than 20% of the direct asset managers of the State funds be minorities, women, and persons with disabilities.

(c) When a State agency or public institution of higher education, other than a community college, awards contracts for information technology services, accounting services, architectural and engineering services, and legal services, for each State agency and public institution of higher education, it shall be the aspirational goal to use such firms owned by minorities, women, and persons with disabilities as defined by this Act and lawyers who are minorities, women, and persons with disabilities as defined by this Act, for not less than 20% of the total dollar amount of State contracts.

(d) When a community college awards a contract for insurance services, investment services, information technology services, accounting services, architectural and engineering services, and legal services, it shall be the aspirational goal of each community college to use businesses owned by minorities, women, and persons with disabilities as defined in this Act for not less than 20% of the total amount spent on contracts for these services collectively. When a community college awards contracts for investment services, contracts awarded to investment managers who are not emerging investment managers as defined in this Act shall not be considered businesses owned by minorities, women, or persons with disabilities for the purposes of this Section.

(e) When a State agency or public institution of higher education issues requests for proposals or solicitations, including requests and solicitations for sole source contracts and contracts with group purchasing organizations, that fall within a service or product offering that has a history of disparate awards to a class of business owners that are underrepresented in contract awards, it shall be the aspirational goal to use service or product providers owned by minorities, women, and persons with disabilities as defined by this Act for not less than 20% of the total dollar amount of State contracts. If the State agency or public institution of higher education believes that it may be difficult to properly assess the minimum 20% aspirational goal, then it may appear before the Council to seek a modification of the goal requirement provided under this paragraph (e).

If any State agency contract is eligible to be paid for, in whole or in part, with federal-aid funds, grants, or loans, and the provisions of this paragraph (e) would result in the loss of those federal-aid funds, grants, or loans, then the contract is exempt from the provisions of this paragraph (e) in order to remain eligible for those federal-aid funds, grants, or loans.

(2) As used in this Section:

"Accounting services" means the measurement, processing and communication of financial information about economic entities including, but is not limited to, financial accounting, management accounting, auditing, cost containment and auditing services, taxation and accounting information systems.

"Architectural and engineering services" means professional services of an architectural or engineering nature, or incidental services, that members of the architectural and engineering professions, and individuals in their employ, may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services.

"Emerging investment manager" means an investment manager or claims consultant having assets under management below \$10 billion or otherwise adjudicating claims.

"Information technology services" means, but is not limited to, specialized technology-oriented solutions by combining the processes and functions of software, hardware, networks, telecommunications, web designers, cloud developing resellers, and electronics.

"Insurance broker" means an insurance brokerage firm, claims administrator, or both, that procures, places all lines of insurance, or administers claims with annual premiums or fees of at least \$5,000,000 but not more than \$10,000,000.

"Legal services" means work performed by a lawyer including, but not limited to, contracts in anticipation of litigation, enforcement actions, or investigations.

(3) Each State agency and public institution of higher education shall adopt policies that identify its plan and implementation procedures for increasing the use of service firms owned by minorities, women, and persons with disabilities.

(4) Except as provided in subsection (5), the Council shall file no later than March 1 of each year an annual report to the Governor and the General Assembly. The report to the General Assembly shall be

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filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct. The report filed with the General Assembly shall be filed as required in Section 3.1 of the General Assembly Organization Act. This report shall: (i) identify the service firms used by each State agency and public institution of higher education, (ii) identify the actions it has undertaken to increase the use of service firms owned by minorities, women, and persons with disabilities, including encouraging non-minority-owned firms to use other service firms owned by minorities, women, and persons with disabilities as subcontractors when the opportunities arise, (iii) state any recommendations made by the Council to each State agency and public institution of higher education to increase participation by the use of service firms owned by minorities, women, and persons with disabilities, and (iv) include the following:

(A) For insurance services: the names of the insurance brokers or claims consultants used, the total of risk managed by each State agency and public institution of higher education by insurance brokers, the total commissions, fees paid, or both, the lines or insurance policies placed, and the amount of premiums placed; and the percentage of the risk managed by insurance brokers, the percentage of total commission, fees paid, or both, the lines or insurance policies placed, and the amount of premiums placed with each by the insurance brokers owned by minorities, women, and persons with disabilities by each State agency and public institution of higher education.

(B) For investment management services: the names of the investment managers used, the total funds under management of investment managers; the total commissions, fees paid, or both; the total and percentage of funds under management of emerging investment managers owned by minorities, women, and persons with disabilities, including the total and percentage of total commissions, fees paid, or both by each State agency and public institution of higher education.

(C) The names of service firms, the percentage and total dollar amount paid for professional services by category by each State agency and public institution of higher education.

(D) The names of service firms, the percentage and total dollar amount paid for services by category to firms owned by minorities, women, and persons with disabilities by each State agency and public institution of higher education.

(E) The total number of contracts awarded for services by category and the total number of contracts awarded to firms owned by minorities, women, and persons with disabilities by each State agency and public institution of higher education.

(5) For community college districts, the Business Enterprise Council shall only report the following information for each community college district: (i) the name of the community colleges in the district, (ii) the name and contact information of a person at each community college appointed to be the single point of contact for vendors owned by minorities, women, or persons with disabilities, (iii) the policy of the community college district concerning certified vendors, (iv) the certifications recognized by the community college district for determining whether a business is owned or controlled by a minority, woman, or person with a disability, (v) outreach efforts conducted by the community college district to increase the use of certified vendors, (vi) the total expenditures by the community college district in the prior fiscal year in the divisions of work specified in paragraphs (a), (b), and (c) of subsection (1) of this Section and the amount paid to certified vendors in those divisions of work, and (vii) the total number of contracts entered into for the divisions of work specified in paragraphs (a), (b), and (c) of subsection (1) of this Section and the total number of contracts awarded to certified vendors providing these services to the community college district. The Business Enterprise Council shall not make any utilization reports under this Act for community college districts for Fiscal Year 2015 and Fiscal Year 2016, but shall make the report required by this subsection for Fiscal Year 2017 and for each fiscal year thereafter. The Business Enterprise Council shall report the information in items (i), (ii), (iii), and (iv) of this subsection beginning in September of 2016. The Business Enterprise Council may collect the data needed to make its report from the Illinois Community College Board.

(6) The status of the utilization of services shall be discussed at each of the regularly scheduled Business Enterprise Council meetings. Time shall be allotted for the Council to receive, review, and discuss the progress of the use of service firms owned by minorities, women, and persons with disabilities by each State agency and public institution of higher education; and any evidence regarding past or present racial, ethnic, or gender-based discrimination which directly impacts a State agency or public institution of higher education contracting with such firms. If after reviewing such evidence the Council finds that there is or has been such discrimination against a specific group, race or sex, the Council shall establish sheltered markets or adjust existing sheltered markets tailored to address the Council's specific findings for the divisions of work specified in paragraphs (a), (b), and (c) of subsection (1) of this Section.

(Source: P.A. 99-462, eff. 8-25-15; 99-642, eff. 7-28-16; 100-391, eff. 8-25-17)."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Clayborne offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO SENATE BILL 2365**

AMENDMENT NO. 3. Amend Senate Bill 2365, AS AMENDED, in Section 5, Sec. 20-60, after the last sentence of subsection (d), by inserting "This subsection (d) does not apply to the renewal of contracts for construction or construction-related services."; and

in Section 5, Sec. 50-80, subsection (a), by replacing "Executive Ethics Commission" with "Business Enterprise Council"; and

in Section 5, Sec. 50-80, in the first sentence of subsection (b), by replacing "Executive Ethics Commission" with "Business Enterprise Council"; and

in Section 5, Sec. 50-80, subsection (b), by deleting ", as well as a plan to increase the diversity of their vendors engaged in contracts, with a particular focus on those most underrepresented in contract awards"; and

in the introductory clause of Section 10 by replacing "Section 4f" with "Sections 4f and 6"; and

in Section 10, Sec. 4f, after the last sentence of paragraph (c) of subsection (1), by inserting "In the case of State contracts for architectural and engineering services, the provisions of this subsection (c) requiring a portion of State contracts to be awarded to businesses owned and controlled by persons with disabilities do not apply."; and

in Section 10, after Sec. 4f, by inserting the following:

"(30 ILCS 575/6) (from Ch. 127, par. 132.606)

(Section scheduled to be repealed on June 30, 2020)

Sec. 6. Agency compliance plans. Each State agency and public institutions of higher education under the jurisdiction of this Act shall file with the Council an annual compliance plan which shall outline the goals of the State agency or public institutions of higher education for contracting with businesses owned by minorities, women, and persons with disabilities for the then current fiscal year, the manner in which the agency intends to reach these goals and a timetable for reaching these goals. The Council shall review and approve the plan of each State agency and public institutions of higher education and may reject any plan that does not comply with this Act or any rules or regulations promulgated pursuant to this Act.

(a) The compliance plan shall also include, but not be limited to, (1) a policy statement, signed by the State agency or public institution of higher education head, expressing a commitment to encourage the use of businesses owned by minorities, women, and persons with disabilities, (2) the designation of the liaison officer provided for in Section 5 of this Act, (3) procedures to distribute to potential contractors and vendors the list of all businesses legitimately classified as businesses owned by minorities, women, and persons with disabilities and so certified under this Act, (4) procedures to set separate contract goals on specific prime contracts and purchase orders with subcontracting possibilities based upon the type of work or services and subcontractor availability, (5) procedures to assure that contractors and vendors make good faith efforts to meet contract goals, (6) procedures for contract goal exemption, modification and waiver, and (7) the delineation of separate contract goals for businesses owned by minorities, women, and persons with disabilities.

(b) Approval of the compliance plans shall include such delegation of responsibilities to the requesting State agency or public institution of higher education as the Council deems necessary and appropriate to fulfill the purpose of this Act. Such responsibilities may include, but need not be limited to those outlined in subsections (1), (2) and (3) of Section 7, paragraph (a) of Section 8, and Section 8a of this Act.

(c) Each State agency and public institution of higher education under the jurisdiction of this Act shall file with the Council an annual report of its utilization of businesses owned by minorities, women, and persons with disabilities during the preceding fiscal year including lapse period spending and a mid-fiscal year report of its utilization to date for the then current fiscal year. The reports shall include a self-evaluation of the efforts of the State agency or public institution of higher education to meet its goals under the Act, as well as a plan to increase the diversity of their vendors engaged in contracts, with a particular focus on those most underrepresented in contract awards.

(d) Notwithstanding any provisions to the contrary in this Act, any State agency or public institution of higher education which administers a construction program, for which federal law or regulations establish standards and procedures for the utilization of minority-owned and women-owned businesses and disadvantaged businesses, shall implement a disadvantaged business enterprise program to include minority-owned and women-owned businesses and disadvantaged businesses, using the federal standards and procedures for the establishment of goals and utilization procedures for the State-funded, as well as the federally assisted, portions of the program. In such cases, these goals shall not exceed those established pursuant to the relevant federal statutes or regulations. Notwithstanding the provisions of Section 8b, the Illinois Department of Transportation is authorized to establish sheltered markets for the State-funded portions of the program consistent with federal law and regulations. Additionally, a compliance plan which is filed by such State agency or public institution of higher education pursuant to this Act, which incorporates equivalent terms and conditions of its federally-approved compliance plan, shall be deemed approved under this Act.

(Source: P.A. 99-462, eff. 8-25-15; 100-391, eff. 8-25-17.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Clayborne, **Senate Bill No. 2365** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 38; NAYS 2; Present 1.

The following voted in the affirmative:

|                 |            |           |               |
|-----------------|------------|-----------|---------------|
| Aquino          | Fowler     | Lightford | Rose          |
| Bennett         | Haine      | Link      | Sandoval      |
| Bertino-Tarrant | Harmon     | Manar     | Sims          |
| Biss            | Hastings   | McCann    | Stadelman     |
| Bush            | Holmes     | McGuire   | Steans        |
| Clayborne       | Hunter     | Morrison  | Van Pelt      |
| Collins         | Hutchinson | Mulroe    | Weaver        |
| Cullerton, T.   | Jones, E.  | Muñoz     | Mr. President |
| Cunningham      | Koehler    | Murphy    |               |
| Curran          | Landek     | Nybo      |               |

The following voted in the negative:

McCarter  
Tracy

The following voted present:

Oberweis

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

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

### CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

[May 25, 2018]

Senator Barickman moved that **Senate Joint Resolution No. 9**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Barickman moved that Senate Joint Resolution No. 9 be adopted.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

|                 |               |           |           |
|-----------------|---------------|-----------|-----------|
| Althoff         | Cullerton, T. | Landek    | Rooney    |
| Anderson        | Cunningham    | Lightford | Rose      |
| Aquino          | Curran        | Link      | Sandoval  |
| Barickman       | Fowler        | Manar     | Schimpf   |
| Bennett         | Haine         | McCann    | Sims      |
| Bertino-Tarrant | Harmon        | McCarter  | Stadelman |
| Biss            | Hastings      | McGuire   | Steans    |
| Brady           | Holmes        | Morrison  | Syverson  |
| Bush            | Hunter        | Mulroe    | Tracy     |
| Clayborne       | Hutchinson    | Muñoz     | Van Pelt  |
| Collins         | Jones, E.     | Murphy    | Weaver    |
| Connelly        | Koehler       | Oberweis  |           |

The motion prevailed.

And the resolution was adopted.

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

Senator Barickman moved that **Senate Joint Resolution No. 56**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Barickman moved that Senate Joint Resolution No. 56 be adopted.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Van Pelt      |
| Clayborne       | Jones, E.  | Murphy       | Weaver        |
| Collins         | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

The motion prevailed.

And the resolution was adopted.

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

[May 25, 2018]



Senator McCann moved that **Senate Joint Resolution No. 58**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator McCann moved that Senate Joint Resolution No. 58 be adopted.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Van Pelt      |
| Clayborne       | Jones, E.  | Murphy       | Weaver        |
| Collins         | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

The motion prevailed.

And the resolution was adopted.

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

Senator Syverson moved that **Senate Joint Resolution No. 59**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Syverson moved that Senate Joint Resolution No. 59 be adopted.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

|                 |            |              |               |
|-----------------|------------|--------------|---------------|
| Althoff         | Cunningham | Link         | Rose          |
| Anderson        | Curran     | Manar        | Sandoval      |
| Aquino          | Fowler     | McCann       | Schimpf       |
| Barickman       | Haine      | McCarter     | Sims          |
| Bennett         | Harmon     | McConnaughay | Stadelman     |
| Bertino-Tarrant | Hastings   | McGuire      | Steans        |
| Biss            | Holmes     | Morrison     | Syverson      |
| Brady           | Hunter     | Mulroe       | Tracy         |
| Bush            | Hutchinson | Muñoz        | Van Pelt      |
| Clayborne       | Jones, E.  | Murphy       | Weaver        |
| Collins         | Koehler    | Nybo         | Mr. President |
| Connelly        | Landek     | Oberweis     |               |
| Cullerton, T.   | Lightford  | Rooney       |               |

The motion prevailed.

And the resolution was adopted.

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

Senator Lightford moved that **Senate Joint Resolution No. 60**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Lightford moved that Senate Joint Resolution No. 60 be adopted.

The motion prevailed.

And the resolution was adopted.

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

Senator Sandoval moved that **Senate Joint Resolution No. 62**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Committee Amendment No. 1 was postponed in the Committee on Transportation.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

**AMENDMENT NO. 2 TO SENATE JOINT RESOLUTION 62**

AMENDMENT NO. 2. Amend Senate Joint Resolution 62 as follows:

on page 3, line 8, by deleting "and";

on page 3, line 11, by deleting "and be it further"; and

on page 3, after line 11, by inserting:

"(14) One member who advocates for bicycle and pedestrian infrastructure, appointed by the chairpersons; and

(15) The chair of the RTA Board of Directors, or his or her designee; and be it further".

Senator Sandoval moved that Senate Joint Resolution No. 62, as amended, be adopted.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

|                 |            |          |               |
|-----------------|------------|----------|---------------|
| Althoff         | Cunningham | Link     | Schimpf       |
| Anderson        | Curran     | Manar    | Sims          |
| Aquino          | Fowler     | McCann   | Stadelman     |
| Barickman       | Haine      | McGuire  | Steans        |
| Bennett         | Harmon     | Morrison | Syverson      |
| Bertino-Tarrant | Hastings   | Mulroe   | Tracy         |
| Biss            | Holmes     | Muñoz    | Van Pelt      |
| Brady           | Hunter     | Murphy   | Weaver        |
| Bush            | Hutchinson | Nybo     | Mr. President |
| Clayborne       | Jones, E.  | Oberweis |               |
| Collins         | Koehler    | Rooney   |               |
| Connelly        | Landek     | Rose     |               |
| Cullerton, T.   | Lightford  | Sandoval |               |

The motion prevailed.

And the resolution, as amended, was adopted.

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

Senator Rose moved that **Senate Joint Resolution No. 65**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Rose moved that Senate Joint Resolution No. 65 be adopted.

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

[May 25, 2018]

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |          |               |
|-----------------|------------|----------|---------------|
| Althoff         | Cunningham | Link     | Sandoval      |
| Anderson        | Curran     | Manar    | Schimpf       |
| Aquino          | Crowler    | McCann   | Sims          |
| Barickman       | Haine      | McCarter | Stadelman     |
| Bennett         | Harmon     | McGuire  | Steans        |
| Bertino-Tarrant | Hastings   | Morrison | Syverson      |
| Biss            | Holmes     | Mulroe   | Tracy         |
| Brady           | Hunter     | Muñoz    | Van Pelt      |
| Bush            | Hutchinson | Murphy   | Weaver        |
| Clayborne       | Jones, E.  | Nybo     | Mr. President |
| Collins         | Koehler    | Oberweis |               |
| Connelly        | Landek     | Rooney   |               |
| Cullerton, T.   | Lightford  | Rose     |               |

The motion prevailed.

And the resolution was adopted.

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

#### SENATE BILL RECALLED

On motion of Senator J. Cullerton, **Senate Bill No. 452** was recalled from the order of third reading to the order of second reading.

Senator J. Cullerton offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 452

AMENDMENT NO. 1. Amend Senate Bill 452 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 5-1 as follows:

(105 ILCS 5/5-1) (from Ch. 122, par. 5-1)

Sec. 5-1. County school units.

(a) The territory in each county, exclusive of any school district governed by any special act which requires the district to appoint its own school treasurer, shall constitute a county school unit. County school units of less than 2,000,000 inhabitants shall be known as Class I county school units and the office of township trustees, where existing on July 1, 1962, in such units shall be abolished on that date and all books and records of such former township trustees shall be forthwith thereafter transferred to the county board of school trustees. County school units of 2,000,000 or more inhabitants shall be known as Class II county school units and shall retain the office of township trustees unless otherwise provided in subsection (b) or (c).

(b) Notwithstanding subsections (a) and (c), the school board of any elementary school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of a high school district, and the school board of any high school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of an elementary school district, may, whenever the territory of such school district forms a part of a Class II county school unit, by proper resolution withdraw such school district from the jurisdiction and authority of the trustees of schools of the township in which such school district is located and from the jurisdiction and authority of the township treasurer in such Class II county school unit; provided that the school board of any such school district shall, upon the adoption and passage of such resolution, thereupon elect or appoint its own school treasurer as provided in Section 8-1. Upon the adoption and passage of such resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in such township shall no longer have or exercise any powers and duties with respect to the school district governed by such school board or

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with respect to the school business, operations or assets of such school district; and (2) all books and records of the township trustees relating to the school business and affairs of such school district shall be transferred and delivered to the school board of such school district. Upon the effective date of this amendatory Act of 1993, the legal title to, and all right, title and interest formerly held by the township trustees in any school buildings and school sites used and occupied by the school board of such school district for school purposes, that legal title, right, title and interest thereafter having been transferred to and vested in the regional board of school trustees under P.A. 87-473 until the abolition of that regional board of school trustees by P.A. 87-969, shall be deemed transferred by operation of law to and shall vest in the school board of that school district.

Notwithstanding subsections (a) and (c), the school boards of Oak Park & River Forest District 200, Oak Park Elementary School District 97, and River Forest School District 90 may, by proper resolution, withdraw from the jurisdiction and authority of the trustees of schools of Proviso and Cicero Townships and the township treasurer, provided that the school board shall, upon the adoption and passage of the resolution, elect or appoint its own school treasurer as provided in Section 8-1 of this Code. Upon the adoption and passage of the resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in the township or townships shall no longer have or exercise any powers or duties with respect to the school district or with respect to the school business, operations, or assets of the school district; (2) all books and records of the trustees of schools and all moneys, securities, loanable funds, and other assets relating to the school business and affairs of the school district shall be transferred and delivered to the school board; and (3) all legal title to and all right, title, and interest formerly held by the trustees of schools in any common school lands, school buildings, or school sites used and occupied by the school board and all rights of property and causes of action pertaining to or constituting a part of the common school lands, buildings, or sites shall be deemed transferred by operation of law to and shall vest in the school board.

Notwithstanding subsections (a) and (c), the respective school boards of Berwyn North School District 98, Berwyn South School District 100, Cicero School District 99, and J.S. Morton High School District 201 may, by proper resolution, withdraw from the jurisdiction and authority of the trustees of schools of Cicero Township and the township treasurer, provided that the school board shall, upon the adoption and passage of the resolution, elect or appoint its own school treasurer as provided in Section 8-1 of this Code. Upon the adoption and passage of the resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in the township shall no longer have or exercise any powers or duties with respect to the school district or with respect to the school business, operations, or assets of the school district; (2) all books and records of the trustees of schools and all moneys, securities, loanable funds, and other assets relating to the school business and affairs of the school district shall be transferred and delivered to the school board; and (3) all legal title to and all right, title, and interest formerly held by the trustees of schools in any common school lands, school buildings, or school sites used and occupied by the school board and all rights of property and causes of action pertaining to or constituting a part of the common school lands, buildings, or sites shall be deemed transferred by operation of law to and shall vest in the school board.

Notwithstanding subsections (a) and (c) of this Section and upon final judgment regarding claims set forth in the case of Township Trustees of Schools Township 38 North, Range 12 East v. Lyons Township High School District No. 204 case N. 13 CH 23386 pending in the Circuit Court of Cook County, Illinois, County Department, Chancery Division, the school board of Lyons Township High School District 204 may, by proper resolution, withdraw from the jurisdiction and authority of the trustees of schools of Lyons Township and the township treasurer, provided that the school board shall, upon the adoption and passage of the resolution, elect or appoint its own school treasurer as provided in Section 8-1 of this Code. Upon the adoption and passage of the resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in the township shall no longer have or exercise any powers or duties with respect to the school district or with respect to the school business, operations, or assets of the school district; (2) all books and records of the trustees of schools and all moneys, securities, loanable funds, and other assets relating to the school business and affairs of the school district shall be transferred and delivered to the school board; and (3) all legal title to and all right, title, and interest formerly held by the trustees of schools in any common school lands, school buildings, or school sites used and occupied by the school board and all rights of property and causes of action pertaining to or constituting a part of the common school lands, buildings, or sites shall be deemed transferred by operation of law to and shall vest in the school board. The changes made to this Section by this amendatory Act of the 100th General Assembly are prospective only, starting from the effective date of this amendatory Act of the 100th General Assembly, and shall not affect any legal action pending on the effective date of this amendatory

Act of the 100th General Assembly in the Illinois courts in which Lyons Township High School District 204 is a listed party.

(c) Notwithstanding the provisions of subsection (a), the offices of township treasurer and trustee of schools of any township located in a Class II county school unit shall be abolished as provided in this subsection if all of the following conditions are met:

(1) During the same 30 day period, each school board of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished gives written notice by certified mail, return receipt requested to the township treasurer and trustees of schools of that township of the date of a meeting of the school board, to be held not more than 90 nor less than 60 days after the date when the notice is given, at which meeting the school board is to consider and vote upon the question of whether there shall be submitted to the electors of the school district a proposition to abolish the offices of township treasurer and trustee of schools of that township. None of the notices given under this paragraph to the township treasurer and trustees of schools of a township shall be deemed sufficient or in compliance with the requirements of this paragraph unless all of those notices are given within the same 30 day period.

(2) Each school board of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished, by the affirmative vote of at least 5 members of the school board at a school board meeting of which notice is given as required by paragraph (1) of this subsection, adopts a resolution requiring the secretary of the school board to certify to the proper election authorities for submission to the electors of the school district at the next consolidated election in accordance with the general election law a proposition to abolish the offices of township treasurer and trustee of schools of that township. None of the resolutions adopted under this paragraph by any elementary or unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished shall be deemed in compliance with the requirements of this paragraph or sufficient to authorize submission of the proposition to abolish those offices to a referendum of the electors in any such school district unless all of the school boards of all of the elementary and unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township adopt such a resolution in accordance with the provisions of this paragraph.

(3) The school boards of all of the elementary and unit school districts that are subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished submit a proposition to abolish the offices of township treasurer and trustee of schools of that township to the electors of their respective school districts at the same consolidated election in accordance with the general election law, the ballot in each such district to be in substantially the following form:

-----

OFFICIAL BALLOT

|  |     |
|--|-----|
| Shall the offices of township treasurer and trustee of schools of Township ..... | YES |
| Range ..... be abolished?  | NO  |

-----

(4) At the consolidated election at which the proposition to abolish the offices of township treasurer and trustee of schools of a township is submitted to the electors of each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustee of schools of that township, a majority of the electors voting on the proposition in each such elementary and unit school district votes in favor of the proposition as submitted to them.

If in each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished a majority of the electors in each such district voting at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township votes in favor of the proposition as submitted to them, the proposition shall be deemed to have passed; but if in any such elementary or unit school district a majority of the electors voting on that proposition in that district fails to vote in favor of the proposition as submitted to them, then notwithstanding the vote of the electors in any other such elementary or unit school district on that proposition the proposition shall not be deemed to have passed in any of those elementary or unit school districts, and the offices of township treasurer and

trustee of schools of the township in which those offices were sought to be abolished shall not be abolished, unless in each of those elementary and unit school districts remaining subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township proceedings are again initiated to abolish those offices and all of the proceedings and conditions prescribed in paragraphs (1) through (4) of this subsection are repeated and met in each of those elementary and unit school districts.

Notwithstanding the foregoing provisions of this Section or any other provision of the School Code, the offices of township treasurer and trustee of schools of a township that has a population of less than 200,000 and that contains a unit school district and is located in a Class II county school unit shall also be abolished as provided in this subsection if all of the conditions set forth in paragraphs (1), (2), and (3) of this subsection are met and if the following additional condition is met:

The electors in all of the school districts subject to the jurisdiction and authority of

the township treasurer and trustees of schools of the township in which those offices are sought to be abolished shall vote at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township. If a majority of the electors in all of the school districts combined voting on the proposition vote in favor of the proposition, then the proposition shall be deemed to have passed; but if a majority of the electors voting on the proposition in all of the school district fails to vote in favor of the proposition as submitted to them, then the proposition shall not be deemed to have passed and the offices of township treasurer and trustee of schools of the township in which those offices were sought to be abolished shall not be abolished, unless and until the proceedings detailed in paragraphs (1) through (3) of this subsection and the conditions set forth in this paragraph are met.

If the proposition to abolish the offices of township treasurer and trustee of schools of a township is deemed to have passed at the consolidated election as provided in this subsection, those offices shall be deemed abolished by operation of law effective on January 1 of the calendar year immediately following the calendar year in which that consolidated election is held, provided that if after the election, the trustees of schools by resolution elect to abolish the offices of township treasurer and trustee of schools effective on July 1 immediately following the election, then the offices shall be abolished on July 1 immediately following the election. On the date that the offices of township treasurer and trustee of schools of a township are deemed abolished by operation of law, the school board of each elementary and unit school district and the school board of each high school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township at the time those offices are abolished: (i) shall appoint its own school treasurer as provided in Section 8-1; and (ii) unless the term of the contract of a township treasurer expires on the date that the office of township treasurer is abolished, shall pay to the former township treasurer its proportionate share of any aggregate compensation that, were the office of township treasurer not abolished at that time, would have been payable to the former township treasurer after that date over the remainder of the term of the contract of the former township treasurer that began prior to but ends after that date. In addition, on the date that the offices of township treasurer and trustee of schools of a township are deemed abolished as provided in this subsection, the school board of each elementary school, high school and unit school district that until that date is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township shall be deemed by operation of law to have agreed and assumed to pay and, when determined, shall pay to the Illinois Municipal Retirement Fund a proportionate share of the unfunded liability existing in that Fund at the time these offices are abolished in that calendar year for all annuities or other benefits then or thereafter to become payable from that Fund with respect to all periods of service performed prior to that date as a participating employee in that Fund by persons serving during those periods of service as a trustee of schools, township treasurer or regular employee in the office of the township treasurer of that township. That unfunded liability shall be actuarially determined by the board of trustees of the Illinois Municipal Retirement Fund, and the board of trustees shall thereupon notify each school board required to pay a proportionate share of that unfunded liability of the aggregate amount of the unfunded liability so determined. The amount so paid to the Illinois Municipal Retirement Fund by each of those school districts shall be credited to the account of the township in that Fund. For each elementary school, high school and unit school district under the jurisdiction and authority of a township treasurer and trustees of schools of a township in which those offices are abolished as provided in this subsection, each such district's proportionate share of the aggregate compensation payable to the former township treasurer as provided in this paragraph and each such district's proportionate share of the aggregate amount of the unfunded liability payable to the Illinois Municipal Retirement Fund as provided in this paragraph shall be computed in accordance with the ratio that the number of pupils in average daily attendance in each such district for the school year last ending prior to the date on which the offices of township treasurer and trustee of schools of that township are

abolished bears to the aggregate number of pupils in average daily attendance in all of those districts as so reported for that school year.

Upon abolition of the offices of township treasurer and trustee of schools of a township as provided in this subsection: (i) the regional board of school trustees, in its corporate capacity, shall be deemed the successor in interest to the former trustees of schools of that township with respect to the common school lands and township loanable funds of the township; (ii) all right, title and interest existing or vested in the former trustees of schools of that township in the common school lands and township loanable funds of the township, and all records, moneys, securities and other assets, rights of property and causes of action pertaining to or constituting a part of those common school lands or township loanable funds, shall be transferred to and deemed vested by operation of law in the regional board of school trustees, which shall hold legal title to, manage and operate all common school lands and township loanable funds of the township, receive the rents, issues and profits therefrom, and have and exercise with respect thereto the same powers and duties as are provided by this Code to be exercised by regional boards of school trustees when acting as township land commissioners in counties having at least 220,000 but fewer than 2,000,000 inhabitants; (iii) the regional board of school trustees shall select to serve as its treasurer with respect to the common school lands and township loanable funds of the township a person from time to time also serving as the appointed school treasurer of any school district that was subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township at the time those offices were abolished, and the person selected to also serve as treasurer of the regional board of school trustees shall have his compensation for services in that capacity fixed by the regional board of school trustees, to be paid from the township loanable funds, and shall make to the regional board of school trustees the reports required to be made by treasurers of township land commissioners, give bond as required by treasurers of township land commissioners, and perform the duties and exercise the powers of treasurers of township land commissioners; (iv) the regional board of school trustees shall designate in the manner provided by Section 8-7, insofar as applicable, a depository for its treasurer, and the proceeds of all rents, issues and profits from the common school lands and township loanable funds of that township shall be deposited and held in the account maintained for those purposes with that depository and shall be expended and distributed therefrom as provided in Section 15-24 and other applicable provisions of this Code; and (v) whenever there is vested in the trustees of schools of a township at the time that office is abolished under this subsection the legal title to any school buildings or school sites used or occupied for school purposes by any elementary school, high school or unit school district subject to the jurisdiction and authority of those trustees of school at the time that office is abolished, the legal title to those school buildings and school sites shall be deemed transferred by operation of law to and invested in the school board of that school district, in its corporate capacity under Section 10-22.35B of this Code, the same to be held, sold, exchanged leased or otherwise transferred in accordance with applicable provisions of this Code.

Notwithstanding Section 2-3.25g of this Code, a waiver of a mandate established under this Section may not be requested.

(Source: P.A. 100-374, eff. 8-25-17.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator J. Cullerton, **Senate Bill No. 452** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff

Cullerton, T.

Lightford

Rose

[May 25, 2018]

|                 |            |          |               |
|-----------------|------------|----------|---------------|
| Anderson        | Cunningham | Link     | Sandoval      |
| Aquino          | Curran     | Manar    | Schimpf       |
| Barickman       | Fowler     | McCann   | Sims          |
| Bennett         | Haine      | McCarter | Stadelman     |
| Bertino-Tarrant | Harmon     | McGuire  | Steans        |
| Biss            | Hastings   | Morrison | Syverson      |
| Brady           | Holmes     | Mulroe   | Tracy         |
| Bush            | Hunter     | Muñoz    | Van Pelt      |
| Clayborne       | Hutchinson | Murphy   | Weaver        |
| Collins         | Jones, E.  | Nybo     | Mr. President |
| Connelly        | Koehler    | Oberweis |               |

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

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

### CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Koehler moved that **Senate Joint Resolution No. 73**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Koehler moved that Senate Resolution No. 73 be adopted.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

|                 |            |          |               |
|-----------------|------------|----------|---------------|
| Althoff         | Cunningham | Link     | Sandoval      |
| Anderson        | Curran     | Manar    | Schimpf       |
| Aquino          | Fowler     | McCann   | Sims          |
| Barickman       | Haine      | McCarter | Stadelman     |
| Bennett         | Harmon     | McGuire  | Steans        |
| Bertino-Tarrant | Hastings   | Morrison | Syverson      |
| Biss            | Holmes     | Mulroe   | Tracy         |
| Brady           | Hunter     | Muñoz    | Van Pelt      |
| Bush            | Hutchinson | Murphy   | Weaver        |
| Clayborne       | Jones, E.  | Nybo     | Mr. President |
| Collins         | Koehler    | Oberweis |               |
| Connelly        | Landek     | Rooney   |               |
| Cullerton, T.   | Lightford  | Rose     |               |

The motion prevailed.

And the resolution was adopted.

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

Senator Hunter moved that **Senate Resolution No. 1668**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hunter moved that Senate Resolution No. 1668 be adopted.

The motion prevailed.

And the resolution was adopted.

### INTRODUCTION OF BILL

[May 25, 2018]



**SENATE BILL NO. 3616.** Introduced by Senator Manar, a bill for AN ACT concerning business. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

### **RESOLUTIONS CONSENT CALENDAR**

#### **SENATE RESOLUTION NO. 1762**

Offered by Senator Anderson and all Senators:  
Mourns the death of Albert J. "Big Al" Lampo, Sr., of East Moline.

#### **SENATE RESOLUTION NO. 1763**

Offered by Senator Anderson and all Senators:  
Mourns the death of William "Bill" Hansen, formerly of East Moline.

#### **SENATE RESOLUTION NO. 1764**

Offered by Senator Lightford and all Senators:  
Mourns the death of James Earl "Jimmy" Harlan.

#### **SENATE RESOLUTION NO. 1765**

Offered by Senator Tracy and all Senators:  
Mourns the death of Benjamin J. "Ben" Bumbry, Jr., of Quincy.

#### **SENATE RESOLUTION NO. 1768**

Offered by Senator Anderson and all Senators:  
Mourns the death of Frederick M. "Fred" Kunst of Milan.

#### **SENATE RESOLUTION NO. 1769**

Offered by Senator Anderson and all Senators:  
Mourns the death of Robert Murrel Sackett of Silvis.

#### **SENATE RESOLUTION NO. 1770**

Offered by Senator Anderson and all Senators:  
Mourns the death of Hector Edelmiro Colon of Moline.

#### **SENATE RESOLUTION NO. 1771**

Offered by Senator Anderson and all Senators:  
Mourns the death of Chuck Dallas.

#### **SENATE RESOLUTION NO. 1772**

Offered by Senator Anderson and all Senators:  
Mourns the death of Harry G. Reeder of Moline.

#### **SENATE RESOLUTION NO. 1773**

Offered by Senator Morrison and all Senators:  
Mourns the death of Francis L. "Frank" Cunniff of Lincolnshire.

#### **SENATE RESOLUTION NO. 1776**

Offered by Senator Sims and all Senators:  
Mourns the death of Julia "Becky" Lewis Smith.

#### **SENATE RESOLUTION NO. 1781**

Offered by Senator Van Pelt and all Senators:  
Mourns the death of Yolanda Saddler Blackmon.

#### **SENATE RESOLUTION NO. 1782**

Offered by Senator Martinez and all Senators:  
Mourns the deaths of Major Jose R. Roman Rosado; Major Carlos Perez Serra; First Lieutenant David Albondo; Senior Master Sergeant Jan Paravisini; Master Sergeant Jean Audriffred; Master

Sergeant Mario Brana; Master Sergeant Victor Colon; Master Sergeant Eric Circuns; and Senior Airman Roberto Espada.

**SENATE RESOLUTION NO. 1783**

Offered by Senator Tracy and all Senators:  
Mourns the death of Michael W. "Mike" Beaty of Groveland.

**SENATE RESOLUTION NO. 1784**

Offered by Senator Anderson and all Senators:  
Mourns the death of Billy E. Sherrod of East Moline.

**SENATE RESOLUTION NO. 1785**

Offered by Senator Link and all Senators:  
Mourns the death of Dawn Elaine Miller of Mundelein.

**SENATE RESOLUTION NO. 1787**

Offered by Senator Weaver and all Senators:  
Mourns the death of Charlie Allen of Lacon.

**SENATE RESOLUTION NO. 1788**

Offered by Senator Weaver and all Senators:  
Mourns the death of Kennedie LyAnn Vote of Germantown Hills.

The Chair moved the adoption of the Resolutions Consent Calendar.  
The motion prevailed, and the resolutions were adopted.

**LEGISLATIVE MEASURES 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. 2 to Senate Bill 203

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

Amendment No. 5 to House Bill 3479  
Amendment No. 1 to House Bill 4507  
Amendment No. 1 to House Bill 4706  
Amendment No. 2 to House Bill 5020  
Amendment No. 3 to House Bill 5308  
Amendment No. 1 to House Bill 5749

**JOINT ACTION MOTIONS FILED**

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

Motion to Concur in House Amendment 1 to Senate Bill 65  
Motion to Concur in House Amendment 1 to Senate Bill 544  
Motion to Concur in House Amendment 1 to Senate Bill 558  
Motion to Concur in House Amendment 1 to Senate Bill 1453  
Motion to Concur in House Amendment 1 to Senate Bill 2270  
Motion to Concur in House Amendment 1 to Senate Bill 2640  
Motion to Concur in House Amendment 1 to Senate Bill 2675  
Motion to Concur in House Amendment 1 to Senate Bill 2777

[May 25, 2018]

At the hour of 12:29 o'clock p.m., the Chair announced that the Senate stands adjourned until Monday, May 28, 2018, at 4:00 o'clock p.m.

**PERFUNCTORY SESSION  
1:15 O'CLOCK P.M.**

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

**MESSAGE 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

May 25, 2018

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 May 25, 2018.

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

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 1789**

Offered by Senator Hastings and all Senators:  
Mourns the death of Lloyd H. Eichwald.

**SENATE RESOLUTION NO. 1790**

Offered by Senator Hastings and all Senators:  
Mourns the death of Patricia A. "Patty" (Miller) Maus.

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

**REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations II: **HOUSE BILLS 4290 and 5750.**

[May 25, 2018]

Criminal Law: **Floor Amendment No. 1 to House Bill 5477.**

Education: **Floor Amendment No. 3 to Senate Bill 3190; Floor Amendment No. 4 to House Bill 4208.**

Judiciary: **Floor Amendment No. 2 to House Bill 5201; HOUSE BILL 2354.**

Licensed Activities and Pensions: **HOUSE BILL 4100.**

Local Government: **Committee Amendment No. 1 to House Bill 4104.**

Revenue: **Floor Amendment No. 1 to House Bill 4507.**

State Government: **HOUSE BILL 4413.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

State Government: **Senate Resolution No. 1767.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Commerce and Economic Development: **Motion to Concur in House Amendment 1 to Senate Bill 2675**

Criminal Law: **Motion to Concur in House Amendment 1 to Senate Bill 558**

Public Health: **Motion to Concur in House Amendment 1 to Senate Bill 2777**

Revenue: **Motion to Concur in House Amendment 1 to Senate Bill 2303**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, reported that the following Legislative Measures have been approved for consideration:

**Floor Amendment No. 2 to House Bill 5020**

**Floor Amendment No. 2 to House Bill 5308**

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, reported that the following Legislative Measure has been approved for consideration:

**Senate Resolution 1766**

The foregoing resolution was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, to which was referred **House Bill No. 3648** 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.

[May 25, 2018]

And **House Bill No. 3648** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, to which was referred **House Bill No. 4339** on May 11, 2018, pursuant to Rule 3-9(a), reported the same back with the recommendation that the bill be placed on the order of second reading without recommendation to committee.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 25, 2018 meeting, to which was referred **Senate Bill No. 37** 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 **Senate Bill No. 37** was returned to the order of third reading.

**MESSAGE 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

May 25, 2018

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the Committee and 3<sup>rd</sup> Reading deadline to May 31, 2018, for the following House bills:

175, 1190, 1804, 2477, 2505, 3080, 3142, 3223, 3342, 3479, 3648, 3920, 4045, 4163, 4191, 4193, 4208, 4309, 4310, 4331, 4339, 4364, 4409, 4415, 4420, 4433, 4440, 4442, 4507, 4573, 4685, 4702, 4706, 4765, 4781, 4808, 4846, 4853, 4882, 4932, 5000, 5020, 5047, 5062, 5077, 5122, 5136, 5143, 5147, 5155, 5180, 5198, 5201, 5231, 5308, 5341, 5447, 5477, 5490, 5541, 5553, 5598, 5627, 5696, 5749, 5760, 5786, 5814 and 5868.

Sincerely,

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

cc: Senate Republican Leader Bill Brady

At the hour 1:18 o'clock p.m., the perfunctory session stood adjourned.

[May 25, 2018]