SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

133RD LEGISLATIVE DAY

TUESDAY, MAY 29, 2018

12:11 O'CLOCK P.M.

NO. 133
[May 29, 2018]

SENATE
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133rd Legislative Day

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The Senate met pursuant to adjournment.
Senator Kimberly A. Lightford, Maywood, Illinois, presiding.
Prayer by Pastor Curt Fleck, Civil Servant Ministries, Springfield, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Monday, May 28, 2018, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 4339

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 36
Amendment No. 1 to Senate Bill 37
Amendment No. 1 to Senate Bill 514
Amendment No. 5 to Senate Bill 3190

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 29, 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 Iris Martinez to temporarily replace Senator Daniel Biss as a member of the Senate Human Services Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Human Services 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

327 STATE CAPITOL

SENATE PRESIDENT

SPRINGFIELD, IL 62706
217-782-2728

May 29, 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 David Koehler to temporarily replace Senator Daniel Biss as a member of the Senate Revenue Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Revenue Committee.

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

cc: Senate Minority Leader William Brady

COMMUNICATIONS

ILLINOIS STATE SENATE
DON HARMON
PRESIDENT PRO TEMPORE
39TH DISTRICT

DISCLOSURE TO THE SENATE

Date: May 28, 2018

Legislative Measure(s): Appointment Messages 1000239 and 1000384

Venue:
Committee on _____
X Full Senate

Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

X I inadvertently voted to confirm the nominee during a long list of confirmation votes. My affirmative vote did not effect the outcome.

s/Don Harmon
Senator Don Harmon

ILLINOIS STATE SENATE
DAN McCONCHIE
STATE SENATOR · 26TH DISTRICT

May 29, 2018

Tim Anderson
Secretary of the Senate
403 Statehouse
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Senate Rule 5-1(b), I respectfully request that my Chief Co-Sponsor, listed below, be allowed to present the motion to concur on HA#1 to the Senate Bill that I am the Chief Sponsor of on both 2nd and 3rd Readings.

SB 2459 – Senator Althoff

Thank you for your attention to this matter.

Sincerely,
s/Dan McConchie
Dan McConchie
State Senator – 26th District

cc: Scott Kaiser, Assistant Secretary of the Senate

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1798
Offered by Senator Haine and all Senators:
Mourns the death of Nora A. (Hyndman) Woods of Alton.

SENATE RESOLUTION NO. 1799
Offered by Senator Haine and all Senators:
Mourns the death of Michael Lee Frye of Rosewood Heights.

SENATE RESOLUTION NO. 1800
Offered by Senator Anderson and all Senators:
Mourns the death of Vernon Lee "Vernie" Goodman of Moline.

SENATE RESOLUTION NO. 1801
Offered by Senator Anderson and all Senators:
Mourns the death of Robert Charles Van Oteghem of Moline.

SENATE RESOLUTION NO. 1802
Offered by Senator Anderson and all Senators:
Mourns the death of Steven A. "Steve" Sheldon of Hillsdale.

SENATE RESOLUTION NO. 1803
Offered by Senator Anderson and all Senators:
Mourns the death of George W. Kern of Colona.

SENATE RESOLUTION NO. 1804
Offered by Senator Bertino-Tarrant and all Senators:
Mourns the death of Pamela Jean "Pam" (Cerato) Kettwig of Joliet.

SENATE RESOLUTION NO. 1805
Offered by Senator McGuire and all Senators:
Mourns the death of William R. "Bill" Harrigan.

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

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

SENATE RESOLUTION NO. 1797

WHEREAS, The Illinois State Police and local law enforcement agencies operating in the State of Illinois should be using their gang databases appropriately to identify and target known gang activities; and

WHEREAS, Labeling a person as a gang member can result in adverse effects on someone's life and has led to assumptions being made about our young people who have done nothing wrong; and

WHEREAS, These lists should not be used to target or intimidate the citizens in our communities, and should solely be used as a tool to keep our law enforcement agents safe; and

WHEREAS, Individuals from our communities should not be added to the shared gang and gang databases erroneously and should only be added if they pose a threat to public safety; and

WHEREAS, Giving our law enforcement agencies the most up-to-date tools necessary for targeting people who aim to do harm in our communities is of the utmost importance; and

WHEREAS, Gang databases have been established to provide identifying information about violent criminal gangs and members of those gangs to law enforcement personnel; and

WHEREAS, Gang member information serves to warn law enforcement officers of the potential danger posed by violent individuals, and promote the exchange of information about gang groups and gang members to facilitate criminal investigations; and

WHEREAS, Since gang member information is based, in part, on investigative information not previously subject to independent judicial review, strict adherence to policy on the access, use, dissemination, and security of gang information is necessary to ensure that individuals' constitutional rights, civil liberties, civil rights, and privacy interests are protected; and

WHEREAS, Law enforcement agencies should have standards of practice surrounding the issue of adding people to gang databases; and

WHEREAS, Law enforcement agencies should review the people who have been added to their gang database list and try to find a reasonable way to remove people that should not be on them; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois Criminal Justice Information Authority (ICJIA) is directed to conduct a review of the shared gang databases operating in Illinois; and be it further

RESOLVED, That this review should identify which law enforcement agencies use the shared gang and gang databases and the policies surrounding their use; and be it further

RESOLVED, That the ICJIA shall commence this review as soon as is practical and report its findings 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; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the ICJIA.

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

SENATE JOINT RESOLUTION NO. 77

WHEREAS, Under the 2016 Volkswagen settlement, Illinois will receive $108.7 million in mitigation funds for local air quality improvement projects; and

WHEREAS, The settlement funds provide an opportunity to offset more than 40,400 tons of NOx pollution resulting from illegal defeat devices in VW vehicles; and

WHEREAS, Mitigation investments should also seek to protect and improve the quality of life for Illinois's most vulnerable and disproportionately affected residents, including children, the elderly, and environmental justice and minority communities; and

WHEREAS, Illinois named the Illinois Environmental Protection Agency as the designated Beneficiary to receive funds and determine eligibility for projects receiving funding; and

WHEREAS, Illinois released its Draft Beneficiary Mitigation Plan on February 28, 2018; and

WHEREAS, The people of Illinois have a right to be informed as to how the money is spent and how effective the plan is at reducing NOx emissions; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois Environmental Protection Agency shall provide a written report on April 15 of each year until the year after the funding has been fully disbursed that includes a summary of the projects it has funded, the amount expended for each, and the estimated level of reduced NOx emissions; 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; and be it further

RESOLVED, That the IEPA shall hold at least one public meeting with the opportunity for public comment and questions within 60 days of the release of the report to discuss the report's findings.

REPORTS FROM STANDING COMMITTEES

Senator Holmes, Chairperson of the Committee on Commerce and Economic Development, 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 2281; Motion to Concur in House Amendment 1 to Senate Bill 2675; Motion to Concur in House Amendment 1 to Senate Bill 2899

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

Senator Manar, Chairperson of the Committee on Appropriations II, to which was referred **House Bills Numbered 4290 and 5750,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Harris, Chairperson of the Committee on Agriculture, 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 2270; Motion to Concur in House Amendment 1 to Senate Bill 2298; Motion to Concur in House Amendment 1 to Senate Bill 2380; Motion to Concur in House Amendment 2 to Senate Bill 2380; Motion to Concur in House Amendment 2 to Senate Bill 2493

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

Senator McGuire, Chairperson of the Committee on Higher Education, to which was referred **Senate Joint Resolution No. 76,** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 76** was placed on the Secretary's Desk.

Senator McGuire, Chairperson of the Committee on Higher Education, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 2905

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

Senator Morrison, Chairperson of the Committee on Human Services, 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 1628; Motion to Concur in House Amendment 1 to Senate Bill 2516; Motion to Concur in House Amendment 1 to Senate Bill 2628; Motion to Concur in House Amendment 1 to Senate Bill 3023; Motion to Concur in House Amendment 1 to Senate Bill 3048; Motion to Concur in House Amendment 1 to Senate Bill 3075

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

Senator Morrison, Chairperson of the Committee on Human Services, to which was referred **House Bill No. 5868,** reported the same back with the recommendation that the bill do pass.

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

Senator Raoul, 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 65; Motion to Concur in House Amendment 1 to Senate Bill 544

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

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **House Bill No. 2354,** reported the same back with the recommendation that the bill do pass.

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

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 5201

Senate Amendment No. 3 to House Bill 5231

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

Senator Mulroe, Chairperson of the Committee on Insurance, 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 2851; Motion to Concur in House Amendment 1 to Senate Bill 3491; Motion to Concur in House Amendment 2 to Senate Bill 3491

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

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 2303

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

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 156
Senate Amendment No. 1 to House Bill 4507
Senate Amendment No. 2 to House Bill 4507

Under the rules, the foregoing floor amendments are eligible for consideration on 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1437

A bill for AN ACT concerning revenue.

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. 1437
Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1437

AMENDMENT NO. 1. Amend Senate Bill 1437 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 204 as follows:
(35 ILCS 5/204) (from Ch. 120, par. 2-204)
Sec. 204. Standard exemption.
(a) Allowance of exemption. In computing net income under this Act, there shall be allowed as an exemption the sum of the amounts determined under subsections (b), (c) and (d), multiplied by a fraction the numerator of which is the amount of the taxpayer's base income allocable to this State for the taxable year and the denominator of which is the taxpayer's total base income for the taxable year.

(b) Basic amount. For the purpose of subsection (a) of this Section, except as provided by subsection (a) of Section 205 and in this subsection, each taxpayer shall be allowed a basic amount of $1000, except that for corporations the basic amount shall be zero for tax years ending on or after December 31, 2003, and for individuals the basic amount shall be:

(1) for taxable years ending on or after December 31, 1998 and prior to December 31, 1999, $1,300;

(2) for taxable years ending on or after December 31, 1999 and prior to December 31, 2000, $1,650;

(3) for taxable years ending on or after December 31, 2000 and prior to December 31, 2012, $2,000;

(4) for taxable years ending on or after December 31, 2012 and prior to December 31, 2013, $2,050;

(5) for taxable years ending on or after December 31, 2013 and on or before December 31, 2023, $2,050 plus the cost-of-living adjustment under subsection (d-5).

For taxable years ending on or after December 31, 1992, a taxpayer whose Illinois base income exceeds the basic amount and who is claimed as a dependent on another person's tax return under the Internal Revenue Code shall not be allowed any basic amount under this subsection.

(c) Additional amount for individuals. In the case of an individual taxpayer, there shall be allowed for the purpose of subsection (a), in addition to the basic amount provided by subsection (b), an additional exemption equal to the basic amount for each exemption in excess of one allowable to such individual taxpayer for the taxable year under Section 151 of the Internal Revenue Code.

(d) Additional exemptions for an individual taxpayer and his or her spouse. In the case of an individual taxpayer and his or her spouse, he or she shall each be allowed additional exemptions as follows:

(1) Additional exemption for taxpayer or spouse 65 years of age or older.

(A) For taxpayer. An additional exemption of $1,000 for the taxpayer if he or she has attained the age of 65 before the end of the taxable year.

(B) For spouse when a joint return is not filed. An additional exemption of $1,000 for the spouse of the taxpayer if a joint return is not made by the taxpayer and his spouse, and if the spouse has attained the age of 65 before the end of such taxable year, and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

(2) Additional exemption for blindness of taxpayer or spouse.

(A) For taxpayer. An additional exemption of $1,000 for the taxpayer if he or she is blind at the end of the taxable year.

(B) For spouse when a joint return is not filed. An additional exemption of $1,000 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse is blind and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer. For purposes of this paragraph, the determination of whether the spouse is blind shall be made as of the end of the taxable year of the taxpayer; except that if the spouse dies during such taxable year such determination shall be made as of the time of such death.

(C) Blindness defined. For purposes of this subsection, an individual is blind only if his or her central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his or her visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual fields subtends an angle no greater than 20 degrees.

(d-5) Cost-of-living adjustment. For purposes of item (5) of subsection (b), the cost-of-living adjustment for any calendar year and for taxable years ending prior to the end of the subsequent calendar year is equal to $2,050 times the percentage (if any) by which:

(1) the Consumer Price Index for the preceding calendar year, exceeds

(2) the Consumer Price Index for the calendar year 2011.

The Consumer Price Index for any calendar year is the average of the Consumer Price Index as of the close of the 12-month period ending on August 31 of that calendar year.

The term "Consumer Price Index" means the last Consumer Price Index for All Urban Consumers published by the United States Department of Labor or any successor agency.

If any cost-of-living adjustment is not a multiple of $25, that adjustment shall be rounded to the next lowest multiple of $25.

(e) Cross reference. See Article 3 for the manner of determining base income allocable to this State.

(f) Application of Section 250. Section 250 does not apply to the amendments to this Section made by Public Act 90-613.

(g) Notwithstanding any other provision of law, for taxable years beginning on or after January 1, 2017, no taxpayer may claim an exemption under this Section if the taxpayer's adjusted gross income for the taxable year exceeds (i) $500,000, in the case of spouses filing a joint federal tax return or (ii) $250,000, in the case of all other taxpayers.
(Source: P.A. 100-22, eff. 7-6-17.)

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

Under the rules, the foregoing **Senate Bill No. 1437**, 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. 2339
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. 2339
Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2339

AMENDMENT NO. 1. Amend Senate Bill 2339 on page 5, by replacing lines 6 and 7 with the following:
"hijacking or aggravated vehicular hijacking, the officer shall deliver the minor to"; and

on page 5, by replacing lines 23 and 24 with "or the Criminal Code of 2012, that finding shall".

Under the rules, the foregoing **Senate Bill No. 2339**, 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. 2459
A bill for AN ACT concerning local 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. 2459
Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2459

AMENDMENT NO. 1. Amend Senate Bill 2459 on page 2, immediately below line 12, by inserting the following:

"Section 10. The Sanitary District Act of 1936 is amended by changing Sections 33 and 35 and by adding Section 33.1 as follows:
(70 ILCS 2805/33) (from Ch. 42, par. 444)
Sec. 33. Except as provided in Section 33.1, any ~~Any~~ sanitary district created under this Act which does not have outstanding and unpaid any revenue bonds issued under the provisions of this Act may be dissolved as follows:
(a) Any 50 electors residing within the area of any sanitary district may file with the circuit clerk of the county in which the area is situated, a petition addressed to the circuit court to cause submission of the

question whether the sanitary district shall be dissolved. Upon the filing of the petition with the clerk, the court shall certify the question to the proper election officials who shall submit the question at an election in accordance with the general election law, and give notice of the election in the manner provided by the general election law.

The question shall be in substantially the following form:

"Shall the sanitary district of .... be dissolved?"

YES

NO

If a majority of the votes cast on this question are in favor of dissolution of the sanitary district, then such organization shall cease, and the sanitary district is dissolved, and the court shall direct the sanitary district to discharge all outstanding obligations.

(b) The County of Lake may dissolve the Fox Lake Hills Sanitary District, thereby acquiring all of the District's assets and responsibilities, upon adopting a resolution stating: (1) the reasons for dissolving the District; (2) that there are no outstanding debts of the District or that the County has sufficient funds on hand or available to satisfy such debts; (3) that no federal or State permit or grant will be impaired by dissolution of the District; and (4) that the County assumes all assets and responsibilities of the District. Upon dissolution of the District, the statutory powers of the former District shall be exercised by the county board of the Lake County. Within 60 days after the effective date of such resolution, the County of Lake shall notify the Illinois Environmental Protection Agency regarding the dissolution of the Fox Hills Sanitary District.

(Source: P.A. 99-783, eff. 8-12-16; 100-201, eff. 8-18-17.)

(70 ILCS 2805/33.1 new)

Sec. 33.1. Dissolution of Lakes Region Sanitary District. The Lakes Region Sanitary District may dissolve itself upon entering into a dissolution agreement with Lake County for the county to acquire all of the assets and responsibilities of the district. Upon dissolution of the district, the statutory powers of the former district shall be exercised by the county board of Lake County. No later than 60 days after the effective date of the dissolution, Lake County shall notify the Illinois Environmental Protection Agency of the dissolution of the Lakes Region Sanitary District and provide a copy of the dissolution agreement to the Agency.

(70 ILCS 2805/35) (from Ch. 42, par. 446)

Sec. 35. The dissolution of any sanitary district shall not affect the obligation of any bonds issued or contracts entered into by such district, nor invalidate the levy, extension or collection of any taxes or special assessments upon the property in the debtor district, but all such bonds and contracts shall be discharged.

All money remaining after the business affairs of the sanitary district have been closed up and all the debts and obligations of the sanitary district have been paid, shall be paid to the school treasurer of the school district in which the sanitary district was situated, not including high school districts; except that after the business affairs of the Lakes Region Sanitary District have been closed up and all the debts and obligations of the Lakes Region Sanitary District have been paid after dissolution under Section 33.1, all money remaining shall be paid to Lake County. When the district was situated in two or more such school districts the money shall be divided between the districts, each district to receive an amount based on the ratio of assessed valuation of real estate of the district which was situated in the sanitary district to the assessed valuation of the real estate of all school districts which were situated in the sanitary district.

(Source: Laws 1957, p. 349.)".

Under the rules, the foregoing **Senate Bill No. 2459**, 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. 2598

A bill for AN ACT concerning local 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. 2598

Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2598

AMENDMENT NO. 1. Amend Senate Bill 2598 by replacing everything after the enacting clause with the following:

"Section 5. The Fire Protection District Act is amended by adding Sections 15c and 15d as follows:

(70 ILCS 705/15c new)

Sec. 15c. Disconnection of fire protection district territory within a home rule municipality.

Whenever any property within a fire protection district is located in a home rule municipality that provides fire service to at least 80% of the territory within the municipality's corporate limits, the home rule municipality may detach and disconnect that property from the fire protection district in the following manner:

The municipality may petition the court, setting forth in the petition the following: a description of the property sought to be detached and disconnected; a statement that the detachment and disconnection will not cause the property remaining in the district to be noncontiguous, that the loss of assessed valuation by reason of the disconnection of the described property will not impair the ability of the district to render fully adequate fire protection service to the property remaining with the district, that the property to be detached and disconnected will remain liable for its proportionate share of any outstanding bonded indebtedness of the district, and that it is a home rule municipality that provides for its own fire service to at least 80% of the territory within the municipality; and asking that the described property be detached and disconnected from the fire protection district. The petition shall be signed and sworn to by the mayor or village president pursuant to a resolution of the corporate authorities of the municipality authorizing the filing of the petition.

For the purpose of meeting the requirement of this Section that the detachment and disconnection will not cause the remaining property to be noncontiguous, property shall be considered to be contiguous if the only separation between parts of the property is land owned by the United States, the State, or any agency or instrumentality of either, or any regional airport authority.

Upon the filing of the petition, the court shall set the same for hearing on a day not less than 2 weeks nor more than 4 weeks from the filing thereof and shall give 2 weeks' notice of such hearing in the manner provided in Section 1 of this Act. The fire protection district shall be a necessary party to the proceedings and it shall be served with summons in the manner prescribed for a party defendant under the Civil Practice Law. All property owners in such district, the district from which the transfer of property is to be made, and all persons interested therein may file objections, and at the hearing may appear and contest the detachment and disconnection of the property from the fire protection district, and both objectors and petitioners may offer any competent evidence in regard thereto. If the court, upon hearing such petition, finds that the petition complies with this Section 15c and that the allegations of the petition are true, the court shall enter an order detaching and disconnecting the property from the district, and upon entry of the order the property shall cease to be a part of the fire protection district and shall be serviced by the home rule municipality, except that the property remains liable for its proportionate share of any outstanding bonded indebtedness of the district. The circuit clerk shall transmit a certified copy of the order to the county clerk of each county in which any of the affected property is situated and to the Office of the State Fire Marshal.

(70 ILCS 705/15d new)

Sec. 15d. Disconnection of fire protection district territory by a municipality; economic impact analysis.

(a) As used in this Section, "economic impact analysis" means a written report concerning the effect of a municipality's disconnection of territory located both within a municipality and a fire protection district.

(b) Notwithstanding any other provision of law, a municipality shall file an economic impact analysis with the county clerk of each county in which a fire protection district is located no less than 90 days prior to filing any action to disconnect territory located both within the municipality and the fire protection district. Each economic impact analysis shall include the following:

(1) a statement of existing and projected residential, nonresidential, and commercial growth in the territory within the fire protection district sought to be disconnected by the municipality for a 10-year period, a 20-year period, and a 30-year period;

(2) a statement of the costs of service incurred by the municipality in providing fire protection or emergency medical services after disconnecting the territory within the fire protection district;

(3) a statement that the loss of assessed valuation by reason of the disconnection of the territory will not impair the ability of the fire protection district to render fully adequate fire protection service to the territory remaining with the district;

(4) a statement of the probable positive or negative economic effect on businesses within the territory sought to be disconnected; and

(5) a statement of the probable positive or negative economic effect on residents within the territory sought to be disconnected.

(c) Within 30 days after the filing of an economic impact analysis required by subsection (b), a municipality shall serve a copy of the economic impact analysis on the board of trustees of each impacted fire protection district by certified or registered mail. An affidavit that service of the economic impact analysis has been had as provided by this subsection must be filed with the clerk of the court in which the disconnection proceedings will be instituted. Disconnection of territory is not effective unless service is certified by affidavit filed as provided in this subsection.

(d) The territory is disconnected from the Fire Protection District and annexed to the municipality effective on January 1 following the entry of a final court order finding that the petition meets the criteria set forth in this Section.

(e) A municipality, including a home rule municipality, may not disconnect territory from a fire protection district in a manner inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.".

Under the rules, the foregoing **Senate Bill No. 2598**, 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. 2662

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. 2662

Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2662

AMENDMENT NO. 1. Amend Senate Bill 2662 on page 5, line 6, by replacing "Office of the Auditor General" with "Department of Human Services".

Under the rules, the foregoing **Senate Bill No. 2662**, 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. 2696

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. 2696

Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2696

AMENDMENT NO. 1. Amend Senate Bill 2696 on page 8, immediately below line 22, by inserting the following:

"Section 20. The conveyance shall be made subject to the condition that title to the buildings and the land shall revert to the State of Illinois, Department of Natural Resources, if the Fox Waterway Agency ceases to use the buildings and the land for a public purpose.".

Under the rules, the foregoing **Senate Bill No. 2696**, 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. 3108

A bill for AN ACT concerning civil 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. 3108

Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3108

AMENDMENT NO. 1. Amend Senate Bill 3108 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 13-225 as follows:

(735 ILCS 5/13-225)

Sec. 13-225. Trafficking victims protection ~~Predator accountability~~.

(a) In this Section, "human trafficking", "involuntary servitude", "sex trade", and "victim of the sex trade" have the meanings ascribed to them in Section 10 of the Trafficking Victims Protection ~~Predator Accountability~~ Act.

(b) Subject to both subsections (e) and (f) and notwithstanding any other provision of law, an action under the Trafficking Victims Protection ~~Predator Accountability~~ Act must be commenced within 10 years of the date the limitation period begins to run under subsection (d) or within 10 years of the date the plaintiff discovers or through the use of reasonable diligence should discover both (i) that the sex trade, involuntary servitude, or human trafficking act occurred, and (ii) that the defendant caused, was responsible for, or profited from the sex trade, involuntary servitude, or human trafficking act. The fact that the plaintiff discovers or through the use of reasonable diligence should discover that the sex trade, involuntary servitude, or human trafficking act occurred is not, by itself, sufficient to start the discovery period under this subsection (b).

(c) If the injury is caused by 2 or more acts that are part of a continuing series of sex trade, involuntary servitude, or human trafficking acts by the same defendant, then the discovery period under subsection (b) shall be computed from the date the person abused discovers or through the use of reasonable diligence should discover (i) that the last sex trade, involuntary servitude, or human trafficking act in the continuing series occurred, and (ii) that the defendant caused, was responsible for, or profited from the series of sex trade, involuntary servitude, or human trafficking acts. The fact that the plaintiff discovers or through the use of reasonable diligence should discover that the last sex trade, involuntary servitude, or human trafficking act in the continuing series occurred is not, by itself, sufficient to start the discovery period under subsection (b).

(d) The limitation periods in subsection (b) do not begin to run before the plaintiff attains the age of 18 years; and, if at the time the plaintiff attains the age of 18 years he or she is under other legal disability, the limitation periods under subsection (b) do not begin to run until the removal of the disability.

(e) The limitation periods in subsection (b) do not run during a time period when the plaintiff is subject to threats, intimidation, manipulation, or fraud perpetrated by the defendant or by any person acting in the interest of the defendant.

(f) The limitation periods in subsection (b) do not commence running until the expiration of all limitations periods applicable to the criminal prosecution of the plaintiff for any acts which form the basis of a cause of action under the Trafficking Victims Protection ~~Predator Accountability~~ Act.
(Source: P.A. 94-998, eff. 7-3-06.)

Section 10. The Predator Accountability Act is amended by changing Sections 1, 5, 10, 15, 20, 25, and 45 as follows:

(740 ILCS 128/1)

Sec. 1. Short title. This Act may be cited as the Trafficking Victims Protection ~~Predator Accountability~~ Act.
(Source: P.A. 94-998, eff. 7-3-06.)

(740 ILCS 128/5)

Sec. 5. Purpose. The purpose of this Act is to allow persons who have been or who are subjected to the sex trade, involuntary servitude, or human trafficking to seek civil damages and remedies from individuals and entities that recruited, harmed, profited from, or maintained them in the sex trade or involuntary servitude or subjected them to human trafficking.
(Source: P.A. 94-998, eff. 7-3-06.)

(740 ILCS 128/10)

Sec. 10. Definitions. As used in this Act:

"Human trafficking" means a violation or attempted violation of subsection (d) of Section 10-9 of the Criminal Code of 2012.

"Involuntary servitude" means a violation or attempted violation of subsection (b) of Section 10-9 of the Criminal Code of 2012.

"Sex trade" means ~~any act, which if proven beyond a reasonable doubt could support a conviction for~~ a violation or attempted violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012: 11-14.3 (promoting prostitution); 11-14.4 (promoting juvenile prostitution); 11-15 (soliciting for a prostitute); 11-15.1 (soliciting for a juvenile prostitute); 11-16 (pandering); 11-17 (keeping a place of prostitution); 11-17.1 (keeping a place of juvenile prostitution); 11-19 (pimping); 11-19.1 (juvenile pimping and aggravated juvenile pimping); 11-19.2 (exploitation of a child); 11-20 (obscenity); 11-20.1 (child pornography); ~~or~~ 11-20.1B or 11-20.3 (aggravated child pornography); or subsection (c) of Section 10-9 (~~trafficking in persons and~~ involuntary sexual servitude of a minor).

"Sex trade" activity may involve adults and youth of all genders and sexual orientations.

"Victim of the sex trade" means, for the following sex trade acts, the person or persons indicated:

(1) soliciting for a prostitute: the prostitute who is the object of the solicitation;

(2) soliciting for a juvenile prostitute: the juvenile prostitute, or person with a severe or profound intellectual disability, who is the object of the solicitation;

(3) promoting prostitution as described in subdivision (a)(2)(A) or (a)(2)(B) of Section 11-14.3 of the Criminal Code of 1961 or the Criminal Code of 2012, or pandering: the person intended or compelled to act as a prostitute;

(4) keeping a place of prostitution: any person intended or compelled to act as a prostitute, while present at the place, during the time period in question;

(5) keeping a place of juvenile prostitution: any juvenile intended or compelled to act as a prostitute, while present at the place, during the time period in question;

(6) promoting prostitution as described in subdivision (a)(2)(C) of Section 11-14.3 of the Criminal Code of 1961 or the Criminal Code of 2012, or pimping: the prostitute from whom anything of value is received;

(7) promoting juvenile prostitution as described in subdivision (a)(2) or (a)(3) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, or juvenile pimping and aggravated juvenile pimping: the juvenile, or person with a severe or profound intellectual disability, from whom anything of value is received for that person's act of prostitution;

(8) promoting juvenile prostitution as described in subdivision (a)(4) of Section 11-14.4 of the Criminal Code of 1961 or the Criminal Code of 2012, or exploitation of a child: the juvenile, or person with a severe or profound intellectual disability, intended or compelled to act as a prostitute or from whom anything of value is received for that person's act of prostitution;

(9) obscenity: any person who appears in or is described or depicted in the offending conduct or material;

(10) child pornography or aggravated child pornography: any child, or person with a severe or profound intellectual disability, who appears in or is described or depicted in the offending conduct or material; or

(11) ~~trafficking of persons or~~ involuntary sexual servitude of a minor ~~: a "trafficking victim"~~ as defined in subsection (c) of Section 10-9 of the Criminal Code of 1961 or the Criminal Code of 2012.

(Source: P.A. 99-143, eff. 7-27-15.)

(740 ILCS 128/15)

Sec. 15. Cause of action.

(a) A victim of the sex trade, involuntary servitude, or human trafficking may bring an action in civil court under this Act ~~Violations of this Act are actionable in civil court~~.

(a-1) A legal guardian, agent of the victim, court appointee, or organization that represents the interests of or serves victims may bring a cause of action on behalf of a victim. An action may also be brought by a government entity responsible for enforcing the laws of this State.

(b) A victim of the sex trade has a cause of action against a person or entity who:

(1) recruits, profits from, or maintains the victim in any sex trade act;

(2) intentionally abuses, as defined in Section 103 of the Illinois Domestic Violence Act of 1986, or causes bodily harm, as defined in Section 11-0.1 of the Criminal Code of 2012, to a victim of the sex trade ~~the victim in any sex trade act~~; or

(3) knowingly advertises or publishes advertisements for purposes of recruitment into sex trade activity.

(b-1) A victim of involuntary servitude or human trafficking has a cause of action against any person or entity who knowingly subjects, attempts to subject, or engages in a conspiracy to subject the victim to involuntary servitude or human trafficking.

(c) This Section shall not be construed to create liability to any person or entity who provides goods or services to the general public, who also provides those goods or services to persons who would be liable under subsection (b) of this Section, absent a showing that the person or entity either:

(1) knowingly markets or provides its goods or services primarily to persons or entities liable under subsection (b) of this Section;

(2) knowingly receives a higher level of compensation from persons or entities liable under subsection (b) of this Section than it generally receives from customers; or

(3) supervises or exercises control over persons or entities liable under subsection (b) of this Section.

(d) The standard of proof in any action brought under this Section is a preponderance of the evidence.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

(740 ILCS 128/20)

Sec. 20. Relief. A prevailing victim of the sex trade, involuntary servitude, or human trafficking shall be entitled to all relief that would make him or her whole. This includes, but is not limited to:

(1) declaratory relief;

(2) injunctive relief;

(3) recovery of costs and attorney fees including, but not limited to, costs for expert testimony and witness fees;

(4) compensatory damages including, but not limited to:

(A) economic loss, including damage, destruction, or loss of use of personal property, ~~and~~ loss of past or future earning capacity , and, for a victim of involuntary servitude or human trafficking, any statutorily required wages under applicable State or federal law; and

(B) damages for death, personal injury, disease, and mental and emotional harm, including medical, rehabilitation, burial expenses, pain and suffering, and physical impairment;

(5) punitive damages; and

(6) damages in the amount of the gross revenues received by the defendant from, or related to, the sex trade, involuntary servitude, or human trafficking activities of the plaintiff or the trafficking and involuntary servitude of the plaintiff.

(Source: P.A. 94-998, eff. 7-3-06; 95-331, eff. 8-21-07.)

(740 ILCS 128/25)

Sec. 25. Non-defenses.

(a) It is not a defense to an action brought under this Act that:

(1) the victim of the sex trade, involuntary servitude, or human trafficking and the defendant had a marital or consenting sexual relationship;

(2) the defendant is related to the victim of the sex trade, involuntary servitude, or human trafficking by blood or marriage, or has lived with the defendant in any formal or informal household arrangement;

(3) the victim of the sex trade, involuntary servitude, or human trafficking was paid or otherwise compensated for sex trade activity, human, or other services
;

(4) the victim of the sex trade engaged in sex trade activity or had been subjected to involuntary servitude or human trafficking prior to any involvement
with the defendant;

(5) the victim of the sex trade, involuntary servitude, or human trafficking made no attempt to escape, flee, or otherwise terminate
contact with the defendant;

(6) the victim of the sex trade, involuntary servitude, or human trafficking consented to engage in acts of the sex trade, human, or other services;

(7) it was a single incident of activity; ~~or~~

(8) there was no physical contact involved; or ~~.~~

(9) a defendant has been acquitted or has not been investigated, arrested, prosecuted, or convicted under the Criminal Code of 2012 or has been convicted of a different offense for the conduct that is alleged to give rise to liability under this Act.

(b) Any illegality of the sex trade activity, human, or services on the part of the victim of the sex trade, involuntary servitude, or human trafficking shall not be an affirmative defense to any action brought under this Act.
(Source: P.A. 94-998, eff. 7-3-06.)

(740 ILCS 128/45)

Sec. 45. No avoidance of liability. No person may avoid liability under this Act by means of any conveyance of any right, title, or interest in real property, or by any indemnification, hold harmless agreement, or similar agreement that purports to show consent of the victim of the sex trade, involuntary servitude, or human trafficking.
(Source: P.A. 94-998, eff. 7-3-06.)".

Under the rules, the foregoing **Senate Bill No. 3108**, 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. 3119

A bill for AN ACT concerning public employee benefits.

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

House Amendment No. 1 to SENATE BILL NO. 3119
House Amendment No. 2 to SENATE BILL NO. 3119
Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3119

AMENDMENT NO. 1. Amend Senate Bill 3119 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 4-112, 7-109, and 7-109.3 as follows:

(40 ILCS 5/4-112) (from Ch. 108 1/2, par. 4-112)

Sec. 4-112. Determination of disability; restoration to active service; disability cannot constitute cause for discharge. A disability pension shall not be paid until disability has been established by the board by examinations of the firefighter at pension fund expense by 3 physicians selected by the board and such other evidence as the board deems necessary. The 3 physicians selected by the board need not agree as to the existence of any disability or the nature and extent of a disability. Medical examination of a firefighter receiving a disability pension shall be made at least once each year prior to attainment of age 50 in order to verify continuance of disability, except that a medical examination of a firefighter receiving a disability pension for post-traumatic stress disorder (PTSD) related to his or her service as a firefighter shall not be

made if: (1) the firefighter has provided to the board documentation approving the discontinuance of the medical examination from at least 2 physicians; and (2) at least 4 members of the board have voted in the affirmative to allow the firefighter to discontinue the medical examination. No examination shall be required after age 50. No physical or mental disability that constitutes, in whole or in part, the basis of an application for benefits under this Article may be used, in whole or in part, by any municipality or fire protection district employing firefighters, emergency medical technicians, or paramedics as cause for discharge.

Upon satisfactory proof to the board that a firefighter on the disability pension has recovered from disability, the board shall terminate the disability pension. The firefighter shall report to the marshal or chief of the fire department, who shall thereupon order immediate reinstatement into active service, and the municipality shall immediately return the firefighter to its payroll, in the same rank or grade held at the date he or she was placed on disability pension. If the firefighter must file a civil action against the municipality to enforce his or her mandated return to payroll under this paragraph, then the firefighter is entitled to recovery of reasonable court costs and attorney's fees.

The firefighter shall be entitled to 10 days notice before any hearing or meeting of the board at which the question of his or her disability is to be considered, and shall have the right to be present at any such hearing or meeting, and to be represented by counsel; however, the board shall not have any obligation to provide such fireman with counsel.

(Source: P.A. 95-681, eff. 10-11-07.)

(40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)

Sec. 7-109. Employee.

(1) "Employee" means any person who:

(a) 1. Receives earnings as payment for the performance of personal services or official duties out of the general fund of a municipality, or out of any special fund or funds controlled by a municipality, or by an instrumentality thereof, or a participating instrumentality, including, in counties, the fees or earnings of any county fee office; and

2. Under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee with a municipality, or any instrumentality thereof, or a participating instrumentality, including aldermen, county supervisors and other persons (excepting those employed as independent contractors) who are paid compensation, fees, allowances or other emolument for official duties, and, in counties, the several county fee offices.

(b) Serves as a township treasurer appointed under the School Code, as heretofore or hereafter amended, and who receives for such services regular compensation as distinguished from per diem compensation, and any regular employee in the office of any township treasurer whether or not his earnings are paid from the income of the permanent township fund or from funds subject to distribution to the several school districts and parts of school districts as provided in the School Code, or from both such sources; or is the chief executive officer, chief educational officer, chief fiscal officer, or other employee of a Financial Oversight Panel established pursuant to Article 1H of the School Code, other than a superintendent or certified school business official, except that such person shall not be treated as an employee under this Section if that person has negotiated with the Financial Oversight Panel, in conjunction with the school district, a contractual agreement for exclusion from this Section.

(c) Holds an elective office in a municipality, instrumentality thereof or participating instrumentality.

(2) "Employee" does not include persons who:

(a) Are eligible for inclusion under any of the following laws:

1. "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund", approved May 27, 1915, as amended;

2. Articles 15 and 16 of this Code.

However, such persons shall be included as employees to the extent of earnings that are not eligible for inclusion under the foregoing laws for services not of an instructional nature of any kind.

However, any member of the armed forces who is employed as a teacher of subjects in the Reserve Officers Training Corps of any school and who is not certified under the law governing the certification of teachers shall be included as an employee.

(b) Are designated by the governing body of a municipality in which a pension fund is required by law to be established for policemen or firemen, respectively, as performing police or fire protection duties, except that when such persons are the heads of the police or fire department and are not eligible to be included within any such pension fund, they shall be included within this Article; provided, that such persons shall not be excluded to the extent of concurrent service and earnings not designated as being for police or fire protection duties. However, (i) any head of a police department

who was a participant under this Article immediately before October 1, 1977 and did not elect, under Section 3-109 of this Act, to participate in a police pension fund shall be an "employee", and (ii) any chief of police who became a participating employee under this Article before January 1, 2019 and who elects to participate in this Fund under Section 3-109.1 of this Code, regardless of whether such person continues to be employed as chief of police or is employed in some other rank or capacity within the police department, shall be an employee under this Article for so long as such person is employed to perform police duties by a participating municipality and has not lawfully rescinded that election.

(b-5) Were not participating employees under this Article before the effective date of this amendatory Act of the 100th General Assembly and participated as a chief of police in a fund under Article 3 and return to work in any capacity with the police department, with any oversight of the police department, or in an advisory capacity for the police department with the same municipality with which that pension was earned, regardless of whether they are considered an employee of the police department or are eligible for inclusion in the municipality's Article 3 fund.

(c) Are contributors to or eligible to contribute to a Taft-Hartley pension plan to which the participating municipality is required to contribute as the person's employer based on earnings from the municipality. Nothing in this paragraph shall affect service credit or creditable service for any period of service prior to the effective date of this amendatory Act of the 98th General Assembly, and this paragraph shall not apply to individuals who are participating in the Fund prior to the effective date of this amendatory Act of the 98th General Assembly.

(d) Become an employee of any of the following participating instrumentalities on or after the effective date of this amendatory Act of the 99th General Assembly: the Illinois Municipal League; the Illinois Association of Park Districts; the Illinois Supervisors, County Commissioners and Superintendents of Highways Association; an association, or not-for-profit corporation, membership in which is authorized under Section 85-15 of the Township Code; the United Counties Council; or the Will County Governmental League.

(3) All persons, including, without limitation, public defenders and probation officers, who receive earnings from general or special funds of a county for performance of personal services or official duties within the territorial limits of the county, are employees of the county (unless excluded by subsection (2) of this Section) notwithstanding that they may be appointed by and are subject to the direction of a person or persons other than a county board or a county officer. It is hereby established that an employer-employee relationship under the usual common law rules exists between such employees and the county paying their salaries by reason of the fact that the county boards fix their rates of compensation, appropriate funds for payment of their earnings and otherwise exercise control over them. This finding and this amendatory Act shall apply to all such employees from the date of appointment whether such date is prior to or after the effective date of this amendatory Act and is intended to clarify existing law pertaining to their status as participating employees in the Fund.

(Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17.)

(40 ILCS 5/7-109.3) (from Ch. 108 1/2, par. 7-109.3)

Sec. 7-109.3. "Sheriff's Law Enforcement Employees".

(a) "Sheriff's law enforcement employee" or "SLEP" means:

(1) A county sheriff and all deputies, other than special deputies, employed on a full time basis in the office of the sheriff.

(2) A person who has elected to participate in this Fund under Section 3-109.1 of this Code, and who is employed by a participating municipality to perform police duties.

(3) A law enforcement officer employed on a full time basis by a Forest Preserve District, provided that such officer shall be deemed a "sheriff's law enforcement employee" for the purposes of this Article, and service in that capacity shall be deemed to be service as a sheriff's law enforcement employee, only if the board of commissioners of the District have so elected by adoption of an affirmative resolution. Such election, once made, may not be rescinded.

(4) A person not eligible to participate in a fund established under Article 3 of this Code who is employed on a full-time basis by a participating municipality or participating instrumentality to perform police duties at an airport, but only if the governing authority of the employer has approved sheriff's law enforcement employee status for its airport police employees by adoption of an affirmative resolution. Such approval, once given, may not be rescinded.

(5) A person first hired on or after January 1, 2011 who (i) is employed by a participating municipality that has both 30 or more full-time police officers and 50 or more full-time firefighters and has not established a fund under Article 3 or Article 4 of this Code and (ii) is employed on a full-time basis by that participating municipality to perform police duties or firefighting and EMS duties; but only if the governing authority

of that municipality has approved sheriff's law enforcement employee status for its police officer or firefighter employees by adoption of an affirmative resolution. The resolution must specify that SLEP status shall be applicable to such employment occurring on or after the adoption of the resolution. Such resolution shall be irrevocable, but shall automatically terminate upon the establishment of an Article 3 or 4 fund by the municipality.

(b) An employee who is a sheriff's law enforcement employee and is granted military leave or authorized leave of absence shall receive service credit in that capacity. Sheriff's law enforcement employees shall not be entitled to out-of-State service credit under Section 7-139.

(Source: P.A. 100-354, eff. 8-25-17.)

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

AMENDMENT NO. 2 TO SENATE BILL 3119

AMENDMENT NO. 2. Amend Senate Bill 3119 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 4-112, 7-109, and 7-109.3 as follows:

(40 ILCS 5/4-112) (from Ch. 108 1/2, par. 4-112)

Sec. 4-112. Determination of disability; restoration to active service; disability cannot constitute cause for discharge. A disability pension shall not be paid until disability has been established by the board by examinations of the firefighter at pension fund expense by 3 physicians selected by the board and such other evidence as the board deems necessary. The 3 physicians selected by the board need not agree as to the existence of any disability or the nature and extent of a disability. Medical examination of a firefighter receiving a disability pension shall be made at least once each year prior to attainment of age 50 in order to verify continuance of disability, except that a medical examination of a firefighter receiving a disability pension for post-traumatic stress disorder (PTSD) related to his or her service as a firefighter shall not be made if: (1) the firefighter has attained age 45; (2) the firefighter has provided to the board documentation approving the discontinuance of the medical examination from at least 2 physicians; and (3) at least 4 members of the board have voted in the affirmative to allow the firefighter to discontinue the medical examination. No examination shall be required after age 50. No physical or mental disability that constitutes, in whole or in part, the basis of an application for benefits under this Article may be used, in whole or in part, by any municipality or fire protection district employing firefighters, emergency medical technicians, or paramedics as cause for discharge.

Upon satisfactory proof to the board that a firefighter on the disability pension has recovered from disability, the board shall terminate the disability pension. The firefighter shall report to the marshal or chief of the fire department, who shall thereupon order immediate reinstatement into active service, and the municipality shall immediately return the firefighter to its payroll, in the same rank or grade held at the date he or she was placed on disability pension. If the firefighter must file a civil action against the municipality to enforce his or her mandated return to payroll under this paragraph, then the firefighter is entitled to recovery of reasonable court costs and attorney's fees.

The firefighter shall be entitled to 10 days notice before any hearing or meeting of the board at which the question of his or her disability is to be considered, and shall have the right to be present at any such hearing or meeting, and to be represented by counsel; however, the board shall not have any obligation to provide such fireman with counsel.

(Source: P.A. 95-681, eff. 10-11-07.)

(40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)

Sec. 7-109. Employee.

(1) "Employee" means any person who:

(a) 1. Receives earnings as payment for the performance of personal services or official duties out of the general fund of a municipality, or out of any special fund or funds controlled by a municipality, or by an instrumentality thereof, or a participating instrumentality, including, in counties, the fees or earnings of any county fee office; and

2. Under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee with a municipality, or any instrumentality thereof, or a participating instrumentality, including aldermen, county supervisors and other persons (excepting those employed as independent contractors) who are paid compensation, fees, allowances or other emolument for official duties, and, in counties, the several county fee offices.

(b) Serves as a township treasurer appointed under the School Code, as heretofore or

hereafter amended, and who receives for such services regular compensation as distinguished from per diem compensation, and any regular employee in the office of any township treasurer whether or not his earnings are paid from the income of the permanent township fund or from funds subject to distribution to the several school districts and parts of school districts as provided in the School Code, or from both such sources; or is the chief executive officer, chief educational officer, chief fiscal officer, or other employee of a Financial Oversight Panel established pursuant to Article 1H of the School Code, other than a superintendent or certified school business official, except that such person shall not be treated as an employee under this Section if that person has negotiated with the Financial Oversight Panel, in conjunction with the school district, a contractual agreement for exclusion from this Section.

(c) Holds an elective office in a municipality, instrumentality thereof or participating instrumentality.

(2) "Employee" does not include persons who:

(a) Are eligible for inclusion under any of the following laws:

1. "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund", approved May 27, 1915, as amended;

2. Articles 15 and 16 of this Code.

However, such persons shall be included as employees to the extent of earnings that are not eligible for inclusion under the foregoing laws for services not of an instructional nature of any kind.

However, any member of the armed forces who is employed as a teacher of subjects in the Reserve Officers Training Corps of any school and who is not certified under the law governing the certification of teachers shall be included as an employee.

(b) Are designated by the governing body of a municipality in which a pension fund is required by law to be established for policemen or firemen, respectively, as performing police or fire protection duties, except that when such persons are the heads of the police or fire department and are not eligible to be included within any such pension fund, they shall be included within this Article; provided, that such persons shall not be excluded to the extent of concurrent service and earnings not designated as being for police or fire protection duties. However, (i) any head of a police department who was a participant under this Article immediately before October 1, 1977 and did not elect, under Section 3-109 of this Act, to participate in a police pension fund shall be an "employee", and (ii) any chief of police who became a participating employee under this Article before January 1, 2019 and who elects to participate in this Fund under Section 3-109.1 of this Code, regardless of whether such person continues to be employed as chief of police or is employed in some other rank or capacity within the police department, shall be an employee under this Article for so long as such person is employed to perform police duties by a participating municipality and has not lawfully rescinded that election.

(b-5) Were not participating employees under this Article before the effective date of this amendatory Act of the 100th General Assembly and participated as a chief of police in a fund under Article 3 and return to work in any capacity with the police department, with any oversight of the police department, or in an advisory capacity for the police department with the same municipality with which that pension was earned, regardless of whether they are considered an employee of the police department or are eligible for inclusion in the municipality's Article 3 fund.

(c) Are contributors to or eligible to contribute to a Taft-Hartley pension plan to which the participating municipality is required to contribute as the person's employer based on earnings from the municipality. Nothing in this paragraph shall affect service credit or creditable service for any period of service prior to the effective date of this amendatory Act of the 98th General Assembly, and this paragraph shall not apply to individuals who are participating in the Fund prior to the effective date of this amendatory Act of the 98th General Assembly.

(d) Become an employee of any of the following participating instrumentalities on or after the effective date of this amendatory Act of the 99th General Assembly: the Illinois Municipal League; the Illinois Association of Park Districts; the Illinois Supervisors, County Commissioners and Superintendents of Highways Association; an association, or not-for-profit corporation, membership in which is authorized under Section 85-15 of the Township Code; the United Counties Council; or the Will County Governmental League.

(3) All persons, including, without limitation, public defenders and probation officers, who receive earnings from general or special funds of a county for performance of personal services or official duties within the territorial limits of the county, are employees of the county (unless excluded by subsection (2) of this Section) notwithstanding that they may be appointed by and are subject to the direction of a person or persons other than a county board or a county officer. It is hereby established that an employer-employee relationship under the usual common law rules exists between such employees and the county paying their salaries by reason of the fact that the county boards fix their rates of compensation, appropriate funds for

payment of their earnings and otherwise exercise control over them. This finding and this amendatory Act shall apply to all such employees from the date of appointment whether such date is prior to or after the effective date of this amendatory Act and is intended to clarify existing law pertaining to their status as participating employees in the Fund.

(Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17.)

(40 ILCS 5/7-109.3) (from Ch. 108 1/2, par. 7-109.3)

Sec. 7-109.3. "Sheriff's Law Enforcement Employees".

(a) "Sheriff's law enforcement employee" or "SLEP" means:

(1) A county sheriff and all deputies, other than special deputies, employed on a full time basis in the office of the sheriff.

(2) A person who has elected to participate in this Fund under Section 3-109.1 of this Code, and who is employed by a participating municipality to perform police duties.

(3) A law enforcement officer employed on a full time basis by a Forest Preserve District, provided that such officer shall be deemed a "sheriff's law enforcement employee" for the purposes of this Article, and service in that capacity shall be deemed to be service as a sheriff's law enforcement employee, only if the board of commissioners of the District have so elected by adoption of an affirmative resolution. Such election, once made, may not be rescinded.

(4) A person not eligible to participate in a fund established under Article 3 of this Code who is employed on a full-time basis by a participating municipality or participating instrumentality to perform police duties at an airport, but only if the governing authority of the employer has approved sheriff's law enforcement employee status for its airport police employees by adoption of an affirmative resolution. Such approval, once given, may not be rescinded.

(5) A person first hired on or after January 1, 2011 who (i) is employed by a participating municipality that has both 30 or more full-time police officers and 50 or more full-time firefighters and has not established a fund under Article 3 or Article 4 of this Code and (ii) is employed on a full-time basis by that participating municipality to perform police duties or firefighting and EMS duties; but only if the governing authority of that municipality has approved sheriff's law enforcement employee status for its police officer or firefighter employees by adoption of an affirmative resolution. The resolution must specify that SLEP status shall be applicable to such employment occurring on or after the adoption of the resolution. Such resolution shall be irrevocable, but shall automatically terminate upon the establishment of an Article 3 or 4 fund by the municipality.

(b) An employee who is a sheriff's law enforcement employee and is granted military leave or authorized leave of absence shall receive service credit in that capacity. Sheriff's law enforcement employees shall not be entitled to out-of-State service credit under Section 7-139.

(Source: P.A. 100-354, eff. 8-25-17.)

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

Under the rules, the foregoing **Senate Bill No. 3119**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 3134

A bill for AN ACT concerning flood control.

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

House Amendment No. 1 to SENATE BILL NO. 3134

House Amendment No. 2 to SENATE BILL NO. 3134

Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3134

AMENDMENT NO. 1. Amend Senate Bill 3134 by replacing everything after the enacting clause with the following:

"Section 5. The Flood Control Act of 1945 is amended by adding Section 8.5 as follows:

(615 ILCS 15/8.5 new)

Sec. 8.5. Flood Control Commission.

(a) The Flood Control Commission is created to study and develop an integrated floodplain management coalition of communities in the Fox River Watershed to serve as an example and catalyst to other watershed communities in the DuPage, Kane, Lake, McHenry, and Will County region to jointly leverage community resources and collaborate on flood preparedness, flood protection, flood response, flood recovery, future flood damage reduction, and necessary floodplain management education to mitigate future flooding events, prevent property damage and threats to public health, and save taxpayer money.

(b) The Commission shall be chaired by the Director of Natural Resources or his or her designee and consist of the following members:

(1) 5 members appointed by the President of the Senate;

(2) 5 members appointed by the Minority Leader of the Senate;

(3) 5 members appointed by the Speaker of the House of Representatives;

(4) 5 members appointed by the Minority Leader of the House of Representatives;

(5) one member appointed by the chairman of the county board with the advice and consent of the county board from the DuPage County Stormwater Management Planning Committee;

(6) one member appointed by the chairman of the county board with the advice and consent of the county board from the Kane County Stormwater Management Planning Committee;

(7) one member appointed by the chairman of the county board with the advice and consent of the county board from the Lake County Stormwater Management Planning Committee;

(8) one member appointed by the chairman of the county board with the advice and consent of the county board from the McHenry County Stormwater Management Planning Committee;

(9) one member appointed by the chairman of the county board with the advice and consent of the county board from the Will County Stormwater Management Planning Committee;

(10) one member appointed by the chairman of the county board with the advice and consent of the county board from a municipality in each of the following counties: (i) DuPage County; (ii) Kane County; (iii) Lake County; (iv) McHenry County; and (v) Will County; and

(11) the Governor or his or her designee.

(c) The Commission shall catalog current shortfalls in existing flood control practices in the Fox River Watershed. The Commission shall make suggestions for the improvement of such practices, including, but not limited to, the development of an example integrated floodplain management coalition of communities in the Fox River Watershed.

(d) The Commission shall conduct a survey and submit a report of the survey to the General Assembly by December 31, 2019. The report shall include, but is not limited to, the following information:

(1) the extent and character of the areas affected;

(2) current shortfalls in existing flood control practices in the Fox River Watershed;

(3) the basic structure of an integrated floodplain management coalition of communities in the Fox River Watershed to jointly leverage community resources and collaborate on flood preparedness, flood protection, flood response, flood recovery, future flood damage reduction, and necessary floodplain management education;

(4) a recommended strategy and schedule for implementing the coalition of communities in the Fox River Watershed;

(5) an explanation of how such a coalition could advance future flood damage reduction measures in the watershed; improve flood preparedness, flood protection, flood response, and flood recovery; and advocate necessary floodplain management education in the region;

(6) an explanation of how such a coalition could save taxpayer dollars; and

(7) a statement of special or local benefit that will accrue to communities participating in the coalition and a statement of general or statewide benefits, with recommendations as to what local cooperation, participation, and cost sharing shall be required, if any, on account of the special or local benefit.

The report to the General Assembly shall be 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.

(e) The Chicago Metropolitan Agency for Planning shall provide information to the Commission upon request.

(f) The Department of Natural Resources shall provide administrative support to the Commission.

(g) This Section is repealed on January 1, 2021.".

AMENDMENT NO. 2 TO SENATE BILL 3134

AMENDMENT NO. 2 . Amend Senate Bill 3134, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, by replacing line 26 with the following:

"(9) one member appointed by the county executive of the county"; and

on page 3, by replacing lines 3 through 8 with the following:

"(10) one member appointed by the chairman of the county board with the advice and consent of the county board from a municipality in each of the following counties: (i) DuPage County; (ii) Kane County; (iii) Lake County; and (iv) McHenry County;

(11) one member appointed by the county executive with the advice and consent of the county board from a municipality in Will County;

(12) the Governor or his or her designee; and

(13) the Director of the Illinois Emergency Management Agency or his or her designee.".

Under the rules, the foregoing **Senate Bill No. 3134**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 3143

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. 3143

Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3143

AMENDMENT NO. 1 . Amend Senate Bill 3143 by replacing everything from line 20 on page 8 through line 4 on page 9 with the following:

"The requirement for reporting ~~to the General Assembly~~ shall be satisfied by filing copies of the report with each of the following: (1) the Auditor General; (2) ~~, the Speaker, the Minority Leader, and the Clerk of the House of Representatives and the President, the Minority Leader, and the Secretary of the Senate,~~ the Chairs of the Appropriations Committees ; (3) 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; (4) ~~, and~~ the Legislative Research Unit ; and (5) ~~, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with~~ the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.".

Under the rules, the foregoing **Senate Bill No. 3143**, 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. 3220

A bill for AN ACT concerning education.

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

House Amendment No. 4 to SENATE BILL NO. 3220

Passed the House, as amended, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 4 TO SENATE BILL 3220

AMENDMENT NO. 4. Amend Senate Bill 3220 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 21B-107 as follows:
(105 ILCS 5/21B-107 new)
Sec. 21B-107. Educator preparation program; appeal.
(a) A not-for-profit institution or institution of higher education that is denied an initial recommendation for recognition by the State Educator Preparation and Licensure Board may appeal the denial of recommendation for recognition to the State Board of Education, as provided by rules adopted by the State Board of Education under this Section.
(b) A for-profit institution that is denied an initial recommendation for recognition by the State Educator Preparation and Licensure Board may appeal the denial of recommendation for recognition to the State Board of Education, as provided by rules adopted by the State Board of Education under this Section. These rules must include at minimum all of the following:
(1) The State Board of Education must convene a public hearing immediately preceding its next regularly scheduled board meeting after the State Educator Preparation and Licensure Board's denial of recommendation for recognition.
(2) The public hearing must include an opportunity for public participants to present comments on the appeal to the State Board of Education.
(3) The public hearing must include an opportunity for members of the State Educator Preparation and Licensure Board and the State Board of Education to comment on the issues raised in the appeal.
(4) The public hearing must include an opportunity for the institution filing the appeal to present comments and information to the State Board of Education in support of its appeal.
(5) The State Board of Education must take action to adopt, modify, or overturn the denial of recommendation for recognition immediately after the public hearing.
(c) The State Board of Education shall adopt rules to implement this Section.".

Under the rules, the foregoing **Senate Bill No. 3220**, with House Amendment No. 4, 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. 2482
A bill for AN ACT concerning transportation.

SENATE BILL NO. 2514
A bill for AN ACT concerning health.

SENATE BILL NO. 2591
A bill for AN ACT concerning agriculture.

SENATE BILL NO. 2638
A bill for AN ACT concerning local government.

SENATE BILL NO. 2661
A bill for AN ACT concerning State government.

SENATE BILL NO. 3290
A bill for AN ACT concerning public aid.

SENATE BILL NO. 3291
A bill for AN ACT concerning transportation.

Passed the House, May 28, 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. 3086
A bill for AN ACT concerning government.
SENATE BILL NO. 3093
A bill for AN ACT concerning revenue.
SENATE BILL NO. 3105
A bill for AN ACT concerning children.
SENATE BILL NO. 3106
A bill for AN ACT concerning State government.
SENATE BILL NO. 3120
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3135
A bill for AN ACT concerning safety.
SENATE BILL NO. 3136
A bill for AN ACT concerning State government.
Passed the House, May 28, 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. 3138
A bill for AN ACT concerning education.
SENATE BILL NO. 3148
A bill for AN ACT concerning transportation.
SENATE BILL NO. 3156
A bill for AN ACT concerning safety.
SENATE BILL NO. 3195
A bill for AN ACT concerning health.
SENATE BILL NO. 3205
A bill for AN ACT concerning finance.
SENATE BILL NO. 3212
A bill for AN ACT concerning revenue.
SENATE BILL NO. 3214
A bill for AN ACT concerning solar sites.
Passed the House, May 28, 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. 3215
A bill for AN ACT concerning revenue.
SENATE BILL NO. 3222
A bill for AN ACT concerning State government.
SENATE BILL NO. 3236
A bill for AN ACT concerning education.
SENATE BILL NO. 3255
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3261
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3263
A bill for AN ACT concerning State government.
SENATE BILL NO. 3285
A bill for AN ACT concerning State government.
Passed the House, May 28, 2018.

TIMOTHY D. MAPES, Clerk of the House

POSTING NOTICE WAIVED

Senator Aquino moved to waive the six-day posting requirement on **House Joint Resolution No. 115** so that the measure may be heard in the Committee on Education that is scheduled to meet today.

The motion prevailed.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Morrison, **House Bill No. 2354** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 4290** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 5750** was taken up, read by title a second time and ordered to a third reading.

At the hour of 12:31 o'clock p.m., the Honorable John J. Cullerton, President of the Senate, presiding, for the introduction of a special guest speaker.

At the hour of 12:45 o'clock p.m., Senator Lightford, presiding, and the Senate resumed consideration of business.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Brady moved that **House Joint Resolution No. 67**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Brady moved that House Joint Resolution No. 67 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 12:58 o'clock p.m., Senator Weaver, presiding, for the purpose of an introduction.

At the hour of 1:02 o'clock p.m., Senator Lightford, presiding, and the Senate resumed consideration of business.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Righter, **House Bill No. 5077** 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 55; NAYS None.

The following voted in the affirmative:

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

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.

On motion of Senator Castro, **House Bill No. 5122** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 37; NAYS 13.

The following voted in the affirmative:

Aquino	Harmon	Link	Sandoval
Bennett	Harris	Manar	Silverstein
Bertino-Tarrant	Hastings	Martinez	Sims
Bush	Holmes	McConnaughay	Stadelman
Castro	Hunter	McGuire	Steans
Clayborne	Hutchinson	Morrison	Van Pelt
Collins	Jones, E.	Mulroe	Mr. President
Cullerton, T.	Koehler	Muñoz	
Cunningham	Landek	Murphy	

Haine	Lightford	Raoul	

The following voted in the negative:

Anderson	Fowler	Rooney	Tracy
Barickman	McCarter	Rose	
Brady	Nybo	Schimpf	
Connelly	Righter	Syverson	

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.

On motion of Senator Castro, **House Bill No. 5136** 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 52; NAYS None.

The following voted in the affirmative:

Althoff	Curran	Manar	Sandoval
Anderson	Fowler	Martinez	Schimpf
Aquino	Haine	McConnaughay	Silverstein
Barickman	Harmon	McGuire	Sims
Bennett	Harris	Morrison	Stadelman
Bertino-Tarrant	Hastings	Mulroe	Steans
Brady	Holmes	Muñoz	Syverson
Bush	Hunter	Murphy	Tracy
Castro	Hutchinson	Nybo	Van Pelt
Clayborne	Jones, E.	Raoul	Mr. President
Collins	Koehler	Rezin	
Connelly	Landek	Righter	
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.

On motion of Senator Aquino, **House Bill No. 5143** 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 54; NAYS None.

The following voted in the affirmative:

Althoff	Curran	Manar	Rose
Anderson	Fowler	Martinez	Sandoval
Aquino	Haine	McConnaughay	Schimpf
Barickman	Harmon	McGuire	Silverstein
Bennett	Harris	Morrison	Sims
Bertino-Tarrant	Hastings	Mulroe	Stadelman
Brady	Holmes	Muñoz	Steans

Bush	Hunter	Murphy	Syverson
Castro	Hutchinson	Nybo	Tracy
Clayborne	Jones, E.	Oberweis	Van Pelt
Collins	Koehler	Raoul	Weaver
Connelly	Landek	Rezin	Mr. President
Cullerton, T.	Lightford	Righter	
Cunningham	Link	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.

On motion of Senator Martinez, **House Bill No. 5155** 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 53; NAYS None.

The following voted in the affirmative:

Althoff	Curran	Manar	Sandoval
Anderson	Fowler	Martinez	Schimpf
Aquino	Haine	McConnaughay	Silverstein
Barickman	Harmon	McGuire	Sims
Bennett	Harris	Morrison	Stadelman
Bertino-Tarrant	Hastings	Mulroe	Steans
Brady	Holmes	Muñoz	Syverson
Bush	Hunter	Murphy	Tracy
Castro	Hutchinson	Nybo	Van Pelt
Clayborne	Jones, E.	Raoul	Weaver
Collins	Koehler	Rezin	Mr. President
Connelly	Landek	Righter	
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.

HOUSE BILL RECALLED

On motion of Senator T. Cullerton, **House Bill No. 5231** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 3 TO HOUSE BILL 5231

AMENDMENT NO. _3_. Amend House Bill 5231, AS AMENDED, 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 if the officer's Firearm Owner's Identification Card is revoked or seized because the officer has been a patient of a mental health facility and the officer has not been determined to pose a clear and present danger to himself, herself, or others as determined by a physician, clinical psychologist, or qualified examiner. Nothing is 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 that issue 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.".

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

On motion of Senator T. Cullerton, **House Bill No. 5231** 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 57; NAYS None.

The following voted in the affirmative:

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

HOUSE BILL RECALLED

On motion of Senator Van Pelt, **House Bill No. 5308** was recalled from the order of third reading to the order of second reading.

Senator Van Pelt offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 5308

AMENDMENT NO. _2_. Amend House Bill 5308, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. This Act may be referred to as the SAFE Zone Law.

Section 5. Legislative findings.

(a) The General Assembly finds that some communities of this State are ravaged by violence and that a substantial and disproportionate amount of serious crimes are committed by persons who unlawfully possess firearms. In many of these communities, there is high unemployment and poverty fueled by incarceration and other barriers to employment after release. Aggressive and tailored approaches to address these outcomes are required.

(b) The General Assembly finds that violence should be viewed as a public health crisis that requires identifying and building on community assets leading to investment in job creation, housing, employment training, child care, healthcare and other services.

(c) To carry out this intent, the General Assembly declares the following purposes of this Law:

(1) to protect communities from gun violence through targeted intervention programs, including economic growth and improving family violence prevention, community trauma treatment rates, gun injury victim services, and public health prevention activities;

(2) to substantially reduce both the total amount of gun violence and concentrated poverty in this State;

(3) to intervene with persons who violate gun possession laws in a risk-responsive manner that decreases the likelihood of any future violent incidents and equips those who have previously violated gun laws to live responsibly and safely; and

(4) to promote employment infrastructure in community areas with the highest concentrations of gun violence and unemployment due to incarceration and resulting criminal records.

(d) The ability of children, teenagers, and young adults to participate freely in education, employment, and civic life without any exposure to illegal weapons or gun violence, facilitating their safe and economically stable future prospects, shall be the central purpose of any initiatives included in this Law.

Section 15. The Illinois Criminal Justice Information Act is amended by adding Sections 7.3, 7.3-2, and 7.3-5 as follows:

(20 ILCS 3930/7.3 new)

Sec. 7.3. Safety and full employment zones. Within 60 days after the effective date of this amendatory Act of the 100th General Assembly, the Authority shall identify those geographic areas eligible to be designated by the Safe and Full Employment Coordinating Board as a Safe and Full Employment Zone ("SAFE Zone"), as outlined in subsection (c) of Section 7.3-2 of this Act.

(a) Qualifications for a SAFE Zone are as follows:

(1) An area of extremely high gun violence and economic destabilization shall be qualified to become a SAFE Zone where, based on analysis of concentrated geographic areas, by census tract if possible, that area:

(A) contains high gunshot hospitalization and mortality per capita; and

(B) contains a high rate of returning citizens following incarceration at the Department of Corrections.

The Authority shall send to the Legislative Audit Commission and make publicly available its analysis and development of the SAFE Zones and shall reevaluate and re-designate SAFE Zones every 4 years.

(b) Prioritization of spending in SAFE Zones shall be as follows:

(1) In the first full fiscal year after the effective date of this amendatory Act of the 100th General Assembly, the Department of Human Services, Department of Public Health, Department of Juvenile Justice, Illinois Criminal Justice Information Authority, Department of Commerce and Economic Opportunity, Department of Healthcare and Family Services, to the extent permitted by federal law, and other relevant State agencies as designated by the Governor and the Safe and Full Employment Coordinating Board as defined in Section 7.3-2 of this Act shall give first priority, within the agency granting authority, to programs providing services that are effective in violence reduction and trauma recovery for SAFE Zones. Federal, State, and local spending on job creation, housing, employment training, child care, healthcare and services to combat community disinvestment that breeds violence shall be prioritized in SAFE Zones. The Governor shall include and outline SAFE Zone spending in his or her annual State budget submitted under Section 50-5 of the State Budget Law.

(2) The recommended prioritization to SAFE Zones for the first 2 fiscal years after the effective date of this amendatory Act of the 100th General Assembly is no less than 5% if otherwise permitted under

federal law. Beginning the third fiscal year after the effective date of this amendatory Act of the 100th General Assembly, and every fiscal year thereafter, the prioritization to SAFE Zones shall be no less than 5% if otherwise permitted under federal law. The prioritization to SAFE Zones shall in no case be more than 20% of current programmatic funding if otherwise permitted under federal law.

(c) The Authority may adopt rules to implement the SAFE Zone provisions under this Act.

(20 ILCS 3930/7.3-2 new)

Sec. 7.3-2. Safe and Full Employment Coordinating Board.

(a) In this Section, "public health approach" means addressing violence and violence prevention by treating the individual and community symptoms and causes of violence through rigorously researched methods. Treatment shall include multi-tiered and interdisciplinary approaches involving stakeholders from diverse sectors, including the people impacted by violence, public agencies, and community-based organizations.

(a-5) There is created a Safe and Full Employment Coordinating Board. The Board shall be composed of the following members:

(1) the Governor, or his or her designee, who shall serve as chair;

(2) the Director of Corrections, or his or her designee;

(3) the Director of Revenue, or his or her designee;

(4) the Director of Juvenile Justice, or his or her designee;

(5) the Director of Healthcare and Family Services, or his or her designee;

(6) the Secretary of Human Services, or his or her designee;

(7) the Director of Public Health, or his or her designee;

(8) the Director of Commerce and Economic Opportunity, or his or her designee;

(9) the Director of Employment Security, or his or her designee;

(10) the Director of State Police, or his or her designee;

(11) the Director of the Governor's Office of Management and Budget, or his or her designee;

(12) the Director of the Illinois Criminal Justice Information Authority, or his or her designee;

(13) the Attorney General, or his or her designee;

(14) a member of the Senate, designated by the President of the Senate;

(15) a member of the House of Representatives, designated by the Speaker of the House of Representatives;

(16) the Minority Leader of the Senate; and

(17) the Minority Leader of the House of Representatives.

(b) Within 30 days after SAFE Zones have been designated, the following shall be added as members of the Board:

(1) the highest elected public officials of all counties and municipal geographic jurisdictions in the State which include a SAFE Zone;

(2) 6 providers who receive funds to deliver services to treat violence including, but not limited to, services such as job placement and training, educational services, and workforce development programming, appointed by the Secretary of Human Services, in coordination with the Illinois Criminal Justice Information Authority; and

(3) 2 persons who have received services from the providers designated in paragraph (2) of this subsection (b), as designated by those service providers.

(c) The Board shall meet quarterly and be staffed by the Governor's Office of Management and Budget. Within 4 months after the effective date of this amendatory Act of the 100th General Assembly, the Board shall develop and implement a plan for designating SAFE Zones under Section 7.3 of this Act and the selection process for local economic growth councils under Section 7.3-5 of this Act. Within 4 months from the date the last council plan is submitted and approved, the Board shall issue a statewide plan to implement the re-prioritization of funding under subsection (b) of Section 7.3 of this Act. The plan shall follow a public health approach.

(d) The Board shall deliver an annual report to the General Assembly and to the Governor and be posted on Governor's Office and General Assembly's website and provide to the public an annual report on its progress. The report to the General Assembly shall be 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.

(e) The Board shall monitor and collect data on intermediate and long-term outcome measures for its statewide plan and include that information in the annual report to the General Assembly, Governor, and the public beginning on December 31, 2019.

(f) There shall be a formal evaluation of the SAFE Zone implementation and outcomes every 4 years conducted by a public university selected by the Safe and Full Employment Coordinating Board. The

evaluation shall reflect the outcomes incorporated and measured in each council plan and also statewide positive outcomes to be measured for at least 4 years. The report shall be sent to the Governor and the General Assembly and be posted on each website.

(20 ILCS 3930/7.3-5 new)

Sec. 7.3-5. SAFE Zone local economic growth councils.

(a) The design of programs and budget requirements in SAFE Zones shall be developed by local economic growth councils. Each local economic growth council shall be supported by technical assistance provided by the State agencies mandated to provide services under Sections 7.3 and 7.3-2 of this Act and by the Governor's Office of Management and Budget.

(b) The process for the selection of members of the local economic growth councils shall be designed by the SAFE Coordinating Board, to permit maximum community participation and to result in councils comprised of residents of the community who reflect the assets and strengths of the SAFE Zone.

(c) Each local economic growth council shall be established within 4 months of the effective date of this amendatory Act of the 100th General Assembly and be composed of a minimum of 20 members and no more than 25 members as representatives who live within the SAFE Zone.

(d) Within 6 months after being established, each local economic growth council shall establish a 2-year plan and budget to address violence, reduce inappropriate incarceration, and expand economic opportunity within the SAFE Zone. The plan shall follow a public health approach and shall include positive outcome measures for persons benefiting from SAFE Zone investments, community asset outcomes, and include ways to track those outcomes over at least 4 years. That plan shall be reviewed and approved, or amended after agreement between the local economic growth council and the Safe and Full Employment Coordinating Board.

Section 20. The Unified Code of Corrections is amended by changing Section 5-6-3.6 as follows:

(730 ILCS 5/5-6-3.6)

(Section scheduled to be repealed on January 1, 2023)

Sec. 5-6-3.6. First Time Weapon Offender Program.

(a) The General Assembly has sought to promote public safety, reduce recidivism, and conserve valuable resources of the criminal justice system through the creation of diversion programs for non-violent offenders. This amendatory Act of the 100th General Assembly establishes a pilot program for first-time, non-violent offenders charged with certain weapons offenses. The General Assembly recognizes some persons, particularly young adults in areas of high crime or poverty, may have experienced trauma that contributes to poor decision making skills, and the creation of a diversionary program poses a greater benefit to the community and the person than incarceration. Under this program, a court, with the consent of the defendant and the State's Attorney, may sentence a defendant charged with an unlawful use of weapons offense under Section 24-1 of the Criminal Code of 2012 or aggravated unlawful use of a weapon offense under Section 24-1.6 of the Criminal Code of 2012, if punishable as a Class 4 felony or lower, to a First Time Weapon Offender Program.

(b) A defendant is not eligible for this Program if:

(1) the offense was committed during the commission of a violent offense as defined in subsection (h) of this Section;

(2) he or she has previously been convicted or placed on probation or conditional discharge for any violent offense under the laws of this State, the laws of any other state, or the laws of the United States;

(3) he or she had a prior successful completion of the First Time Weapon Offender Program under this Section;

(4) he or she has previously been adjudicated a delinquent minor for the commission of a violent offense;

(5) he or she is 21 years of age or older; or

(6) he or she has an existing order of protection issued against him or her.

(b-5) In considering whether a defendant shall be sentenced to the First Time Weapon Offender Program, the court shall consider the following:

(1) the age, immaturity, or limited mental capacity of the defendant;

(2) the nature and circumstances of the offense;

(3) whether participation in the Program is in the interest of the defendant's rehabilitation, including any employment or involvement in community, educational, training, or vocational programs;

(4) whether the defendant suffers from trauma, as supported by documentation or evaluation by a licensed professional; and

(5) the potential risk to public safety.

(c) For an offense committed on or after the effective date of this amendatory Act of the 100th General Assembly and before January 1, 2023, whenever an eligible person pleads guilty to an unlawful use of weapons offense under Section 24-1 of the Criminal Code of 2012 or aggravated unlawful use of a weapon offense under Section 24-1.6 of the Criminal Code of 2012, which is punishable as a Class 4 felony or lower, the court, with the consent of the defendant and the State's Attorney, may, without entering a judgment, sentence the defendant to complete the First Time Weapon Offender Program. When a defendant is placed in the Program, the court shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of the Program. Upon violation of a term or condition of the Program, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided by law. Upon fulfillment of the terms and conditions of the Program, the court shall discharge the person and dismiss the proceedings against the person.

(d) The Program shall be at least 18 months and not to exceed 24 months, as determined by the court at the recommendation of the program administrator and the State's Attorney.

(e) The conditions of the Program shall be that the defendant:

(1) not violate any criminal statute of this State or any other jurisdiction;

(2) refrain from possessing a firearm or other dangerous weapon;

(3) obtain or attempt to obtain employment;

(4) attend educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing high school equivalency testing or to work toward completing a vocational training program;

(5) refrain from having in his or her body the presence of any illicit drug prohibited by the Methamphetamine Control and Community Protection Act, the Cannabis Control Act, or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(6) perform a minimum of 50 hours of community service;

(7) attend and participate in any Program activities deemed required by the Program administrator, including but not limited to: counseling sessions, in-person and over the phone check-ins, and educational classes; and

(8) pay all fines, assessments, fees, and costs.

(f) The Program may, in addition to other conditions, require that the defendant:

(1) wear an ankle bracelet with GPS tracking;

(2) undergo medical or psychiatric treatment, or treatment or rehabilitation approved by the Department of Human Services; and

(3) attend or reside in a facility established for the instruction or residence of defendants on probation.

(g) There may be only one discharge and dismissal under this Section. If a person is convicted of any offense which occurred within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(g-5) The Program shall be implemented by the Safe and Full Employment Coordinating Board established under Section 7.3-2 of the Illinois Criminal Justice Information Act.

(h) For purposes of this Section, "violent offense" means any offense in which bodily harm was inflicted or force was used against any person or threatened against any person; any offense involving the possession of a firearm or dangerous weapon; any offense involving sexual conduct, sexual penetration, or sexual exploitation; violation of an order of protection, stalking, hate crime, domestic battery, or any offense of domestic violence.

(i) This Section is repealed on January 1, 2023.

(Source: P.A. 100-3, eff. 1-1-18.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Van Pelt offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 5308

AMENDMENT NO. 3. Amend House Bill 5308, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. This Act may be referred to as the SAFE Zone Law.

Section 5. Legislative findings.

(a) The General Assembly finds that some communities of this State are ravaged by violence and that a substantial and disproportionate amount of serious crimes are committed by persons who unlawfully possess firearms. In many of these communities, there is high unemployment and poverty fueled by incarceration and other barriers to employment after release. Aggressive and tailored approaches to address these outcomes are required.

(b) The General Assembly finds that violence should be viewed as a public health crisis that requires identifying and building on community assets leading to investment in job creation, housing, employment training, child care, healthcare and other services.

(c) To carry out this intent, the General Assembly declares the following purposes of this Law:

(1) to protect communities from gun violence through targeted intervention programs, including economic growth and improving family violence prevention, community trauma treatment rates, gun injury victim services, and public health prevention activities;

(2) to substantially reduce both the total amount of gun violence and concentrated poverty in this State;

(3) to intervene with persons who violate gun possession laws in a risk-responsive manner that decreases the likelihood of any future violent incidents and equips those who have previously violated gun laws to live responsibly and safely; and

(4) to promote employment infrastructure in community areas with the highest concentrations of gun violence and unemployment due to incarceration and resulting criminal records.

(d) The ability of children, teenagers, and young adults to participate freely in education, employment, and civic life without any exposure to illegal weapons or gun violence, facilitating their safe and economically stable future prospects, shall be the central purpose of any initiatives included in this Law.

Section 15. The Illinois Criminal Justice Information Act is amended by adding Sections 7.3, 7.3-2, and 7.3-5 as follows:

(20 ILCS 3930/7.3 new)

Sec. 7.3. Safe and full employment zones. Within 60 days after the effective date of this amendatory Act of the 100th General Assembly, the Authority shall identify those geographic areas eligible to be designated by the Safe and Full Employment Coordinating Board as a Safe and Full Employment Zone ("SAFE Zone"), as outlined in subsection (c) of Section 7.3-2 of this Act.

(a) Qualifications for a SAFE Zone are as follows:

(1) An area of extremely high gun violence and economic destabilization shall be qualified to become a SAFE Zone where, based on analysis of concentrated geographic areas, by census tract if possible, that area:

(A) contains high gunshot hospitalization and mortality per capita; and

(B) contains a high rate of returning citizens following incarceration at the Department of Corrections.

The Authority shall send to the Legislative Audit Commission and make publicly available its analysis and development of the SAFE Zones and shall reevaluate and re-designate SAFE Zones every 4 years.

(b) Prioritization of spending in SAFE Zones shall be as follows:

(1) In the first full fiscal year after the effective date of this amendatory Act of the 100th General Assembly, the Department of Human Services, Department of Public Health, Department of Juvenile Justice, Illinois Criminal Justice Information Authority, Department of Commerce and Economic Opportunity, Department of Healthcare and Family Services, to the extent permitted by federal law, and other relevant State agencies as designated by the Governor and the Safe and Full Employment Coordinating Board as defined in Section 7.3-2 of this Act shall give first priority, within the agency granting authority, to programs providing services that are effective in violence reduction and trauma recovery for SAFE Zones. Federal, State, and local spending on job creation, housing, employment training, child care, healthcare and services to combat community disinvestment that breeds violence shall be prioritized in SAFE Zones. The Governor shall include and outline SAFE Zone spending in his or her annual State budget submitted under Section 50-5 of the State Budget Law.

(2) For the first 2 fiscal years after the effective date of this amendatory Act of the 100th General Assembly, the goal for funding is no less than 5% if otherwise permitted under federal law. Beginning the third fiscal year after the effective date of this amendatory Act of the 100th General Assembly, and every fiscal year thereafter, the prioritization to SAFE Zones shall be no less than 5% if otherwise permitted under federal law. The prioritization to SAFE Zones shall in no case be more than 20% of current programmatic funding if otherwise permitted under federal law.

(c) The Authority may adopt rules to implement the SAFE Zone provisions under this Act.

(20 ILCS 3930/7.3-2 new)

Sec. 7.3-2. Safe and Full Employment Coordinating Board.

(a) In this Section, "public health approach" means addressing violence and violence prevention by treating the individual and community symptoms and causes of violence through rigorously researched methods. Treatment shall include multi-tiered and interdisciplinary approaches involving stakeholders from diverse sectors, including the people impacted by violence, public agencies, and community-based organizations.

(a-5) There is created a Safe and Full Employment Coordinating Board. The Board shall be composed of the following members:

(1) the Governor, or his or her designee, who shall serve as chair;

(2) the Director of Corrections, or his or her designee;

(3) the Director of Revenue, or his or her designee;

(4) the Director of Juvenile Justice, or his or her designee;

(5) the Director of Healthcare and Family Services, or his or her designee;

(6) the Secretary of Human Services, or his or her designee;

(7) the Director of Public Health, or his or her designee;

(8) the Director of Commerce and Economic Opportunity, or his or her designee;

(9) the Director of Employment Security, or his or her designee;

(10) the Director of State Police, or his or her designee;

(11) the Director of the Governor's Office of Management and Budget, or his or her designee;

(12) the Director of the Illinois Criminal Justice Information Authority, or his or her designee;

(13) the Attorney General, or his or her designee;

(14) a member of the Senate, designated by the President of the Senate;

(15) a member of the House of Representatives, designated by the Speaker of the House of Representatives;

(16) a member of the Senate, designated by the Minority Leader of the Senate; and

(17) a member of the House of Representatives, designated by the Minority Leader of the House of Representatives.

(b) Within 30 days after SAFE Zones have been designated, the following shall be added as members of the Board:

(1) the highest elected public officials of all counties and municipal geographic jurisdictions in the State which include a SAFE Zone;

(2) 6 providers from 6 geographically distinct areas of the State, who receive funds to deliver services to treat violence including, but not limited to, services such as job placement and training, educational services, and workforce development programming, appointed by the Secretary of Human Services, in coordination with the Illinois Criminal Justice Information Authority; and

(3) 2 persons who, within 24 months prior to being designated, have received services from the providers designated in paragraph (2) of this subsection (b), as designated by those service providers.

(c) The Board shall meet quarterly and be staffed by the Governor's Office of Management and Budget. Within 4 months after the effective date of this amendatory Act of the 100th General Assembly, the Board shall develop and implement a plan for designating SAFE Zones under Section 7.3 of this Act and the selection process for Local Economic Growth Councils under Section 7.3-5 of this Act. Within 4 months from the date the last Council plan is submitted and approved, the Board shall issue a statewide plan to implement the re-prioritization of funding under subsection (b) of Section 7.3 of this Act. The plan shall follow a public health approach.

(d) The Board shall deliver an annual report to the General Assembly and to the Governor and be posted on Governor's Office and General Assembly's websites and provide to the public an annual report on its progress. The report to the General Assembly shall be 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.

(e) The Board shall monitor and collect data on intermediate and long-term positive outcome measures for its statewide plan and include that information in the annual report to the General Assembly, Governor, and the public beginning on December 31, 2019.

(f) There shall be a formal evaluation of the SAFE Zone Act implementation and outcomes every 4 years conducted by a public university selected by the Safe and Full Employment Coordinating Board. The evaluation shall reflect the outcomes incorporated and measured in each Council plan and also statewide positive outcomes to be measured for at least 4 years. The report shall be sent to the Governor and the General Assembly and be posted on each website.

(g) The Board is subject to the Freedom of Information Act and the Open Meetings Act.

(20 ILCS 3930/7.3-5 new)

Sec. 7.3-5. SAFE Zone Local Economic Growth Councils.

(a) The design of programs and budget requirements in SAFE Zones shall be developed by Local Economic Growth Councils. Each Local Economic Growth Council shall be supported by technical assistance provided by the State agencies mandated to provide services under Sections 7.3 and 7.3-2 of this Act and by the Governor's Office of Management and Budget.

(b) The process for the selection of members of the Local Economic Growth Councils shall be designed by the SAFE Coordinating Board, to permit maximum community participation and to result in Councils comprised of residents of the community who reflect the assets and strengths of the SAFE Zone.

(c) Each Local Economic Growth Council shall be established within 4 months of the effective date of this amendatory Act of the 100th General Assembly and be composed of a minimum of 20 members and no more than 25 members as representatives who live within the SAFE Zone.

(d) Within 6 months after being established, each Local Economic Growth Council shall establish a 2-year plan and budget to address violence, reduce inappropriate incarceration, and expand economic opportunity within the SAFE Zone. The plan shall follow a public health approach and shall include positive outcome measures for persons benefiting from SAFE Zone investments, community asset outcomes, and include ways to track those outcomes over at least 4 years. That plan shall be reviewed and approved, or amended after agreement between the Local Economic Growth Council and the Safe and Full Employment Coordinating Board.

(e) Each Local Economic Growth Council is subject to the Freedom of Information Act and the Open Meetings Act.

Section 20. The Unified Code of Corrections is amended by changing Section 5-6-3.6 as follows:

(730 ILCS 5/5-6-3.6)

(Section scheduled to be repealed on January 1, 2023)

Sec. 5-6-3.6. First Time Weapon Offender Program.

(a) The General Assembly has sought to promote public safety, reduce recidivism, and conserve valuable resources of the criminal justice system through the creation of diversion programs for non-violent offenders. This amendatory Act of the 100th General Assembly establishes a pilot program for first-time, non-violent offenders charged with certain weapons offenses. The General Assembly recognizes some persons, particularly young adults in areas of high crime or poverty, may have experienced trauma that contributes to poor decision making skills, and the creation of a diversionary program poses a greater benefit to the community and the person than incarceration. Under this program, a court, with the consent of the defendant and the State's Attorney, may sentence a defendant charged with an unlawful use of weapons offense under Section 24-1 of the Criminal Code of 2012 or aggravated unlawful use of a weapon offense under Section 24-1.6 of the Criminal Code of 2012, if punishable as a Class 4 felony or lower, to a First Time Weapon Offender Program.

(b) A defendant is not eligible for this Program if:

(1) the offense was committed during the commission of a violent offense as defined in subsection (h) of this Section;

(2) he or she has previously been convicted or placed on probation or conditional discharge for any violent offense under the laws of this State, the laws of any other state, or the laws of the United States;

(3) he or she had a prior successful completion of the First Time Weapon Offender Program under this Section;

(4) he or she has previously been adjudicated a delinquent minor for the commission of a violent offense;

(5) he or she is 21 years of age or older; or

(6) he or she has an existing order of protection issued against him or her.

(b-5) In considering whether a defendant shall be sentenced to the First Time Weapon Offender Program, the court shall consider the following:

(1) the age, immaturity, or limited mental capacity of the defendant;

(2) the nature and circumstances of the offense;

(3) whether participation in the Program is in the interest of the defendant's rehabilitation, including any employment or involvement in community, educational, training, or vocational programs;

(4) whether the defendant suffers from trauma, as supported by documentation or evaluation by a licensed professional; and

(5) the potential risk to public safety.

(c) For an offense committed on or after the effective date of this amendatory Act of the 100th General Assembly and before January 1, 2023, whenever an eligible person pleads guilty to an unlawful use of weapons offense under Section 24-1 of the Criminal Code of 2012 or aggravated unlawful use of a weapon offense under Section 24-1.6 of the Criminal Code of 2012, which is punishable as a Class 4 felony or lower, the court, with the consent of the defendant and the State's Attorney, may, without entering a judgment, sentence the defendant to complete the First Time Weapon Offender Program. When a defendant is placed in the Program, the court shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of the Program. Upon violation of a term or condition of the Program, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided by law. Upon fulfillment of the terms and conditions of the Program, the court shall discharge the person and dismiss the proceedings against the person.

(d) The Program shall be at least 18 months and not to exceed 24 months, as determined by the court at the recommendation of the program administrator and the State's Attorney.

(e) The conditions of the Program shall be that the defendant:

(1) not violate any criminal statute of this State or any other jurisdiction;

(2) refrain from possessing a firearm or other dangerous weapon;

(3) obtain or attempt to obtain employment;

(4) attend educational courses designed to prepare the defendant for obtaining a high school diploma or to work toward passing high school equivalency testing or to work toward completing a vocational training program;

(5) refrain from having in his or her body the presence of any illicit drug prohibited by the Methamphetamine Control and Community Protection Act, the Cannabis Control Act, or the Illinois Controlled Substances Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(6) perform a minimum of 50 hours of community service;

(7) attend and participate in any Program activities deemed required by the Program administrator, including but not limited to: counseling sessions, in-person and over the phone check-ins, and educational classes; and

(8) pay all fines, assessments, fees, and costs.

(f) The Program may, in addition to other conditions, require that the defendant:

(1) wear an ankle bracelet with GPS tracking;

(2) undergo medical or psychiatric treatment, or treatment or rehabilitation approved by the Department of Human Services; and

(3) attend or reside in a facility established for the instruction or residence of defendants on probation.

(g) There may be only one discharge and dismissal under this Section. If a person is convicted of any offense which occurred within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as evidence in aggravation.

(g-5) The Program shall be implemented by the Safe and Full Employment Coordinating Board established under Section 7.3-2 of the Illinois Criminal Justice Information Act.

(h) For purposes of this Section, "violent offense" means any offense in which bodily harm was inflicted or force was used against any person or threatened against any person; any offense involving the possession of a firearm or dangerous weapon; any offense involving sexual conduct, sexual penetration, or sexual exploitation; violation of an order of protection, stalking, hate crime, domestic battery, or any offense of domestic violence.

(i) This Section is repealed on January 1, 2023.

(Source: P.A. 100-3, eff. 1-1-18.)

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 BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Van Pelt, **House Bill No. 5308** 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 12.

The following voted in the affirmative:

Althoff	Haine	Manar	Sandoval
Aquino	Harmon	Martinez	Silverstein
Bennett	Harris	McConnaughay	Sims
Bertino-Tarrant	Hastings	McGuire	Stadelman
Brady	Holmes	Morrison	Steans
Bush	Hunter	Mulroe	Tracy
Castro	Hutchinson	Muñoz	Van Pelt
Clayborne	Jones, E.	Murphy	Mr. President
Collins	Koehler	Nybo	
Cullerton, T.	Landek	Raoul	
Cunningham	Lightford	Rezin	
Curran	Link	Rooney	

The following voted in the negative:

Anderson	Fowler	Rose
Barickman	McCarter	Schimpf
Bivins	Oberweis	Syverson
Connelly	Righter	Weaver

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.

At the hour of 1:58 o'clock p.m., Senator Hunter, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1806

Offered by Senator Connelly and all Senators:
Mourns the death of Daryl Thomas.

SENATE RESOLUTION NO. 1807

Offered by Senator Morrison and all Senators:
Mourns the death of Denis James McDowell of Lake Forest.

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

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 5180

Amendment No. 2 to House Bill 5749

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 513
Amendment No. 3 to Senate Bill 2337

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 1437
Motion to Concur in House Amendment 1 to Senate Bill 2339
Motion to Concur in House Amendment 1 to Senate Bill 2459
Motion to Concur in House Amendment 1 to Senate Bill 2598
Motion to Concur in House Amendment 1 to Senate Bill 2662
Motion to Concur in House Amendment 1 to Senate Bill 2696
Motion to Concur in House Amendment 1 to Senate Bill 3108
Motion to Concur in House Amendment 1 to Senate Bill 3119
Motion to Concur in House Amendment 2 to Senate Bill 3119
Motion to Concur in House Amendment 1 to Senate Bill 3134
Motion to Concur in House Amendment 2 to Senate Bill 3134
Motion to Concur in House Amendment 1 to Senate Bill 3143
Motion to Concur in House Amendment 4 to Senate Bill 3220
Motion to Concur in House Amendment 1 to Senate Bill 3404
Motion to Concur in House Amendment 1 to Senate Bill 3411
Motion to Concur in House Amendment 2 to Senate Bill 3560

MESSAGE 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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 104

WHEREAS, It is appropriate to honor those who have bettered the State of Illinois through public service; and

WHEREAS, Congressman Johnson was born in Champaign to Robert and Margaret Evans Johnson on July 23, 1946; he spent his childhood in Urbana and graduated from Urbana High School; he attended the University of Illinois, where he graduated Phi Beta Kappa and was honored with the Bronze Tablet, the University's highest undergraduate honor; he was accepted to the University of Illinois College of Law and graduated with high honors and was elected to the Order of Coif, the national legal honor society, in 1972; and

WHEREAS, In 1971, while still in college, Congressman Johnson began his long career in public service by winning a seat on the Urbana City Council, representing the same Ward that his father did; in his four years on the city council, he demonstrated to people throughout Central Illinois that he had a gift for crafting sound policies and taking care of the day-to-day needs of the people he represented; and

WHEREAS, Upon urging by community leaders, Congressman Johnson decided to run for a seat in the Illinois State Legislature; in 1976, he won a seat in the Illinois House by besting five other Republicans in a tough, but civil, primary; he held that seat in the Statehouse for more than two decades; he resigned as State Representative from the 104th District on November 13, 2000, one week after being elected to the United States House of Representatives to serve the 15th District of Illinois; and

WHEREAS, Congressman Johnson established a strong record of constituent service and was known for walking the Capitol hallways with a cell phone pressed to his ear as he talked to constituents, asking their opinions and addressing their problems; and

WHEREAS, While responding to the needs of his District residents was a top priority, Congressman Johnson was also a strong and independent voice on Capitol Hill and pushed for lower taxes, fought to bring federal dollars home to Illinois universities, was a strong advocate for civil liberties, voted consistently to protect our First, Second, and Fourth Amendment Rights, and voted to protect our environment; and

WHEREAS, Congressman Johnson was a leading advocate for the expansion of the use of bio fuels and paid special attention to the needs of veterans; he continued his tradition of opposing tax increases, promoting fiscal responsibility, and upholding conservative, common sense values in the United States Congress; most of all, he wanted to rekindle the spark in the nation's agricultural economy that is vital to the health of the region, nation, and world; and

WHEREAS, Congressman Johnson retired from Congress at the end of his term in 2013; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Interstate 57 from I-74 South to Exit 232 as the "Congressman Tim Johnson Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Congressman Tim Johnson Highway"; and be it further

RESOLVED, That suitable copies of this resolution be sent to Congressman Tim Johnson, the Mayor of Champaign, and the Secretary of Transportation.

Adopted by the House, May 8, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 104 was referred to the Committee on Assignments.

At the hour of 2:04 o'clock p.m., Senator Lightford, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Motion to Concur in House Amendment 1 to Senate Bill 2339**

Education: **Motion to Concur in House Amendment 4 to Senate Bill 3220**

Human Services: **Motion to Concur in House Amendment 1 to Senate Bill 2662**

Judiciary: **Motion to Concur in House Amendment 1 to Senate Bill 2696**
Motion to Concur in House Amendment 1 to Senate Bill 3108

Licensed Activities and Pensions: **Motion to Concur in House Amendment 1 to Senate Bill 3119**
Motion to Concur in House Amendment 2 to Senate Bill 3119

Local Government: **Motion to Concur in House Amendment 1 to Senate Bill 2459**
Motion to Concur in House Amendment 1 to Senate Bill 2598
Motion to Concur in House Amendment 1 to Senate Bill 3134
Motion to Concur in House Amendment 2 to Senate Bill 3134

Revenue: **Motion to Concur in House Amendment 1 to Senate Bill 1437**

State Government: **Motion to Concur in House Amendment 1 to Senate Bill 3143**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Floor Amendment No. 1 to House Bill 3648**.

Education: **Floor Amendment No. 5 to House Bill 4208; Floor Amendment No. 2 to House Bill 4706**.

Executive: **Floor Amendment No. 5 to Senate Bill 3190**.

Local Government: **Floor Amendment No. 1 to Senate Bill 37**.

Transportation: **Floor Amendment No. 2 to House Bill 5749**; **Senate Resolution No. 1697**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, reported that the Committee recommends that **Motion to Concur in House Amendment 1 to Senate Bill No. 2954** be re-referred from the Committee on Transportation to the Committee on Licensed Activities and Pensions.

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 1 to Senate Bill 514**

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 1808

Offered by Senator Lightford and all Senators:
Mourns the death of Northica Hillery-Stone of Bellwood.

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

POSTING NOTICE WAIVED

Senator Murphy moved to waive the six-day posting requirement on **Senate Resolution No. 1697** so that the measure may be heard in the Committee on Transportation that is scheduled to meet today.
The motion prevailed.

Senator Hunter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Althoff asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

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 29, 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 Pat McGuire to temporarily replace Senator Daniel Biss as a member of the Senate Labor Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Labor Committee.

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

cc: Senate Minority Leader William Brady

At the hour of 2:10 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

RECESS

At the hour of 6:15 o'clock p.m., the Senate resumed consideration of business.
Senator Harmon, presiding.

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 29, 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 3rd Reading deadline to May 31, 2018, for the following Senate bills:

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Pursuant to the provisions of Senate Rule 2-10, I hereby extend the 3rd Reading deadline to May 31, 2018, for the following House bills:

4104, 4554

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

cc: Senate Republican Leader Bill Brady

PRESENTATION OF RESOLUTION

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

SENATE JOINT RESOLUTION NO. 78

WHEREAS, Apprenticeship programs integrate systematic on-the-job training, guided by an experienced master-level practitioner in an occupation, with classroom instruction; and

WHEREAS, The federal government, in cooperation with the states, registers apprenticeship programs that meet federal and state standards; and

WHEREAS, The best programs, which provide multiple industries with highly-skilled workers who earn family-sustaining wages, are registered with government agencies, operated by sponsors representing labor and management organizations and are funded through collectively bargained contributions to tax-exempt trust funds; and

WHEREAS, By partnering with employers, unions help working people develop in-demand skills to power the next generation of American-led innovation; and

WHEREAS, Joint labor-management training programs in the building and construction industry contribute about $1.5 billion to the American economy every year; and

WHEREAS, Labor management partnerships combine to offer opportunities for working people in many other industries, including health care, construction, manufacturing, hospitality, and aerospace; and

WHEREAS, The mission of the Chicago Regional Council of Carpenters Apprentice and Training Program is to provide members both classroom and hands-on training to guarantee that the safest, best-trained, and skilled work force is at the forefront of the technology to meet the employment needs of the industry, now and in the future; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the

Apprentice Higher Education Task Force is created and shall consist of nine members appointed as follows:

(1) Two members appointed by the President of the Senate, one of whom will be named Co-Chairperson;

(2) Two members appointed by the Minority Leader of the Senate;

(3) Two members appointed by the Speaker of the House of Representatives, one of whom will be named Co-Chairperson;

(4) Two members appointed by the Minority Leader of the House of Representatives, with higher education experience; and

(5) Chairperson of the Illinois Community College Board of his or her designee; and be it further

RESOLVED, That the members of the Task Force shall serve without compensation, but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, That two Task Force members must have apprentice training experience from a skilled labor union, and two Task Force members must have higher education experience; and be it further

RESOLVED, That the Task Force may employ skilled experts with the approval of the Chairperson and shall receive the cooperation of those State agencies it deems appropriate to assist the Task Force in carrying out its duties; and be it further

RESOLVED, That the Illinois Community College Board shall provide administrative and other support to the Task Force; and be it further

RESOLVED, That the Task Force shall have the following duties:

(1) To increase awareness of skilled trade apprentice training center programs in Illinois;

(2) To review the Career and Workforce Transition Act;

(3) To develop new guidelines and procedures to modernize Higher Learning Commission accreditation process with regards to skilled labor apprentice training graduates; and

(4) To make uniform new guidelines and procedures for an accredited public community college district or an accredited two-year and four-year institution of higher education to enforce the Career Workforce Transition Act; 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; and be it further

RESOLVED, That the Task Force shall report to the Governor and the General Assembly by January 1, 2019.

REPORTS FROM STANDING COMMITTEES

Senator Landek, Chairperson of the Committee on State Government, to which was referred **Senate Resolutions numbered 1767 and 1786,** reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions numbered 1767 and 1786** were placed on the Secretary's Desk.

Senator Landek, Chairperson of the Committee on State Government, 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 1453; Motion to Concur in House Amendment 1 to Senate Bill 2376; Motion to Concur in House Amendment 1 to Senate Bill 2640; Motion

to Concur in House Amendment 1 to Senate Bill 3046; Motion to Concur in House Amendment 1 to Senate Bill 3072; Motion to Concur in House Amendment 1 to Senate Bill 3143

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, 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 2428; Motion to Concur in House Amendment 1 to Senate Bill 2941; Motion to Concur in House Amendment 4 to Senate Bill 3220

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **House Bill No. 5593,** reported the same back with the recommendation that the bill do pass.

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **House Joint Resolution No. 115,** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 115** was placed on the Secretary's Desk.

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

Senate Amendment No. 5 to House Bill 4208

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

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **Senate Resolution No. 1780,** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 1780** was placed on the Secretary's Desk.

Senator Van Pelt, Chairperson of the Committee on Public Health, 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 457; Motion to Concur in House Amendment 1 to Senate Bill 2777; Motion to Concur in House Amendment 2 to Senate Bill 2952

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

Senator E. Jones III, Chairperson of the Committee on Licensed Activities and Pensions, 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 2954; Motion to Concur in House Amendment 1 to Senate Bill 3119; Motion to Concur in House Amendment 2 to Senate Bill 3119

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

Senator E. Jones III, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **House Bill No. 4100,** reported the same back with the recommendation that the bill do pass.

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 5 to Senate Bill 3190
Senate Amendment No. 5 to House Bill 3479

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Resolution No. 1638,** reported the same back with the recommendation that the resolution be adopted.
Under the rules, **Senate Resolution No. 1638** was placed on the Secretary's Desk.

Senator Harmon, Chairperson of the Committee on Executive, to which was referred the Motions to Concur with House Amendments to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 3022; Motion to Concur in House Amendment 2 to Senate Bill 3022

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

Senator Silverstein, Chairperson of the Committee on Local Government, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 37
Senate Amendment No. 1 to House Bill 5777

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

Senator Silverstein, Chairperson of the Committee on Local Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 2459; Motion to Concur in House Amendment 1 to Senate Bill 2598; Motion to Concur in House Amendment 1 to Senate Bill 3134; Motion to Concur in House Amendment 2 to Senate Bill 3134

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

Senator Silverstein, Chairperson of the Committee on Local Government, to which was referred **House Bill No. 4104,** 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 Bennett, Chairperson of the Committee on Criminal Law, 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 558; Motion to Concur in House Amendment 1 to Senate Bill 2339

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

Senator Bennett, of the Committee on Criminal Law, to which was referred **House Bill No. 5341,** reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

Senator Bennett, Chairperson of the Committee on Criminal Law, to which was referred **House Bill No. 4554,** 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 Bennett, Chairperson of the Committee on Criminal Law, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 3648

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

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

Senate Amendment No. 2 to House Bill 5749

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

Senator Holmes, Vie-Chairperson of the Committee on Labor, to which was referred **Senate Bill No. 3100,** 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.

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. 4165

A bill for AN ACT concerning health care.

Passed the House, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 4165** 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2407

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. 2 to SENATE BILL NO. 2407

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 2407

AMENDMENT NO. 2. Amend Senate Bill 2407 on page 3, lines 6 and 7, by deleting "; this line item shall not be reduced"; and

on page 11, line 6, after "examiners,", by inserting "and"; and

on page 11, line 7, by deleting "and others,".

Under the rules, the foregoing **Senate Bill No. 2407**, with House Amendment No. 2, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 2858

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. 2858

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2858

AMENDMENT NO. 1. Amend Senate Bill 2858 by replacing everything after the enacting clause with the following:

"Section 5. The Deposit of State Moneys Act is amended by changing Section 22.5 as follows:

(15 ILCS 520/22.5) (from Ch. 130, par. 41a)

(For force and effect of certain provisions, see Section 90 of P.A. 94-79)

Sec. 22.5. Permitted investments. The State Treasurer may, with the approval of the Governor, invest and reinvest any State money in the treasury which is not needed for current expenditures due or about to become due, in obligations of the United States government or its agencies or of National Mortgage Associations established by or under the National Housing Act, 1201 U.S.C. 1701 et seq., or in mortgage participation certificates representing undivided interests in specified, first-lien conventional residential Illinois mortgages that are underwritten, insured, guaranteed, or purchased by the Federal Home Loan Mortgage Corporation or in Affordable Housing Program Trust Fund Bonds or Notes as defined in and issued pursuant to the Illinois Housing Development Act. All such obligations shall be considered as cash and may be delivered over as cash by a State Treasurer to his successor.

The State Treasurer may, with the approval of the Governor, purchase any state bonds with any money in the State Treasury that has been set aside and held for the payment of the principal of and interest on the bonds. The bonds shall be considered as cash and may be delivered over as cash by the State Treasurer to his successor.

The State Treasurer may, with the approval of the Governor, invest or reinvest any State money in the treasury that is not needed for current expenditure due or about to become due, or any money in the State Treasury that has been set aside and held for the payment of the principal of and the interest on any State bonds, in shares, withdrawable accounts, and investment certificates of savings and building and loan associations, incorporated under the laws of this State or any other state or under the laws of the United States; provided, however, that investments may be made only in those savings and loan or building and loan associations the shares and withdrawable accounts or other forms of investment securities of which are insured by the Federal Deposit Insurance Corporation.

The State Treasurer may not invest State money in any savings and loan or building and loan association unless a commitment by the savings and loan (or building and loan) association, executed by the president or chief executive officer of that association, is submitted in the following form:

The ..... Savings and Loan (or Building and Loan) Association pledges not to reject arbitrarily mortgage loans for residential properties within any specific part of the community served by the savings and loan (or building and loan) association because of the location of the property. The savings and loan (or building and loan) association also pledges to make loans available on low and moderate income residential property throughout the community within the limits of its legal restrictions and prudent financial practices.

The State Treasurer may, with the approval of the Governor, invest or reinvest, at a price not to exceed par, any State money in the treasury that is not needed for current expenditures due or about to become

due, or any money in the State Treasury that has been set aside and held for the payment of the principal of and interest on any State bonds, in bonds issued by counties or municipal corporations of the State of Illinois.

The State Treasurer may, with the approval of the Governor, invest or reinvest any State money in the Treasury which is not needed for current expenditure, due or about to become due, or any money in the State Treasury which has been set aside and held for the payment of the principal of and the interest on any State bonds, in participations in loans, the principal of which participation is fully guaranteed by an agency or instrumentality of the United States government; provided, however, that such loan participations are represented by certificates issued only by banks which are incorporated under the laws of this State or any other state or under the laws of the United States, and such banks, but not the loan participation certificates, are insured by the Federal Deposit Insurance Corporation.

Whenever the total amount of vouchers presented to the Comptroller under Section 9 of the State Comptroller Act exceeds the funds available in the General Revenue Fund by $1,000,000,000 or more, then the State Treasurer may invest any State money in the Treasury, other than money in the General Revenue Fund, Health Insurance Reserve Fund, Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund, Attorney General Whistleblower Reward and Protection Fund, and Attorney General's State Projects and Court Ordered Distribution Fund, which is not needed for current expenditures, due or about to become due, or any money in the State Treasury which has been set aside and held for the payment of the principal of and the interest on any State bonds with the Office of the Comptroller in order to enable the Comptroller to pay outstanding vouchers. At any time, and from time to time outstanding, such investment shall not be greater than $2,000,000,000. Such investment shall be deposited into the General Revenue Fund or Health Insurance Reserve Fund as determined by the Comptroller. Such investment shall be repaid by the Comptroller with an interest rate tied to the London Interbank Offered Rate (LIBOR) or the Federal Funds Rate or an equivalent market established variable rate, but in no case shall such interest rate exceed the lesser of the penalty rate established under the State Prompt Payment Act or the timely pay interest rate under Section 368a of the Illinois Insurance Code. The State Treasurer and the Comptroller shall enter into an intergovernmental agreement to establish procedures for such investments, which market established variable rate to which the interest rate for the investments should be tied, and other terms which the State Treasurer and Comptroller reasonably believe to be mutually beneficial concerning these investments by the State Treasurer. The State Treasurer and Comptroller shall also enter into a written agreement for each such investment that specifies the period of the investment, the payment interval, the interest rate to be paid, the funds in the Treasury from which the Treasurer will draw the investment, and other terms upon which the State Treasurer and Comptroller mutually agree. Such investment agreements shall be public records and the State Treasurer shall post the terms of all such investment agreements on the State Treasurer's official website. In compliance with the intergovernmental agreement, the Comptroller shall order and the State Treasurer shall transfer amounts sufficient for the payment of principal and interest invested by the State Treasurer with the Office of the Comptroller under this paragraph from the General Revenue Fund or the Health Insurance Reserve Fund to the respective funds in the Treasury from which the State Treasurer drew the investment. This amendatory Act of the 100th General Assembly shall constitute an irrevocable and continuing authority for all amounts necessary for the payment of principal and interest on the investments made with the Office of the Comptroller by the State Treasurer under this paragraph, and the irrevocable and continuing authority for and direction to the Comptroller and Treasurer to make the necessary transfers.

The State Treasurer may, with the approval of the Governor, invest or reinvest any State money in the Treasury that is not needed for current expenditure, due or about to become due, or any money in the State Treasury that has been set aside and held for the payment of the principal of and the interest on any State bonds, in any of the following:

(1) Bonds, notes, certificates of indebtedness, Treasury bills, or other securities now or hereafter issued that are guaranteed by the full faith and credit of the United States of America as to principal and interest.

(2) Bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and instrumentalities.

(2.5) Bonds, notes, debentures, or other similar obligations of a foreign government, other than the Republic of the Sudan, that are guaranteed by the full faith and credit of that government as to principal and interest, but only if the foreign government has not defaulted and has met its payment obligations in a timely manner on all similar obligations for a period of at least 25 years immediately before the time of acquiring those obligations.

(3) Interest-bearing savings accounts, interest-bearing certificates of deposit,

interest-bearing time deposits, or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.

(4) Interest-bearing accounts, certificates of deposit, or any other investments constituting direct obligations of any savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States.

(5) Dividend-bearing share accounts, share certificate accounts, or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of the credit union must be located within the State of Illinois.

(6) Bankers' acceptances of banks whose senior obligations are rated in the top 2 rating categories by 2 national rating agencies and maintain that rating during the term of the investment.

(7) Short-term obligations of either corporations or limited liability companies organized in the United States with assets exceeding $500,000,000 if (i) the obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and mature not later than 270 days from the date of purchase, (ii) the purchases do not exceed 10% of the corporation's or the limited liability company's outstanding obligations, (iii) no more than one-third of the public agency's funds are invested in short-term obligations of either corporations or limited liability companies, and (iv) the corporation or the limited liability company has not been placed on the list of restricted companies by the Illinois Investment Policy Board under Section 1-110.16 of the Illinois Pension Code.

(7.5) Obligations of either corporations or limited liability companies organized in the United States, that have a significant presence in this State, with assets exceeding $500,000,000 if: (i) the obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and mature more than 270 days, but less than 5 years, from the date of purchase; (ii) the purchases do not exceed 10% of the corporation's or the limited liability company's outstanding obligations; (iii) no more than 5% of the public agency's funds are invested in such obligations of corporations or limited liability companies; and (iv) the corporation or the limited liability company has not been placed on the list of restricted companies by the Illinois Investment Policy Board under Section 1-110.16 of the Illinois Pension Code. The authorization of the Treasurer to invest in new obligations under this paragraph shall expire on June 30, 2019.

(8) Money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of the money market mutual fund is limited to obligations described in this Section and to agreements to repurchase such obligations.

(9) The Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act or in a fund managed, operated, and administered by a bank.

(10) Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of that Act and the regulations issued thereunder.

(11) Investments made in accordance with the Technology Development Act.

For purposes of this Section, "agencies" of the United States Government includes:

(i) the federal land banks, federal intermediate credit banks, banks for cooperatives, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) and Acts amendatory thereto;

(ii) the federal home loan banks and the federal home loan mortgage corporation;

(iii) the Commodity Credit Corporation; and

(iv) any other agency created by Act of Congress.

The Treasurer may, with the approval of the Governor, lend any securities acquired under this Act. However, securities may be lent under this Section only in accordance with Federal Financial Institution Examination Council guidelines and only if the securities are collateralized at a level sufficient to assure the safety of the securities, taking into account market value fluctuation. The securities may be collateralized by cash or collateral acceptable under Sections 11 and 11.1.

(Source: P.A. 99-856, eff. 8-19-16.)

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

Under the rules, the foregoing **Senate Bill No. 2858**, 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. 3404

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. 3404

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3404

AMENDMENT NO. 1. Amend Senate Bill 3404 by replacing everything after the enacting clause with the following:

"Section 5. The Preventing Sexual Violence in Higher Education Act is amended by changing Section 10 as follows:

(110 ILCS 155/10)

Sec. 10. Comprehensive policy. On or before August 1, 2016, all higher education institutions shall adopt a comprehensive policy concerning sexual violence, domestic violence, dating violence, and stalking consistent with governing federal and State law. The higher education institution's comprehensive policy shall include, at a minimum, all of the following components:

(1) A definition of consent that, at a minimum, recognizes that (i) consent is a freely given agreement to sexual activity, (ii) a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent, (iii) a person's manner of dress does not constitute consent, (iv) a person's consent to past sexual activity does not constitute consent to future sexual activity, (v) a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another, (vi) a person can withdraw consent at any time, and (vii) a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:

(A) the person is incapacitated due to the use or influence of alcohol or drugs;

(B) the person is asleep or unconscious;

(C) the person is under age; or

(D) the person is incapacitated due to a mental disability.

Nothing in this Section prevents a higher education institution from defining consent in a more demanding manner.

(2) Procedures that students of the higher education institution may follow if they choose to report an alleged violation of the comprehensive policy, regardless of where the incident of sexual violence, domestic violence, dating violence, or stalking occurred, including all of the following:

(A) Name and contact information for the Title IX coordinator, campus law enforcement or security, local law enforcement, and the community-based sexual assault crisis center.

(B) The name, title, and contact information for confidential advisors and other confidential resources and a description of what confidential reporting means.

(C) Information regarding the various individuals, departments, or organizations to whom a student may report a violation of the comprehensive policy, specifying for each individual and entity (i) the extent of the individual's or entity's reporting obligation, (ii) the extent of the individual's or entity's ability to protect the student's privacy, and (iii) the extent of the individual's or entity's ability to have confidential communications with the student.

(D) An option for students to electronically report.

(E) An option for students to anonymously report.

(F) An option for students to confidentially report.

(G) An option for reports by third parties and bystanders.

(3) The higher education institution's procedure for responding to a report of an alleged incident of sexual violence, domestic violence, dating violence, or stalking, including without limitation (i) assisting and interviewing the survivor, (ii) identifying and locating witnesses, (iii) contacting and interviewing the respondent, (iv) contacting and cooperating with law enforcement, when applicable, and (v) providing information regarding the importance of preserving physical evidence of the sexual violence and the availability of a medical forensic examination at no charge to the survivor.

(4) A statement of the higher education institution's obligation to provide survivors with concise information, written in plain language, concerning the survivor's rights and options, upon receiving a report of an alleged violation of the comprehensive policy, as described in Section 15 of this Act.

(5) The name, address, and telephone number of the medical facility nearest to each campus of the higher education institution where a survivor may have a medical forensic examination completed at no cost to the survivor, pursuant to the Sexual Assault Survivors Emergency Treatment Act.

(6) The name, telephone number, address, and website URL, if available, of community-based, State, and national sexual assault crisis centers.

(7) A statement notifying survivors of the interim protective measures and accommodations reasonably available from the higher education institution that a survivor may request in response to an alleged violation of the comprehensive policy, including without limitation changes to academic, living, dining, transportation, and working situations, obtaining and enforcing campus no contact orders, and honoring an order of protection or no contact order entered by a State civil or criminal court.

(8) The higher education institution's complaint resolution procedures if a student alleges violation of the comprehensive violence policy, including, at a minimum, the guidelines set forth in Section 25 of this Act.

(9) A statement of the range of sanctions the higher education institution may impose following the implementation of its complaint resolution procedures in response to an alleged violation of the comprehensive policy. Sanctions may include, but are not limited to, suspension, expulsion, or removal of the student found, after complaint resolution procedures, to be in violation of the comprehensive policy of the higher education institution.

(10) A statement of the higher education institution's obligation to include an amnesty provision that provides immunity to any student who reports, in good faith, an alleged violation of the higher education institution's comprehensive policy to a responsible employee, as defined by federal law, so that the reporting student will not receive a disciplinary sanction by the institution for a student conduct violation, such as underage drinking <u>or possession or use of a controlled substance</u>, that is revealed in the course of such a report, unless the institution determines that the violation was egregious, including without limitation an action that places the health or safety of any other person at risk.

(11) A statement of the higher education institution's prohibition on retaliation against those who, in good faith, report or disclose an alleged violation of the comprehensive policy, file a complaint, or otherwise participate in the complaint resolution procedure and available sanctions for individuals who engage in retaliatory conduct.

(Source: P.A. 99-426, eff. 8-21-15; 99-741, eff. 8-5-16.)

Section 10. The Liquor Control Act of 1934 is amended by changing Section 6-20 as follows:

(235 ILCS 5/6-20) (from Ch. 43, par. 134a)

Sec. 6-20. Transfer, possession, and consumption of alcoholic liquor; restrictions.

(a) Any person to whom the sale, gift or delivery of any alcoholic liquor is prohibited because of age shall not purchase, or accept a gift of such alcoholic liquor or have such alcoholic liquor in his possession.

(b) If a licensee or his or her agents or employees believes or has reason to believe that a sale or delivery of any alcoholic liquor is prohibited because of the non-age of the prospective recipient, he or she shall, before making such sale or delivery demand presentation of some form of positive identification, containing proof of age, issued by a public officer in the performance of his or her official duties.

(c) No person shall transfer, alter, or deface such an identification card; use the identification card of another; carry or use a false or forged identification card; or obtain an identification card by means of false information.

(d) No person shall purchase, accept delivery or have possession of alcoholic liquor in violation of this Section.

(e) The consumption of alcoholic liquor by any person under 21 years of age is forbidden.

(f) Whoever violates any provisions of this Section shall be guilty of a Class A misdemeanor.

(g) The possession and dispensing, or consumption by a person under 21 years of age of alcoholic liquor in the performance of a religious service or ceremony, or the consumption by a person under 21 years of age under the direct supervision and approval of the parents or parent or those persons standing in loco parentis of such person under 21 years of age in the privacy of a home, is not prohibited by this Act.

(h) The provisions of this Act prohibiting the possession of alcoholic liquor by a person under 21 years of age and dispensing of alcoholic liquor to a person under 21 years of age do not apply in the case of a student under 21 years of age, but 18 years of age or older, who:

(1) tastes, but does not imbibe, alcoholic liquor only during times of a regularly scheduled course while under the direct supervision of an instructor who is at least 21 years of age and employed by an educational institution described in subdivision (2);

(2) is enrolled as a student in a college, university, or post-secondary educational institution that is accredited or certified by an agency recognized by the United States Department of Education or a nationally recognized accrediting agency or association, or that has a permit of approval issued by the Board of Higher Education pursuant to the Private Business and Vocational Schools Act of 2012;

(3) is participating in a culinary arts, fermentation science, food service, or restaurant management degree program of which a portion of the program includes instruction on responsible alcoholic beverage serving methods modeled after the Beverage Alcohol Sellers and Server Education and Training (BASSET) curriculum; and

(4) tastes, but does not imbibe, alcoholic liquor for instructional purposes up to, but not exceeding, 6 times per class as a part of a required course in which the student temporarily possesses alcoholic liquor for tasting, not imbibing, purposes only in a class setting on the campus and, thereafter, the alcoholic liquor is possessed and remains under the control of the instructor.

(i) A law enforcement officer may not charge or otherwise take a person into custody based solely on the commission of an offense that involves alcohol and violates subsection (d) or (e) of this Section if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that all of the following apply:

(1) The law enforcement officer has contact with the person because that person either:

(A) requested emergency medical assistance for an individual who reasonably appeared to be in need of medical assistance due to alcohol consumption; or

(B) acted in concert with another person who requested emergency medical assistance for an individual who reasonably appeared to be in need of medical assistance due to alcohol consumption; however, the provisions of this subparagraph (B) shall not apply to more than 3 persons acting in concert for any one occurrence.

(2) The person described in subparagraph (A) or (B) of paragraph (1) of this subsection (i):

(A) provided his or her full name and any other relevant information requested by the law enforcement officer;

(B) remained at the scene with the individual who reasonably appeared to be in need of medical assistance due to alcohol consumption until emergency medical assistance personnel arrived; and

(C) cooperated with emergency medical assistance personnel and law enforcement officers at the scene.

(i-5) (1) In this subsection (i-5):

"Medical forensic services" has the meaning defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act.

"Sexual assault" means an act of sexual conduct or sexual penetration, defined in Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

(2) A law enforcement officer may not charge or otherwise take a person into custody based solely on the commission of an offense that involves alcohol and violates subsection (d) or (e) of this Section if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that all of the following apply:

(A) The law enforcement officer has contact with the person because the person:

(i) reported that he or she was sexually assaulted;

(ii) reported a sexual assault of another person or requested emergency medical assistance or medical forensic services for another person who had been sexually assaulted; or

(iii) acted in concert with another person who reported a sexual assault of another person or requested emergency medical assistance or medical forensic services for another person who had been sexually assaulted; however, the provisions of this item (iii) shall not apply to more than 3 persons acting in concert for any one occurrence.

The report of a sexual assault may have been made to a health care provider, to law enforcement, including the campus police or security department of an institution of higher education, or to the Title IX

coordinator of an institution of higher education or another employee of the institution responsible for responding to reports of sexual assault under State or federal law.

(B) The person who reports the sexual assault:

(i) provided his or her full name;

(ii) remained at the scene until emergency medical assistance personnel arrived, if emergency medical assistance was summoned for the person who was sexually assaulted and he or she cooperated with emergency medical assistance personnel; and

(iii) cooperated with the agency or person to whom the sexual assault was reported if he or she witnessed or reported the sexual assault of another person.

(j) A person who meets the criteria of paragraphs (1) and (2) of subsection (i) of this Section or a person who meets the criteria of paragraph (2) of subsection (i-5) of this Section shall be immune from criminal liability for an offense under subsection (d) or (e) of this Section.

(k) A person may not initiate an action against a law enforcement officer based on the officer's compliance or failure to comply with subsection (i) or (i-5) of this Section, except for willful or wanton misconduct.

(Source: P.A. 99-447, eff. 6-1-16; 99-795, eff. 8-12-16.)

Section 15. The Sexual Assault Survivors Emergency Treatment Act is amended by changing Sections 5 and 6.5 as follows:

(410 ILCS 70/5) (from Ch. 111 1/2, par. 87-5)

Sec. 5. Minimum requirements for hospitals providing hospital emergency services and forensic services to sexual assault survivors.

(a) Every hospital providing hospital emergency services and forensic services to sexual assault survivors under this Act shall, as minimum requirements for such services, provide, with the consent of the sexual assault survivor, and as ordered by the attending physician, an advanced practice registered nurse, or a physician assistant, the following:

(1) appropriate medical examinations and laboratory tests required to ensure the health, safety, and welfare of a sexual assault survivor or which may be used as evidence in a criminal proceeding against a person accused of the sexual assault, or both; and records of the results of such examinations and tests shall be maintained by the hospital and made available to law enforcement officials upon the request of the sexual assault survivor;

(2) appropriate oral and written information concerning the possibility of infection, sexually transmitted disease and pregnancy resulting from sexual assault;

(3) appropriate oral and written information concerning accepted medical procedures, medication, and possible contraindications of such medication available for the prevention or treatment of infection or disease resulting from sexual assault;

(3.5) after a medical evidentiary or physical examination, access to a shower at no cost, unless showering facilities are unavailable;

(4) an amount of medication for treatment at the hospital and after discharge as is deemed appropriate by the attending physician, an advanced practice registered nurse, or a physician assistant and consistent with the hospital's current approved protocol for sexual assault survivors;

(5) an evaluation of the sexual assault survivor's risk of contracting human immunodeficiency virus (HIV) from the sexual assault;

(6) written and oral instructions indicating the need for follow-up examinations and laboratory tests after the sexual assault to determine the presence or absence of sexually transmitted disease;

(7) referral by hospital personnel for appropriate counseling; and

(8) when HIV prophylaxis is deemed appropriate, an initial dose or doses of HIV prophylaxis, along with written and oral instructions indicating the importance of timely follow-up healthcare.

(b) Any person who is a sexual assault survivor who seeks emergency hospital services and forensic services or follow-up healthcare under this Act shall be provided such services without the consent of any parent, guardian, custodian, surrogate, or agent.

(b-5) Every treating hospital providing hospital emergency and forensic services to sexual assault survivors shall issue a voucher to any sexual assault survivor who is eligible to receive one. The hospital shall make a copy of the voucher and place it in the medical record of the sexual assault survivor. The hospital shall provide a copy of the voucher to the sexual assault survivor after discharge upon request.

(c) Nothing in this Section creates a physician-patient relationship that extends beyond discharge from the hospital emergency department.

(Source: P.A. 99-173, eff. 7-29-15; 99-454, eff. 1-1-16; 99-642, eff. 7-28-16; 100-513, eff. 1-1-18.)

(410 ILCS 70/6.5)

Sec. 6.5. Written consent to the release of sexual assault evidence for testing.

(a) Upon the completion of hospital emergency services and forensic services, the health care professional providing the forensic services shall provide the patient the opportunity to sign a written consent to allow law enforcement to submit the sexual assault evidence for testing. The written consent shall be on a form included in the sexual assault evidence collection kit and shall include whether the survivor consents to the release of information about the sexual assault to law enforcement.

(1) A survivor 13 years of age or older may sign the written consent to release the evidence for testing.

(2) If the survivor is a minor who is under 13 years of age, the written consent to release the sexual assault evidence for testing may be signed by the parent, guardian, investigating law enforcement officer, or Department of Children and Family Services.

(3) If the survivor is an adult who has a guardian of the person, a health care surrogate, or an agent acting under a health care power of attorney, the consent of the guardian, surrogate, or agent is not required to release evidence and information concerning the sexual assault or sexual abuse. If the adult is unable to provide consent for the release of evidence and information and a guardian, surrogate, or agent under a health care power of attorney is unavailable or unwilling to release the information, then an investigating law enforcement officer may authorize the release.

(4) Any health care professional, including any physician, advanced practice registered nurse, physician assistant, or nurse, sexual assault nurse examiner, and any health care institution, including any hospital, who provides evidence or information to a law enforcement officer under a written consent as specified in this Section is immune from any civil or professional liability that might arise from those actions, with the exception of willful or wanton misconduct. The immunity provision applies only if all of the requirements of this Section are met.

(b) The hospital shall keep a copy of a signed or unsigned written consent form in the patient's medical record.

(c) If a written consent to allow law enforcement to test the sexual assault evidence is not signed at the completion of hospital emergency services and forensic services, the hospital shall include the following information in its discharge instructions:

(1) the sexual assault evidence will be stored for 10 ~~5~~ years from the completion of an Illinois State Police Sexual Assault Evidence Collection Kit, or 10 ~~5~~ years from the age of 18 years, whichever is longer;

(2) a person authorized to consent to the testing of the sexual assault evidence may sign a written consent to allow law enforcement to test the sexual assault evidence at any time during that 10-year ~~5-year~~ period for an adult victim, or until a minor victim turns 28 ~~23~~ years of age by (A) contacting the law enforcement agency having jurisdiction, or if unknown, the law enforcement agency contacted by the hospital under Section 3.2 of the Criminal Identification Act; or (B) by working with an advocate at a rape crisis center;

(3) the name, address, and phone number of the law enforcement agency having jurisdiction, or if unknown the name, address, and phone number of the law enforcement agency contacted by the hospital under Section 3.2 of the Criminal Identification Act; and

(4) the name and phone number of a local rape crisis center.

(Source: P.A. 99-801, eff. 1-1-17; 100-513, eff. 1-1-18.)

Section 20. The Criminal Code of 2012 is amended by changing Section 3-6 as follows:

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

Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 or other applicable statute is extended under the following conditions:

(a) A prosecution for theft involving a breach of a fiduciary obligation to the aggrieved person may be commenced as follows:

(1) If the aggrieved person is a minor or a person under legal disability, then during the minority or legal disability or within one year after the termination thereof.

(2) In any other instance, within one year after the discovery of the offense by an aggrieved person, or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense, and is not himself or herself a party to the offense; or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b) A prosecution for any offense based upon misconduct in office by a public officer or employee may be commenced within one year after discovery of the offense by a person having a legal duty to report such offense, or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b-5) When the victim is under 18 years of age at the time of the offense, a prosecution for involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons and related offenses under Section 10-9 of this Code may be commenced within 25 years of the victim attaining the age of 18 years.

(c) (Blank).

(d) A prosecution for child pornography, aggravated child pornography, indecent solicitation of a child, soliciting for a juvenile prostitute, juvenile pimping, exploitation of a child, or promoting juvenile prostitution except for keeping a place of juvenile prostitution may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(e) Except as otherwise provided in subdivision (j), a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 11-0.1 of this Code, where the defendant was within a professional or fiduciary relationship or a purported professional or fiduciary relationship with the victim at the time of the commission of the offense may be commenced within one year after the discovery of the offense by the victim.

(f) A prosecution for any offense set forth in Section 44 of the ~~"~~Environmental Protection Act~~", approved June 29, 1970, as amended,~~ may be commenced within 5 years after the discovery of such an offense by a person or agency having the legal duty to report the offense or in the absence of such discovery, within 5 years after the proper prosecuting officer becomes aware of the offense.

(f-5) A prosecution for any offense set forth in Section 16-30 of this Code may be commenced within 5 years after the discovery of the offense by the victim of that offense.

(g) (Blank).

(h) (Blank).

(i) Except as otherwise provided in subdivision (j), a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 years after the commission of the offense. If the victim consented to the collection of evidence using an Illinois State Police Sexual Assault Evidence Collection Kit under the Sexual Assault Survivors Emergency Treatment Act, it shall constitute reporting for purposes of this Section.

Nothing in this subdivision (i) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(i-5) A prosecution for armed robbery, home invasion, kidnapping, or aggravated kidnaping may be commenced within 10 years of the commission of the offense if it arises out of the same course of conduct and meets the criteria under one of the offenses in subsection (i) of this Section.

(j) (1) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse may be commenced at any time.

(2) When the victim is under 18 years of age at the time of the offense, a prosecution for failure of a person who is required to report an alleged or suspected commission of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse under the Abused and Neglected Child Reporting Act may be commenced within 20 years after the child victim attains 18 years of age.

(3) When the victim is under 18 years of age at the time of the offense, a prosecution for misdemeanor criminal sexual abuse may be commenced within 10 years after the child victim attains 18 years of age.

(4) Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(j-5) A prosecution for armed robbery, home invasion, kidnapping, or aggravated kidnaping may be commenced at any time if it arises out of the same course of conduct and meets the criteria under one of the offenses in subsection (j) of this Section.

(k) (Blank).

(l) A prosecution for any offense set forth in Section 26-4 of this Code may be commenced within one year after the discovery of the offense by the victim of that offense.

(m) The prosecution shall not be required to prove at trial facts which extend the general limitations in Section 3-5 of this Code when the facts supporting extension of the period of general limitations are properly pled in the charging document. Any challenge relating to the extension of the general limitations

period as defined in this Section shall be exclusively conducted under Section 114-1 of the Code of Criminal Procedure of 1963.
(Source: P.A. 99-234, eff. 8-3-15; 99-820, eff. 8-15-16; 100-80, eff. 8-11-17; 100-318, eff. 8-24-17; 100-434, eff. 1-1-18; revised 10-5-17.)

Section 25. The Illinois Controlled Substances Act is amended by adding Section 415 as follows:
(720 ILCS 570/415 new)

Sec. 415. Use, possession, and consumption of a controlled substance related to sexual assault; limited immunity from prosecution.

(a) In this Section:

"Medical forensic services" has the meaning defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act.

"Sexual assault" means an act of sexual conduct or sexual penetration, defined in Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

(b) A person who is a victim of a sexual assault shall not be charged or prosecuted for Class 4 felony possession of a controlled, counterfeit, or look-alike substance or a controlled substance analog:

(1) if evidence for the Class 4 felony possession charge was acquired as a result of the person reporting the sexual assault to law enforcement, or seeking or obtaining emergency medical assistance or medical forensic services; and

(2) provided the amount of substance recovered is within the amount identified in subsection (d) of this Section.

(c) A person who, in good faith, reports to law enforcement the commission of a sexual assault against another person or seeks or obtains emergency medical assistance or medical forensic services for a victim of sexual assault shall not be charged or prosecuted for Class 4 felony possession of a controlled, counterfeit, or look-alike substance or a controlled substance analog:

(1) if evidence for the Class 4 felony possession charge was acquired as a result of the person seeking or obtaining emergency medical assistance or medical forensic services; and

(2) provided the amount of substance recovered is within the amount identified in subsection (d) of this Section.

(d) For the purposes of subsections (b) and (c) of this Section, the limited immunity shall only apply to a person possessing the following amount:

(1) less than 3 grams of a substance containing heroin;

(2) less than 3 grams of a substance containing cocaine;

(3) less than 3 grams of a substance containing morphine;

(4) less than 40 grams of a substance containing peyote;

(5) less than 40 grams of a substance containing a derivative of barbituric acid or any of the salts of a derivative of barbituric acid;

(6) less than 40 grams of a substance containing amphetamine or any salt of an optical isomer of amphetamine;

(7) less than 3 grams of a substance containing lysergic acid diethylamide (LSD), or an analog thereof;

(8) less than 6 grams of a substance containing pentazocine or any of the salts, isomers and salts of isomers of pentazocine, or an analog thereof;

(9) less than 6 grams of a substance containing methaqualone or any of the salts, isomers and salts of isomers of methaqualone;

(10) less than 6 grams of a substance containing phencyclidine or any of the salts, isomers and salts of isomers of phencyclidine (PCP);

(11) less than 6 grams of a substance containing ketamine or any of the salts, isomers and salts of isomers of ketamine; or

(12) less than 40 grams of a substance containing a substance classified as a narcotic drug in Schedules I or II, or an analog thereof, which is not otherwise included in this subsection (d).

(e) The limited immunity described in subsections (b) and (c) of this Section shall not be extended if law enforcement has reasonable suspicion or probable cause to detain, arrest, or search the person described in subsection (b) or (c) of this Section for criminal activity and the reasonable suspicion or probable cause is based on information obtained prior to or independent of the person described in subsection (b) or (c) of this Section taking action to report a sexual assault to law enforcement or to seek or obtain emergency medical assistance or medical forensic services and not obtained as a direct result of the action of seeking or obtaining emergency medical assistance or medical forensic services. Nothing in

this Section is intended to interfere with or prevent the investigation, arrest, or prosecution of any person for the delivery or distribution of cannabis, methamphetamine, or other controlled substances, drug-induced homicide, or any other crime.

Section 30. The Rights of Crime Victims and Witnesses Act is amended by changing Section 4 and by adding Section 4.6 as follows:

(725 ILCS 120/4) (from Ch. 38, par. 1404)

Sec. 4. Rights of crime victims.

(a) Crime victims shall have the following rights:

(1) The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.

(1.5) The right to notice and to a hearing before a court ruling on a request for access to any of the victim's records, information, or communications which are privileged or confidential by law.

(2) The right to timely notification of all court proceedings.

(3) The right to communicate with the prosecution.

(4) The right to be heard at any post-arraignment court proceeding in which a right of the victim is at issue and any court proceeding involving a post-arraignment release decision, plea, or sentencing.

(5) The right to be notified of the conviction, the sentence, the imprisonment and the release of the accused.

(6) The right to the timely disposition of the case following the arrest of the accused.

(7) The right to be reasonably protected from the accused through the criminal justice process.

(7.5) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.

(8) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.

(9) The right to have present at all court proceedings, including proceedings under the Juvenile Court Act of 1987, subject to the rules of evidence, an advocate and other support person of the victim's choice.

(10) The right to restitution.

(b) Any law enforcement agency that investigates an offense committed in this State shall provide a crime victim with a written statement and explanation of the rights of crime victims under this amendatory Act of the 99th General Assembly within 48 hours of law enforcement's initial contact with a victim. The statement shall include information about crime victim compensation, including how to contact the Office of the Illinois Attorney General to file a claim, and appropriate referrals to local and State programs that provide victim services. The content of the statement shall be provided to law enforcement by the Attorney General. Law enforcement shall also provide a crime victim with a sign-off sheet that the victim shall sign and date as an acknowledgement that he or she has been furnished with information and an explanation of the rights of crime victims and compensation set forth in this Act.

(b-5) Upon the request of the victim, the law enforcement agency having jurisdiction shall provide a free copy of the police report concerning the victim's incident, as soon as practicable, but in no event later than 5 business days from the request.

(c) The Clerk of the Circuit Court shall post the rights of crime victims set forth in Article I, Section 8.1(a) of the Illinois Constitution and subsection (a) of this Section within 3 feet of the door to any courtroom where criminal proceedings are conducted. The clerk may also post the rights in other locations in the courthouse.

(d) At any point, the victim has the right to retain a victim's attorney who may be present during all stages of any interview, investigation, or other interaction with representatives of the criminal justice system. Treatment of the victim should not be affected or altered in any way as a result of the victim's decision to exercise this right.

(Source: P.A. 99-413, eff. 8-20-15.)

(725 ILCS 120/4.6 new)

Sec. 4.6. Advocates; support person.

(a) A crime victim has a right to have an advocate present during any medical evidentiary or physical examination, unless no advocate can be summoned in a reasonably timely manner. The victim also has the

right to have an additional person present for support during any medical evidentiary or physical examination.

(b) A victim retains the rights prescribed in subsection (a) of this Section even if the victim has waived these rights in a previous examination.

Section 35. The Sexual Assault Incident Procedure Act is amended by changing Sections 25 and 30 as follows:

(725 ILCS 203/25)

Sec. 25. Report; victim notice.

(a) At the time of first contact with the victim, law enforcement shall:

(1) Advise the victim about the following by providing a form, the contents of which shall be prepared by the Office of the Attorney General and posted on its website, written in a language appropriate for the victim or in Braille, or communicating in appropriate sign language that includes, but is not limited to:

(A) information about seeking medical attention and preserving evidence, including specifically, collection of evidence during a medical forensic examination at a hospital and photographs of injury and clothing;

(B) notice that the victim will not be charged for hospital emergency and medical forensic services;

(C) information advising the victim that evidence can be collected at the hospital up to 7 days after the sexual assault or sexual abuse but that the longer the victim waits the likelihood of obtaining evidence decreases;

(C-5) notice that the sexual assault forensic evidence collected will not be used to prosecute the victim for any offense related to the use of alcohol, cannabis, or a controlled substance;

(D) the location of nearby hospitals that provide emergency medical and forensic services and, if known, whether the hospitals employ any sexual assault nurse examiners;

(E) a summary of the procedures and relief available to victims of sexual assault or sexual abuse under the Civil No Contact Order Act or the Illinois Domestic Violence Act of 1986;

(F) the law enforcement officer's name and badge number;

(G) at least one referral to an accessible service agency and information advising the victim that rape crisis centers can assist with obtaining civil no contact orders and orders of protection; and

(H) if the sexual assault or sexual abuse occurred in another jurisdiction, provide in writing the address and phone number of a specific contact at the law enforcement agency having jurisdiction.

(2) Offer to provide or arrange accessible transportation for the victim to a hospital for emergency and forensic services, including contacting emergency medical services.

(3) Offer to provide or arrange accessible transportation for the victim to the nearest available circuit judge or associate judge so the victim may file a petition for an emergency civil no contact order under the Civil No Contact Order Act or an order of protection under the Illinois Domestic Violence Act of 1986 after the close of court business hours, if a judge is available.

(b) At the time of the initial contact with a person making a third-party report under Section 22 of this Act, a law enforcement officer shall provide the written information prescribed under paragraph (1) of subsection (a) of this Section to the person making the report and request the person provide the written information to the victim of the sexual assault or sexual abuse.

(c) If the first contact with the victim occurs at a hospital, a law enforcement officer may request the hospital provide interpretive services.

(Source: P.A. 99-801, eff. 1-1-17.)

(725 ILCS 203/30)

Sec. 30. Release and storage of sexual assault evidence.

(a) A law enforcement agency having jurisdiction that is notified by a hospital or another law enforcement agency that a victim of a sexual assault or sexual abuse has received a medical forensic examination and has completed an Illinois State Police Sexual Assault Evidence Collection Kit shall take custody of the sexual assault evidence as soon as practicable, but in no event more than 5 days after the completion of the medical forensic examination.

(a-5) A State's Attorney who is notified under subsection (d) of Section 6.6 of the Sexual Assault Survivors Emergency Treatment Act that a hospital is in possession of sexual assault evidence shall, within 72 hours, contact the appropriate law enforcement agency to request that the law enforcement agency take immediate physical custody of the sexual assault evidence.

(b) The written report prepared under Section 20 of this Act shall include the date and time the sexual assault evidence was picked up from the hospital and the date and time the sexual assault evidence was sent to the laboratory in accordance with the Sexual Assault Evidence Submission Act.

(c) If the victim of a sexual assault or sexual abuse or a person authorized under Section 6.5 of the Sexual Assault Survivors Emergency Treatment Act has consented to allow law enforcement to test the sexual assault evidence, the law enforcement agency having jurisdiction shall submit the sexual assault evidence for testing in accordance with the Sexual Assault Evidence Submission Act. No law enforcement agency having jurisdiction may refuse or fail to send sexual assault evidence for testing that the victim has released for testing.

(d) A victim shall have 10 ~~5~~ years from the completion of an Illinois State Police Sexual Assault Evidence Collection Kit, or 10 ~~5~~ years from the age of 18 years, whichever is longer, to sign a written consent to release the sexual assault evidence to law enforcement for testing. If the victim or a person authorized under Section 6.5 of the Sexual Assault Survivors Emergency Treatment Act does not sign the written consent at the completion of the medical forensic examination, the victim or person authorized by Section 6.5 of the Sexual Assault Survivors Emergency Treatment Act may sign the written release at the law enforcement agency having jurisdiction, or in the presence of a sexual assault advocate who may deliver the written release to the law enforcement agency having jurisdiction. The victim may also provide verbal consent to the law enforcement agency having jurisdiction and shall verify the verbal consent via email or fax. Upon receipt of written or verbal consent, the law enforcement agency having jurisdiction shall submit the sexual assault evidence for testing in accordance with the Sexual Assault Evidence Submission Act. No law enforcement agency having jurisdiction may refuse or fail to send the sexual assault evidence for testing that the victim has released for testing.

(e) The law enforcement agency having jurisdiction who speaks to a victim who does not sign a written consent to release the sexual assault evidence prior to discharge from the hospital shall provide a written notice to the victim that contains the following information:

(1) where the sexual assault evidence will be stored for 10 ~~5~~ years;

(2) notice that the victim may sign a written release to test the sexual assault evidence at any time during the 10-year ~~5-year~~ period by contacting the law enforcement agency having jurisdiction or working with a sexual assault advocate;

(3) the name, phone number, and email address of the law enforcement agency having jurisdiction; and

(4) the name and phone number of a local rape crisis center.

Each law enforcement agency shall develop a protocol for providing this information to victims as part of the written policies required in subsection (a) of Section 15 of this Act.

(f) A law enforcement agency must develop a protocol for responding to victims who want to sign a written consent to release the sexual assault evidence and to ensure that victims who want to be notified or have a designee notified prior to the end of the 10-year ~~5-year~~ period are provided notice.

(g) Nothing in this Section shall be construed as limiting the storage period to 10 ~~5~~ years. A law enforcement agency having jurisdiction may adopt a storage policy that provides for a period of time exceeding 10 ~~5~~ years. If a longer period of time is adopted, the law enforcement agency having jurisdiction shall notify the victim or designee in writing of the longer storage period.

(Source: P.A. 99-801, eff. 1-1-17.)".

Under the rules, the foregoing **Senate Bill No. 3404**, 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. 3411

A bill for AN ACT concerning civil 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. 3411

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3411

AMENDMENT NO. 1. Amend Senate Bill 3411 by replacing everything after the enacting clause with the following:

"Section 5. The Stalking No Contact Order Act is amended by changing Sections 5, 10, and 15 as follows:

(740 ILCS 21/5)

Sec. 5. Purpose. Stalking generally refers to a course of conduct, not a single act. Stalking behavior includes following a person, conducting surveillance of the person, appearing at the person's home, work or school, making unwanted phone calls, sending unwanted emails, unwanted messages via social media, or text messages, leaving objects for the person, vandalizing the person's property, or injuring a pet. Stalking is a serious crime. Victims experience fear for their safety, fear for the safety of others and suffer emotional distress. Many victims alter their daily routines to avoid the persons who are stalking them. Some victims are in such fear that they relocate to another city, town or state. While estimates suggest that 70% of victims know the individuals stalking them, only 30% of victims have dated or been in intimate relationships with their stalkers. All stalking victims should be able to seek a civil remedy requiring the offenders stay away from the victims and third parties.

(Source: P.A. 96-246, eff. 1-1-10.)

(740 ILCS 21/10)

Sec. 10. Definitions. For the purposes of this Act:

"Course of conduct" means 2 or more acts, including but not limited to acts in which a respondent directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, or threatens, ~~or communicates to or about,~~ a person , workplace, school, or place of worship, engages in other contact, or interferes with or damages a person's property or pet. A course of conduct may include contact via electronic communications. The incarceration of a person in a penal institution who commits the course of conduct is not a bar to prosecution under this Section.

"Emotional distress" means significant mental suffering, anxiety or alarm.

"Contact" includes any contact with the victim, that is initiated or continued without the victim's consent, or that is in disregard of the victim's expressed desire that the contact be avoided or discontinued, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; ~~or~~ placing an object on, or delivering an object to, property owned, leased, or occupied by the victim ; and appearing at the prohibited workplace, school, or place of worship.

"Petitioner" means any named petitioner for the stalking no contact order or any named victim of stalking on whose behalf the petition is brought. "Petitioner" includes an authorized agent of a place of employment, an authorized agent of a place of worship, or an authorized agent of a school.

"Reasonable person" means a person in the petitioner's circumstances with the petitioner's knowledge of the respondent and the respondent's prior acts.

"Stalking" means engaging in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to fear for his or her safety, the safety of a workplace, school, or place of worship, or the safety of a third person or suffer emotional distress. Stalking does not include an exercise of the right to free speech or assembly that is otherwise lawful or picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute, including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements.

"Stalking No Contact Order" means an emergency order or plenary order granted under this Act, which includes a remedy authorized by Section 80 of this Act.

(Source: P.A. 96-246, eff. 1-1-10.)

(740 ILCS 21/15)

Sec. 15. Persons protected by this Act. A petition for a stalking no contact order may be filed when relief is not available to the petitioner under the Illinois Domestic Violence Act of 1986:

(1) by any person who is a victim of stalking; ~~or~~

(2) by a person on behalf of a minor child or an adult who is a victim of stalking but, because of age, disability, health, or inaccessibility, cannot file the petition; ~~.~~

(3) by an authorized agent of a workplace;

(4) by an authorized agent of a place of worship; or

(5) by an authorized agent of a school.

(Source: P.A. 96-246, eff. 1-1-10.)".

Under the rules, the foregoing **Senate Bill No. 3411**, 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. 3532
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. 3532
Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3532

AMENDMENT NO. 1. Amend Senate Bill 3532 on page 3, line 1, by replacing "the Sepsis Alliance" with "a nationwide sepsis advocacy organization".

Under the rules, the foregoing **Senate Bill No. 3532**, 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. 3547
A bill for AN ACT concerning service members.
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. 3547
Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3547

AMENDMENT NO. 1. Amend Senate Bill 3547 on page 3, immediately below line 11, by inserting the following:

"(4) The new service member benefits under this Act are in force on and after the effective date of this Act."; and

on page 10, line 7, after "the", by inserting "daily"; and

on page 10, line 8, by replacing "activities," with "service,"; and

on page 10, line 10, after "military.", by inserting "For purposes of inactive duty, the daily rate of compensation for military service is calculated in accordance with the applicable drill pay chart issued by Defense Finance and Accounting Services."; and

on page 11, line 23, after "law.", by inserting "This paragraph shall not be construed to prevent an employer from providing scheduling options to employees in lieu of paid military leave."; and

on page 13, line 3, after "service.", by inserting "This paragraph does not apply to probationary periods."; and

on page 14, lines 18 and 19, by deleting "beyond 30 days".

Under the rules, the foregoing **Senate Bill No. 3547**, 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. 3560

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. 2 to SENATE BILL NO. 3560

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3560

AMENDMENT NO. 2 . Amend Senate Bill 3560 by replacing everything after the enacting clause with the following:

"Section 5. The State Prompt Payment Act is amended by adding Sections 3-3.5, 8, 9, 10, and 11 as follows:

(30 ILCS 540/3-3.5 new)

Sec. 3-3.5. Vendor payment contracts. Any contract executed under the Vendor Payment Program specified in Section 900.125 of Title 74 of the Illinois Administrative Code prior to June 30, 2018 shall remain in effect until those contracts have expired. Those parties with existing contracts shall comply with additional reporting requirements established under this amendatory Act of the 100th General Assembly or rules adopted hereunder.

(30 ILCS 540/8 new)

Sec. 8. Vendor Payment Program.

(a) As used in this Section:

"Applicant" means any entity seeking to be designated as a qualified purchaser.

"Application period" means the time period when the Program is accepting applications as determined by the Department of Central Management Services.

"Assigned penalties" means penalties payable by the State in accordance with this Act that are assigned to the qualified purchaser of an assigned receivable.

"Assigned receivable" means the base invoice amount of a qualified account receivable and any associated assigned penalties due, currently and in the future, in accordance with this Act.

"Assignment agreement" means an agreement executed and delivered by a participating vendor and a qualified purchaser, in which the participating vendor will assign one or more qualified accounts receivable to the qualified purchaser and make certain representations and warranties in respect thereof.

"Base invoice amount" means the unpaid principal amount of the invoice associated with an assigned receivable.

"Department" means the Department of Central Management Services.

"Medical assistance program" means any program which provides medical assistance under Article V of the Illinois Public Aid Code, including Medicaid.

"Participating vendor" means a vendor whose application for the sale of a qualified account receivable is accepted for purchase by a qualified purchaser under the Program terms.

"Program" means a Vendor Payment Program.

"Prompt payment penalties" means penalties payable by the State in accordance with this Act.

"Purchase price" means 100% of the base invoice amount associated with an assigned receivable minus: (1) any deductions against the assigned receivable arising from State offsets; and (2) if and to the extent exercised by a qualified purchaser, other deductions for amounts owed by the participating vendor to the qualified purchaser for State offsets applied against other accounts receivable assigned by the participating vendor to the qualified purchaser under the Program.

"Qualified account receivable" means an account receivable due and payable by the State that is outstanding for 90 days or more, is eligible to accrue prompt payment penalties under this Act and is

verified by the relevant State agency. A qualified account receivable shall not include any account receivable related to medical assistance program (including Medicaid) payments or any other accounts receivable, the transfer or assignment of which is prohibited by, or otherwise prevented by, applicable law.

"Qualified purchaser" means any entity that, during any application period, is approved by the Department of Central Management Services to participate in the Program on the basis of certain qualifying criteria as determined by the Department.

"State offsets" means any amount deducted from payments made by the State in respect of any qualified account receivable due to the State's exercise of any offset or other contractual rights against a participating vendor. For the purpose of this Section, "State offsets" include statutorily required administrative fees imposed under the State Comptroller Act.

"Sub-participant" means any individual or entity that intends to purchase assigned receivables, directly or indirectly, by or through an applicant or qualified purchaser for the purposes of the Program.

"Sub-participant certification" means an instrument executed and delivered to the Department of Central Management Services by a sub-participant, in which the sub-participant certifies its agreement, among others, to be bound by the terms and conditions of the Program as a condition to its participation in the Program as a sub-participant.

(b) This Section reflects the provisions of Section 900.125 of Title 74 of the Illinois Administrative Code prior to January 1, 2018. The requirements of this Section establish the criteria for participation by participating vendors and qualified purchasers in a Vendor Payment Program. Information regarding the Vendor Payment Program may be found at the Internet website for the Department of Central Management Services.

(c) The State Comptroller and the Department of Central Management Services are authorized to establish and implement the Program under Section 3-3. This Section applies to all qualified accounts receivable not otherwise excluded from receiving prompt payment interest under Section 900.120 of Title 74 of the Illinois Administrative Code. This Section shall not apply to the purchase of any accounts receivable related to payments made under a medical assistance program, including Medicaid payments, or any other purchase of accounts receivable that is otherwise prohibited by law.

(d) Under the Program, qualified purchasers may purchase from participating vendors certain qualified accounts receivable owed by the State to the participating vendors. A participating vendor shall not simultaneously apply to sell the same qualified account receivable to more than one qualified purchaser. In consideration of the payment of the purchase price, a participating vendor shall assign to the qualified purchaser all of its rights to payment of the qualified account receivable, including all current and future prompt payment penalties due to that qualified account receivable in accordance with this Act.

(e) A vendor may apply to participate in the Program if:

(1) the vendor is owed an account receivable by the State for which prompt payment penalties have commenced accruing;

(2) the vendor's account receivable is eligible to accrue prompt payment penalty interest under this Act;

(3) the vendor's account receivable is not for payments under a medical assistance program; and

(4) the vendor's account receivable is not prohibited by, or otherwise prevented by, applicable law from being transferred or assigned under this Section.

(f) The Department shall review and approve or disapprove each applicant seeking a qualified purchaser designation. Factors to be considered by the Department in determining whether an applicant shall be designated as a qualified purchaser include, but are not limited to, the following:

(1) the qualified purchaser's agreement to commit a minimum purchase amount as established from time to time by the Department based upon the current needs of the Program and the qualified purchaser's demonstrated ability to fund its commitment;

(2) the demonstrated ability of a qualified purchaser's sub-participants to fund their portions of a qualified purchaser's minimum purchase commitment;

(3) the ability of a qualified purchaser and its sub-participants to meet standards of responsibility substantially in accordance with the requirements of the Standards of Responsibility found in subsection (b) of Section 1.2046 of Title 44 of the Illinois Administrative Code concerning government contracts, procurement, and property management;

(4) the agreement of each qualified purchaser, at its sole cost and expense, to administer and facilitate the operation of the Program with respect to that qualified purchaser, including, without limitation, assisting potential participating vendors with the application and assignment process;

(5) the agreement of each qualified purchaser, at its sole cost and expense, to establish a website that is determined by the Department to be sufficient to administer the Program in accordance with the terms and conditions of the Program;

(6) the agreement of each qualified purchaser, at its sole cost and expense, to market the Program to potential participating vendors;

(7) the agreement of each qualified purchaser, at its sole cost and expense, to educate participating vendors about the benefits and risks associated with participation in the Program;

(8) the agreement of each qualified purchaser, at its sole cost and expense, to deposit funds into, release funds from, and otherwise maintain all required accounts in accordance with the terms and conditions of the Program. Subject to the Program terms, all required accounts shall be maintained and controlled by the qualified purchaser at the qualified purchaser's sole cost and at no cost, whether in the form of fees or otherwise, to the participating vendors;

(9) the agreement of each qualified purchaser, at its sole cost and expense, to submit a monthly written report, in an acceptable electronic format, to the State Comptroller or its designee and the Department or its designee, within 10 days after the end of each month, which, unless otherwise specified by the Department, at a minimum, shall contain:

(A) a listing of each assigned receivable purchased by that qualified purchaser during the month, specifying the base invoice amount and invoice date of that assigned receivable and the name of the participating vendor, State contract number, voucher number, and State agency associated with that assigned receivable;

(B) a listing of each assigned receivable with respect to which the qualified purchaser has received payment of the base invoice amount from the State during that month, including the amount of and date on which that payment was made and the name of the participating vendor, State contract number, voucher number, and State agency associated with the assigned receivable, and identifying the relevant application period for each assigned receivable;

(C) a listing of any payments of assigned penalties received from the State during the month, including the amount of and date on which the payment was made, the name of the participating vendor, the voucher number for the assigned penalty receivable, and the associated assigned receivable, including the State contract number, voucher number, and State agency associated with the assigned receivable, and identifying the relevant application period for each assigned receivable;

(D) the aggregate number and dollar value of assigned receivables purchased by the qualified purchaser from the date on which that qualified purchaser commenced participating in the Program through the last day of the month;

(E) the aggregate number and dollar value of assigned receivables purchased by the qualified purchaser for which no payment by the State of the base invoice amount has yet been received, from the date on which the qualified purchaser commenced participating in the Program through the last day of the month;

(F) the aggregate number and dollar value of invoices purchased by the qualified purchaser for which no voucher has been submitted; and

(G) any other data the State Comptroller and the Department may reasonably request from time to time;

(10) the agreement of each qualified purchaser to use its reasonable best efforts, and for any sub-participant to cause a qualified purchaser to use its reasonable best efforts, to diligently pursue receipt of assigned penalties associated with the assigned receivables, including, without limitation, by promptly notifying the relevant State agency that an assigned penalty is due and, if necessary, seeking payment of assigned penalties through the Illinois Court of Claims; and

(11) the agreement of each qualified purchaser and any sub-participant to use their reasonable best efforts to implement the Program terms and to perform their obligations under the Program in a timely fashion.

(g) Each qualified purchaser's performance and implementation of its obligations under subsection (f) shall be subject to review by the Department and the State Comptroller at any time to confirm that the qualified purchaser is undertaking those obligations in a manner consistent with the terms and conditions of the Program. A qualified purchaser's failure to so perform its obligations including, without limitation, its obligations to diligently pursue receipt of assigned penalties associated with assigned receivables, shall be grounds for the Department and the State Comptroller to terminate the qualified purchaser's participation in the Program under subsection (i). Any such termination shall be without prejudice to any rights a participating vendor may have against that qualified purchaser, in law or in equity, including, without limitation, the right to enforce the terms of the assignment agreement and of the Program against the qualified purchaser.

(h) In determining whether any applicant shall be designated as a qualified purchaser, the Department shall have the right to review or approve sub-participants that intend to purchase assigned receivables, directly or indirectly, by or through the applicant. The Department reserves the right to reject or terminate

the designation of any applicant as a qualified purchaser or require an applicant to exclude a proposed sub-participant in order to become or remain a qualified purchaser on the basis of a review, whether prior to or after the designation. Each applicant and each qualified purchaser has an affirmative obligation to promptly notify the Department of any change or proposed change in the identity of the sub-participants that it disclosed to the Department no later than 3 business days after that change. Each sub-participant shall be required to execute a sub-participant certification that will be attached to the corresponding qualified purchaser designation. Sub-participants shall meet, at a minimum, the requirements of paragraphs (2), (3), (10), and (11) of subsection (f).

(i) The Program, as codified under this Section, shall continue until terminated or suspended as follows:

(1) The Program may be terminated or suspended: (A) by the State Comptroller, after consulting with the Department, by giving 10 days prior written notice to the Department and the qualified purchasers in the Program; or (B) by the Department, after consulting with the State Comptroller, by giving 10 days prior written notice to the State Comptroller and the qualified purchasers in the Program.

(2) In the event a qualified purchaser or sub-participant breaches or fails to meet any of the terms or conditions of the Program, that qualified purchaser or sub-participant may be terminated from the Program: (A) by the State Comptroller, after consulting with the Department. The termination shall be effective immediately upon the State Comptroller giving written notice to the Department and the qualified purchaser or sub-participant; or (B) by the Department, after consulting with the State Comptroller. The termination shall be effective immediately upon the Department giving written notice to the State Comptroller and the qualified purchaser or sub-participant.

(3) A qualified purchaser or sub-participant may terminate its participation in the Program, solely with respect to its own participation in the Program, in the event of any change to this Act from the form that existed on the date that the qualified purchaser or the sub-participant, as applicable, submitted the necessary documentation for admission into the Program if the change materially and adversely affects the qualified purchaser's or the sub-participant's ability to purchase and receive payment on receivables on the terms described in this Section.

If the Program, a qualified purchaser, or a sub-participant is terminated or suspended under paragraphs (1) or (2) of this subsection (i), the Program, qualified purchaser, or sub-participant may be reinstated only by written agreement of the State Comptroller and the Department. No termination or suspension under paragraphs (1), (2), or (3) of this subsection (i) shall alter or affect the qualified purchaser's or sub-participant's obligations with respect to assigned receivables purchased by or through the qualified purchaser prior to the termination.

(30 ILCS 540/9 new)

Sec. 9. Vendor Payment Program financial backer disclosure.

(a) Within 60 days after the effective date of this amendatory Act of the 100th General Assembly, at the time of application, and annually on July 1 of each year, each qualified purchaser shall submit to the Department and the State Comptroller the following information about each person, director, owner, officer, association, financial backer, partnership, other entity, corporation, or trust with an indirect or direct financial interest in each qualified purchaser:

(1) percent ownership;

(2) type of ownership;

(3) first name, middle name, last name, maiden name (if applicable), including aliases or former names;

(4) mailing address;

(5) type of business entity, if applicable;

(6) dates and jurisdiction of business formation or incorporation, if applicable;

(7) names of controlling shareholders, class of stock, percentage ownership;

(8) any indirect earnings resulting from the Program; and

(9) any earnings associated with the Program to any parties not previously disclosed.

(b) Within 60 days after the effective date of this amendatory Act of the 100th General Assembly, at the time of application, and annually on July 1 of each year, each trust associated with the qualified purchaser shall submit to the Department and the State Comptroller the following information:

(1) names, addresses, dates of birth, and percentages of interest of all beneficiaries;

(2) any indirect earnings resulting from the Program; and

(3) any earnings associated with the Program to any parties not previously disclosed.

(c) Each qualified purchaser must submit a statement to the State Comptroller and the Department of Central Management Services disclosing whether such qualified purchaser or any related person, director, owner, officer, or financial backer has previously or currently retained or contracted with any registered lobbyist, lawyer, accountant, or other consultant to prepare the disclosure required under this Section.

(30 ILCS 540/10 new)

Sec. 10. Vendor Payment Program audit. The Office of the Auditor General shall perform a performance audit of the Program established under Section 8. The audit shall include, but not be limited to, a review of the administration of the Program and compliance with requirements applicable to participating vendors, qualified purchasers, qualified accounts receivable, and financial backer disclosures. The audit shall cover the Program's operations for fiscal years 2019 and 2020. Upon its completion and release, the Auditor General's report shall be posted on the Internet website of the Auditor General.

(30 ILCS 540/11 new)

Sec. 11. Vendor Payment Program accountability portal. The Department of Central Management Services and the State Comptroller shall publish on their respective Internet websites: (1) the monthly report information submitted under paragraph 9 of subsection (f) of Section 8; and (2) the information required to be submitted under Section 9.

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

Under the rules, the foregoing **Senate Bill No. 3560**, with House Amendment No. 2, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 2808
A bill for AN ACT concerning regulation.

SENATE BILL NO. 3504
A bill for AN ACT concerning regulation.

SENATE BILL NO. 3509
A bill for AN ACT concerning local government.

SENATE BILL NO. 3561
A bill for AN ACT concerning local government.

SENATE BILL NO. 3604
A bill for AN ACT concerning finance.

Passed the House, May 29, 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. 3295
A bill for AN ACT concerning civil law.

SENATE BILL NO. 3392
A bill for AN ACT concerning civil law.

SENATE BILL NO. 3443
A bill for AN ACT concerning government.

SENATE BILL NO. 3464
A bill for AN ACT concerning local government.

SENATE BILL NO. 3466
A bill for AN ACT concerning education.

SENATE BILL NO. 3503
A bill for AN ACT concerning local government.

Passed the House, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4165, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 211

A bill for AN ACT concerning gaming.

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. 211

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 211

AMENDMENT NO. 1. Amend Senate Bill 211 by replacing everything after the enacting clause with the following:

"Section 1. This Act may be referred to as the Illinois Homeless Veterans and Working Families Lottery Law.

Section 5. The Illinois Lottery Law is amended by changing Sections 2, 9, 9.1, and 20 and by adding Section 21.10 as follows:

(20 ILCS 1605/2) (from Ch. 120, par. 1152)

(Text of Section before amendment by P.A. 100-466)

Sec. 2. This Act is enacted to implement and establish within the State a lottery to be conducted by the State through the Department. The entire net proceeds of the Lottery are to be used for the support of the State's Common School Fund, except as provided in subsection (o) of Section 9.1 and Sections 21.5, 21.6, 21.7, 21.8, ~~and~~ 21.9 , and 21.10. The General Assembly finds that it is in the public interest for the Department to conduct the functions of the Lottery with the assistance of a private manager under a management agreement overseen by the Department. The Department shall be accountable to the General Assembly and the people of the State through a comprehensive system of regulation, audits, reports, and enduring operational oversight. The Department's ongoing conduct of the Lottery through a management agreement with a private manager shall act to promote and ensure the integrity, security, honesty, and fairness of the Lottery's operation and administration. It is the intent of the General Assembly that the Department shall conduct the Lottery with the assistance of a private manager under a management agreement at all times in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1), 1953(b)(4).
(Source: P.A. 98-649, eff. 6-16-14; 99-933, eff. 1-27-17.)

(Text of Section after amendment by P.A. 100-466)

Sec. 2. This Act is enacted to implement and establish within the State a lottery to be conducted by the State through the Department. The entire net proceeds of the Lottery are to be used for the support of the State's Common School Fund, except as provided in subsection (o) of Section 9.1 and Sections 21.5, 21.6, 21.7, 21.8, ~~and~~ 21.9 , and 21.10. The General Assembly finds that it is in the public interest for the Department to conduct the functions of the Lottery with the assistance of a private manager under a management agreement overseen by the Department. The Department shall be accountable to the General Assembly and the people of the State through a comprehensive system of regulation, audits, reports, and enduring operational oversight. The Department's ongoing conduct of the Lottery through a management agreement with a private manager shall act to promote and ensure the integrity, security, honesty, and fairness of the Lottery's operation and administration. It is the intent of the General Assembly that the Department shall conduct the Lottery with the assistance of a private manager under a management agreement at all times in a manner consistent with 18 U.S.C. 1307(a)(1), 1307(b)(1), 1953(b)(4).

Beginning with Fiscal Year 2018 and every year thereafter, any moneys transferred from the State Lottery Fund to the Common School Fund shall be supplemental to, and not in lieu of, any other money due to be transferred to the Common School Fund by law or appropriation.
(Source: P.A. 99-933, eff. 1-27-17; 100-466, eff. 6-1-18.)

(20 ILCS 1605/9) (from Ch. 120, par. 1159)

Sec. 9. The Director, as administrative head of the Department, shall direct and supervise all its administrative and technical activities. In addition to the duties imposed upon him elsewhere in this Act, it shall be the Director's duty:

a. To supervise and administer the operation of the lottery in accordance with the provisions of this Act or such rules and regulations of the Department adopted thereunder.

b. To attend meetings of the Board or to appoint a designee to attend in his stead.

c. To employ and direct such personnel in accord with the Personnel Code, as may be necessary to carry out the purposes of this Act. In addition, the Director may by agreement secure such services as he or she may deem necessary from any other department, agency, or unit of the State government, and may employ and compensate such consultants and technical assistants as may be required and is otherwise permitted by law.

d. To license, in accordance with the provisions of Sections 10 and 10.1 of this Act and the rules and regulations of the Department adopted thereunder, as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The Director may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the Department. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the Department.

e. To suspend or revoke any license issued pursuant to this Act or the rules and regulations promulgated by the Department thereunder.

f. To confer regularly as necessary or desirable and not less than once every month with the Lottery Control Board on the operation and administration of the Lottery; to make available for inspection by the Board or any member of the Board, upon request, all books, records, files, and other information and documents of his office; to advise the Board and recommend such rules and regulations and such other matters as he deems necessary and advisable to improve the operation and administration of the lottery.

g. To enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery on behalf of the Department with any person, firm or corporation, to perform any of the functions provided for in this Act or the rules and regulations promulgated thereunder. The Department shall not expend State funds on a contractual basis for such functions unless those functions and expenditures are expressly authorized by the General Assembly.

h. To enter into an agreement or agreements with the management of state lotteries operated pursuant to the laws of other states for the purpose of creating and operating a multi-state lottery game wherein a separate and distinct prize pool would be combined to award larger prizes to the public than could be offered by the several state lotteries, individually. No tickets or shares offered in connection with a multi-state lottery game shall be sold within the State of Illinois, except those offered by and through the Department. No such agreement shall purport to pledge the full faith and credit of the State of Illinois, nor shall the Department expend State funds on a contractual basis in connection with any such game unless such expenditures are expressly authorized by the General Assembly, provided, however, that in the event of error or omission by the Illinois State Lottery in the conduct of the game, as determined by the multi-state game directors, the Department shall be authorized to pay a prize winner or winners the lesser of a disputed prize or $1,000,000, any such payment to be made solely from funds appropriated for game prize purposes. The Department shall be authorized to share in the ordinary operating expenses of any such multi-state lottery game, from funds appropriated by the General Assembly, and in the event the multi-state game control offices are physically located within the State of Illinois, the Department is authorized to advance start-up operating costs not to exceed $150,000, subject to proportionate reimbursement of such costs by the other participating state lotteries. The Department shall be authorized to share proportionately in the costs of establishing a liability reserve fund from funds appropriated by the General Assembly. The Department is authorized to transfer prize award funds attributable to Illinois sales of multi-state lottery game tickets to the multi-state control office, or its designated depository, for deposit to such game pool account or accounts as may be established by the multi-state game directors, the records of which account or accounts shall be available at all times for inspection in an audit by the Auditor General of Illinois and any other auditors pursuant to the laws of the State of Illinois. No multi-state game prize awarded to a nonresident of Illinois, with respect to a ticket or share purchased in a state other than the State of Illinois, shall be

deemed to be a prize awarded under this Act for the purpose of taxation under the Illinois Income Tax Act. The Department shall promulgate such rules as may be appropriate to implement the provisions of this Section.

i. To make a continuous study and investigation of (1) the operation and the administration of similar laws which may be in effect in other states or countries, (2) any literature on the subject which from time to time may be published or available, (3) any Federal laws which may affect the operation of the lottery, and (4) the reaction of Illinois citizens to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this Act.

j. To report monthly to the State Treasurer and the Lottery Control Board a full and complete statement of lottery revenues, prize disbursements and other expenses for each month and the amounts to be transferred to the Common School Fund pursuant to Section 7.2, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements and other expenses, to the Governor and the Board. All reports required by this subsection shall be public and copies of all such reports shall be sent to the Speaker of the House, the President of the Senate, and the minority leaders of both houses.

k. To keep the name and municipality of residence of the prize winner of a prize of $250,000 or greater confidential upon the prize winner making a written request that his or her name and municipality of residence be kept confidential. The prize winner must submit his or her written request at the time of claiming the prize. The written request shall be in the form established by the Department. Nothing in this paragraph k supersedes the Department's duty to disclose the name and municipality of residence of a prize winner of a prize of $250,000 or greater pursuant to the Freedom of Information Act.

(Source: P.A. 98-499, eff. 8-16-13; 99-933, eff. 1-27-17.)

(20 ILCS 1605/9.1)

Sec. 9.1. Private manager and management agreement.

(a) As used in this Section:

"Offeror" means a person or group of persons that responds to a request for qualifications under this Section.

"Request for qualifications" means all materials and documents prepared by the Department to solicit the following from offerors:

(1) Statements of qualifications.

(2) Proposals to enter into a management agreement, including the identity of any prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.

"Final offer" means the last proposal submitted by an offeror in response to the request for qualifications, including the identity of any prospective vendor or vendors that the offeror intends to initially engage to assist the offeror in performing its obligations under the management agreement.

"Final offeror" means the offeror ultimately selected by the Governor to be the private manager for the Lottery under subsection (h) of this Section.

(b) By September 15, 2010, the Governor shall select a private manager for the total management of the Lottery with integrated functions, such as lottery game design, supply of goods and services, and advertising and as specified in this Section.

(c) Pursuant to the terms of this subsection, the Department shall endeavor to expeditiously terminate the existing contracts in support of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly in connection with the selection of the private manager. As part of its obligation to terminate these contracts and select the private manager, the Department shall establish a mutually agreeable timetable to transfer the functions of existing contractors to the private manager so that existing Lottery operations are not materially diminished or impaired during the transition. To that end, the Department shall do the following:

(1) where such contracts contain a provision authorizing termination upon notice, the Department shall provide notice of termination to occur upon the mutually agreed timetable for transfer of functions;

(2) upon the expiration of any initial term or renewal term of the current Lottery contracts, the Department shall not renew such contract for a term extending beyond the mutually agreed timetable for transfer of functions; or

(3) in the event any current contract provides for termination of that contract upon the implementation of a contract with the private manager, the Department shall perform all necessary actions to terminate the contract on the date that coincides with the mutually agreed timetable for transfer of functions.

If the contracts to support the current operation of the Lottery in effect on the effective date of this amendatory Act of the 96th General Assembly are not subject to termination as provided for in this subsection (c), then the Department may include a provision in the contract with the private manager specifying a mutually agreeable methodology for incorporation.

(c-5) The Department shall include provisions in the management agreement whereby the private manager shall, for a fee, and pursuant to a contract negotiated with the Department (the "Employee Use Contract"), utilize the services of current Department employees to assist in the administration and operation of the Lottery. The Department shall be the employer of all such bargaining unit employees assigned to perform such work for the private manager, and such employees shall be State employees, as defined by the Personnel Code. Department employees shall operate under the same employment policies, rules, regulations, and procedures, as other employees of the Department. In addition, neither historical representation rights under the Illinois Public Labor Relations Act, nor existing collective bargaining agreements, shall be disturbed by the management agreement with the private manager for the management of the Lottery.

(d) The management agreement with the private manager shall include all of the following:

(1) A term not to exceed 10 years, including any renewals.

(2) A provision specifying that the Department:

(A) shall exercise actual control over all significant business decisions;

(A-5) has the authority to direct or countermand operating decisions by the private manager at any time;

(B) has ready access at any time to information regarding Lottery operations;

(C) has the right to demand and receive information from the private manager concerning any aspect of the Lottery operations at any time; and

(D) retains ownership of all trade names, trademarks, and intellectual property associated with the Lottery.

(3) A provision imposing an affirmative duty on the private manager to provide the Department with material information and with any information the private manager reasonably believes the Department would want to know to enable the Department to conduct the Lottery.

(4) A provision requiring the private manager to provide the Department with advance notice of any operating decision that bears significantly on the public interest, including, but not limited to, decisions on the kinds of games to be offered to the public and decisions affecting the relative risk and reward of the games being offered, so the Department has a reasonable opportunity to evaluate and countermand that decision.

(5) A provision providing for compensation of the private manager that may consist of, among other things, a fee for services and a performance based bonus as consideration for managing the Lottery, including terms that may provide the private manager with an increase in compensation if Lottery revenues grow by a specified percentage in a given year.

(6) (Blank).

(7) A provision requiring the deposit of all Lottery proceeds to be deposited into the State Lottery Fund except as otherwise provided in Section 20 of this Act.

(8) A provision requiring the private manager to locate its principal office within the State.

(8-5) A provision encouraging that at least 20% of the cost of contracts entered into for goods and services by the private manager in connection with its management of the Lottery, other than contracts with sales agents or technical advisors, be awarded to businesses that are a minority-owned business, a women-owned business, or a business owned by a person with disability, as those terms are defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

(9) A requirement that so long as the private manager complies with all the conditions of the agreement under the oversight of the Department, the private manager shall have the following duties and obligations with respect to the management of the Lottery:

(A) The right to use equipment and other assets used in the operation of the Lottery.

(B) The rights and obligations under contracts with retailers and vendors.

(C) The implementation of a comprehensive security program by the private manager.

(D) The implementation of a comprehensive system of internal audits.

(E) The implementation of a program by the private manager to curb compulsive gambling by persons playing the Lottery.

(F) A system for determining (i) the type of Lottery games, (ii) the method of selecting winning tickets, (iii) the manner of payment of prizes to holders of winning tickets, (iv) the frequency of drawings of winning tickets, (v) the method to be used in selling tickets, (vi) a system

for verifying the validity of tickets claimed to be winning tickets, (vii) the basis upon which retailer commissions are established by the manager, and (viii) minimum payouts.

(10) A requirement that advertising and promotion must be consistent with Section 7.8a of this Act.

(11) A requirement that the private manager market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet as permitted by law.

(12) A code of ethics for the private manager's officers and employees.

(13) A requirement that the Department monitor and oversee the private manager's practices and take action that the Department considers appropriate to ensure that the private manager is in compliance with the terms of the management agreement, while allowing the manager, unless specifically prohibited by law or the management agreement, to negotiate and sign its own contracts with vendors.

(14) A provision requiring the private manager to periodically file, at least on an annual basis, appropriate financial statements in a form and manner acceptable to the Department.

(15) Cash reserves requirements.

(16) Procedural requirements for obtaining the prior approval of the Department when a management agreement or an interest in a management agreement is sold, assigned, transferred, or pledged as collateral to secure financing.

(17) Grounds for the termination of the management agreement by the Department or the private manager.

(18) Procedures for amendment of the agreement.

(19) A provision requiring the private manager to engage in an open and competitive bidding process for any procurement having a cost in excess of $50,000 that is not a part of the private manager's final offer. The process shall favor the selection of a vendor deemed to have submitted a proposal that provides the Lottery with the best overall value. The process shall not be subject to the provisions of the Illinois Procurement Code, unless specifically required by the management agreement.

(20) The transition of rights and obligations, including any associated equipment or other assets used in the operation of the Lottery, from the manager to any successor manager of the lottery, including the Department, following the termination of or foreclosure upon the management agreement.

(21) Right of use of copyrights, trademarks, and service marks held by the Department in the name of the State. The agreement must provide that any use of them by the manager shall only be for the purpose of fulfilling its obligations under the management agreement during the term of the agreement.

(22) The disclosure of any information requested by the Department to enable it to comply with the reporting requirements and information requests provided for under subsection (p) of this Section.

(e) Notwithstanding any other law to the contrary, the Department shall select a private manager through a competitive request for qualifications process consistent with Section 20-35 of the Illinois Procurement Code, which shall take into account:

(1) the offeror's ability to market the Lottery to those residents who are new, infrequent, or lapsed players of the Lottery, especially those who are most likely to make regular purchases on the Internet;

(2) the offeror's ability to address the State's concern with the social effects of gambling on those who can least afford to do so;

(3) the offeror's ability to provide the most successful management of the Lottery for the benefit of the people of the State based on current and past business practices or plans of the offeror; and

(4) the offeror's poor or inadequate past performance in servicing, equipping, operating or managing a lottery on behalf of Illinois, another State or foreign government and attracting persons who are not currently regular players of a lottery.

(f) The Department may retain the services of an advisor or advisors with significant experience in financial services or the management, operation, and procurement of goods, services, and equipment for a government-run lottery to assist in the preparation of the terms of the request for qualifications and selection of the private manager. Any prospective advisor seeking to provide services under this subsection (f) shall disclose any material business or financial relationship during the past 3 years with any potential offeror, or with a contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery. The Department shall evaluate the material business or financial

relationship of each prospective advisor. The Department shall not select any prospective advisor with a substantial business or financial relationship that the Department deems to impair the objectivity of the services to be provided by the prospective advisor. During the course of the advisor's engagement by the Department, and for a period of one year thereafter, the advisor shall not enter into any business or financial relationship with any offeror or any vendor identified to assist an offeror in performing its obligations under the management agreement. Any advisor retained by the Department shall be disqualified from being an offeror. The Department shall not include terms in the request for qualifications that provide a material advantage whether directly or indirectly to any potential offeror, or any contractor or subcontractor presently providing goods, services, or equipment to the Department to support the Lottery, including terms contained in previous responses to requests for proposals or qualifications submitted to Illinois, another State or foreign government when those terms are uniquely associated with a particular potential offeror, contractor, or subcontractor. The request for proposals offered by the Department on December 22, 2008 as "LOT08GAMESYS" and reference number "22016176" is declared void.

(g) The Department shall select at least 2 offerors as finalists to potentially serve as the private manager no later than August 9, 2010. Upon making preliminary selections, the Department shall schedule a public hearing on the finalists' proposals and provide public notice of the hearing at least 7 calendar days before the hearing. The notice must include all of the following:

(1) The date, time, and place of the hearing.

(2) The subject matter of the hearing.

(3) A brief description of the management agreement to be awarded.

(4) The identity of the offerors that have been selected as finalists to serve as the private manager.

(5) The address and telephone number of the Department.

(h) At the public hearing, the Department shall (i) provide sufficient time for each finalist to present and explain its proposal to the Department and the Governor or the Governor's designee, including an opportunity to respond to questions posed by the Department, Governor, or designee and (ii) allow the public and non-selected offerors to comment on the presentations. The Governor or a designee shall attend the public hearing. After the public hearing, the Department shall have 14 calendar days to recommend to the Governor whether a management agreement should be entered into with a particular finalist. After reviewing the Department's recommendation, the Governor may accept or reject the Department's recommendation, and shall select a final offeror as the private manager by publication of a notice in the Illinois Procurement Bulletin on or before September 15, 2010. The Governor shall include in the notice a detailed explanation and the reasons why the final offeror is superior to other offerors and will provide management services in a manner that best achieves the objectives of this Section. The Governor shall also sign the management agreement with the private manager.

(i) Any action to contest the private manager selected by the Governor under this Section must be brought within 7 calendar days after the publication of the notice of the designation of the private manager as provided in subsection (h) of this Section.

(j) The Lottery shall remain, for so long as a private manager manages the Lottery in accordance with provisions of this Act, a Lottery conducted by the State, and the State shall not be authorized to sell or transfer the Lottery to a third party.

(k) Any tangible personal property used exclusively in connection with the lottery that is owned by the Department and leased to the private manager shall be owned by the Department in the name of the State and shall be considered to be public property devoted to an essential public and governmental function.

(l) The Department may exercise any of its powers under this Section or any other law as necessary or desirable for the execution of the Department's powers under this Section.

(m) Neither this Section nor any management agreement entered into under this Section prohibits the General Assembly from authorizing forms of gambling that are not in direct competition with the Lottery.

(n) The private manager shall be subject to a complete investigation in the third, seventh, and tenth years of the agreement (if the agreement is for a 10-year term) by the Department in cooperation with the Auditor General to determine whether the private manager has complied with this Section and the management agreement. The private manager shall bear the cost of an investigation or reinvestigation of the private manager under this subsection.

(o) The powers conferred by this Section are in addition and supplemental to the powers conferred by any other law. If any other law or rule is inconsistent with this Section, including, but not limited to, provisions of the Illinois Procurement Code, then this Section controls as to any management agreement entered into under this Section. This Section and any rules adopted under this Section contain full and complete authority for a management agreement between the Department and a private manager. No law, procedure, proceeding, publication, notice, consent, approval, order, or act by the Department or any other

officer, Department, agency, or instrumentality of the State or any political subdivision is required for the Department to enter into a management agreement under this Section. This Section contains full and complete authority for the Department to approve any contracts entered into by a private manager with a vendor providing goods, services, or both goods and services to the private manager under the terms of the management agreement, including subcontractors of such vendors.

Upon receipt of a written request from the Chief Procurement Officer, the Department shall provide to the Chief Procurement Officer a complete and un-redacted copy of the management agreement or any contract that is subject to the Department's approval authority under this subsection (o). The Department shall provide a copy of the agreement or contract to the Chief Procurement Officer in the time specified by the Chief Procurement Officer in his or her written request, but no later than 5 business days after the request is received by the Department. The Chief Procurement Officer must retain any portions of the management agreement or of any contract designated by the Department as confidential, proprietary, or trade secret information in complete confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act. The Department shall also provide the Chief Procurement Officer with reasonable advance written notice of any contract that is pending Department approval.

Notwithstanding any other provision of this Section to the contrary, the Chief Procurement Officer shall adopt administrative rules, including emergency rules, to establish a procurement process to select a successor private manager if a private management agreement has been terminated. The selection process shall at a minimum take into account the criteria set forth in items (1) through (4) of subsection (e) of this Section and may include provisions consistent with subsections (f), (g), (h), and (i) of this Section. The Chief Procurement Officer shall also implement and administer the adopted selection process upon the termination of a private management agreement. The Department, after the Chief Procurement Officer certifies that the procurement process has been followed in accordance with the rules adopted under this subsection (o), shall select a final offeror as the private manager and sign the management agreement with the private manager.

Except as provided in Sections 21.5, 21.6, 21.7, 21.8, ~~and~~ 21.9 , and 21.10, the Department shall distribute all proceeds of lottery tickets and shares sold in the following priority and manner:

(1) The payment of prizes and retailer bonuses.

(2) The payment of costs incurred in the operation and administration of the Lottery, including the payment of sums due to the private manager under the management agreement with the Department.

(3) On the last day of each month or as soon thereafter as possible, the State Comptroller shall direct and the State Treasurer shall transfer from the State Lottery Fund to the Common School Fund an amount that is equal to the proceeds transferred in the corresponding month of fiscal year 2009, as adjusted for inflation, to the Common School Fund.

(4) On or before the last day of each fiscal year, deposit any remaining proceeds, subject to payments under items (1), (2), and (3) into the Capital Projects Fund each fiscal year.

(p) The Department shall be subject to the following reporting and information request requirements:

(1) the Department shall submit written quarterly reports to the Governor and the General Assembly on the activities and actions of the private manager selected under this Section;

(2) upon request of the Chief Procurement Officer, the Department shall promptly produce information related to the procurement activities of the Department and the private manager requested by the Chief Procurement Officer; the Chief Procurement Officer must retain confidential, proprietary, or trade secret information designated by the Department in complete confidence pursuant to subsection (g) of Section 7 of the Freedom of Information Act; and

(3) at least 30 days prior to the beginning of the Department's fiscal year, the Department shall prepare an annual written report on the activities of the private manager selected under this Section and deliver that report to the Governor and General Assembly.

(Source: P.A. 99-933, eff. 1-27-17; 100-391, eff. 8-25-17.)

(20 ILCS 1605/20) (from Ch. 120, par. 1170)

Sec. 20. State Lottery Fund.

(a) There is created in the State Treasury a special fund to be known as the "State Lottery Fund". Such fund shall consist of all revenues received from (1) the sale of lottery tickets or shares, (net of commissions, fees representing those expenses that are directly proportionate to the sale of tickets or shares at the agent location, and prizes of less than $600 which have been validly paid at the agent level), (2) application fees, and (3) all other sources including moneys credited or transferred thereto from any other fund or source pursuant to law. Interest earnings of the State Lottery Fund shall be credited to the Common School Fund.

(b) The receipt and distribution of moneys under Section 21.5 of this Act shall be in accordance with Section 21.5.

(c) The receipt and distribution of moneys under Section 21.6 of this Act shall be in accordance with Section 21.6.

(d) The receipt and distribution of moneys under Section 21.7 of this Act shall be in accordance with Section 21.7.

(e) The receipt and distribution of moneys under Section 21.8 of this Act shall be in accordance with Section 21.8.

(f) The receipt and distribution of moneys under Section 21.9 of this Act shall be in accordance with Section 21.9.

(g) The receipt and distribution of moneys under Section 21.10 of this Act shall be in accordance with Section 21.10.

(Source: P.A. 98-649, eff. 6-16-14.)

(20 ILCS 1605/21.10 new)

Sec. 21.10. Scratch-off for homelessness prevention programs.

(a) The Department shall offer a special instant scratch-off game to fund homelessness prevention programs. The game shall commence on July 1, 2019 or as soon thereafter, at the discretion of the Director, as is reasonably practical. The operation of the game shall be governed by this Act and any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Homelessness Prevention Revenue Fund is created as a special fund in the State treasury. The net revenue from the scratch-off game to fund homelessness prevention programs shall be deposited into the Homelessness Prevention Revenue Fund. Subject to appropriation, moneys in the Fund shall be used by the Department of Human Services solely for grants to homelessness prevention and assistance projects under the Homelessness Prevention Act.

As used in this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in the prizes and the actual administrative expenses of the Department solely related to the scratch-off game under this Section.

(c) During the time that tickets are sold for the scratch-off game to fund homelessness prevention programs, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

(e) Nothing in this Section shall be construed to affect any revenue that any Homelessness Prevention line item receives through the General Revenue Fund or the Illinois Affordable Housing Trust Fund.

Section 10. The State Finance Act is amended by adding Section 5.886 as follows:

(30 ILCS 105/5.886 new)

Sec. 5.886. The Homelessness Prevention Revenue Fund.

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

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

Under the rules, the foregoing **Senate Bill No. 211**, 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. 337

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. 337

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 337

AMENDMENT NO. _1__. Amend Senate Bill 337 on page 2, line 5, by deleting "or similar location"; and

on page 2, line 8, by inserting "or similar special event", after "show"; and

on page 2, line 15, after "valid.", by inserting "The Department may by rule create a process for checking the validity of the license, in lieu of requiring an affidavit."; and

on page 2, line 20, by inserting after "affidavit." the following:
"If the Department does not issue the certificate within 30 days, the licensee shall operate as if a certificate has been granted unless and until a denial is issued by the Department."; and

on page 2, line 22, by replacing "90 days" with "180 days"; and

on page 3, line 7, after "business name", by inserting "on the license"; and

on page 3, line 8 after "business name", by inserting "on the license"; and

on page 4, line 10, by replacing "60" with "90"; and

on page 4, line 18, after "different", by inserting "business"; and

on page 4, line 19, after "another", by inserting "business"; and

on page 4, line 20, after "different", by inserting "business"; and

on page 5, lines 16 and 17, by deleting "and director,"; and

on page 5, line 18, after "corporate names", by inserting "by and which the certified licensee sells, transfers, or facilitates transfers of firearms"; and

on page 6, line 8, after "exceptions", by inserting "enumerated in the Firearm Owners Identification Card Act"; and

on page 6, by inserting immediately below line 15 "This sign shall be created by the Department and made available for printing or downloading from the Department's website."; and

on page 6, line 19, after "established", by inserting "as measured from the nearest corner of the building holding the retail location to the corner of the school, pre-school, or day care facility building nearest the retail location at the time the retail location seeks licensure"; and

on page 8, line 23, after "licensees", by inserting "related to legal requirements and responsible business practices regarding the sale or transfer of firearms"; and

on page 9, line 3, after "operation", by inserting "involving the selling, leasing, or otherwise transferring of firearms"; and

on page 9, line 5, by replacing "Licensees" with "During an inspection, licensees"; and

on page 9, line 19, after "licensee." by inserting the following:
"If an owner, employee, or other agent of the certified licensee is not otherwise a resident of this State, the certified licensee shall submit an affidavit stating that the owner, employee, or other agent has undergone a background check and is not prohibited from owning or possessing firearms."; and

on page 10, by replacing lines 4 through 14 with the following:

"(c) If a certified licensee has a license, certificate, or permit to sell, lease, transfer, purchase, or possess firearms issued by the federal government or the government of any state revoked or suspended for good cause within the preceding 4 years, the Department may consider revoking or suspending the certified licenses in this State. In making a determination of whether or not to revoke or suspend a certified license in this State, the Department shall consider the number of retail locations the certified licensee or any related person or entity operates in this State or in other states under the same or different business names, and the severity of the infraction in the state in which a license was revoked or suspended."; and

on page 10, line 22, after "deems", by inserting "directly"; and

on page 10, line 25, by inserting after "State." the following:
"The licensee may file an emergency motion with the Director or a hearing officer authorized by the Department to quash a subpoena issued by the Department. If the Director or hearing officer determines that the subpoena was issued without good cause, the Director or hearing officer may quash the subpoena."; and

on page 11, line 6, after "firearms", by inserting "in inventory"; and

on page 11, line 7, by replacing "transferred, or carried" with "or transferred"; and

on page 11, line 10, by inserting after "location." the following:
"If a video security system is deemed inadequate by the Department, the licensee shall have 30 days to correct the inadequacy. The Department shall submit to the licensee a written statement describing the specific inadequacies."; and

on page 11, line 15, by inserting after "RECORDED."." the following:
"This sign shall be created by the Department and available for printing or downloading from the Department's website."; and

on page 12, line 8, by replacing "inadequacy" with "specific inadequacies"; and

on page 12, line 11, after "plan,", by inserting "the Department shall note the specific inadequacies in writing and"; and

on page 12, line 20, by replacing "may" with "shall"; and

on page 12, line 21, by inserting after "plan." the following:
"The rules shall take into account the various types and sizes of the entities involved, and shall comply with all relevant State and federal laws."; and

by replacing line 25 on page 12 and line 1 on page 13 with the following:
"Department shall develop and implement by rule statewide training standards for assisting certified licensees in recognizing"; and

on page 13, line 3, after "firearm", by inserting ", including, but not limited to, indicators of a straw purchase"; and

on page 13, line 5, after "licensee", by inserting "operating a retail location"; and

by replacing line 23 on page 13 through line 3 on page 14 with the following:
"Department may not charge a certified licensee in this State, operating under the same or different business name, fees exceeding $40,000 for the certification of multiple licenses. All fees and fines collected under this Act"; and

on page 14, line 15, by replacing "inventory" with "acquisition and disposition"; and

on page 16, line 16, by replacing "60" with "90"; and

on page 20, line 11, by deleting "indefinite" wherever it appears; and

on page 21, by inserting immediately below line 21 the following:

"Section 5-120. Federal agencies and investigations. Nothing in this Act shall be construed to interfere with any federal agency or any federal agency investigation. All Department rules adopted under this Act shall comply with federal law. The Department may as necessary coordinate efforts with relevant State and federal law enforcement agencies to enforce this Act."; and

on page 28, line 14, by inserting after "offense." the following:
"A transferee shall not be criminally liable under this Section provided that he or she provides the Department of State Police with the transfer records in accordance with procedures established by the Department. The Department shall establish, by rule, a standard form on its website.".

Under the rules, the foregoing **Senate Bill No. 337**, 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. 2344

A bill for AN ACT concerning education.

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

House Amendment No. 3 to SENATE BILL NO. 2344

Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 3 TO SENATE BILL 2344

AMENDMENT NO. 3. Amend Senate Bill 2344 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-22.31 as follows:
(105 ILCS 5/10-22.31) (from Ch. 122, par. 10-22.31)
Sec. 10-22.31. Special education.
(a) To enter into joint agreements with other school boards to provide the needed special educational facilities and to employ a director and other professional workers as defined in Section 14-1.10 and to establish facilities as defined in Section 14-1.08 for the types of children described in Sections 14-1.02 and 14-1.03a. The director (who may be employed under a contract as provided in subsection (c) of this Section) and other professional workers may be employed by one district, which shall be reimbursed on a mutually agreed basis by other districts that are parties to the joint agreement. Such agreements may provide that one district may supply professional workers for a joint program conducted in another district. Such agreement shall provide that any full-time professional worker who is employed by a joint agreement program and spends over 50% of his or her time in one school district shall not be required to work a different teaching schedule than the other professional worker in that district. Such agreement shall include, but not be limited to, provisions for administration, staff, programs, financing, housing, transportation, an advisory body, and the method or methods to be employed for disposing of property upon the withdrawal of a school district or dissolution of the joint agreement and shall specify procedures for the withdrawal of districts from the joint agreement as long as these procedures are consistent with this Section. Such agreement may be amended at any time as provided in the joint agreement or, if the joint agreement does not so provide, then such agreement may be amended at any time upon the adoption of concurring resolutions by the school boards of all member districts, provided that no later than 6 months after August 28, 2009 (the effective date of Public Act 96-783), all existing agreements shall be amended to be consistent with Public Act 96-783. Such an amendment may include the removal of a school district from or the addition of a school district to the joint agreement without a petition as otherwise required in this Section if all member districts adopt concurring resolutions to that effect. A fully executed copy of any such agreement or amendment entered into on or after January 1, 1989 shall be filed with the State Board of Education. Petitions for withdrawal shall be made to the regional board or boards of school

trustees exercising oversight or governance over any of the districts in the joint agreement. Upon receipt of a petition for withdrawal, the regional board of school trustees shall publish notice of and conduct a hearing or, in instances in which more than one regional board of school trustees exercises oversight or governance over any of the districts in the joint agreement, a joint hearing, in accordance with rules adopted by the State Board of Education. In instances in which a single regional board of school trustees holds the hearing, approval of the petition must be by a two-thirds majority vote of the school trustees. In instances in which a joint hearing of 2 or more regional boards of school trustees is required, approval of the petition must be by a two-thirds majority of all those school trustees present and voting. Notwithstanding the provisions of Article 6 of this Code, in instances in which the competent regional board or boards of school trustees has been abolished, petitions for withdrawal shall be made to the school boards of those districts that fall under the oversight or governance of the abolished regional board of school trustees in accordance with rules adopted by the State Board of Education. If any petition is approved pursuant to this subsection (a), the withdrawal takes effect as provided in Section 7-9 of this Act. The changes to this Section made by Public Act 96-769 apply to all changes to special education joint agreement membership initiated after July 1, 2009.

(b) To either (1) designate an administrative district to act as fiscal and legal agent for the districts that are parties to the joint agreement, or (2) designate a governing board composed of one member of the school board of each cooperating district and designated by such boards to act in accordance with the joint agreement. No such governing board may levy taxes and no such governing board may incur any indebtedness except within an annual budget for the joint agreement approved by the governing board and by the boards of at least a majority of the cooperating school districts or a number of districts greater than a majority if required by the joint agreement. The governing board may appoint an executive board of at least 7 members to administer the joint agreement in accordance with its terms. However, if 7 or more school districts are parties to a joint agreement that does not have an administrative district: (i) at least a majority of the members appointed by the governing board to the executive board shall be members of the school boards of the cooperating districts; or (ii) if the governing board wishes to appoint members who are not school board members, they shall be superintendents from the cooperating districts.

(c) To employ a full-time director of special education of the joint agreement program under a one-year or multi-year contract. No such contract can be offered or accepted for less than one year. Such contract may be discontinued at any time by mutual agreement of the contracting parties, or may be extended for an additional one-year or multi-year period at the end of any year.

The contract year is July 1 through the following June 30th, unless the contract specifically provides otherwise. Notice of intent not to renew a contract when given by a controlling board or administrative district must be in writing stating the specific reason therefor. Notice of intent not to renew the contract must be given by the controlling board or the administrative district at least 90 days before the contract expires. Failure to do so will automatically extend the contract for one additional year.

By accepting the terms of the contract, the director of a special education joint agreement waives all rights granted under Sections 24-11 through 24-16 for the duration of his or her employment as a director of a special education joint agreement.

(d) To designate a district that is a party to the joint agreement as the issuer of bonds or notes for the purposes and in the manner provided in this Section. It is not necessary for such district to also be the administrative district for the joint agreement, nor is it necessary for the same district to be designated as the issuer of all series of bonds or notes issued hereunder. Any district so designated may, from time to time, borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the board of education of the issuing district. The resolution may contain such covenants as may be deemed necessary or advisable by the district to assure the payment of the bonds or notes. The resolution shall be effective immediately upon its adoption.

Prior to the issuance of such bonds or notes, each school district that is a party to the joint agreement shall agree, whether by amendment to the joint agreement or by resolution of the board of education, to be jointly and severally liable for the payment of the bonds and notes. The bonds or notes shall be payable solely and only from the payments made pursuant to such agreement.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district, including the issuing district, within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the agreement by a district to pay the bonds and notes shall be irrevocable notwithstanding the district's withdrawal from membership in the joint special education program.

(e) If a district whose employees are on strike was, prior to the strike, sending students with disabilities to special educational facilities and services in another district or cooperative, the district affected by the strike shall continue to send such students during the strike and shall be eligible to receive appropriate State reimbursement.

(f) With respect to those joint agreements that have a governing board composed of one member of the school board of each cooperating district and designated by those boards to act in accordance with the joint agreement, the governing board shall have, in addition to its other powers under this Section, the authority to issue bonds or notes for the purposes and in the manner provided in this subsection. The governing board of the joint agreement may from time to time borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08 and including also facilities for activities of administration and educational support personnel employees. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the governing board. The resolution may contain such covenants as may be deemed necessary or advisable by the governing board to assure the payment of the bonds or notes and interest accruing thereon. The resolution shall be effective immediately upon its adoption.

Each school district that is a party to the joint agreement shall be automatically liable, by virtue of its membership in the joint agreement, for its proportionate share of the principal amount of the bonds and notes plus interest accruing thereon, as provided in the resolution. Subject to the joint and several liability hereinafter provided for, the resolution may provide for different payment schedules for different districts except that the aggregate amount of scheduled payments for each district shall be equal to its proportionate share of the debt service in the bonds or notes based upon the fraction that its equalized assessed valuation bears to the total equalized assessed valuation of all the district members of the joint agreement as adjusted in the manner hereinafter provided. In computing that fraction the most recent available equalized assessed valuation at the time of the issuance of the bonds and notes shall be used, and the equalized assessed valuation of any district maintaining grades K to 12 shall be doubled in both the numerator and denominator of the fraction used for all of the districts that are members of the joint agreement. In case of default in payment by any member, each school district that is a party to the joint agreement shall automatically be jointly and severally liable for the amount of any deficiency. The bonds or notes and interest thereon shall be payable solely and only from the funds made available pursuant to the procedures set forth in this subsection. No project authorized under this subsection may require an annual contribution for bond payments from any member district in excess of 0.15% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-8 or 9-12 and 0.30% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-12. This limitation on taxing authority is expressly applicable to taxing authority provided under Section 17-9 and other applicable Sections of this Act. Nothing contained in this subsection shall be construed as an exception to the property tax limitations contained in Section 17-2, 17-2.2a, 17-5, or any other applicable Section of this Act.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the obligation of a district to pay its proportionate share of the principal of and interest on the bonds and notes as required in this Section shall be a general obligation of the district payable from any and all sources of revenue designated for that purpose by the board of education of the district and shall be irrevocable notwithstanding the district's withdrawal from membership in the joint special education program.

(g) A member district wishing to withdraw from a joint agreement may obtain from its school board a written resolution approving the withdrawal. The withdrawing district must then present a written petition for withdrawal from the joint agreement to the other member districts within such timelines designated by the joint agreement. A member district wishing to withdraw from a joint agreement under this subsection (g) must present to its school board and the other member districts evidence that it has a comprehensive plan for educating a wide range of students with disabilities, including a full continuum of support and services, and that it has an appropriate plan for educating all currently enrolled students with disabilities upon withdrawal from the joint agreement. Upon approval by school board written resolution of all of the

remaining member districts, the petitioning member district shall be withdrawn from the joint agreement effective the following July 1 and shall notify the State Board of Education of the approved withdrawal in writing. If the petition for withdrawal is not approved and the petitioning member district is a part of a Class II county school unit outside of a city of 500,000 or more inhabitants, the petitioning member district may appeal the disapproval decision to the trustees of schools of the township that has jurisdiction and authority over the withdrawing district. If a withdrawing district is not under the jurisdiction and authority of the trustees of schools of a township, a hearing panel shall be established by the chief administrative officer of the intermediate service center having jurisdiction over the withdrawing district. The hearing panel shall be made up of 3 persons who have a demonstrated interest and background in education. Each hearing panel member must reside within an educational service region of 2,000,000 or more inhabitants but not within the withdrawing district and may not be a current school board member or employee of the withdrawing district or hold any county office. None of the hearing panel members may reside within the same school district. The hearing panel shall serve without remuneration; however, the necessary expenses, including travel, attendant upon any meeting or hearing in relation to these proceedings must be paid. If the trustees of schools of the township having jurisdiction and authority over the withdrawing district or the hearing panel established by the chief administrative officer of the intermediate service center having jurisdiction over the withdrawing district approves the petition for withdrawal, then the petitioning member district shall be withdrawn from the joint agreement effective the following July 1 and shall notify the State Board of Education of the approved withdrawal in writing.

(g-5) This subsection (g-5) applies to school districts located in whole or part in a county with a population exceeding 5,000,000 inhabitants and joint agreements involved in a withdrawal under subsection (g) of this Section effective on July 1, 2018. A student attending a school under a joint agreement program in the school year immediately prior to the effective date of the school district withdrawing from the agreement shall be permitted to remain placed in the joint agreement program if the student is a resident of the withdrawing school district, the joint agreement maintains the program, the student's individualized education program team makes a determination that the program is the most appropriate program to meet the student's needs, and the student remains age appropriate for the program. A student shall be permitted to attend the joint agreement program under this subsection (g-5) regardless of whether the joint agreement bylaws prohibit attendance from non-member district students. If a student from the withdrawing district attends the joint agreement's program, the withdrawing district shall be responsible for the per capita cost of the student's attendance as calculated under Section 14-7.01 of this Code, plus a per student share of fees that would have been paid to the joint agreement for membership and administrative costs associated with educating the student in the joint agreement's program, and transportation of the student to the joint agreement's program. For purposes of this subsection (g-5), the per student share of fees that would have been paid to the joint agreement for membership and administrative costs associated with educating a student in the joint agreement's program shall be negotiated between the withdrawing school district and the joint agreement program no later than August 1, 2018. If the withdrawing school district and the joint agreement program fail to come to a negotiated agreement on or before August 1, 2018, the State Board of Education shall determine the per student share of fees at its next regularly scheduled meeting. This subsection (g-5) does not apply to any student who moves outside of the boundaries of a school district that is or was a member of a special education joint agreement involved in a withdrawal effective on July 1, 2018. No interpretations or precedent for future actions with other joint agreements or school districts may be taken as a result of this subsection (g-5). This subsection (g-5) is inoperative on and after July 1, 2026.

(h) The changes to this Section made by Public Act 96-783 apply to withdrawals from or dissolutions of special education joint agreements initiated after August 28, 2009 (the effective date of Public Act 96-783).

(i) Notwithstanding subsections (a), (g), and (h) of this Section or any other provision of this Code to the contrary, an elementary school district that maintains grades up to and including grade 8, that had a 2014-2015 best 3 months' average daily attendance of 5,209.57, and that had a 2014 equalized assessed valuation of at least $451,500,000, but not more than $452,000,000, may withdraw from its special education joint agreement program consisting of 6 school districts upon submission and approval of the comprehensive plan, in compliance with the applicable requirements of Section 14-4.01 of this Code, in addition to the approval by the school board of the elementary school district and notification to and the filing of an intent to withdraw statement with the governing board of the joint agreement program. Such notification and statement shall specify the effective date of the withdrawal, which in no case shall be less than 60 days after the date of the filing of the notification and statement. Upon receipt of the notification and statement, the governing board of the joint agreement program shall distribute a copy to each member district of the joint agreement and shall initiate any appropriate allocation of assets and liabilities among

the remaining member districts to take effect upon the date of the withdrawal. The withdrawal shall take effect upon the date specified in the notification and statement.
(Source: P.A. 99-729, eff. 8-5-16; 100-66, eff. 8-11-17.)

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

Under the rules, the foregoing **Senate Bill No. 2344**, with House Amendment No. 3, 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. 2544

A bill for AN ACT concerning local 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. 2544
Passed the House, as amended, May 29, 2018.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2544

AMENDMENT NO. 1. Amend Senate Bill 2544 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Section 28-1 as follows:
(10 ILCS 5/28-1) (from Ch. 46, par. 28-1)
Sec. 28-1. The initiation and submission of all public questions to be voted upon by the electors of the State or of any political subdivision or district or precinct or combination of precincts shall be subject to the provisions of this Article.
Questions of public policy which have any legal effect shall be submitted to referendum only as authorized by a statute which so provides or by the Constitution. Advisory questions of public policy shall be submitted to referendum pursuant to Section 28-5 or pursuant to a statute which so provides.
The method of initiating the submission of a public question shall be as provided by the statute authorizing such public question, or as provided by the Constitution.
All public questions shall be initiated, submitted and printed on the ballot in the form required by Section 16-7 of this Act, except as may otherwise be specified in the statute authorizing a public question.
Whenever a statute provides for the initiation of a public question by a petition of electors, the provisions of such statute shall govern with respect to the number of signatures required, the qualifications of persons entitled to sign the petition, the contents of the petition, the officer with whom the petition must be filed, and the form of the question to be submitted. If such statute does not specify any of the foregoing petition requirements, the corresponding petition requirements of Section 28-6 shall govern such petition.
Irrespective of the method of initiation, not more than 3 public questions other than (a) back door referenda, (b) referenda to determine whether a disconnection may take place where a city coterminous with a township is proposing to annex territory from an adjacent township, (c) referenda held under the provisions of the Property Tax Extension Limitation Law in the Property Tax Code, (d) referenda held under Section 2-3002 of the Counties Code, ~~or~~ (e) referenda held under Article 22, 23, or 29 of the Township Code , or (f) referenda held under Section 3-47 of the Property Tax Code may be submitted to referendum with respect to a political subdivision at the same election.
If more than 3 propositions are timely initiated or certified for submission at an election with respect to a political subdivision, the first 3 validly initiated, by the filing of a petition or by the adoption of a resolution or ordinance of a political subdivision, as the case may be, shall be printed on the ballot and submitted at that election. However, except as expressly authorized by law not more than one proposition to change the form of government of a municipality pursuant to Article VII of the Constitution may be submitted at an election. If more than one such proposition is timely initiated or certified for submission at an election with respect to a municipality, the first validly initiated shall be the one printed on the ballot and submitted at that election.

No public question shall be submitted to the voters of a political subdivision at any regularly scheduled election at which such voters are not scheduled to cast votes for any candidates for nomination for, election to or retention in public office, except that if, in any existing or proposed political subdivision in which the submission of a public question at a regularly scheduled election is desired, the voters of only a portion of such existing or proposed political subdivision are not scheduled to cast votes for nomination for, election to or retention in public office at such election, but the voters in one or more other portions of such existing or proposed political subdivision are scheduled to cast votes for nomination for, election to or retention in public office at such election, the public question shall be voted upon by all the qualified voters of the entire existing or proposed political subdivision at the election.

Not more than 3 advisory public questions may be submitted to the voters of the entire state at a general election. If more than 3 such advisory propositions are initiated, the first 3 timely and validly initiated shall be the questions printed on the ballot and submitted at that election; provided however, that a question for a proposed amendment to Article IV of the Constitution pursuant to Section 3, Article XIV of the Constitution, or for a question submitted under the Property Tax Cap Referendum Law, shall not be included in the foregoing limitation.

(Source: P.A. 100-107, eff. 1-1-18.)

Section 10. The Property Tax Code is amended by adding Section 3-47 as follows:

(35 ILCS 200/3-47 new)

Sec. 3-47. Lake County assessor referendum; election.

(a) Notwithstanding any provision of law to the contrary, the election authority for Lake County shall cause to be submitted to the voters of Lake County at the general election held on November 6, 2018 a referendum to convert the Office of the Chief Assessment Officer of Lake County to an elected office rather than an appointed office. The referendum shall comply with the provisions of Section 4 of Article VII of the Illinois Constitution, and shall be in the following form:

"Shall the office of the Chief Assessment Officer of Lake County be an elected office beginning with the 2020 general election?"

The votes shall be recorded as "Yes" or "No".

The referendum is deemed approved if a majority of those voting on the question approve the referendum.

(b) In the event that a majority of the electors voting on the referendum under this Section are in favor thereof, the Office of the Chief Assessment Officer of Lake County shall become an elected office. The Chief Assessment Officer of Lake County shall then be elected at the first general election following the approval of the referendum. Upon election of the Chief Assessment Officer of Lake County under this Section, the Office of the then-serving Chief Assessment Officer of Lake County shall become vacant, and the newly elected Chief Assessment Officer shall assume that office.

(c) Should the Office of the Chief Assessment Officer of Lake County become an elected office as provided under subsection (b), any person seeking such office shall comply with and be governed by the provisions of Section 3-45 with respect to the election of county assessors and related requirements.

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

Under the rules, the foregoing **Senate Bill No. 2544**, with House Amendment No. 1, was referred to the Secretary's Desk.

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 29, 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 3rd Reading deadline to May 31, 2018, for the following House bills:

5721

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

cc: Senate Republican Leader Bill Brady

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Bush, **House Bill No. 156** having been printed, was taken up and read by title a second time.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 156

AMENDMENT NO. 1. Amend House Bill 156 by replacing everything after the enacting clause with the following:

"Section 3. The Illinois Enterprise Zone Act is amended by changing Section 4 as follows:
(20 ILCS 655/4) (from Ch. 67 1/2, par. 604)
Sec. 4. Qualifications for Enterprise Zones.
(1) An area is qualified to become an enterprise zone which:
(a) is a contiguous area, provided that a zone area may exclude wholly surrounded territory within its boundaries;
(b) comprises a minimum of one-half square mile and not more than 12 square miles, or 15 square miles if the zone is located within the jurisdiction of 4 or more counties or municipalities, in total area, exclusive of lakes and waterways; however, in such cases where the enterprise zone is a joint effort of three or more units of government, or two or more units of government if situated in a township which is divided by a municipality of 1,000,000 or more inhabitants, and where the certification has been in effect at least one year, the total area shall comprise a minimum of one-half square mile and not more than thirteen square miles in total area exclusive of lakes and waterways;
(c) (blank);
(d) (blank);
(e) is (1) entirely within a municipality or (2) entirely within the unincorporated areas of a county, except where reasonable need is established for such zone to cover portions of more than one municipality or county or (3) both comprises (i) all or part of a municipality and (ii) an unincorporated area of a county; and
(f) meets 3 or more of the following criteria:
(1) all or part of the local labor market area has had an annual average unemployment rate of at least 120% of the State's annual average unemployment rate for the most recent calendar year or the most recent fiscal year as reported by the Department of Employment Security;
(2) designation will result in the development of substantial employment opportunities by creating or retaining a minimum aggregate of 1,000 full-time equivalent jobs due to an aggregate investment of $100,000,000 or more, and will help alleviate the effects of poverty and unemployment within the local labor market area;
(3) all or part of the local labor market area has a poverty rate of at least 20% according to the latest federal decennial census, 50% or more of children in the local labor market area participate in the federal free lunch program according to reported statistics from the State Board

of Education, or 20% or more households in the local labor market area receive food stamps according to the latest federal decennial census;

(4) an abandoned coal mine, ~~or~~ a brownfield (as defined in Section 58.2 of the Environmental Protection Act), or an inactive nuclear powered electrical generation facility where spent nuclear fuel is stored on-site is located in the proposed zone area, or all or a portion of the proposed zone was declared a federal disaster area in the 3 years preceding the date of application;

(5) the local labor market area contains a presence of large employers that have downsized over the years, the labor market area has experienced plant closures in the 5 years prior to the date of application affecting more than 50 workers, or the local labor market area has experienced State or federal facility closures in the 5 years prior to the date of application affecting more than 50 workers;

(6) based on data from Multiple Listing Service information or other suitable sources, the local labor market area contains a high floor vacancy rate of industrial or commercial properties, vacant or demolished commercial and industrial structures are prevalent in the local labor market area, or industrial structures in the local labor market area are not used because of age, deterioration, relocation of the former occupants, or cessation of operation;

(7) the applicant demonstrates a substantial plan for using the designation to improve the State and local government tax base, including income, sales, and property taxes;

(8) significant public infrastructure is present in the local labor market area in addition to a plan for infrastructure development and improvement;

(9) high schools or community colleges located within the local labor market area are engaged in ACT Work Keys, Manufacturing Skills Standard Certification, or other industry-based credentials that prepare students for careers; or

(10) the change in equalized assessed valuation of industrial and/or commercial properties in the 5 years prior to the date of application is equal to or less than 50% of the State average change in equalized assessed valuation for industrial and/or commercial properties, as applicable, for the same period of time.

As provided in Section 10-5.3 of the River Edge Redevelopment Zone Act, upon the expiration of the term of each River Edge Redevelopment Zone in existence on the effective date of this amendatory Act of the 97th General Assembly, that River Edge Redevelopment Zone will become available for its previous designee or a new applicant to compete for designation as an enterprise zone. No preference for designation will be given to the previous designee of the zone.

(2) Any criteria established by the Department or by law which utilize the rate of unemployment for a particular area shall provide that all persons who are not presently employed and have exhausted all unemployment benefits shall be considered unemployed, whether or not such persons are actively seeking employment.

(Source: P.A. 97-905, eff. 8-7-12.)

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.

On motion of Senator Castro, **House Bill No. 5201** 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 5201

AMENDMENT NO. 1. Amend House Bill 5201 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Sections 3-5010.8, 5-41065, and 5-43043 as follows:

(55 ILCS 5/3-5010.8 new)

Sec. 3-5010.8. Mechanics lien demand and referral pilot program.

(a) Legislative findings. The General Assembly finds that expired mechanics liens on residential property, which cloud title to property, are a rapidly growing problem throughout the State. In order to address the increase in expired mechanics liens and, more specifically, those that have not been released

by the lienholder, a recorder may establish a process to demand and refer mechanics liens that have been recorded but not litigated or released in accordance with the Mechanics Lien Act to an administrative law judge for resolution or demand that the lienholder commence suit or forfeit the lien.

(b) Definitions. As used in this Section:

"Demand to Commence Suit" means the written demand specified in Section 34 of the Mechanics Lien Act.

"Mechanics lien" and "lien" are used interchangeably in this Section.

"Notice of Expired Mechanics Lien" means the notice a recorder gives to a property owner under subsection (d) informing the property owner of an expired lien.

"Notice of Referral" means the document referring a mechanics lien to a county's code hearing unit.

"Recording" and "filing" are used interchangeably in this Section.

"Referral" or "refer" means a recorder's referral of a mechanics lien to a county's code hearing unit to obtain a determination as to whether a recorded mechanics lien is valid.

"Residential property" means real property improved with not less than one nor more than 4 residential dwelling units; a residential condominium unit, including, but not limited to, the common elements allocated to the exclusive use of the condominium unit that form an integral part of the condominium unit and any parking unit or units specified by the declaration to be allocated to a specific residential condominium unit; or a single tract of agriculture real estate consisting of 40 acres or less that is improved with a single-family residence. If a declaration of condominium ownership provides for individually owned and transferable parking units, "residential property" does not include the parking unit of a specified residential condominium unit unless the parking unit is included in the legal description of the property against which the mechanics lien is recorded.

"Subcontractor" has the meaning given to that term in subsection (a) of Section 21 of the Mechanics Lien Act.

(c) Establishment of a mechanics lien demand and referral process. After a public hearing, a recorder in a county with a code hearing unit may adopt rules establishing a mechanics lien demand and referral process for residential property. A recorder shall provide public notice 90 days before the public hearing. The notice shall include a statement of the recorder's intent to create a mechanics lien demand and referral process and shall be published in a newspaper of general circulation in the county and, if feasible, be posted on the recorder's website and at the recorder's office or offices.

(d) Notice of Expired Lien. If a recorder determines, after review by legal staff or counsel, that a mechanics lien recorded in the grantor's index or the grantee's index is an expired lien, the recorder shall serve a Notice of Expired Lien by certified mail to the last known address of the owner. The owner or legal representative of the owner of the residential property shall confirm in writing his or her belief that the lien is not involved in pending litigation and, if there is no pending litigation, as verified and confirmed by county court records, the owner may request that the recorder proceed with a referral or serve a Demand to Commence Suit.

For the purposes of this Section, a recorder shall determine a lien is an expired lien if the lien fits into one of the following classifications:

(1) unenforced (if a suit to enforce the lien has not been commenced by the lienholder or a counterclaim has not been filed (within 2 years after the completion date of the contract as specified in the recorded mechanics lien, the completion of extra or additional work, or furnishing of extra or additional material under Section 9 of the Mechanics Lien Act) and if an automatic stay under Section 362(a) of the United States Bankruptcy Code does not prohibit a suit or counterclaim to foreclose; if a completion date is not specified in the recorded lien, then, as provided under Section 6 of the Mechanics Lien Act: (A) if the work is done or material is furnished within 3 years from the commencement of the work or the commencement of furnishing the material in the case of work done or material furnished as to residential property; or (B) if no later than 5 years from the commencement of the work or the commencement of furnishing the material in the case of work done or material furnished as to any other type of property and if an automatic stay under Section 362(a) of the United States Bankruptcy Code does not prohibit a suit or counterclaim to foreclose); or

(2) failure to record a satisfaction or release (if the lienholder has failed to fulfill the requirements of subsection (a) of Section 35 of the Mechanics Lien Act).

(e) Demand to Commence Suit. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to serve a Demand to Commence Suit, the recorder shall serve a Demand to Commence Suit on the lienholder of the expired lien as provided in Section 34 of the Mechanics Lien Act. A recorder may request that the Secretary of State assist in providing registered agent information or obtain information from the Secretary of State's registered business database when the recorder seeks to serve a Demand to Commence suit on the lienholder. Upon request, the Secretary of

State, or his or her designee, shall provide the last known address or registered agent information for a lienholder who is incorporated or doing business in the State. The recorder must record a copy of the Demand to Commence suit in the grantor's index or the grantee's index identifying the mechanics lien and include the corresponding document number and the date of demand. The recorder may, at his or her discretion, notify the Secretary of State regarding a Demand to Commence suit determined to involve a company, corporation, or business registered with that office.

When the lienholder commences a suit or files an answer within 30 days or the lienholder records a release of lien with the county recorder as required by subsection (a) of Section 34 of the Mechanics Lien Act, then the demand and referral process is completed for the recorder for that property.

(f) Referral. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to proceed with a referral, the recorder shall: (i) file the Notice of Referral with the county's code hearing unit; (ii) identify and notify the lienholder by telephone, if available, of the referral and send a copy of the Notice of Referral by certified mail to the lienholder using information included in the recorded mechanics lien or the last known address or registered agent received from the Secretary of State or obtained from the Secretary of State's registered business database; (iii) send a copy of the Notice of Referral by mail to the physical address of the property owner associated with the lien; and (iv) record a copy of the Notice of Referral in the grantor's index or the grantee's index identifying the mechanics lien and include the corresponding document number. The Notice of Referral shall clearly identify the person, persons, or entity believed to be the owner, assignee, successor, or beneficiary of the lien. The recorder may, at his or her discretion, notify the Secretary of State regarding a referral determined to involve a company, corporation, or business registered with that office.

No later than 30 business days after receipt of the Notice of Referral, the code hearing unit shall schedule a hearing to occur no later than 30 days after receiving the referral. Notice of the hearing shall be provided by the county recorder, by and through his or her representative, to the filer, or the party represented by the filer, of the expired lien, the legal representative of the recorder of deeds who referred the case, and the last owner of record, as identified in the Notice of Referral.

If the recorder shows by clear and convincing evidence that the lien in question is an expired lien, the administrative law judge shall rule the lien is forfeited under Section 34.5 of the Mechanics Lien Act and that the lien no longer affects the chain of title of the property in any way. The judgment shall be forwarded to all parties identified in this subsection. Upon receiving judgment of a forfeited lien, the recorder shall, within 5 business days, record a copy of the judgment in the grantor's index or the grantee's index.

If the administrative law judge finds the lien to be valid and still within the statutorily prescribed period of time to remain as an active lien in the property's chain of title, the recorder shall, no later than 5 business days after receiving notice of the decision of the administrative law judge, record a copy of the judgment in the grantor's index or the grantee's index.

A decision by an administrative law judge is reviewable under the Administrative Review Law, and nothing in this Section precludes a property owner or lienholder from proceeding with a civil action to resolve questions concerning a mechanics lien.

A lienholder or property owner may remove the action from the code hearing unit to the circuit court as provided in subsection (i).

(g) Final administrative decision. The recorder's decision to refer a mechanics lien or serve a Demand to Commence Suit is a final administrative decision that is subject to review under the Administrative Review Law by the circuit court of the county where the real property is located. The standard of review by the circuit court shall be consistent with the Administrative Review Law.

(h) Liability. A recorder and his or her employees or agents are not subject to personal liability by reason of any error or omission in the performance of any duty under this Section, except in the case of willful or wanton conduct. The recorder and his or her employees or agents are not liable for the decision to refer a lien or serve a Demand to Commence Suit, or failure to refer or serve a Demand to Commence Suit, of a lien under this Section.

(i) Private actions; use of demand and referral process. Nothing in this Section precludes a private right of action by any party with an interest in the property affected by the mechanics lien or a decision by the code hearing unit. Nothing in this Section requires a person or entity who may have a mechanics lien recorded against his or her property to use the mechanics lien demand and referral process created by this Section.

A lienholder or property owner may remove a matter in the referral process to the circuit court at any time prior to the final decision of the administrative law judge by delivering a certified notice of the suit filed in the circuit court to the administrative law judge. Upon receipt of the certified notice, the administrative law judge shall dismiss the matter without prejudice. If the matter is dismissed due to removal, then the demand and referral process is completed for the recorder for that property. If the circuit

court dismisses the removed matter without deciding on whether the lien is expired and without prejudice, the recorder may reinstitute the demand and referral process under subsection (d).

(j) Repeal. This Section is repealed on January 1, 2022.

(55 ILCS 5/5-41065 new)

Sec. 5-41065. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division, a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2022.

(55 ILCS 5/5-43043 new)

Sec. 5-43043. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division, a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2022.

Section 10. The Mechanics Lien Act is amended by changing Section 34 and adding Section 34.5 as follows:

(770 ILCS 60/34) (from Ch. 82, par. 34)

Sec. 34. Notice to commence suit.

(a) Upon written demand of the owner, lienor, a recorder under Section 3-5010.8 of the Counties Code, or any person interested in the real estate, or their agent or attorney, served on the person claiming the lien, or his agent or attorney, requiring suit to be commenced to enforce the lien or answer to be filed in a pending suit, suit shall be commenced or answer filed within 30 days thereafter, or the lien shall be forfeited. Such service may be by registered or certified mail, return receipt requested, or by personal service.

(b) A written demand under this Section must contain the following language in at least 10 point bold face type: "Failure to respond to this notice within 30 days after receipt, as required by Section 34 of the Mechanics Lien Act, shall result in the forfeiture of the referenced lien."

(Source: P.A. 97-1165, eff. 2-11-13.)

(770 ILCS 60/34.5 new)

Sec. 34.5. Mechanics lien administrative adjudication.

(a) Notwithstanding any other provision in this Act, a county's code hearing unit may adjudicate the validity of a mechanics lien under Section 3-5010.8 of the Counties Code. If the recorder shows by clear and convincing evidence that the lien being adjudicated is an expired lien, the administrative law judge shall rule the lien is forfeited under this Act and that the lien no longer affects the chain of title of the property in any way.

(b) This Section is repealed on January 1, 2022.".

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 5201

AMENDMENT NO. 2. Amend House Bill 5201, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Sections 3-5010.8, 5-41065, and 5-43043 as follows:

(55 ILCS 5/3-5010.8 new)

Sec. 3-5010.8. Mechanics lien demand and referral pilot program.

(a) Legislative findings. The General Assembly finds that expired mechanics liens on residential property, which cloud title to property, are a rapidly growing problem throughout the State. In order to address the increase in expired mechanics liens and, more specifically, those that have not been released by the lienholder, a recorder may establish a process to demand and refer mechanics liens that have been recorded but not litigated or released in accordance with the Mechanics Lien Act to an administrative law judge for resolution or demand that the lienholder commence suit or forfeit the lien.

(b) Definitions. As used in this Section:

"Demand to Commence Suit" means the written demand specified in Section 34 of the Mechanics Lien Act.

"Mechanics lien" and "lien" are used interchangeably in this Section.

"Notice of Expired Mechanics Lien" means the notice a recorder gives to a property owner under subsection (d) informing the property owner of an expired lien.

"Notice of Referral" means the document referring a mechanics lien to a county's code hearing unit.

"Recording" and "filing" are used interchangeably in this Section.

"Referral" or "refer" means a recorder's referral of a mechanics lien to a county's code hearing unit to obtain a determination as to whether a recorded mechanics lien is valid.

"Residential property" means real property improved with not less than one nor more than 4 residential dwelling units; a residential condominium unit, including, but not limited to, the common elements allocated to the exclusive use of the condominium unit that form an integral part of the condominium unit and any parking unit or units specified by the declaration to be allocated to a specific residential condominium unit; or a single tract of agriculture real estate consisting of 40 acres or less that is improved with a single-family residence. If a declaration of condominium ownership provides for individually owned and transferable parking units, "residential property" does not include the parking unit of a specified residential condominium unit unless the parking unit is included in the legal description of the property against which the mechanics lien is recorded.

(c) Establishment of a mechanics lien demand and referral process. After a public hearing, a recorder in a county with a code hearing unit may adopt rules establishing a mechanics lien demand and referral process for residential property. A recorder shall provide public notice 90 days before the public hearing. The notice shall include a statement of the recorder's intent to create a mechanics lien demand and referral process and shall be published in a newspaper of general circulation in the county and, if feasible, be posted on the recorder's website and at the recorder's office or offices.

(d) Notice of Expired Lien. If a recorder determines, after review by legal staff or counsel, that a mechanics lien recorded in the grantor's index or the grantee's index is an expired lien, the recorder shall serve a Notice of Expired Lien by certified mail to the last known address of the owner. The owner or legal representative of the owner of the residential property shall confirm in writing his or her belief that the lien is not involved in pending litigation and, if there is no pending litigation, as verified and confirmed by county court records, the owner may request that the recorder proceed with a referral or serve a Demand to Commence Suit.

For the purposes of this Section, a recorder shall determine a lien is an expired lien if the lien is unenforced (if a suit to enforce the lien has not been commenced by the lienholder or a counterclaim has not been filed (within 2 years after the completion date of the contract as specified in the recorded mechanics lien, the completion of extra or additional work, or furnishing of extra or additional material under Section 9 of the Mechanics Lien Act; if a completion date is not specified in the recorded lien, then the work completion date shall be deemed the date of recording of the mechanics lien) and if an automatic stay under Section 362(a) of the United States Bankruptcy Code does not prohibit a suit or counterclaim to foreclose.

(e) Demand to Commence Suit. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to serve a Demand to Commence Suit, the recorder shall serve a Demand to Commence Suit on the lienholder of the expired lien as provided in Section 34 of the Mechanics Lien Act. A recorder may request that the Secretary of State assist in providing registered agent information or obtain information from the Secretary of State's registered business database when the recorder seeks to serve a Demand to Commence suit on the lienholder. Upon request, the Secretary of State, or his or her designee, shall provide the last known address or registered agent information for a lienholder who is incorporated or doing business in the State. The recorder must record a copy of the Demand to Commence suit in the grantor's index or the grantee's index identifying the mechanics lien and include the corresponding document number and the date of demand. The recorder may, at his or her

discretion, notify the Secretary of State regarding a Demand to Commence suit determined to involve a company, corporation, or business registered with that office.

When the lienholder commences a suit or files an answer within 30 days or the lienholder records a release of lien with the county recorder as required by subsection (a) of Section 34 of the Mechanics Lien Act, then the demand and referral process is completed for the recorder for that property. If service under this Section is responded to consistent with Section 34 of the Mechanics Lien Act, the recorder may not proceed under subsection (f). If no response is received consistent with Section 34 of the Mechanics Lien Act, the recorder may proceed under subsection (f).

(f) Referral. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to proceed with a referral, the recorder shall: (i) file the Notice of Referral with the county's code hearing unit; (ii) identify and notify the lienholder by telephone, if available, of the referral and send a copy of the Notice of Referral by certified mail to the lienholder using information included in the recorded mechanics lien or the last known address or registered agent received from the Secretary of State or obtained from the Secretary of State's registered business database; (iii) send a copy of the Notice of Referral by mail to the physical address of the property owner associated with the lien; and (iv) record a copy of the Notice of Referral in the grantor's index or the grantee's index identifying the mechanics lien and include the corresponding document number. The Notice of Referral shall clearly identify the person, persons, or entity believed to be the owner, assignee, successor, or beneficiary of the lien. The recorder may, at his or her discretion, notify the Secretary of State regarding a referral determined to involve a company, corporation, or business registered with that office.

No earlier than 30 business days after the date the lienholder is required to respond to a Demand to Commence Suit under Section 34 of the Mechanics Lien Act, the code hearing unit shall schedule a hearing to occur at least 30 days after sending notice of the date of hearing. Notice of the hearing shall be provided by the county recorder, by and through his or her representative, to the filer, or the party represented by the filer, of the expired lien, the legal representative of the recorder of deeds who referred the case, and the last owner of record, as identified in the Notice of Referral.

If the recorder shows by clear and convincing evidence that the lien in question is an expired lien, the administrative law judge shall rule the lien is forfeited under Section 34.5 of the Mechanics Lien Act and that the lien no longer affects the chain of title of the property in any way. The judgment shall be forwarded to all parties identified in this subsection. Upon receiving judgment of a forfeited lien, the recorder shall, within 5 business days, record a copy of the judgment in the grantor's index or the grantee's index.

If the administrative law judge finds the lien is not expired, the recorder shall, no later than 5 business days after receiving notice of the decision of the administrative law judge, record a copy of the judgment in the grantor's index or the grantee's index.

A decision by an administrative law judge is reviewable under the Administrative Review Law, and nothing in this Section precludes a property owner or lienholder from proceeding with a civil action to resolve questions concerning a mechanics lien.

A lienholder or property owner may remove the action from the code hearing unit to the circuit court as provided in subsection (i).

(g) Final administrative decision. The recorder's decision to refer a mechanics lien or serve a Demand to Commence Suit is a final administrative decision that is subject to review under the Administrative Review Law by the circuit court of the county where the real property is located. The standard of review by the circuit court shall be consistent with the Administrative Review Law.

(h) Liability. A recorder and his or her employees or agents are not subject to personal liability by reason of any error or omission in the performance of any duty under this Section, except in the case of willful or wanton conduct. The recorder and his or her employees or agents are not liable for the decision to refer a lien or serve a Demand to Commence Suit, or failure to refer or serve a Demand to Commence Suit, of a lien under this Section.

(i) Private actions; use of demand and referral process. Nothing in this Section precludes a private right of action by any party with an interest in the property affected by the mechanics lien or a decision by the code hearing unit. Nothing in this Section requires a person or entity who may have a mechanics lien recorded against his or her property to use the mechanics lien demand and referral process created by this Section.

A lienholder or property owner may remove a matter in the referral process to the circuit court at any time prior to the final decision of the administrative law judge by delivering a certified notice of the suit filed in the circuit court to the administrative law judge. Upon receipt of the certified notice, the administrative law judge shall dismiss the matter without prejudice. If the matter is dismissed due to removal, then the demand and referral process is completed for the recorder for that property. If the circuit

court dismisses the removed matter without deciding on whether the lien is expired and without prejudice, the recorder may reinstitute the demand and referral process under subsection (d).

(j) Repeal. This Section is repealed on January 1, 2022.

(55 ILCS 5/5-41065 new)

Sec. 5-41065. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division, a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2022.

(55 ILCS 5/5-43043 new)

Sec. 5-43043. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division, a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2022.

Section 10. The Mechanics Lien Act is amended by changing Section 34 and adding Section 34.5 as follows:

(770 ILCS 60/34) (from Ch. 82, par. 34)

Sec. 34. Notice to commence suit.

(a) Upon written demand of the owner, lienor, a recorder under Section 3-5010.8 of the Counties Code, or any person interested in the real estate, or their agent or attorney, served on the person claiming the lien, or his agent or attorney, requiring suit to be commenced to enforce the lien or answer to be filed in a pending suit, suit shall be commenced or answer filed within 30 days thereafter, or the lien shall be forfeited. Such service may be by registered or certified mail, return receipt requested, or by personal service.

(b) A written demand under this Section must contain the following language in at least 10 point bold face type: "Failure to respond to this notice within 30 days after receipt, as required by Section 34 of the Mechanics Lien Act, shall result in the forfeiture of the referenced lien."

(Source: P.A. 97-1165, eff. 2-11-13.)

(770 ILCS 60/34.5 new)

Sec. 34.5. Mechanics lien administrative adjudication.

(a) Notwithstanding any other provision in this Act, a county's code hearing unit may adjudicate the validity of a mechanics lien under Section 3-5010.8 of the Counties Code. If the recorder shows by clear and convincing evidence that the lien being adjudicated is an expired lien, the administrative law judge shall rule the lien is forfeited under this Act and that the lien no longer affects the chain of title of the property in any way.

(b) This Section is repealed on January 1, 2022.".

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 OF THE SENATE A SECOND TIME

On motion of Senator Bertino-Tarrant, **Senate Bill No. 3100** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3100

AMENDMENT NO. 1. Amend Senate Bill 3100 by replacing everything after the enacting clause with the following:

"Section 5. The Equal Pay Act of 2003 is amended by changing Section 10 as follows:

(820 ILCS 112/10)

Sec. 10. Prohibited acts.

(a) No employer may discriminate between employees on the basis of sex by paying wages to an employee at a rate less than the rate at which the employer pays wages to another employee of the opposite sex for the same or substantially similar work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where the payment is made under:

(1) a seniority system;

(2) a merit system;

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

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

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

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

(b) It is unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided under this Act. It is unlawful for any employer to discharge or in any other manner discriminate against any individual for inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of any other employee, or aiding or encouraging any person to exercise his or her rights under this Act. It is unlawful for an employer to require an employee to sign a contract or waiver that prohibits the employee from disclosing or discussing the employee's wage, salary, or other compensation. An employer may, however, prohibit a human resources employee, a supervisor, or any other employee whose job responsibilities require or allow access to other employees' wage or salary information from disclosing that information without prior written consent from the employee whose information is sought or requested.

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

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

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

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

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

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

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

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

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

(Source: P.A. 93-6, eff. 1-1-04.)".

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 BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Castro, **House Bill No. 4100** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McCarter, **House Bill No. 4104** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4104

AMENDMENT NO. 1. Amend House Bill 4104 by replacing everything after the enacting clause with the following:

"Section 5. The Township Code is amended by changing Section 60-5 as follows:

(60 ILCS 1/60-5)

Sec. 60-5. Filling vacancies in township offices.

(a) Except for the office of township or multi-township assessor, if a township fails to elect the number of township officers that the township is entitled to by law, or a person elected to any township office fails to qualify, or a vacancy in any township office occurs for any other reason including without limitation the resignation of an officer or the conviction in any court of the State of Illinois or of the United States of an officer for an infamous crime, then the township board shall fill the vacancy by appointment, by warrant under their signatures and seals, and the persons so appointed shall hold their respective offices for the remainder of the unexpired terms. All persons so appointed shall have the same powers and duties and are subject to the same penalties as if they had been elected or appointed for a full term of office. A vacancy in the office of township or multi-township assessor shall be filled only as provided in the Property Tax Code.

For purposes of this subsection (a), a conviction for an offense that disqualifies an officer from holding that office occurs on the date of (i) the entry of a plea of guilty in court, (ii) the return of a guilty verdict, or (iii) in the case of a trial by the court, the entry of a finding of guilt.

(b) If a vacancy on the township board is not filled within 60 days, then a special township meeting must be called under Section 35-5 to select a replacement under Section 35-35.

(b-5) If the vacancy being filled under subsection (a) or (b) is for the township supervisor, the appointed member shall fulfill the bond requirement under Section 70-5 of this Code. The appointed supervisor may be a trustee appointed by a majority vote of the trustees and shall have one vote on each matter properly before the board. This subsection applies only to townships in counties with a population under 250,000.

(c) Except as otherwise provided in this Section, whenever any township or multi-township office becomes vacant or temporarily vacant due to a physical incapacity of a township officer, the township or multi-township board may temporarily appoint a deputy to perform the ministerial functions of the vacant office until the physically incapacitated township officer submits a written statement to the appropriate board that he or she is physically able to perform his or her duty. The statement shall be sworn to before an officer authorized to administer oaths in this State. A temporary deputy shall not be permitted to vote at any meeting of the township board on any matter properly before the board. The compensation of a temporary deputy shall be determined by the appropriate board. The township board shall not appoint a deputy clerk if the township clerk has appointed a deputy clerk under Section 75-45.

(c-5) Except as otherwise provided in this Section, whenever any township or multi-township office becomes vacant or temporarily vacant, the township or multi-township board may temporarily appoint a deputy to perform the ministerial functions of the vacant office until the vacancy has been filled as provided in subsection (a) or (b). Whenever any township or multi-township office becomes vacant or temporarily vacant due to the physical incapacity of a township officer, the township or multi-township board may temporarily appoint a deputy to perform the ministerial functions of the vacant office until the physically incapacitated township officer submits a written statement to the appropriate board that he or she is physically able to perform his or her duty. The statement shall be sworn to before an officer authorized to administer oaths in this State. A temporary deputy shall not be permitted to vote at any meeting of the township board on any matter properly before the board unless the appointed deputy is a trustee of the board at the time of the vote. If the appointed deputy is a trustee appointed as a temporary deputy, his or her trustee compensation shall be suspended until he or she concludes his or her appointment as an appointed deputy upon the permanent appointment to fill the vacancy. The compensation of a temporary deputy shall be determined by the appropriate board. The township board shall not appoint a

deputy clerk if the township clerk has appointed a deputy clerk under Section 75-45. This subsection applies only to townships in counties with a population under 250,000.

(d) Except for the temporary appointment of a deputy under subsection (c-5), any ~~Any~~ person appointed to fill a vacancy under this Section shall be a member of the same political party as the person vacating the office if the person vacating the office was elected as a member of an established political party, under Section 10-2 of the Election Code, that is still in existence at the time of appointment. The appointee shall establish his or her political party affiliation by his or her record of voting in party primary elections or by holding or having held an office in a political party organization before appointment. If the appointee has not voted in a party primary election or is not holding or has not held an office in a political party organization before the appointment, then the appointee shall establish his or her political party affiliation by his or her record of participating in a political party's nomination or election caucus.
(Source: P.A. 97-295, eff. 1-1-12.)

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

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

On motion of Senator Harris, **House Bill No. 5593** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fowler, **House Bill No. 5749** having been printed, was taken up and read by title a second time.

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

Senator Fowler offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 5749

AMENDMENT NO. _2_. Amend House Bill 5749 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 15-301 and 15-312 as follows:
(625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

Sec. 15-301. Permits for excess size and weight.

(a) The Department with respect to highways under its jurisdiction and local authorities with respect to highways under their jurisdiction may, in their discretion, upon application and good cause being shown therefor, issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this Act or otherwise not in conformity with this Act upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which the party is responsible. Applications and permits other than those in written or printed form may only be accepted from and issued to the company or individual making the movement. Except for an application to move directly across a highway, it shall be the duty of the applicant to establish in the application that the load to be moved by such vehicle or combination cannot reasonably be dismantled or disassembled, the reasonableness of which shall be determined by the Secretary of the Department. For the purpose of over length movements, more than one object may be carried side by side as long as the height, width, and weight laws are not exceeded and the cause for the over length is not due to multiple objects. For the purpose of over height movements, more than one object may be carried as long as the cause for the over height is not due to multiple objects and the length, width, and weight laws are not exceeded. For the purpose of an over width movement, more than one object may be carried as long as the cause for the over width is not due to multiple objects and length, height, and weight laws are not exceeded. Except for transporting fluid milk products, no State or local agency shall authorize the issuance of excess size or weight permits for vehicles and loads that are divisible and that can be carried, when divided, within the existing size or weight maximums specified in this Chapter. Any excess size or weight permit issued in violation of the provisions of this Section shall be void at issue and any movement made thereunder shall not be authorized under the terms of the void permit. In any prosecution for a violation of this Chapter when the authorization of an excess size or weight permit is at issue, it is the burden of the defendant to establish that the permit was valid because the load to be moved could not reasonably be dismantled or disassembled, or was otherwise nondivisible.

(b) The application for any such permit shall: (1) state whether such permit is requested for a single trip or for limited continuous operation; (2) state if the applicant is an authorized carrier under the Illinois Motor Carrier of Property Law, if so, his certificate, registration or permit number issued by the Illinois

Commerce Commission; (3) specifically describe and identify the vehicle or vehicles and load to be operated or moved except that for vehicles or vehicle combinations registered by the Department as provided in Section 15-319 of this Chapter, only the Illinois Department of Transportation's (IDT) registration number or classification need be given; (4) state the routing requested including the points of origin and destination, and may identify and include a request for routing to the nearest certified scale in accordance with the Department's rules and regulations, provided the applicant has approval to travel on local roads; and (5) state if the vehicles or loads are being transported for hire. No permits for the movement of a vehicle or load for hire shall be issued to any applicant who is required under the Illinois Motor Carrier of Property Law to have a certificate, registration or permit and does not have such certificate, registration or permit.

(c) The Department or local authority when not inconsistent with traffic safety is authorized to issue or withhold such permit at its discretion; or, if such permit is issued at its discretion to prescribe the route or routes to be traveled, to limit the number of trips, to establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated, or otherwise to limit or prescribe conditions of operations of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure. The Department shall maintain a daily record of each permit issued along with the fee and the stipulated dimensions, weights, conditions and restrictions authorized and this record shall be presumed correct in any case of questions or dispute. The Department shall install an automatic device for recording applications received and permits issued by telephone. In making application by telephone, the Department and applicant waive all objections to the recording of the conversation.

(d) The Department shall, upon application in writing from any local authority, issue an annual permit authorizing the local authority to move oversize highway construction, transportation, utility and maintenance equipment over roads under the jurisdiction of the Department. The permit shall be applicable only to equipment and vehicles owned by or registered in the name of the local authority, and no fee shall be charged for the issuance of such permits.

(e) As an exception to subsection ~~paragraph~~ (a) of this Section, the Department and local authorities, with respect to highways under their respective jurisdictions, in their discretion and upon application in writing may issue a special permit for limited continuous operation, authorizing the applicant to move loads of agricultural commodities on a 2-axle ~~2 axle~~ single vehicle registered by the Secretary of State with axle loads not to exceed 35%, on a 3-axle or 4-axle ~~3 or 4 axle~~ vehicle registered by the Secretary of State with axle loads not to exceed 20%, and on a 5-axle ~~5 axle~~ vehicle registered by the Secretary of State not to exceed 10% above those provided in Section 15-111. The total gross weight of the vehicle, however, may not exceed the maximum gross weight of the registration class of the vehicle allowed under Section 3-815 or 3-818 of this Code.

As used in this Section, "agricultural commodities" means:

(1) cultivated plants or agricultural produce grown including, but ~~is~~ not limited to, corn, soybeans, wheat, oats, grain sorghum, canola, and rice;

(2) livestock, including, but not limited to, hogs, equine, sheep, and poultry;

(3) ensilage; and

(4) fruits and vegetables.

Permits may be issued for a period not to exceed 40 days and moves may be made of a distance not to exceed 50 miles from a field, an on-farm grain storage facility, a warehouse as defined in the ~~Illinois~~ Grain Code, or a livestock management facility as defined in the Livestock Management Facilities Act over any highway except the National System of Interstate and Defense Highways. The operator of the vehicle, however, must abide by posted bridge and posted highway weight limits. All implements of husbandry operating under this Section between sunset and sunrise shall be equipped as prescribed in Section 12-205.1.

(e-1) A ~~Upon a declaration by the Governor that an emergency harvest situation exists, a~~ special permit shall be issued by the Department under this Section and shall be required from September 1 through December 31 ~~during harvest season emergencies~~ for a vehicle that exceeds the maximum axle weight and gross weight limits under Section 15-111 of this Code or exceeds the vehicle's registered gross weight, provided that the vehicle's axle weight and gross weight do not exceed 10% above the maximum limits under Section 15-111 of this Code and does not exceed the vehicle's registered gross weight by 10%. All other restrictions that apply to permits issued under this Section shall apply during the declared time period and no fee shall be charged for the issuance of those permits. Permits issued by the Department under this subsection (e-1) are only valid on federal and State highways under the jurisdiction of the Department, except interstate highways. With respect to highways under the jurisdiction of local authorities, the local

authorities may, at their discretion, waive special permit requirements ~~during harvest season emergencies~~, and set a divisible load weight limit not to exceed 10% above a vehicle's registered gross weight, provided that the vehicle's axle weight and gross weight do not exceed 10% above the maximum limits specified in Section 15-111. Permits issued under this subsection (e-1) shall apply to all registered vehicles eligible to obtain permits under this Section, including vehicles used in private or for-hire movement of divisible load agricultural commodities during the declared time period.

(f) The form and content of the permit shall be determined by the Department with respect to highways under its jurisdiction and by local authorities with respect to highways under their jurisdiction. Every permit shall be in written form and carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit and no person shall violate any of the terms or conditions of such special permit. Violation of the terms and conditions of the permit shall not be deemed a revocation of the permit; however, any vehicle and load found to be off the route prescribed in the permit shall be held to be operating without a permit. Any off route vehicle and load shall be required to obtain a new permit or permits, as necessary, to authorize the movement back onto the original permit routing. No rule or regulation, nor anything herein shall be construed to authorize any police officer, court, or authorized agent of any authority granting the permit to remove the permit from the possession of the permittee unless the permittee is charged with a fraudulent permit violation as provided in subsection ~~paragraph~~ (i). However, upon arrest for an offense of violation of permit, operating without a permit when the vehicle is off route, or any size or weight offense under this Chapter when the permittee plans to raise the issuance of the permit as a defense, the permittee, or his agent, must produce the permit at any court hearing concerning the alleged offense.

If the permit designates and includes a routing to a certified scale, the permittee, while enroute to the designated scale, shall be deemed in compliance with the weight provisions of the permit provided the axle or gross weights do not exceed any of the permitted limits by more than the following amounts:

Single axle	2000 pounds
Tandem axle	3000 pounds
Gross	5000 pounds

(g) The Department is authorized to adopt, amend, and to make available to interested persons a policy concerning reasonable rules, limitations and conditions or provisions of operation upon highways under its jurisdiction in addition to those contained in this Section for the movement by special permit of vehicles, combinations, or loads which cannot reasonably be dismantled or disassembled, including manufactured and modular home sections and portions thereof. All rules, limitations and conditions or provisions adopted in the policy shall have due regard for the safety of the traveling public and the protection of the highway system and shall have been promulgated in conformity with the provisions of the Illinois Administrative Procedure Act. The requirements of the policy for flagmen and escort vehicles shall be the same for all moves of comparable size and weight. When escort vehicles are required, they shall meet the following requirements:

(1) All operators shall be 18 years of age or over and properly licensed to operate the vehicle.

(2) Vehicles escorting oversized loads more than 12-feet wide must be equipped with a rotating or flashing amber light mounted on top as specified under Section 12-215.

The Department shall establish reasonable rules and regulations regarding liability insurance or self insurance for vehicles with oversized loads promulgated under the Illinois Administrative Procedure Act. Police vehicles may be required for escort under circumstances as required by rules and regulations of the Department.

(h) Violation of any rule, limitation or condition or provision of any permit issued in accordance with the provisions of this Section shall not render the entire permit null and void but the violator shall be deemed guilty of violation of permit and guilty of exceeding any size, weight or load limitations in excess of those authorized by the permit. The prescribed route or routes on the permit are not mere rules, limitations, conditions, or provisions of the permit, but are also the sole extent of the authorization granted by the permit. If a vehicle and load are found to be off the route or routes prescribed by any permit authorizing movement, the vehicle and load are operating without a permit. Any off-route ~~off-route~~ movement shall be subject to the size and weight maximums, under the applicable provisions of this Chapter, as determined by the type or class highway upon which the vehicle and load are being operated.

(i) Whenever any vehicle is operated or movement made under a fraudulent permit the permit shall be void, and the person, firm, or corporation to whom such permit was granted, the driver of such vehicle in addition to the person who issued such permit and any accessory, shall be guilty of fraud and either one or all persons may be prosecuted for such violation. Any person, firm, or corporation committing such violation shall be guilty of a Class 4 felony and the Department shall not issue permits to the person, firm

or corporation convicted of such violation for a period of one year after the date of conviction. Penalties for violations of this Section shall be in addition to any penalties imposed for violation of other Sections of this Code ~~Act~~.

(j) Whenever any vehicle is operated or movement made in violation of a permit issued in accordance with this Section, the person to whom such permit was granted, or the driver of such vehicle, is guilty of such violation and either, but not both, persons may be prosecuted for such violation as stated in this subsection (j). Any person, firm or corporation convicted of such violation shall be guilty of a petty offense and shall be fined for the first offense, not less than $50 nor more than $200 and, for the second offense by the same person, firm or corporation within a period of one year, not less than $200 nor more than $300 and, for the third offense by the same person, firm or corporation within a period of one year after the date of the first offense, not less than $300 nor more than $500 and the Department shall not issue permits to the person, firm or corporation convicted of a third offense during a period of one year after the date of conviction for such third offense.

(k) Whenever any vehicle is operated on local roads under permits for excess width or length issued by local authorities, such vehicle may be moved upon a State highway for a distance not to exceed one-half mile without a permit for the purpose of crossing the State highway.

(l) Notwithstanding any other provision of this Section, the Department, with respect to highways under its jurisdiction, and local authorities, with respect to highways under their jurisdiction, may at their discretion authorize the movement of a vehicle in violation of any size or weight requirement, or both, that would not ordinarily be eligible for a permit, when there is a showing of extreme necessity that the vehicle and load should be moved without unnecessary delay.

For the purpose of this subsection, showing of extreme necessity shall be limited to the following: shipments of livestock, hazardous materials, liquid concrete being hauled in a mobile cement mixer, or hot asphalt.

(m) Penalties for violations of this Section shall be in addition to any penalties imposed for violating any other Section of this Code.

(n) The Department with respect to highways under its jurisdiction and local authorities with respect to highways under their jurisdiction, in their discretion and upon application in writing, may issue a special permit for continuous limited operation, authorizing the applicant to operate a tow truck ~~tow-truck~~ that exceeds the weight limits provided for in subsection (a) of Section 15-111, provided:

(1) no rear single axle of the tow truck ~~tow-truck~~ exceeds 26,000 pounds;

(2) no rear tandem axle of the tow truck ~~tow-truck~~ exceeds 50,000 pounds;

(2.1) no triple rear axle on a manufactured recovery unit exceeds 60,000 pounds;

(3) neither the disabled vehicle nor the disabled combination of vehicles exceed the weight restrictions imposed by this Chapter 15, or the weight limits imposed under a permit issued by the Department prior to hookup;

(4) the tow truck ~~tow-truck~~ prior to hookup does not exceed the weight restrictions imposed by this Chapter 15;

(5) during the tow operation the tow truck ~~tow-truck~~ does not violate any weight restriction sign;

(6) the tow truck ~~tow-truck~~ is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;

(7) the tow truck ~~tow-truck~~ is specifically designed and licensed as a tow truck ~~tow-truck~~;

(8) the tow truck ~~tow-truck~~ has a gross vehicle weight rating of sufficient capacity to safely handle the load;

(9) the tow truck ~~tow-truck~~ is equipped with air brakes;

(10) the tow truck ~~tow-truck~~ is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles;

(11) the tow commences at the initial point of wreck or disablement and terminates at a point where the repairs are actually to occur;

(12) the permit issued to the tow truck ~~tow-truck~~ is carried in the tow truck ~~tow-truck~~ and exhibited on demand by a police officer; and

(13) the movement shall be valid only on State ~~state~~ routes approved by the Department.

(o) (Blank).

(p) In determining whether a load may be reasonably dismantled or disassembled for the purpose of subsection ~~paragraph~~ (a), the Department shall consider whether there is a significant negative impact on the condition of the pavement and structures along the proposed route, whether the load or vehicle as

proposed causes a safety hazard to the traveling public, whether dismantling or disassembling the load promotes or stifles economic development and whether the proposed route travels less than 5 miles. A load is not required to be dismantled or disassembled for the purposes of subsection ~~paragraph~~ (a) if the Secretary of the Department determines there will be no significant negative impact to pavement or structures along the proposed route, the proposed load or vehicle causes no safety hazard to the traveling public, dismantling or disassembling the load does not promote economic development and the proposed route travels less than 5 miles. The Department may promulgate rules for the purpose of establishing the divisibility of a load pursuant to subsection ~~paragraph~~ (a). Any load determined by the Secretary to be nondivisible shall otherwise comply with the existing size or weight maximums specified in this Chapter. (Source: P.A. 99-717, eff. 8-5-16; 100-70, eff. 8-11-17; revised 10-12-17.)

(625 ILCS 5/15-312) (from Ch. 95 1/2, par. 15-312)

Sec. 15-312. Fees for Police Escort. When State Police escorts are required by the Department of Transportation for the safety of the motoring public, the following fees shall be paid by the applicant:

(1) to the Department of Transportation: $40 per hour per vehicle based upon the pre-estimated time of the movement to be agreed upon between the Department and the applicant, with a minimum fee of $80 per vehicle; and

(2) to the Illinois State Police: $75 ~~$60~~ per hour per State Police vehicle based upon the actual time of the movement, with a minimum fee of $300 per State Police vehicle. The Illinois State Police shall remit the moneys to the State Treasurer, who shall deposit the moneys into the Over Dimensional Load Police Escort Fund.

The actual time of the movement shall be the time the police escort is required to pick up the movement to the time the movement is completed. Any delays or breakdowns shall be considered part of the movement time. Any fraction of an hour shall be rounded up to the next whole hour.
(Source: P.A. 95-787, eff. 1-1-09.)".

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.

On motion of Senator T. Cullerton, **House Bill No. 5777** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5777

AMENDMENT NO. 1. Amend House Bill 5777 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-44025 as follows:

(55 ILCS 5/5-44025)

Sec. 5-44025. Dissolution of units of local government.

(a) A county board may, by ordinance, propose the dissolution of a unit of local government. The ordinance shall detail the purpose and cost savings to be achieved by such dissolution, and be published in a newspaper of general circulation served by the unit of local government and on the county's website, if applicable.

(b) Upon the effective date of an ordinance enacted pursuant to subsection (a) of this Section, the chairman of the county board shall cause an audit of all claims against the unit, all receipts of the unit, the inventory of all real and personal property owned by the unit or under its control or management, and any debts owed by the unit. The chairman may, at his or her discretion, undertake any other audit or financial review of the affairs of the unit. The person or entity conducting such audit shall report the findings of the audit to the county board and to the chairman of the county board within 30 days or as soon thereafter as is practicable.

(c) Following the return of the audit report required by subsection (b) of this Section, the county board may adopt an ordinance authorizing the dissolution of ~~dissolving~~ the unit not less than 60 ~~150~~ days following the court's appointment of a trustee-in-dissolution as provided in this Division ~~effective date of the ordinance~~. Upon adoption of the ordinance, but not before the end of the 30-day period set forth in subsection (e) of this Section and prior to its effective date, the chairman of the county board shall petition the circuit court for an order designating a trustee-in-dissolution for the unit, immediately terminating the terms of the members of the governing board of the unit of local government ~~on the effective date of the~~

~~ordinance~~, and providing for the compensation of the trustee, which shall be paid from the corporate funds of the unit.

(d) Upon the court's appointment of a trustee-in-dissolution ~~effective date of an ordinance enacted under subsection (c) of this Section~~, and notwithstanding any other provision of law, the State's attorney, or his or her designee, shall become the exclusive legal representative of the dissolving unit of local government. The county treasurer shall become the treasurer of the unit of local government and the county clerk shall become the secretary of the unit of local government.

(e) Any dissolution of a unit of local government proposed pursuant to this Act shall be subject to a backdoor referendum. Upon adoption of ~~In addition to, or as part of,~~ the authorizing ordinance enacted pursuant to subsection (c) of this Section, the county shall publish a notice ~~shall be published~~ that includes: (1) the specific number of voters required to sign a petition requesting that the question of dissolution be submitted to referendum; (2) the time when such petition must be filed; (3) the date of the prospective referendum; and (4) the statement of the cost savings and the purpose or basis for the dissolution as set forth in the authorizing ordinance under subsection (a) of this Section. The county's election authority shall provide a petition form to anyone requesting one. If no petition is filed with the county's election authority within 30 days of publication of the authorizing ordinance and notice, the chairman of the county board is authorized to proceed pursuant to subsection (c) of this Section ~~the ordinance shall become effective~~.

However, the election authority shall certify the question for submission at the next election held in accordance with general election law if a petition: (1) is filed within the 30-day period; (2) is signed by electors numbering either 7.5% of the registered voters in the governmental unit or 200 registered voters, whichever is less; and (3) asks that the question of dissolution be submitted to referendum.

The election authority shall submit the question to voters residing in the area served by the unit of local government in substantially the following form:

Shall the county board be authorized to dissolve [name of unit of local government]?

The election authority shall record the votes as "Yes" or "No".

If a majority of the votes cast on the question at such election are in favor of dissolution of the unit of local government and provided that notice of the referendum was provided as set forth in Section 12-5 of the Election Code, the chairman of the county board is authorized to proceed pursuant to subsection (c) of this Section.

(Source: P.A. 98-126, eff. 8-2-13.)".

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 Haine, **House Bill No. 5447** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rooney
Anderson	Curran	Martinez	Rose
Aquino	Fowler	McCann	Sandoval
Barickman	Haine	McCarter	Schimpf
Bennett	Harmon	McConnaughay	Silverstein
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Hastings	Morrison	Stadelman
Bivins	Holmes	Mulroe	Steans
Brady	Hunter	Muñoz	Syverson
Bush	Hutchinson	Murphy	Tracy
Castro	Jones, E.	Nybo	Van Pelt

Clayborne	Koehler	Oberweis	Weaver
Collins	Landek	Raoul	Mr. President
Connelly	Lightford	Rezin	
Cullerton, T.	Link	Righter	

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.

On motion of Senator Manar, **House Bill No. 5627** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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.

On motion of Senator Lightford, **House Bill No. 5696** 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 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rooney
Anderson	Curran	Martinez	Rose
Aquino	Fowler	McCann	Sandoval
Barickman	Haine	McCarter	Schimpf
Bennett	Harmon	McConnaughay	Silverstein
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Hastings	Morrison	Stadelman
Bivins	Holmes	Mulroe	Steans
Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Van Pelt

Castro	Jones, E.	Nybo	Weaver
Clayborne	Koehler	Oberweis	Mr. President
Collins	Landek	Raoul	
Connelly	Lightford	Rezin	
Cullerton, T.	Link	Righter	

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.

On motion of Senator Manar, **House Bill No. 5786** 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 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator T. Cullerton, **House Bill No. 5814** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Martinez	Rose
Aquino	Fowler	McCann	Sandoval
Barickman	Haine	McCarter	Schimpf
Bennett	Harmon	McConnaughay	Silverstein
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Hastings	Morrison	Stadelman
Bivins	Holmes	Mulroe	Steans
Brady	Hunter	Muñoz	Syverson
Bush	Hutchinson	Murphy	Tracy

Castro	Jones, E.	Nybo	Van Pelt
Clayborne	Koehler	Oberweis	Weaver
Collins	Landek	Raoul	Mr. President
Connelly	Lightford	Rezin	
Cullerton, T.	Link	Righter	
Cunningham	Manar	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.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Hastings, **House Bill No. 4554** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4554

AMENDMENT NO. 1. Amend House Bill 4554 on page 9, line 14, by inserting "(i)", after "defendant"; and

on page 9, line 19, by inserting "(ii)", after "and"; and

on page 10, by inserting immediately below line 9 the following:

""Traffic control devices" means all signs, signals, markings, and devices that conform to the Illinois Manual on Uniform Traffic Control Devices, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.".

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

At the hour of 6:49 o'clock p.m., Senator Lightford, presiding.

On motion of Senator Harmon, **House Bill No. 5341** was taken up, read by title a second time and ordered to a third reading.

At the hour of 6:50 o'clock p.m., Senator Harmon, presiding.

On motion of Senator Muñoz, **House Bill No. 5868** was taken up, read by title a second time and ordered to a third reading.

SENATE BILL RECALLED

On motion of Senator Lightford, **Senate Bill No. 203** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 203

AMENDMENT NO. 1. Amend Senate Bill 203 by replacing everything after the enacting clause with the following:

"Section 5. The Prevailing Wage Act is amended by changing Sections 5 and 5.1 and by adding Sections 3.1 and 3.2 as follows:

(820 ILCS 130/3.1 new)

Sec. 3.1. Employment of local laborers; report. The Department of Labor shall report annually, no later than February 1, to the General Assembly and the Governor the number of people employed on public works in the State during the preceding calendar year. This report shall include the total number of people employed and the total number of hours worked on public works both statewide and by county. Additionally, the report shall include the total number of people employed and the hours worked on public works by the 5-digit zip code, as collected on certified payroll, of the individual's residence during employment on public works. The report shall analyze the extent to which, in each county in the State, public works projects employed workers who resided in the county at the time the project was performed. The report to the General Assembly shall be 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 Secretary shall direct.

(820 ILCS 130/3.2 new)

Sec. 3.2. Employment of females and minorities on public works.

(a) The Department of Labor shall study and report on the participation of females and minorities on public works in Illinois. The Department of Labor shall use certified payrolls collected under Section 5.1 to obtain this information. The Department of Labor shall use the same categories for gender, race, and ethnicity as the U.S. Census Bureau for data collected under Section 5.

(b) No later than December 31, 2020, the Department of Labor shall create recommendations for female and minority participation on public works projects by county. The Department of Labor shall use its own study, data from the U.S. Department of Labor's goals for Davis-Bacon Act covered projects, and any available data from the State or federal governments.

(c) The Department of Labor shall adopt rules to implement this Section.

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

Sec. 5. Certified payroll.

(a) Any contractor and each subcontractor who participates in public works shall:

(1) make and keep, for a period of not less than 3 years from the date of the last payment made before January 1, 2014 (the effective date of Public Act 98-328) and for a period of 5 years from the date of the last payment made on or after January 1, 2014 (the effective date of Public Act 98-328) on a contract or subcontract for public works, records of all laborers, mechanics, and other workers employed by them on the project; the records shall include (i) the worker's name, (ii) the worker's address, (iii) the worker's telephone number when available, (iv) the last 4 digits of the worker's social security number, (v) the worker's gender, (vi) the worker's race, (vii) the worker's ethnicity, (viii) veteran status, (ix) the worker's classification or classifications, (x) ~~(vi)~~ the worker's gross and net wages paid in each pay period, (xi) ~~(vii)~~ the worker's number of hours worked each day, (xii) ~~(viii)~~ the worker's starting and ending times of work each day, (xiii) ~~(ix)~~ the worker's hourly wage rate, (xiv) ~~(x)~~ the worker's hourly overtime wage rate, (xv) ~~(xi)~~ the worker's hourly fringe benefit rates, (xvi) ~~(xii)~~ the name and address of each fringe benefit fund, (xvii) ~~(xiii)~~ the plan sponsor of each fringe benefit, if applicable, and (xviii) ~~(xiv)~~ the plan administrator of each fringe benefit, if applicable; and

(2) no later than the 15th day of each calendar month file a certified payroll for the immediately preceding month with the public body in charge of the project until the Department of Labor activates the database created under Section 5.1 at which time certified payroll shall only be submitted to that database, except for projects done by State agencies that opt to have contractors submit certified payrolls directly to that State agency. A State agency that opts to directly receive certified payrolls must submit the required information in a specified electronic format to the Department of Labor no later than 10 days after the certified payroll was filed with the State agency. A certified payroll must be filed for only those calendar months during which construction on a public works project has occurred. The certified payroll shall consist of a complete copy of the records identified in paragraph (1) of this subsection (a), but may exclude the starting and ending times of work each day. The certified payroll shall be accompanied by a statement signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor which avers that: (i) he or she has examined the certified payroll records required to be submitted by the Act and such records are true and accurate; (ii) the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by this Act; and (iii) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class A misdemeanor. A general contractor is not prohibited from relying on the certification of a lower tier subcontractor, provided the general contractor does not knowingly rely upon a subcontractor's false certification. Any contractor or subcontractor subject to this Act and any officer, employee, or agent of such contractor or subcontractor whose duty as such officer, employee, or agent it is to file such certified payroll who willfully fails to file such a certified payroll on or before the date such certified payroll is required by this paragraph to be filed and any person who willfully files a false

certified payroll that is false as to any material fact is in violation of this Act and guilty of a Class A misdemeanor. The public body in charge of the project shall keep the records submitted in accordance with this paragraph (2) of subsection (a) before January 1, 2014 (the effective date of Public Act 98-328) for a period of not less than 3 years, and the records submitted in accordance with this paragraph (2) of subsection (a) on or after January 1, 2014 (the effective date of Public Act 98-328) for a period of 5 years, from the date of the last payment for work on a contract or subcontract for public works or until the Department of Labor activates the database created under Section 5.1, whichever is less. After the activation of the database created under Section 5.1, the Department of Labor rather than the public body in charge of the project shall keep the records and maintain the database. The records submitted in accordance with this paragraph (2) of subsection (a) shall be considered public records, except an employee's address, telephone number, ~~and~~ social security number, race, ethnicity, and gender, and made available in accordance with the Freedom of Information Act. The public body shall accept any reasonable submissions by the contractor that meet the requirements of this Section.

A contractor, subcontractor, or public body may retain records required under this Section in paper or electronic format.

(b) Upon 7 business days' notice, the contractor and each subcontractor shall make available for inspection and copying at a location within this State during reasonable hours, the records identified in paragraph (1) of subsection (a) of this Section to the public body in charge of the project, its officers and agents, the Director of Labor and his deputies and agents, and to federal, State, or local law enforcement agencies and prosecutors.

(c) A contractor or subcontractor who remits contributions to fringe benefit funds that are jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act shall make and keep certified payroll records that include the information required under items (i) through (viii) of paragraph (1) of subsection (a) only. However, the information required under items (ix) through (xiv) of paragraph (1) of subsection (a) shall be required for any contractor or subcontractor who remits contributions to a fringe benefit fund that is not jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act.

(d) The Department of Labor shall adopt rules to implement this Section.

(Source: P.A. 97-571, eff. 1-1-12; 98-328, eff. 1-1-14; 98-482, eff. 1-1-14; 98-756, eff. 7-16-14.)

(820 ILCS 130/5.1)

Sec. 5.1. Electronic database. The ~~Subject to appropriation, the~~ Department shall develop and maintain an electronic database capable of accepting and retaining certified payrolls submitted under this Act no later than April 1, 2019. The database shall accept certified payroll forms provided by the Department that are fillable and designed to accept electronic signatures. The Department of Labor shall adopt rules to implement this Section.

(Source: P.A. 98-482, eff. 1-1-14.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 203

AMENDMENT NO. 2. Amend Senate Bill 203, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, by replacing lines 2 through 5 with the following: "during employment on public works. The report to the General Assembly".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 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 Lightford, **Senate Bill No. 203** 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 56; NAYS None.

The following voted in the affirmative:

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Sandoval, **House Bill No. 1190** 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 57; NAYS None.

The following voted in the affirmative:

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

HOUSE BILL RECALLED

On motion of Senator Mulroe, **House Bill No. 3648** was recalled from the order of third reading to the order of second reading.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3648

AMENDMENT NO. 1. Amend House Bill 3648 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 4-2003 as follows:
(55 ILCS 5/4-2003) (from Ch. 34, par. 4-2003)
Sec. 4-2003. Assistants.
(a) Except as provided in Section 4-2001, where assistant State's Attorneys are required in any county, the number of such assistants shall be determined by the county board, and the salaries of such assistants shall be fixed by the State's Attorney subject to budgetary limitations established by the county board and paid out of the county treasury in quarterly annual installments, on the order of the county board on the treasurer of said county. Such assistant State's Attorneys are to be named by the State's Attorney of the county, and when so appointed shall take the oath of office in the same manner as State's Attorneys and shall be under the supervision of the State's Attorney.
(b) The State's Attorney may appoint qualified attorneys to assist as Special Assistant State's Attorneys when the public interest so requires.
(Source: P.A. 91-273, eff. 1-1-00; 91-357, eff. 7-29-99.)".

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 Mulroe, **House Bill No. 3648** 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 57; NAYS None.

The following voted in the affirmative:

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

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. 3920** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 37; NAYS 15.

The following voted in the affirmative:

Aquino	Harmon	Martinez	Silverstein
Bertino-Tarrant	Harris	McCann	Sims
Biss	Hastings	McGuire	Stadelman
Bivins	Holmes	Morrison	Steans
Bush	Hunter	Mulroe	Tracy
Castro	Hutchinson	Muñoz	Van Pelt
Clayborne	Jones, E.	Murphy	Mr. President
Collins	Koehler	Oberweis	
Cunningham	Lightford	Raoul	
Haine	Link	Sandoval	

The following voted in the negative:

Althoff	Connelly	McCarter	Rooney
Anderson	Curran	McConnaughay	Schimpf
Barickman	Landek	Rezin	Syverson
Brady	Manar	Righter	

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.

Senator Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **House Bill No. 3920**.

On motion of Senator Rezin, **House Bill No. 4193** 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 56; NAYS None.

The following voted in the affirmative:

Althoff	Curran	Martinez	Sandoval
Anderson	Fowler	McCann	Schimpf
Aquino	Haine	McCarter	Silverstein
Barickman	Harmon	McConnaughay	Sims
Bertino-Tarrant	Harris	McGuire	Stadelman
Biss	Hastings	Morrison	Steans
Bivins	Holmes	Mulroe	Syverson
Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Van Pelt

Castro	Jones, E.	Nybo	Weaver
Clayborne	Koehler	Oberweis	Mr. President
Collins	Landek	Raoul	
Connelly	Lightford	Rezin	
Cullerton, T.	Link	Righter	
Cunningham	Manar	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.

On motion of Senator Lightford, **House Bill No. 4409** 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 55; NAYS None.

The following voted in the affirmative:

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

HOUSE BILL RECALLED

On motion of Senator Harris, **House Bill No. 4420** was recalled from the order of third reading to the order of second reading.

Senator Harris moved to reconsider the vote by which Senate Amendment No. 1 was adopted.

The motion prevailed.

Senator Harris moved that Senate Amendment No. 1 to **House Bill No. 4420** be ordered to lie on the table.

The motion to table prevailed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Harris, **House Bill No. 4420** 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 55; NAYS None.

The following voted in the affirmative:

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

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.

On motion of Senator Mulroe, **House Bill No. 4440** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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.

On motion of Senator Lightford, **House Bill No. 4442** 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 2.

The following voted in the affirmative:

Althoff	Cunningham	Link	Rose
Aquino	Fowler	Manar	Sandoval
Barickman	Haine	Martinez	Schimpf
Bennett	Harmon	McConnaughay	Silverstein
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Hastings	Morrison	Stadelman
Brady	Holmes	Mulroe	Steans
Bush	Hunter	Muñoz	Tracy
Castro	Hutchinson	Murphy	Van Pelt
Clayborne	Jones, E.	Nybo	Mr. President
Collins	Koehler	Raoul	
Connelly	Landek	Rezin	
Cullerton, T.	Lightford	Righter	

The following voted in the negative:

McCarter
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.

HOUSE BILL RECALLED

On motion of Senator Koehler, **House Bill No. 4507** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4507

AMENDMENT NO. 1. Amend House Bill 4507 by replacing everything after the enacting clause with the following:

"Section 5. The Retailers' Occupation Tax Act is amended by changing Section 1f as follows:
(35 ILCS 120/1f) (from Ch. 120, par. 440f)

Sec. 1f. Except for High Impact Businesses, the exemption stated in Sections 1d and 1e of this Act shall only apply to business enterprises which:

(1) either (i) make investments which cause the creation of a minimum of 200 full-time equivalent jobs in Illinois or (ii) make investments which cause the retention of a minimum of 2000 full-time jobs in Illinois or (iii) make investments of a minimum of $40,000,000 and retain at least 90% of the jobs in place on the date on which the exemption is granted and for the duration of the exemption; and

(2) are located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act; and

(3) are certified by the Department of Commerce and Economic Opportunity as complying with the requirements specified in clauses (1) and (2).

In addition, from March 1, 2010 to July 31, 2012, the exemption stated in Sections 1d and 1e of this Act shall also apply to a business enterprise that (i) complied with the requirements specified in clause (1) above as of March 1, 2010, (ii) receives certification from the Department of Commerce and Economic Opportunity, (iii) was a Department of Commerce and Economic Opportunity certified business enterprise in 2009, and (iv) retained a minimum of 500 full-time equivalent jobs in Illinois in 2009 and 2010, 675

full-time equivalent jobs in Illinois in 2011, 850 full-time equivalent jobs in Illinois in 2012, and 1,000 full-time equivalent jobs in Illinois in 2013; those jobs must have been created in the manufacturing sector as defined by the North American Industry Classification System.

Any business enterprise seeking to avail itself of the exemptions stated in Sections 1d or 1e, or both, shall make application to the Department of Commerce and Economic Opportunity in such form and providing such information as may be prescribed by the Department of Commerce and Economic Opportunity. However, no business enterprise shall be required, as a condition for certification under clause (3) ~~(4)~~ of this Section, to attest that its decision to invest under clause (1) of this Section and to locate under clause (2) of this Section is predicated upon the availability of the exemptions authorized by Sections 1d or 1e.

The Department of Commerce and Economic Opportunity shall determine whether the business enterprise meets the criteria prescribed in this Section. If the Department of Commerce and Economic Opportunity determines that such business enterprise meets the criteria, it shall issue a certificate of eligibility for exemption to the business enterprise in such form as is prescribed by the Department of Revenue. The Department of Commerce and Economic Opportunity shall act upon such certification requests within 60 days after receipt of the application, and shall file with the Department of Revenue a copy of each certificate of eligibility for exemption.

The Department of Commerce and Economic Opportunity shall have the power to promulgate rules and regulations to carry out the provisions of this Section including the power to define the amounts and types of eligible investments not specified in this Section which business enterprises must make in order to receive the exemptions stated in Sections 1d and 1e of this Act; and to require that any business enterprise that is granted a tax exemption repay the exempted tax if the business enterprise fails to comply with the terms and conditions of the certification.

Such certificate of eligibility for exemption shall be presented by the business enterprise to its supplier when making the initial purchase of tangible personal property for which an exemption is granted by Section 1d or Section 1e, or both, together with a certification by the business enterprise that such tangible personal property is exempt from taxation under Section 1d or Section 1e and by indicating the exempt status of each subsequent purchase on the face of the purchase order.

The Department of Commerce and Economic Opportunity shall determine the period during which such exemption from the taxes imposed under this Act is in effect which shall not exceed 20 years.
(Source: P.A. 98-463, eff. 8-16-13.)

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

The motion prevailed.
And the amendment was adopted and ordered printed.
Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 4507

AMENDMENT NO. 2. Amend House Bill 4507, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1 as follows:

on page 4, immediately below line 14, by inserting the following:

"Section 10. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:
(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(a-5) If the redevelopment project area is located within a transit facility improvement area established pursuant to Section 11-74.4-3, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad

valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted.

(a-7) A municipality may adopt tax increment financing for a redevelopment project area located in a transit facility improvement area that also includes real property located within an existing redevelopment project area established prior to August 12, 2016 (the effective date of Public Act 99-792). In such case: (i) the provisions of this Division shall apply with respect to the previously established redevelopment project area until the municipality adopts, as required in accordance with applicable provisions of this Division, an ordinance dissolving the special tax allocation fund for such redevelopment project area and terminating the designation of such redevelopment project area as a redevelopment project area; and (ii) after the effective date of the ordinance described in (i), the provisions of this Division shall apply with respect to the subsequently established redevelopment project area located in a transit facility improvement area.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

(1) If the ordinance was adopted before January 15, 1981.

(2) If the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989.

(3) If the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport.

(4) If the ordinance was adopted before January 1, 1987 by a municipality in Mason County.

(5) If the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law.

(6) If the ordinance was adopted in December 1984 by the Village of Rosemont.

(7) If the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least $250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least $250,000 of tax increment bonds were authorized on June 17, 1997.

(8) If the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis.

(9) If the ordinance was adopted on November 12, 1991 by the Village of Sauget.

(10) If the ordinance was adopted on February 11, 1985 by the City of Rock Island.

(11) If the ordinance was adopted before December 18, 1986 by the City of Moline.

(12) If the ordinance was adopted in September 1988 by Sauk Village.

(13) If the ordinance was adopted in October 1993 by Sauk Village.

(14) If the ordinance was adopted on December 29, 1986 by the City of Galva.

(15) If the ordinance was adopted in March 1991 by the City of Centreville.
(16) If the ordinance was adopted on January 23, 1991 by the City of East St. Louis.
(17) If the ordinance was adopted on December 22, 1986 by the City of Aledo.
(18) If the ordinance was adopted on February 5, 1990 by the City of Clinton.
(19) If the ordinance was adopted on September 6, 1994 by the City of Freeport.
(20) If the ordinance was adopted on December 22, 1986 by the City of Tuscola.
(21) If the ordinance was adopted on December 23, 1986 by the City of Sparta.
(22) If the ordinance was adopted on December 23, 1986 by the City of Beardstown.
(23) If the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville.
(24) If the ordinance was adopted on December 29, 1986 by the City of Collinsville.
(25) If the ordinance was adopted on September 14, 1994 by the City of Alton.
(26) If the ordinance was adopted on November 11, 1996 by the City of Lexington.
(27) If the ordinance was adopted on November 5, 1984 by the City of LeRoy.
(28) If the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham.
(29) If the ordinance was adopted on November 11, 1986 by the City of Pekin.
(30) If the ordinance was adopted on December 15, 1981 by the City of Champaign.
(31) If the ordinance was adopted on December 15, 1986 by the City of Urbana.
(32) If the ordinance was adopted on December 15, 1986 by the Village of Heyworth.
(33) If the ordinance was adopted on February 24, 1992 by the Village of Heyworth.
(34) If the ordinance was adopted on March 16, 1995 by the Village of Heyworth.
(35) If the ordinance was adopted on December 23, 1986 by the Town of Cicero.
(36) If the ordinance was adopted on December 30, 1986 by the City of Effingham.
(37) If the ordinance was adopted on May 9, 1991 by the Village of Tilton.
(38) If the ordinance was adopted on October 20, 1986 by the City of Elmhurst.
(39) If the ordinance was adopted on January 19, 1988 by the City of Waukegan.
(40) If the ordinance was adopted on September 21, 1998 by the City of Waukegan.
(41) If the ordinance was adopted on December 31, 1986 by the City of Sullivan.
(42) If the ordinance was adopted on December 23, 1991 by the City of Sullivan.
(43) If the ordinance was adopted on December 31, 1986 by the City of Oglesby.
(44) If the ordinance was adopted on July 28, 1987 by the City of Marion.
(45) If the ordinance was adopted on April 23, 1990 by the City of Marion.
(46) If the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect.
(47) If the ordinance was adopted on February 2, 1998 by the Village of Woodhull.
(48) If the ordinance was adopted on April 20, 1993 by the Village of Princeville.
(49) If the ordinance was adopted on July 1, 1986 by the City of Granite City.
(50) If the ordinance was adopted on February 2, 1989 by the Village of Lombard.
(51) If the ordinance was adopted on December 29, 1986 by the Village of Gardner.
(52) If the ordinance was adopted on July 14, 1999 by the Village of Paw Paw.
(53) If the ordinance was adopted on November 17, 1986 by the Village of Franklin Park.
(54) If the ordinance was adopted on November 20, 1989 by the Village of South Holland.
(55) If the ordinance was adopted on July 14, 1992 by the Village of Riverdale.
(56) If the ordinance was adopted on December 29, 1986 by the City of Galesburg.
(57) If the ordinance was adopted on April 1, 1985 by the City of Galesburg.
(58) If the ordinance was adopted on May 21, 1990 by the City of West Chicago.
(59) If the ordinance was adopted on December 16, 1986 by the City of Oak Forest.
(60) If the ordinance was adopted in 1999 by the City of Villa Grove.
(61) If the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion.
(62) If the ordinance was adopted on December 30, 1986 by the Village of Manteno.
(63) If the ordinance was adopted on April 3, 1989 by the City of Chicago Heights.
(64) If the ordinance was adopted on January 6, 1999 by the Village of Rosemont.
(65) If the ordinance was adopted on December 19, 2000 by the Village of Stone Park.
(66) If the ordinance was adopted on December 22, 1986 by the City of DeKalb.
(67) If the ordinance was adopted on December 2, 1986 by the City of Aurora.
(68) If the ordinance was adopted on December 31, 1986 by the Village of Milan.
(69) If the ordinance was adopted on September 8, 1994 by the City of West Frankfort.
(70) If the ordinance was adopted on December 23, 1986 by the Village of Libertyville.
(71) If the ordinance was adopted on December 22, 1986 by the Village of Hoffman

Estates.

(72) If the ordinance was adopted on September 17, 1986 by the Village of Sherman.

(73) If the ordinance was adopted on December 16, 1986 by the City of Macomb.

(74) If the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF.

(75) If the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF.

(76) If the ordinance was adopted on August 7, 2000 by the City of Des Plaines.

(77) If the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2.

(78) If the ordinance was adopted on December 29, 1986 by the City of Morris.

(79) If the ordinance was adopted on July 6, 1998 by the Village of Steeleville.

(80) If the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF).

(81) If the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF).

(82) If the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District.

(83) If the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District.

(84) If the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District.

(85) If the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District.

(86) If the ordinance was adopted on December 27, 1986 by the City of Mendota.

(87) If the ordinance was adopted on December 31, 1986 by the Village of Cahokia.

(88) If the ordinance was adopted on September 20, 1999 by the City of Belleville.

(89) If the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1.

(90) If the ordinance was adopted on December 13, 1993 by the Village of Crete.

(91) If the ordinance was adopted on February 12, 2001 by the Village of Crete.

(92) If the ordinance was adopted on April 23, 2001 by the Village of Crete.

(93) If the ordinance was adopted on December 16, 1986 by the City of Champaign.

(94) If the ordinance was adopted on December 20, 1986 by the City of Charleston.

(95) If the ordinance was adopted on June 6, 1989 by the Village of Romeoville.

(96) If the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice.

(97) If the ordinance was adopted on June 1, 1994 by the City of Markham.

(98) If the ordinance was adopted on May 19, 1998 by the Village of Bensenville.

(99) If the ordinance was adopted on November 12, 1987 by the City of Dixon.

(100) If the ordinance was adopted on December 20, 1988 by the Village of Lansing.

(101) If the ordinance was adopted on October 27, 1998 by the City of Moline.

(102) If the ordinance was adopted on May 21, 1991 by the Village of Glenwood.

(103) If the ordinance was adopted on January 28, 1992 by the City of East Peoria.

(104) If the ordinance was adopted on December 14, 1998 by the City of Carlyle.

(105) If the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District.

(106) If the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District.

(107) If the ordinance was adopted on March 30, 1992 by the Village of Ohio.

(108) If the ordinance was adopted on July 6, 1998 by the Village of Orangeville.

(109) If the ordinance was adopted on December 16, 1997 by the Village of Germantown.

(110) If the ordinance was adopted on April 28, 2003 by Gibson City.

(111) If the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance.

(112) If the ordinance was adopted on February 28, 2000 by the City of Harvey.

(113) If the ordinance was adopted on January 11, 1991 by the City of Chicago to create

the Read/Dunning TIF District.

(114) If the ordinance was adopted on July 24, 1991 by the City of Chicago to create the Sanitary and Ship Canal TIF District.

(115) If the ordinance was adopted on December 4, 2007 by the City of Naperville.

(116) If the ordinance was adopted on July 1, 2002 by the Village of Arlington Heights.

(117) If the ordinance was adopted on February 11, 1991 by the Village of Machesney Park.

(118) If the ordinance was adopted on December 29, 1993 by the City of Ottawa.

(119) If the ordinance was adopted on June 4, 1991 by the Village of Lansing.

(120) If the ordinance was adopted on February 10, 2004 by the Village of Fox Lake.

(121) If the ordinance was adopted on December 22, 1992 by the City of Fairfield.

(122) If the ordinance was adopted on February 10, 1992 by the City of Mt. Sterling.

(123) If the ordinance was adopted on March 15, 2004 by the City of Batavia.

(124) If the ordinance was adopted on March 18, 2002 by the Village of Lake Zurich.

(125) If the ordinance was adopted on September 23, 1997 by the City of Granite City.

(126) If the ordinance was adopted on May 8, 2013 by the Village of Rosemont to create the Higgins Road/River Road TIF District No. 6.

(127) If the ordinance was adopted on November 22, 1993 by the City of Arcola.

(128) If the ordinance was adopted on September 7, 2004 by the City of Arcola.

(129) If the ordinance was adopted on November 29, 1999 by the City of Paris.

(130) If the ordinance was adopted on September 20, 1994 by the City of Ottawa to create the U.S. Route 6 East Ottawa TIF.

(131) If the ordinance was adopted on May 2, 2002 by the Village of Crestwood.

(132) If the ordinance was adopted on October 27, 1992 by the City of Blue Island.

(133) If the ordinance was adopted on December 23, 1993 by the City of Lacon.

(134) If the ordinance was adopted on May 4, 1998 by the Village of Bradford.

(135) If the ordinance was adopted on June 11, 2002 by the City of Oak Forest.

(136) If the ordinance was adopted on November 16, 1992 by the City of Pinckneyville.

(137) If the ordinance was adopted on March 1, 2001 by the Village of South Jacksonville.

(138) If the ordinance was adopted on February 26, 1992 by the City of Chicago to create the Stockyards Southeast Quadrant TIF District.

(139) If the ordinance was adopted on January 25, 1993 by the City of LaSalle.

(140) If the ordinance was adopted on December 23, 1997 by the Village of Dieterich.

(141) If the ordinance was adopted on February 10, 2016 by the Village of Rosemont to create the Balmoral/Pearl TIF No. 8 Tax Increment Financing Redevelopment Project Area.

(142) If the ordinance was adopted on June 11, 2002 by the City of Oak Forest.

(143) If the ordinance was adopted on January 31, 1995 by the Village of Milledgeville.

(144) ~~(143)~~ If the ordinance was adopted on February 5, 1996 by the Village of Pearl City.

(145) ~~(143)~~ If the ordinance was adopted on December 21, 1994 by the City of Calumet City.

(146) If the ordinance was adopted on January 30, 1996 by the City of Madison.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least $8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least $1,500,000 worth of tax

increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f-5) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 47 years for redevelopment project areas that were established on December 29, 1981 by the City of Springfield; provided that (i) the City of Springfield adopts an ordinance extending the life of the redevelopment project area to 47 years and (ii) the City of Springfield provides notice to the taxing bodies that would otherwise constitute the joint review board for the redevelopment project area not more than 30 and not less than 14 days prior to the adoption of that ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 99-78, eff. 7-20-15; 99-136, eff. 7-24-15; 99-263, eff. 8-4-15; 99-361, eff. 1-1-16; 99-394, eff. 8-18-15; 99-495, eff. 12-17-15; 99-508, eff. 6-24-16; 99-792, eff. 8-12-16; 100-201, eff. 8-18-17; 100-214, eff. 8-18-17; 100-249, eff. 8-22-17; 100-510, eff. 9-15-17; revised 10-2-17.)".

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 BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Koehler, **House Bill No. 4507** 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 54; NAY 1; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Oberweis

The following voted present:

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 Amendments adopted thereto.

On motion of Senator E. Jones III, **House Bill No. 4573** 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 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Castro, **House Bill No. 4163** 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 16; Present 1.

The following voted in the affirmative:

Aquino	Cunningham	Lightford	Raoul
Bennett	Curran	Link	Silverstein
Biss	Harmon	Martinez	Sims
Bush	Holmes	McCann	Stadelman
Castro	Hunter	Morrison	Steans
Clayborne	Hutchinson	Mulroe	Van Pelt
Collins	Jones, E.	Muñoz	Mr. President
Cullerton, T.	Koehler	Murphy	

The following voted in the negative:

Althoff	Haine	Righter	Weaver
Barickman	McCarter	Rose	

Bivins	McConnaughay	Schimpf
Brady	Oberweis	Syverson
Fowler	Rezin	Tracy

The following voted present:

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.

Senator Hastings asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 4163**.

On motion of Senator Castro, **House Bill No. 4846** 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 2.

The following voted in the affirmative:

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

The following voted in the negative:

McCarter
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.

On motion of Senator Rezin, **House Bill No. 4853** 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 53; NAYS 2.

The following voted in the affirmative:

Althoff	Curran	Manar	Sandoval
Anderson	Fowler	Martinez	Schimpf

Aquino	Haine	McCann	Silverstein
Barickman	Harmon	McConnaughay	Sims
Bennett	Harris	McGuire	Stadelman
Bertino-Tarrant	Hastings	Morrison	Steans
Biss	Holmes	Mulroe	Syverson
Bivins	Hunter	Muñoz	Tracy
Brady	Hutchinson	Murphy	Van Pelt
Bush	Jones, E.	Nybo	Weaver
Castro	Koehler	Raoul	Mr. President
Clayborne	Landek	Rezin	
Collins	Lightford	Righter	
Cunningham	Link	Rose	

The following voted in the negative:

Oberweis
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.

On motion of Senator Martinez, **House Bill No. 4882** 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 52; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

McCarter

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.

On motion of Senator Righter, as chief co-sponsor pursuant to Senate Rule 5-1(b)(i), **House Bill No. 5000** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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.

HOUSE BILL RECALLED

On motion of Senator Bennett, **House Bill No. 5020** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 5020

AMENDMENT NO. 1. Amend House Bill 5020 by replacing everything after the enacting clause with the following:

"Section 1. Legislative intent. It is the intent of the General Assembly that nothing in this Act reduces or eliminates the funding of Monetary Award Program grants by the Illinois Student Assistance Commission for first-time applicants who are not freshmen of an institution of higher learning.

Section 5. The Higher Education Student Assistance Act is amended by changing Section 35 as follows: (110 ILCS 947/35)

Sec. 35. Monetary award program.

(a) The Commission shall, each year, receive and consider applications for grant assistance under this Section. Subject to a separate appropriation for such purposes, an applicant is eligible for a grant under this Section when the Commission finds that the applicant:

(1) is a resident of this State and a citizen or permanent resident of the United States; and

(2) in the absence of grant assistance, will be deterred by financial considerations from completing an educational program at the qualified institution of his or her choice.

(b) The Commission shall award renewals only upon the student's application and upon the Commission's finding that the applicant:

(1) has remained a student in good standing;

(2) remains a resident of this State; and

(3) is in a financial situation that continues to warrant assistance.

(c) All grants shall be applicable only to tuition and necessary fee costs. The Commission shall determine the grant amount for each student, which shall not exceed the smallest of the following amounts:

(1) subject to appropriation, $5,468 for fiscal year 2009, $5,968 for fiscal year 2010, and $6,468 for fiscal year 2011 and each fiscal year thereafter, or such lesser amount as the Commission finds to be available, during an academic year;

(2) the amount which equals 2 semesters or 3 quarters tuition and other necessary fees required generally by the institution of all full-time undergraduate students; or

(3) such amount as the Commission finds to be appropriate in view of the applicant's financial resources.

Subject to appropriation, the maximum grant amount for students not subject to subdivision (1) of this subsection (c) must be increased by the same percentage as any increase made by law to the maximum grant amount under subdivision (1) of this subsection (c).

"Tuition and other necessary fees" as used in this Section include the customary charge for instruction and use of facilities in general, and the additional fixed fees charged for specified purposes, which are required generally of nongrant recipients for each academic period for which the grant applicant actually enrolls, but do not include fees payable only once or breakage fees and other contingent deposits which are refundable in whole or in part. The Commission may prescribe, by rule not inconsistent with this Section, detailed provisions concerning the computation of tuition and other necessary fees.

(d) No applicant, including those presently receiving scholarship assistance under this Act, is eligible for monetary award program consideration under this Act after receiving a baccalaureate degree or the equivalent of 135 semester credit hours of award payments.

(d-5) In this subsection (d-5), "renewing applicant" means a student attending a public institution of higher learning who received a Monetary Award Program grant during the prior academic year. Beginning with the processing of applications for the 2020-2021 academic year, the Commission shall annually publish a priority deadline date for renewing applicants. Subject to appropriation, a renewing applicant who files by the published priority deadline date shall receive a grant if he or she continues to meet the eligibility requirements under this Section. A renewing applicant's failure to apply by the priority deadline date established under this subsection (d-5) shall not disqualify him or her from receiving a grant if sufficient funding is available to provide awards after that date.

(e) The Commission, in determining the number of grants to be offered, shall take into consideration past experience with the rate of grant funds unclaimed by recipients. The Commission shall notify applicants that grant assistance is contingent upon the availability of appropriated funds.

(e-5) The General Assembly finds and declares that it is an important purpose of the Monetary Award Program to facilitate access to college both for students who pursue postsecondary education immediately following high school and for those who pursue postsecondary education later in life, particularly Illinoisans who are dislocated workers with financial need and who are seeking to improve their economic position through education. For the 2015-2016 and 2016-2017 academic years, the Commission shall give additional and specific consideration to the needs of dislocated workers with the intent of allowing applicants who are dislocated workers an opportunity to secure financial assistance even if applying later than the general pool of applicants. The Commission's consideration shall include, in determining the number of grants to be offered, an estimate of the resources needed to serve dislocated workers who apply after the Commission initially suspends award announcements for the upcoming regular academic year, but prior to the beginning of that academic year. For the purposes of this subsection (e-5), a dislocated worker is defined as in the federal Workforce Innovation and Opportunity Act.

(f) The Commission may request appropriations for deposit into the Monetary Award Program Reserve Fund. Monies deposited into the Monetary Award Program Reserve Fund may be expended exclusively for one purpose: to make Monetary Award Program grants to eligible students. Amounts on deposit in the Monetary Award Program Reserve Fund may not exceed 2% of the current annual State appropriation for the Monetary Award Program.

The purpose of the Monetary Award Program Reserve Fund is to enable the Commission each year to assure as many students as possible of their eligibility for a Monetary Award Program grant and to do so before commencement of the academic year. Moneys deposited in this Reserve Fund are intended to enhance the Commission's management of the Monetary Award Program, minimizing the necessity, magnitude, and frequency of adjusting award amounts and ensuring that the annual Monetary Award Program appropriation can be fully utilized.

(g) Until July 1, 2019, the ~~The~~ Commission shall determine the eligibility of and make grants to applicants enrolled at qualified for-profit institutions in accordance with the criteria set forth in this Section. The eligibility of applicants enrolled at such for-profit institutions shall be limited as follows:

(1) Beginning with the academic year 1997, only to eligible first-time freshmen and first-time transfer students who have attained an associate degree.

(2) Beginning with the academic year 1998, only to eligible freshmen students, transfer

students who have attained an associate degree, and students who receive a grant under paragraph (1) for the academic year 1997 and whose grants are being renewed for the academic year 1998.

(3) Beginning with the academic year 1999, to all eligible students.

(h) Beginning with the 2019-2020 academic year, the Commission may not make any grants under this Section to an applicant enrolled at a for-profit institution; except that until July 1, 2023, the Commission may award a grant renewal to an applicant enrolled at a for-profit institution if he or she otherwise meets the renewal requirements under this Section.

(i) The Commission may adopt rules to implement this Section.

(Source: P.A. 100-477, eff. 9-8-17.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 5020

AMENDMENT NO. _2_. Amend House Bill 5020, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 6, by replacing line 3 with the following:

"(g) The Commission shall determine"; and

on page 6, by deleting lines 19 through 24; and

on page 6, by replacing "(i)" with "(h)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 5020

AMENDMENT NO. _3_. Amend House Bill 5020, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, line 1, by replacing "a public" with "an".

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 Bennett, **House Bill No. 5020** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rooney
Anderson	Curran	Martinez	Rose
Aquino	Fowler	McCann	Sandoval
Barickman	Haine	McCarter	Schimpf
Bennett	Harmon	McConnaughay	Silverstein
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Hastings	Morrison	Stadelman

Bivins	Holmes	Mulroe	Steans
Brady	Hunter	Muñoz	Syverson
Bush	Hutchinson	Murphy	Tracy
Castro	Jones, E.	Nybo	Van Pelt
Clayborne	Koehler	Oberweis	Weaver
Collins	Landek	Raoul	Mr. President
Connelly	Lightford	Rezin	
Cullerton, T.	Link	Righter	

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 Link, **House Bill No. 3223** 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 55; NAYS None; Present 1.

The following voted in the affirmative:

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

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 in the Senate Amendment adopted thereto.

At the hour of 7:59 o'clock p.m., Senator Link, presiding

On motion of Senator Manar, **House Bill No. 4706** 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 4.

The following voted in the affirmative:

Aquino	Haine	Martinez	Sandoval
Barickman	Harmon	McCann	Schimpf
Bennett	Harris	McGuire	Silverstein
Bertino-Tarrant	Hastings	Morrison	Sims
Bivins	Holmes	Mulroe	Stadelman
Brady	Hunter	Muñoz	Steans
Bush	Hutchinson	Murphy	Syverson
Castro	Jones, E.	Nybo	Tracy
Clayborne	Koehler	Oberweis	Van Pelt
Collins	Landek	Raoul	Weaver
Cullerton, T.	Lightford	Righter	Mr. President
Cunningham	Link	Rooney	
Curran	Manar	Rose	

The following voted in the negative:

Anderson	McCarter
Fowler	Rezin

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.

On motion of Senator Harmon, **House Bill No. 4415** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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.

On motion of Senator Harmon, **House Bill No. 5047** 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 56; NAYS None.

The following voted in the affirmative:

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

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY’S DESK

On motion of Senator Weaver, **Senate Bill No. 2437**, with House Amendment No. 1 on the Secretary’s Desk, was taken up for immediate consideration.

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

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2437**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Althoff, **Senate Bill No. 2618**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2618**.

Ordered that the Secretary inform the House of Representatives thereof.

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bill 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 211
Motion to Concur in House Amendment 1 to Senate Bill 337
Motion to Concur in House Amendment 3 to Senate Bill 2344
Motion to Concur in House Amendment 1 to Senate Bill 2368
Motion to Concur in House Amendment 2 to Senate Bill 2407
Motion to Concur in House Amendment 1 to Senate Bill 2544
Motion to Concur in House Amendment 1 to Senate Bill 2858
Motion to Concur in House Amendment 1 to Senate Bill 3532
Motion to Concur in House Amendment 1 to Senate Bill 3547

REPORT FROM ASSIGNMENTS COMMITTEE

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Resolutions Numbered 1774 and 1797.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Higher Education: **HOUSE BILL 5721**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, to which was referred **Senate Bill No. 371** 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. 371** was returned to the order of third reading.

LEGISLATIVE MEASURES 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. 1 to House Bill 5721

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. 2 to House Bill 1804
Amendment No. 1 to House Bill 4331
Amendment No. 2 to House Bill 4781

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 275
Amendment No. 1 to Senate Bill 371

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Higher Education: **Committee Amendment No. 1 to House Bill 5721**.

COMMITTEE MEETING ANNOUNCEMENTS FOR MAY 30, 2018

The Chair announced the following committees to meet at 9:00 o'clock a.m.:

Judiciary in Room 212
Human Services in Room 400

The Chair announced the following committee to meet at 10:15 o'clock a.m.:

Revenue in Room 212

The Chair announced the following committee to meet at 11:00 o'clock a.m.:

Appropriations I in Room 400

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 29, 2018 meeting, reported that the Committee recommends that **House Bill No. 5721** and **Committee Amendment No. 1 to House Bill 5721** be re-referred from the Committee on Higher Education to the Committee on Human Services.

POSTING NOTICE WAIVED

Senator Hunter moved to waive the six-day posting requirement on **House Bill No. 5721** so that the measure may be heard in the Committee on Human Services that is scheduled to meet May 30, 2018.

The motion prevailed.

COMMUNICATION

ILLINOIS STATE SENATE
JAMES F. CLAYBORNE, JR.
MAJORITY LEADER
SENATOR · 57TH DISTRICT

DISCLOSURE TO THE SENATE

Date: 5/29/2018

Legislative Measure(s): HB4507

Venue:
Committee on _____
X Full Senate

Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

X Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/James F. Clayborne, Jr.

At the hour of 8:30 o'clock p.m., the Chair announced that the Senate stands adjourned until Wednesday, May 30, 2018, at 12:00 o'clock noon.