

**STATE OF ILLINOIS**



# **HOUSE JOURNAL**

**HOUSE OF REPRESENTATIVES**

**NINETY-FOURTH GENERAL ASSEMBLY**

**137TH LEGISLATIVE DAY**

**REGULAR SESSION**

**TUESDAY, NOVEMBER 28, 2006**

**3:31 O'CLOCK P.M.**

**HOUSE OF REPRESENTATIVES  
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137th Legislative Day**

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The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by Doorkeeper of the House Lee A. Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield, IL.

Representative Fritchey led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:

108 present. (ROLL CALL 1)

By unanimous consent, Representatives Currie and Patterson were excused from attendance.

### **REQUESTS TO BE SHOWN ON QUORUM**

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Colvin, should be recorded as present at the hour of 3:45 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Hoffman, should be recorded as present at the hour of 3:45 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Lindner, should be recorded as present.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative William Davis, should be recorded as present at the hour of 3:45 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Soto, should be recorded as present at the hour of 3:50 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Washington, should be recorded as present at the hour of 3:50 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Hassert, should be recorded as present at the hour of 3:51 o'clock p.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Cross, should be recorded as present at the hour of 3:51 o'clock p.m.

### **LETTER OF TRANSMITTAL**

November 28, 2006

Mark Mahoney  
Chief Clerk of the House  
402 State House  
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Final Action Deadline to January 9, 2007 for the following Senate Bills:

**Senate Bills: 490 and 1268.**

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

Sincerely Yours,  
s/Michael J. Madigan  
Speaker of the House

#### **TEMPORARY COMMITTEE ASSIGNMENTS**

Representative Lang replaced Representative Currie in the Committee on Rules on November 28, 2006.

Representative Lyons replaced Representative Currie in the Committee on Rules on November 28, 2006.

Representative Brady replaced Representative Hassert in the Committee on Rules on November 28, 2006.

Representative Beaubien replaced Representative Black in the Committee on Rules on November 28, 2006.

Representative Acevedo replaced Representative Currie in the Committee on Rules on November 28, 2006.

Representative Delgado replaced Representative Lang in the Committee on Judiciary I - Civil Law on November 28, 2006.

Representative Hannig replaced Representative Burke in the Committee on Personnel and Pensions on November 28, 2006.

Representative Jefferson replaced Representative Patterson in the Committee on Housing and Urban Development on November 28, 2006.

Representative Lang replaced Representative Currie in the Committee on Revenue on November 28, 2006.

Representative Feigenholtz replaced Representative Smith in the Committee on Revenue on November 28, 2006.

Representative Colvin replaced Representative Fritchey in the Committee on Transportation and Motor Vehicles on November 28, 2006.

Representative Kosel replaced Representative Munson in the Committee on Elementary & Secondary Education on November 28, 2006.

Representative Winters replaced Representative Pritchard in the Committee on Elementary & Secondary Education on November 28, 2006.

Representative McCarthy replaced Representative Smith in the Committee on Elementary & Secondary Education on November 29, 2006.

Representative Hamos replaced Representative Collins in the Committee on Human Services on November 28, 2006.

Representative Dunn replaced Representative Kosel in the Committee on Executive on November 28, 2006.

Representative Washington replaced Representative McKeon in the Committee on Executive on November 28, 2006.

Representative Burke replaced Representative Delgado in the Committee on Judiciary II - Criminal Law on November 28, 2006.

Representative Rose replaced Representative Lindner in the Committee on Judiciary II - Criminal Law on November 28, 2006.

Representative Lang replaced Representative Howard in the Committee on Labor on November 28, 2006.

**REPORTS FROM THE COMMITTEE ON RULES**

Representative Lang, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

**LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the bill be reported "approved for consideration" and be placed on the order of Second Reading--Short Debate: SENATE BILLS 490 and 1268.

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Elementary & Secondary Education: SENATE BILL 862.  
Judiciary II - Criminal Law: HOUSE AMENDMENT No. 1 to SENATE BILL 2684.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
3, Yeas; 1, Nay; 0, Answering Present.

Y Lang(D) (replacing Currie)	A Black (R), Republican Spokesperson
Y Hannig(D)	N Hassert (R)
Y Turner(D)	

Representative Lang, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 28, 2006, (A) reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Labor: HOUSE AMENDMENT No. 1 to SENATE BILL 1268.

The committee roll call vote on the foregoing Legislative Measures is as follows:  
3, Yeas; 1, Nay; 0, Answering Present.

Y Lang(D)(replacing Currie)	A Black(R), Republican Spokesperson
Y Hannig(D)	N Hassert(R)
Y Turner(D)	

Representative Lyons, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 28, 2006, (B) reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Labor: HOUSE AMENDMENT No. 2 to SENATE BILL 490.

The committee roll call vote on the foregoing Legislative Measures is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Lyons(D) (replacing Currie)

A Black(R), Republican Spokesperson

Y Hannig(D)

Y Brady(R) (replacing Hassert)

Y Turner(D)

Representative Lang, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 28, 2006, (C) reported the same back with the following recommendations:

**LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:**

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE RESOLUTION 1525.

That the Floor Amendment be reported "recommends be adopted": Amendment No. 3 to SENATE BILL 1268.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 2, Nays; 0, Answering Present.

Y Lang(D) (replacing Currie)

N Beaubien(R) (replacing Black)

Y Hannig(D)

N Hassert(R)

Y Turner(D)

Representative Acevedo, replacing Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on November 28, 2006, (D) reported the same back with the following recommendations:

**LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:**

Human Services: HOUSE AMENDMENT No. 1 to SENATE BILL 628.

Local Government: HOUSE AMENDMENT No. 2 to SENATE BILL 821.

The committee roll call vote on the foregoing Legislative Measures is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Acevedo(D) (replacing Currie)

Y Black(R), Republican Spokesperson

Y Hannig(D)

A Hassert(R)

Y Turner(D), Chairperson

**REPORTS FROM STANDING COMMITTEES**

Representative Fritchey, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 1195.

The committee roll call vote on Senate Bill 1195 is as follows:

12, Yeas; 0, Nays; 0, Answering Present.

Y Fritchey,John(D), Chairperson	Y Bradley,John(D), Vice-Chairperson
Y Hultgren,Randall(R), Republican Spokesperson	Y Brosnahan,James(D)
Y Gordon,Careen(D)	Y Hamos,Julie(D)
A Hoffman,Jay(D)	Y Delgado,William(D)(replacing Lang)
Y Mathias,Sidney(R)	A Nekritz,Elaine(D)
Y Osmond,JoAnn(R)	Y Rose,Chapin(R)
Y Sacia,Jim(R)	Y Wait,Ronald(R)

Representative Richard Bradley, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to SENATE BILL 36.

The committee roll call vote on Amendment No. 2 to Senate Bill 36 is as follows:

4, Yeas; 0, Nays; 0, Answering Present.

Y Bradley,Richard(D), Chairperson	A Colvin,Marlow(D), Vice-Chairperson
Y Poe,Raymond(R), Republican Spokesperson	Y Brauer,Rich(R)
Y Hannig,Gary(D)(replacing Burke)	

Representative Yarbrough, Chairperson, from the Committee on Housing and Urban Development to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendments Numbered 1 and 4 to HOUSE BILL 4342.

The committee roll call vote on Amendments Numbered 1 and 4 to House Bill 4342 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

Y Yarbrough,Karen(D), Chairperson	A McKeon,Larry(D), Vice-Chairperson
Y Leitch,David(R), Republican Spokesperson	A Bassi,Suzanne(R)
A Biggins,Bob(R)	Y Froehlich,Paul(R)
A Graham,Deborah(D)	A Hamos,Julie(D)
Y Kelly,Robin(D)	Y Nekritz,Elaine(D)
Y Jefferson,Charles(D)(replacing Patterson)	A Pihos,Sandra(R)
Y Poe,Raymond(R)	Y Ryg,Kathleen(D)
A Schmitz,Timothy(R)	Y Younge,Wyvetter(D)

Representative Reitz, Chairperson, from the Committee on Revenue to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 2300.

The committee roll call vote on Senate Bill 2300 is as follows:

7, Yeas; 5, Nays; 0, Answering Present.

Y Reitz,Dan(D), Chairperson	Y Lang,Lou(D)(replacing Currie)
N Biggins,Bob(R), Republican Spokesperson	N Beaubien,Mark(R)
Y Hannig,Gary(D)	N Holbrook,Thomas(D)
N Jenisch,Roger(R)	Y Krause,Carolyn(R)
Y McGuire,Jack(D)	Y Feigenholtz,Sara (D)(replacing Smith)
N Sullivan,Ed(R)	Y Younge,Wyvetter(D)



Representative Hoffman, Chairperson, from the Committee on Transportation and Motor Vehicles to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the resolution be reported "recommends be adopted" and be placed on the House Calendar: HOUSE JOINT RESOLUTION 148.

The committee roll call vote on House Joint Resolution 148 is as follows:

15, Yeas; 0, Nays; 0, Answering Present.

Y Hoffman, Jay(D), Chairperson	Y Miller, David(D), Vice-Chairperson
Y Wait, Ronald(R), Republican Spokesperson	Y Beiser, Daniel(D)
A Black, William(R)	Y Bost, Mike(R)
A Brauer, Rich(R)	A Brosnahan, James(D)
Y D'Amico, John(D)	Y Colvin, Marlow(D)(replacing Fritchey)
A Froehlich, Paul(R)	Y Graham, Deborah(D)
A Joyce, Kevin(D)	A Lyons, Joseph(D)
Y Mathias, Sidney(R)	Y McAuliffe, Michael(R)
A McCarthy, Kevin(D)	Y Mendoza, Susana(D)
A Molaro, Robert(D)	Y Nekritz, Elaine(D)
A Poe, Raymond(R)	Y Ramey, Harry(R)
A Soto, Cynthia(D)	A Stephens, Ron(R)
Y Tracy, Jil(R)	Y Tryon, Michael(R)
A Washington, Eddie(D)	

Representative Giles, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 380.

The committee roll call vote on Senate Bill 380 is as follows:

14, Yeas; 7, Nays; 0, Answering Present.

Y Giles, Calvin(D), Chairperson	Y Davis, Monique(D), Vice-Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson	Y Bassi, Suzanne(R)
N Beiser, Daniel(D)	N Chapa LaVia, Linda(D)
Y Colvin, Marlow(D)	N Dugan, Lisa(D)
Y Eddy, Roger(R)	N Flider, Robert(D)
N Joyce, Kevin(D)	Y Miller, David(D)
Y Moffitt, Donald(R)	Y Mulligan, Rosemary(R)
Y Kosel, Renee(R)(replacing Munson)	Y Osterman, Harry(D)
Y Pihos, Sandra(R)	Y Winters, Dave(R)(replacing Pritchard)
N Reis, David(R)	Y McCarthy, Kevin(D)(replacing Smith)
N Watson, Jim(R)	

Representative Delgado, Chairperson, from the Committee on Human Services to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 628 and 1269.

The committee roll call vote on Senate Bills 628 and 1269 is as follows:

10, Yeas; 0, Nays; 0, Answering Present.

Y Delgado, William(D), Chairperson	Y Rita, Robert(D), Vice-Chairperson
Y Bellock, Patricia(R), Republican Spokesperson	Y Chavez, Michelle(D)
Y Hamos, Julie(D)(replacing Collins)	Y Coulson, Elizabeth(R)
Y Cultra, Shane(R)	A Dunn, Joe(R)

Y Flowers,Mary(D)  
Y Jakobsson,Naomi(D)

A Howard,Constance(D)  
Y Jenisch,Roger(R)

Representative Burke, Chairperson, from the Committee on Executive to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the bill be reported “do pass as amended” and be placed on the order of Second Reading-- Short Debate: SENATE BILLS 947 and 2608.

That the bill be reported “do pass” and be placed on the order of Second Reading-- Short Debate: SENATE BILL 948.

The committee roll call vote on Senate Bill 947 is as follows:

10, Yeas; 0, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson  
A Dunn,Joe(R)(replacing Kosel)  
Y Berrios,Maria(D)  
Y Bradley,Richard(D)  
A McKeon,Larry(D)  
Y Molaro,Robert(D)  
Y Madigan,Michael(D)

Y Lyons,Joseph(D), Vice-Chairperson  
Y Acevedo,Edward(D)  
A Biggins,Bob(R)  
Y Hassert,Brent(R)  
Y Meyer,James(R)  
Y Saviano,Angelo(R)

The committee roll call vote on Senate Bill 948 is as follows:

12, Yeas; 0, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson  
Y Dunn,Joe(R)(replacing Kosel)  
Y Berrios,Maria(D)  
Y Bradley,Richard(D)  
Y Washington(D)(replacing McKeon)  
Y Molaro,Robert(D)  
Y Madigan,Michael(D)

Y Lyons,Joseph(D), Vice-Chairperson  
Y Acevedo,Edward(D)  
A Biggins,Bob(R)  
Y Hassert,Brent(R)  
Y Meyer,James(R)  
Y Saviano,Angelo(R)

The committee roll call vote on Senate Bill 2608 is as follows:

12, Yeas; 0, Nays; 0, Answering Present.

Y Burke,Daniel(D), Chairperson  
Y Dunn,Joe(R)(replacing Kosel)  
Y Berrios,Maria(D)  
Y Bradley,Richard(D)  
Y McKeon,Larry(D)  
Y Molaro,Robert(D)  
Y Madigan,Michael(D)

Y Lyons,Joseph(D), Vice-Chairperson  
Y Acevedo,Edward(D)  
A Biggins,Bob(R)  
Y Hassert,Brent(R)  
Y Meyer,James(R)  
Y Saviano,Angelo(R)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the Floor Amendment be reported “recommends be adopted”:

Amendment No. 1 to SENATE BILL 2684 and Amendment No. 2 to SENATE BILL 2737.

The committee roll call vote on Amendment No. 1 to Senate Bill 2684 is as follows:

11, Yeas; 0, Nays; 0, Answering Present.

Y Molaro,Robert(D), Chairperson  
Y Rose,Chapin(R)(replacing Lindner)  
Y Collins,Annazette(D)  
Y Durkin,Jim(R)  
Y Golar,Esther(D)

Y Burke,Daniel(D)(replacing Delgado)  
A Bradley,John(D)  
A Cultra,Shane(R)  
A Froehlich,Paul(R)  
Y Gordon,Careen(D)

Y Howard,Constance(D)	Y Mautino,Frank(D)
A Reis,David(R)	Y Sacia,Jim(R)
Y Wait,Ronald(R)	

The committee roll call vote on Amendment No. 2 to Senate Bill 2737 is as follows:  
12, Yeas; 1, Nay; 0, Answering Present.

Y Molaro,Robert(D), Chairperson	Y Burke,Daniel(D)(replacing Delgado)
Y Rose,Chapin(R)(replacing Lindner)	Y Bradley,John(D)
Y Collins,Annazette(D)	A Cultra,Shane(R)
Y Durkin,Jim(R)	Y Froehlich,Paul(R)
Y Golar,Esther(D)	Y Gordon,Careen(D)
Y Howard,Constance(D)	Y Mautino,Frank(D)
A Reis,David(R)	N Sacia,Jim(R)
Y Wait,Ronald(R)	

Representative McKeon, Chairperson, from the Committee on Labor to which the following were referred, action taken on November 28, 2006, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":

Amendment No. 2 to SENATE BILL 490 and Amendment No. 1 to SENATE BILL 1268.

The committee roll call vote on Amendment No. 2 to Senate Bill 490 is as follows:  
18, Yeas; 0, Nays; 0, Answering Present.

Y McKeon,Larry(D), Chairperson	Y Soto,Cynthia(D), Vice-Chairperson
Y Winters,Dave(R), Republican Spokesperson	Y Beaubien,Mark(R)
A Biggins,Bob(R)	Y Boland,Mike(D)
Y Colvin,Marlow(D)	Y Cultra,Shane(R)
Y D'Amico,John(D)	Y Davis,William(D)
Y Dunn,Joe(R)	Y Eddy,Roger(R)
Y Graham,Deborah(D)	Y Hoffman,Jay(D)
Y Lang,Lou(D)(replacing Howard)	A Hultgren,Randall(R)
Y Jefferson,Charles(D)	Y Parke,Terry(R)
Y Schmitz,Timothy(R)	Y Washington,Eddie(D)

The committee roll call vote on Amendment No. 1 to Senate Bill 1268 is as follows:  
11, Yeas; 7, Nays; 0, Answering Present.

Y McKeon,Larry(D), Chairperson	Y Soto,Cynthia(D), Vice-Chairperson
N Winters,Dave(R), Republican Spokesperson	N Beaubien,Mark(R)
A Biggins,Bob(R)	Y Boland,Mike(D)
Y Colvin,Marlow(D)	N Cultra,Shane(R)
Y D'Amico,John(D)	Y Davis,William(D)
N Dunn,Joe(R)	N Eddy,Roger(R)
Y Graham,Deborah(D)	Y Hoffman,Jay(D)
Y Lang,Lou(D)(replacing Howard)	A Hultgren,Randall(R)
Y Jefferson,Charles(D)	N Parke,Terry(R)
N Schmitz,Timothy(R)	Y Washington,Eddie(D)

### VETO MOTION SUBMITTED

Representative Currie submitted the following written motion, which was placed on the order of Motions:

#### MOTION

I move that the House concur with the Senate in the passage of SENATE BILL 2477, the Governor's Specific Recommendations for Change notwithstanding.

**MOTION SUBMITTED**

Representative Krause submitted the following written motion, which was placed on the order of Motions in Writing:

**MOTION**

Pursuant to Rule 18(g), I move to discharge the Committee on Rules from further consideration of HOUSE BILL 5868 and advance to the order of Second Reading - Standard Debate.

**PENSION NOTES SUPPLIED**

Pension Notes have been supplied for SENATE BILL 36, as amended, 505, as amended, 1268, as amended, and 1856.

**HOUSING AFFORDABILITY IMPACT NOTE SUPPLIED**

A Housing Affordability Impact Note has been supplied for SENATE BILL 1714, as amended.

**FISCAL NOTES SUPPLIED**

Fiscal Notes have been supplied for SENATE BILL 1268, as amended, and 1856.

**STATE MANDATES FISCAL NOTES SUPPLIED**

State Mandates Fiscal Notes have been supplied for SENATE BILLS 505, as amended, and 1856.

**HOME RULE NOTE SUPPLIED**

A Home Rule Note has been supplied for SENATE BILL 505, as amended.

**STATE DEBT IMPACT NOTES SUPPLIED**

State Debt Impact Notes have been supplied for SENATE BILLS 505, as amended, and 1268, as amended, and 2300, as amended.

**JUDICIAL NOTES SUPPLIED**

Judicial Notes have been supplied for SENATE BILLS 505, as amended, and 1268, as amended.

**REQUEST FOR FISCAL NOTE**

Representative Black requested that a Fiscal Note be supplied for SENATE BILL 2300, as amended.

**REQUEST FOR STATE MANDATES FISCAL NOTES**

Representative Black requested that a State Mandates Fiscal Note be supplied for SENATE BILLS 1268, as amended, and 2300, as amended.

**REQUEST FOR HOME RULE NOTES**

Representative Black requested that a Home Rule Note be supplied for SENATE BILLS 1268, as amended, and 2300, as amended.

**REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTE**

Representative Black requested that a Housing Affordability Impact Note be supplied for SENATE BILL 2300, as amended.

**REQUEST FOR JUDICIAL NOTE**

Representative Black requested that a Judicial Note be supplied for SENATE BILL 2300, as amended.

**MESSAGE FROM THE SENATE**

A message from the Senate by

Ms. Hawker, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

**SENATE JOINT RESOLUTION NO. 93**

WHEREAS, The members of the General Assembly of the State of Illinois learned with regret of the death in Iraq of U.S. Army Specialist Ron Gebur on Saturday, May 13, 2006; and

WHEREAS, Specialist Gebur was a platoon leader assigned as a sniper with the U.S. Army 4th Infantry Division based at Fort Hood, Texas; he joined the National Guard in 2002 after graduating from Delavan High School; he enlisted in the U.S. Army about two years later; and

WHEREAS, He was active in sports growing up; he played in the Pekin Hockey League and on the Delavan High School baseball team; he was named outstanding catcher on an all-star team in Dallas, Oregon, where his family lived for some time; and

WHEREAS, He had a big heart and always thought of others; he especially enjoyed fishing, camping, and baseball; and

WHEREAS, The passing of U.S. Army Specialist Ron Gebur has been deeply felt by many, especially his wife, U.S. Army Sgt. Bethany Gebur; his son, Gage; his parents, Larry and Debra Gebur; and his father-in-law and mother-in-law, David and Karen Boswell; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we mourn the passing of U.S. Army Specialist Ron Gebur, and we extend our sincere condolences to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That we honor the memory of U.S. Army Specialist Ron Gebur and his willingness to serve our country, which led to him making the ultimate sacrifice; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our deepest sympathy.

Adopted by the Senate, November 28, 2006.

Linda Hawker, Secretary of the Senate

**CHANGE OF SPONSORSHIP**

With the consent of the affected members, Representative Lang was removed as principal sponsor, and Representative Colvin became the new principal sponsor of SENATE BILL 1268.

**RESOLUTION**

The following resolution was offered and placed in the Committee on Rules.

HOUSE RESOLUTION 1525

Offered by Representative Black:

WHEREAS, During the 94th General Assembly, the Animal Control Task Force was established pursuant to House Resolution 866 to conduct an examination of the Animal Control Act and to make recommendations for change; and

WHEREAS, The Task Force requires further time to complete its work; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Animal Control Task Force is extended; and be it further

RESOLVED, That the Task Force shall submit a report, as established in its authorizing resolution, on or before June 30, 2007; and be it further

RESOLVED, That with this reporting extension, the Task Force shall continue to operate pursuant to its enabling resolution.

**AGREED RESOLUTIONS**

The following resolutions were offered and placed on the Calendar on the order of Agreed Resolutions.

HOUSE RESOLUTION 1521

Offered by Representative Churchill:

Congratulates Jimmie H. Smith on his retirement as Executive Director of Kids Hope United.

HOUSE RESOLUTION 1522

Offered by Representative Churchill:

Honors Dennis Stonewall on his impending departure as Round Lake Area Schools CEO.

HOUSE RESOLUTION 1523

Offered by Representative Currie:

Congratulates the American Association of University Women on the 125th anniversary of the organization.

HOUSE RESOLUTION 1524

Offered by Representative Pritchard:

Congratulates the Somonauk High School Boys Soccer Team on finishing second in the State.

HOUSE RESOLUTION 1526

Offered by Representative Hamos:

Congratulates Dr. Thomas M. Graber for being named as the winner of the 2006 Senior Illinoisans Hall of Fame in the Education Category.

## HOUSE RESOLUTION 1527

Offered by Representative Rose:  
Honors Jean Stoddard on her retirement from the Piatt County Board.

## HOUSE RESOLUTION 1528

Offered by Representative Rose:  
Congratulates Clyde Foster on his retirement as Piatt County Treasurer.

## HOUSE RESOLUTION 1529

Offered by Representative Rose:  
Mourns the death of Lola D. Adams of Cooks Mills.

## HOUSE RESOLUTION 1530

Offered by Representative Granberg:  
Thanks United States Army Private James Bright for his service to the United States.

## HOUSE RESOLUTION 1531

Offered by Representative Acevedo:  
Recognizes the eightieth anniversary of the St. Joseph Club.

## HOUSE RESOLUTION 1532

Offered by Representative Cross:  
Congratulates Captain Nick Sikora and Officer John Wolfinbarger of the Oswego Police Department on receiving Lifesaving Awards from the Oswego Village Board.

## HOUSE RESOLUTION 1533

Offered by Representative, John Bradley:  
Mourns the passing of William Robert Malone of Carterville, Illinois.

## HOUSE RESOLUTION 1534

Offered by Representative Cross:  
Congratulates Mary Faith Thomas on her retirement as Director of the Shorewood-Troy Public Library in Shorewood, Illinois.

## HOUSE RESOLUTION 1535

Offered by Representative Washington:  
Honors Audrey H. Nixon for her service to the Lake County Board and for 40 years of service to her community.

## HOUSE JOINT RESOLUTION 149

Offered by Representative, John Bradley:  
Mourns the death of the Honorable Judge Terrence Hopkins of Mount Vernon, Illinois.

**SENATE BILL ON SECOND READING**

Having been read by title a second time on November 14, 2006 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 1714.

**DISTRIBUTION OF SUPPLEMENTAL CALENDAR**

Supplemental Calendar No. 1 was distributed to the Members at 4:45 o'clock p.m.

**ACTION ON MOTION**

Pursuant to the motion submitted previously, Representative Black moved to discharge the Committee on Rules from further consideration of HOUSE BILL 5857 and advance to the order of Second Reading.

Representative Hannig objected to the motion.

Representative Black requested a roll call vote.

The motion failed.

Representative Black moved to overrule the chair.

The question is shall the chair be sustained.

And on that motion, a vote was taken resulting as follows:

63, Yeas; 52, Nays; 0, Answering Present.

(ROLL CALL 2)

The motion prevailed, and the chair was sustained.

**SENATE BILL ON THIRD READING**

The following bill and any amendments adopted thereto were reproduced. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative McGuire, SENATE BILL 1714 was taken up and read by title a third time.

And the question being, "Shall this bill pass?"

Pending the vote on said bill, on motion of Representative McGuire, further consideration of SENATE BILL 1714 was postponed.

**SENATE BILL ON SECOND READING**

SENATE BILL 36. Having been read by title a second time on November 16, 2006, and held on the order of Second Reading, the same was again taken up.

Representative Hannig offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend Senate Bill 36, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 14-103.05, 14-104, 16-106, 16-158, and 17-133 as follows:

(40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)

Sec. 14-103.05. Employee.

(a) Any person employed by a Department who receives salary for personal services rendered to the Department on a warrant issued pursuant to a payroll voucher certified by a Department and drawn by the State Comptroller upon the State Treasurer, including an elected official described in subparagraph (d) of Section 14-104, shall become an employee for purpose of membership in the Retirement System on the first day of such employment.

A person entering service on or after January 1, 1972 and prior to January 1, 1984 shall become a



member as a condition of employment and shall begin making contributions as of the first day of employment.

A person entering service on or after January 1, 1984 shall, upon completion of 6 months of continuous service which is not interrupted by a break of more than 2 months, become a member as a condition of employment. Contributions shall begin the first of the month after completion of the qualifying period.

The qualifying period of 6 months of service is not applicable to: (1) a person who has been granted credit for service in a position covered by the State Universities Retirement System, the Teachers' Retirement System of the State of Illinois, the General Assembly Retirement System, or the Judges Retirement System of Illinois unless that service has been forfeited under the laws of those systems; (2) a person entering service on or after July 1, 1991 in a noncovered position; or (3) a person to whom Section 14-108.2a or 14-108.2b applies.

(b) The term "employee" does not include the following:

(1) members of the State Legislature, and persons electing to become members of the General Assembly Retirement System pursuant to Section 2-105;

(2) incumbents of offices normally filled by vote of the people;

(3) except as otherwise provided in this Section, any person appointed by the Governor with the advice and consent of the Senate unless that person elects to participate in this system;

(3.1) any person serving as a commissioner of an ethics commission created under the State Officials and Employees Ethics Act unless that person elects to participate in this system with respect to that service as a commissioner;

(3.2) any person serving as a part-time employee in any of the following positions: Legislative Inspector General, Special Legislative Inspector General, employee of the Office of the Legislative Inspector General, Executive Director of the Legislative Ethics Commission, or staff of the Legislative Ethics Commission, regardless of whether he or she is in active service on or after July 8, 2004 (the effective date of Public Act 93-685), unless that person elects to participate in this System with respect to that service; in this item (3.2), a "part-time employee" is a person who is not required to work at least 35 hours per week;

(3.3) any person who has made an election under Section 1-123 and who is serving either as legal counsel in the Office of the Governor or as Chief Deputy Attorney General;

(4) except as provided in Section 14-108.2 or 14-108.2c, any person who is covered or eligible to be covered by the Teachers' Retirement System of the State of Illinois, the State Universities Retirement System, or the Judges Retirement System of Illinois;

(5) an employee of a municipality or any other political subdivision of the State;

(6) any person who becomes an employee after June 30, 1979 as a public service employment program participant under the Federal Comprehensive Employment and Training Act and whose wages or fringe benefits are paid in whole or in part by funds provided under such Act;

(7) enrollees of the Illinois Young Adult Conservation Corps program, administered by the Department of Natural Resources, authorized grantee pursuant to Title VIII of the "Comprehensive Employment and Training Act of 1973", 29 USC 993, as now or hereafter amended;

(8) enrollees and temporary staff of programs administered by the Department of Natural Resources under the Youth Conservation Corps Act of 1970;

(9) any person who is a member of any professional licensing or disciplinary board created under an Act administered by the Department of Professional Regulation or a successor agency or created or re-created after the effective date of this amendatory Act of 1997, and who receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 (P.A. 84-1472) is not intended to effect any change in the status of such persons;

(10) any person who is a member of the Illinois Health Care Cost Containment Council, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; such persons have never been included in the membership of this System, and this amendatory Act of 1987 is not intended to effect any change in the status of such persons;

(11) any person who is a member of the Oil and Gas Board created by Section 1.2 of the Illinois Oil and Gas Act, and receives per diem compensation rather than a salary, notwithstanding that such per diem compensation is paid by warrant issued pursuant to a payroll voucher; or

(12) a person employed by the State Board of Higher Education in a position with the

Illinois Century Network as of June 30, 2004, who remains continuously employed after that date by the Department of Central Management Services in a position with the Illinois Century Network and participates in the Article 15 system with respect to that employment.

(c) An individual who represents or is employed as an officer or employee of a statewide labor organization that represents members of this System may participate in the System and shall be deemed an employee, provided that (1) the individual has previously earned creditable service under this Article, (2) the individual files with the System an irrevocable election to become a participant within 6 months after the effective date of this amendatory Act of the 94th General Assembly, and (3) the individual does not receive credit for that employment under any other provisions of this Code. An employee under this subsection (c) is responsible for paying to the System both (i) employee contributions based on the actual compensation received for service with the labor organization and (ii) employer contributions based on the percentage of payroll certified by the board; all or any part of these contributions may be paid on the employee's behalf or picked up for tax purposes (if authorized under federal law) by the labor organization.

A person who is an employee as defined in this subsection (c) may establish service credit for similar employment prior to becoming an employee under this subsection by paying to the System for that employment the contributions specified in this subsection, plus interest at the effective rate from the date of service to the date of payment. However, credit shall not be granted under this subsection (c) for any such prior employment for which the applicant received credit under any other provision of this Code or during which the applicant was on a leave of absence.

(Source: P.A. 92-14, eff. 6-28-01; 93-685, eff. 7-8-04; 93-839, eff. 7-30-04; 93-1069, eff. 1-15-05.)

(40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

Sec. 14-104. Service for which contributions permitted. Contributions provided for in this Section shall cover the period of service granted. Except as otherwise provided in this Section, the contributions shall be based upon the employee's compensation and contribution rate in effect on the date he last became a member of the System; provided that for all employment prior to January 1, 1969 the contribution rate shall be that in effect for a noncovered employee on the date he last became a member of the System. Except as otherwise provided in this Section, contributions permitted under this Section shall include regular interest from the date an employee last became a member of the System to the date of payment.

These contributions must be paid in full before retirement either in a lump sum or in installment payments in accordance with such rules as may be adopted by the board.

(a) Any member may make contributions as required in this Section for any period of service, subsequent to the date of establishment, but prior to the date of membership.

(b) Any employee who had been previously excluded from membership because of age at entry and subsequently became eligible may elect to make contributions as required in this Section for the period of service during which he was ineligible.

(c) An employee of the Department of Insurance who, after January 1, 1944 but prior to becoming eligible for membership, received salary from funds of insurance companies in the process of rehabilitation, liquidation, conservation or dissolution, may elect to make contributions as required in this Section for such service.

(d) Any employee who rendered service in a State office to which he was elected, or rendered service in the elective office of Clerk of the Appellate Court prior to the date he became a member, may make contributions for such service as required in this Section. Any member who served by appointment of the Governor under the Civil Administrative Code of Illinois and did not participate in this System may make contributions as required in this Section for such service.

(e) Any person employed by the United States government or any instrumentality or agency thereof from January 1, 1942 through November 15, 1946 as the result of a transfer from State service by executive order of the President of the United States shall be entitled to prior service credit covering the period from January 1, 1942 through December 31, 1943 as provided for in this Article and to membership service credit for the period from January 1, 1944 through November 15, 1946 by making the contributions required in this Section. A person so employed on January 1, 1944 but whose employment began after January 1, 1942 may qualify for prior service and membership service credit under the same conditions.

(f) An employee of the Department of Labor of the State of Illinois who performed services for and under the supervision of that Department prior to January 1, 1944 but who was compensated for those services directly by federal funds and not by a warrant of the Auditor of Public Accounts paid by the State Treasurer may establish credit for such employment by making the contributions required in this Section. An employee of the Department of Agriculture of the State of Illinois, who performed services for and under the supervision of that Department prior to June 1, 1963, but was compensated for those services

directly by federal funds and not paid by a warrant of the Auditor of Public Accounts paid by the State Treasurer, and who did not contribute to any other public employee retirement system for such service, may establish credit for such employment by making the contributions required in this Section.

(g) Any employee who executed a waiver of membership within 60 days prior to January 1, 1944 may, at any time while in the service of a department, file with the board a rescission of such waiver. Upon making the contributions required by this Section, the member shall be granted the creditable service that would have been received if the waiver had not been executed.

(h) Until May 1, 1990, an employee who was employed on a full-time basis by a regional planning commission for at least 5 continuous years may establish creditable service for such employment by making the contributions required under this Section, provided that any credits earned by the employee in the commission's retirement plan have been terminated.

(i) Any person who rendered full time contractual services to the General Assembly as a member of a legislative staff may establish service credit for up to 8 years of such services by making the contributions required under this Section, provided that application therefor is made not later than July 1, 1991.

(j) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, but with all of the interest calculated from the date the employee last became a member of the System or November 19, 1991, whichever is later, to the date of payment, an employee may establish service credit for a period of up to 2 years spent in active military service for which he does not qualify for credit under Section 14-105, provided that (1) he was not dishonorably discharged from such military service, and (2) the amount of service credit established by a member under this subsection (j), when added to the amount of military service credit granted to the member under subsection (b) of Section 14-105, shall not exceed 5 years. The change in the manner of calculating interest under this subsection (j) made by this amendatory Act of the 92nd General Assembly applies to credit purchased by an employee on or after its effective date and does not entitle any person to a refund of contributions or interest already paid.

(k) An employee who was employed on a full-time basis by the Illinois State's Attorneys Association Statewide Appellate Assistance Service LEAA-ILEC grant project prior to the time that project became the State's Attorneys Appellate Service Commission, now the Office of the State's Attorneys Appellate Prosecutor, an agency of State government, may establish creditable service for not more than 60 months service for such employment by making contributions required under this Section.

(l) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, a member may establish service credit for periods of less than one year spent on authorized leave of absence from service, provided that (1) the period of leave began on or after January 1, 1982 and (2) any credit established by the member for the period of leave in any other public employee retirement system has been terminated. A member may establish service credit under this subsection for more than one period of authorized leave, and in that case the total period of service credit established by the member under this subsection may exceed one year. In determining the contributions required for establishing service credit under this subsection, the interest shall be calculated from the beginning of the leave of absence to the date of payment.

(m) Any person who rendered contractual services to a member of the General Assembly as a worker in the member's district office may establish creditable service for up to 3 years of those contractual services by making the contributions required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. To establish credit under this subsection, the applicant must apply to the System by March 1, 1998.

(n) Any person who rendered contractual services to a member of the General Assembly as a worker providing constituent services to persons in the member's district may establish creditable service for up to 8 years of those contractual services by making the contributions required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. To establish credit under this subsection, the applicant must apply to the System by March 1, 1998.

(o) A member who participated in the Illinois Legislative Staff Internship Program may establish creditable service for up to one year of that participation by making the contribution required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. Credit may not be established under this subsection for any period for which service credit is established under any other provision of this Code.

(p) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, a member may establish service credit for a period of up to 8 years during which he or she was employed by the Visually Handicapped

Managers of Illinois in a vending program operated under a contractual agreement with the Department of Rehabilitation Services or its successor agency.

This subsection (p) applies without regard to whether the person was in service on or after the effective date of this amendatory Act of the 94th General Assembly. In the case of a person who is receiving a retirement annuity on that effective date, the increase, if any, shall begin to accrue on the first annuity payment date following receipt by the System of the contributions required under this subsection (p).

(q) By paying the required contributions under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, an employee who was laid off but returned to State employment under circumstances in which the employee is considered to have been in continuous service for purposes of determining seniority may establish creditable service for the period of the layoff, provided that (1) the applicant applies for the creditable service under this subsection (q) within 6 months after the effective date of this amendatory Act of the 94th General Assembly, (2) the applicant does not receive credit for that period under any other provision of this Code, (3) at the time of the layoff, the applicant is not in an initial probationary status consistent with the rules of the Department of Central Management Services, and (4) the total amount of creditable service established by the applicant under this subsection (q) does not exceed 3 years. For service established under this subsection (q), the required employee contribution shall be based on the rate of compensation earned by the employee on the date of returning to employment after the layoff and the contribution rate then in effect, and the required interest shall be calculated from the date of returning to employment after the layoff to the date of payment.

(Source: P.A. 94-612, eff. 8-18-05.)

(40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)

Sec. 16-106. Teacher. "Teacher": The following individuals, provided that, for employment prior to July 1, 1990, they are employed on a full-time basis, or if not full-time, on a permanent and continuous basis in a position in which services are expected to be rendered for at least one school term:

(1) Any educational, administrative, professional or other staff employed in the public common schools included within this system in a position requiring certification under the law governing the certification of teachers;

(2) Any educational, administrative, professional or other staff employed in any facility of the Department of Children and Family Services or the Department of Human Services, in a position requiring certification under the law governing the certification of teachers, and any person who (i) works in such a position for the Department of Corrections, (ii) was a member of this System on May 31, 1987, and (iii) did not elect to become a member of the State Employees' Retirement System pursuant to Section 14-108.2 of this Code; except that "teacher" does not include any person who (A) becomes a security employee of the Department of Human Services, as defined in Section 14-110, after June 28, 2001 (the effective date of Public Act 92-14), or (B) becomes a member of the State Employees' Retirement System pursuant to Section 14-108.2c of this Code;

(3) Any regional superintendent of schools, assistant regional superintendent of schools, State Superintendent of Education; any person employed by the State Board of Education as an executive; any executive of the boards engaged in the service of public common school education in school districts covered under this system of which the State Superintendent of Education is an ex-officio member;

(4) Any employee of a school board association operating in compliance with Article 23 of the School Code who is certificated under the law governing the certification of teachers;

(5) Any person employed by the retirement system who:

(i) was an employee of and a participant in the system on August 17, 2001 (the effective date of Public Act 92-416), or

(ii) becomes an employee of the system on or after August 17, 2001;

(6) Any educational, administrative, professional or other staff employed by and under the supervision and control of a regional superintendent of schools, provided such employment position requires the person to be certificated under the law governing the certification of teachers and is in an educational program serving 2 or more districts in accordance with a joint agreement authorized by the School Code or by federal legislation;

(7) Any educational, administrative, professional or other staff employed in an educational program serving 2 or more school districts in accordance with a joint agreement authorized by the School Code or by federal legislation and in a position requiring certification under the laws governing the certification of teachers;

(8) Any officer or employee of a statewide teacher organization or officer of a

national teacher organization who is certified under the law governing certification of teachers, provided: (i) the individual had previously established creditable service under this Article, (ii) the individual files with the system an irrevocable election to become a member, and (iii) the individual does not receive credit for such service under any other Article of this Code;

(9) Any educational, administrative, professional, or other staff employed in a charter school operating in compliance with the Charter Schools Law who is certificated under the law governing the certification of teachers.

(10) Any person employed, on the effective date of this amendatory Act of the 94th General Assembly, by the Macon-Piatt Regional Office of Education in a birth-through-age-three pilot program receiving funds under Section 2-389 of the School Code who is required by the Macon-Piatt Regional Office of Education to hold a teaching certificate, provided that the Macon-Piatt Regional Office of Education makes an election, within 6 months after the effective date of this amendatory Act of the 94th General Assembly, to have the person participate in the system. Any service established prior to the effective date of this amendatory Act of the 94th General Assembly for service as an employee of the Macon-Piatt Regional Office of Education in a birth-through-age-three pilot program receiving funds under Section 2-389 of the School Code shall be considered service as a teacher if employee and employer contributions have been received by the system and the system has not refunded those contributions.

An annuitant receiving a retirement annuity under this Article or under Article 17 of this Code who is employed by a board of education or other employer as permitted under Section 16-118 or 16-150.1 is not a "teacher" for purposes of this Article. A person who has received a single-sum retirement benefit under Section 16-136.4 of this Article is not a "teacher" for purposes of this Article.

A person who is a teacher as described in item (8) of this Section may establish service credit for similar employment prior to becoming certified as a teacher if he or she (i) is certified as a teacher on or before the effective date of this amendatory Act of the 94th General Assembly, (ii) applies in writing to the system within 6 months after the effective date of this amendatory Act of the 94th General Assembly, and (iii) pays to the system contributions equal to the normal costs calculated from the date of first full-time employment as described in item (8) to the date of payment, compounded annually at the rate of 8.5% per year for periods before the effective date of this amendatory Act of the 94th General Assembly and for subsequent periods at a rate equal to the System's actuarially assumed rate of return on investments. However, credit shall not be granted under this paragraph for any such prior employment for which the applicant received credit under any other provision of this Code.

(Source: P.A. 92-14, eff. 6-28-01; 92-416, eff. 8-17-01; 92-651, eff. 7-11-02; 93-320, eff. 7-23-03.)

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

Sec. 16-158. Contributions by State and other employing units.

(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable, the Board shall submit vouchers for payment of State contributions to the System, in a total monthly amount of one-twelfth of the required annual State contribution certified under subsection (a-1).

From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act. These vouchers shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2011 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before the effective date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY 2003; and 13.56% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006 is \$534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is \$738,014,500.

For each of State fiscal years 2008 through 2010, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in

equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, as determined by the System. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in accordance with guidelines established by such agency and the System.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as follows:

- (1) Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.
- (2) Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from this amendatory Act of 1998.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by this amendatory Act of 1998 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise, to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the member's annual full-time salary rate with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. If a teacher's salary for the 2005-2006 school year is used to determine final average salary under this subsection (f), then the changes

made to this subsection (f) by Public Act 94-1057 shall apply in calculating whether the increase in his or her salary is in excess of 6%. For the purposes of this Section, change in employment under Section 10-21.12 of the School Code on or after June 1, 2005 shall constitute a change in employer. The System may require the employer to provide any pertinent information or documentation. The changes made to this subsection (f) by this amendatory Act of the 94th General Assembly apply without regard to whether the teacher was in service on or after its effective date.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (g) or (h) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of that subsection. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(g) This subsection (g) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 this amendatory Act of the 94th General Assembly shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057) ~~this amendatory Act.~~

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to a teacher at a time when the teacher is 10 or more years from retirement eligibility under Section 16-132 or 16-133.2.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from overload work, including summer school, when the school district has certified to the System, and the System has approved the certification, that (i) the overload work is for the sole purpose of classroom instruction in excess of the standard number of classes for a full-time teacher in a school district during a school year and (ii) the salary increases are equal to or less than the rate of pay for classroom instruction computed on the teacher's current salary and work schedule.

When assessing payment for any amount due under subsection (f), the System shall exclude a salary increase resulting from a promotion (i) for which the employee is required to hold a certificate or supervisory endorsement issued by the State Teacher Certification Board that is a different certification or supervisory endorsement than is required for the teacher's previous position and (ii) to a position that has existed and been filled by a member for no less than one complete academic year and the salary increase from the promotion is an increase that results in an amount no greater than the lesser of the average salary paid for other similar positions in the district requiring the same certification or the amount stipulated in the collective bargaining agreement for a similar position requiring the same certification.

When assessing payment for any amount due under subsection (f), the System shall exclude any payment to the teacher from the State of Illinois or the State Board of Education over which the employer does not have discretion, notwithstanding that the payment is included in the computation of final average salary.

(h) When assessing payment for any amount due under subsection (f), the System shall exclude any salary increase described in subsection (g) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (f) of this Section.

(i) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculations required by the changes made to this Section by Public Act 94-1057 ~~this amendatory Act of the 94th General Assembly~~ for



each employer.

(2) The dollar amount by which each employer's contribution to the System was changed due to recalculations required by ~~Public Act 94-1057 this amendatory Act of the 94th General Assembly.~~

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by ~~Public Act 94-1057 this amendatory Act of the 94th General Assembly.~~  
(Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4, eff. 6-1-05; 94-839, eff. 6-6-06; 94-1057, eff. 7-31-06; revised 8-3-06.)

(40 ILCS 5/17-133) (from Ch. 108 1/2, par. 17-133)

Sec. 17-133. Contributions for periods of outside and other service.

Regularly certified and appointed teachers who desire to have the following described services credited for pension purposes shall submit to the Board evidence thereof and pay into the Fund the amounts prescribed herein:

1. For teaching service by a certified teacher in the public schools of the several states or in schools operated by or under the auspices of the United States, a teacher shall pay the contributions at the rates in force (a) on the date of appointment as a regularly certified teacher after salary adjustments are completed, or (b) at the time of reappointment after salary adjustments are completed, whichever is later, but not less than \$450 per year of service. Upon the Board's approval of such service and the payment of the required contributions, service credit of not more than 10 years shall be granted.

2. For service as a playground instructor in public school playgrounds, teachers shall pay the contributions prescribed in this Article (a) at the time of appointment, as a regularly certified teacher after salary adjustments are completed, or (b) on return to service as a full time regularly certified teacher, as the case may be, provided such rates or amounts shall not be less than \$450 per year.

3. For service prior to September 1, 1955, in the public schools of the City as a substitute, evening school or temporary teacher, or for service as an Americanization teacher prior to December 31, 1955, teachers shall pay the contributions prescribed in this Article (a) at the time of appointment, as a regularly certified teacher after salary adjustments are completed, (b) on return to service as a full time regularly certified teacher, as the case may be, provided such rates or amounts shall not be less than \$450 per year; and provided further that for teachers employed on or after September 1, 1953, rates shall not include contributions for widows' pensions if the service described in this sub-paragraph 3 was rendered before that date. Any teacher entitled to repay a refund of contributions under Section 17-126 may validate service described in this paragraph by payment of the amounts prescribed herein, together with the repayment of the refund, provided that if such creditable service was the last service rendered in the public schools of the City and is not automatically reinstated by repayment of the refund, the rates or amounts shall not be less than \$450 per year.

4. For service after June 30, 1982 as a member of the Board of Education, if required to resign from an administrative or teaching position in order to qualify as a member of the Board of Education.

5. For service during the 1986-87 school year as a teacher on a special leave of absence with full loss of salary, teaching for an agency under contract to the Board of Education, if the teacher returned to employment in September, 1987. For service under this item 5, the teacher must pay the contributions at the rates in force at the completion of the leave period.

6. For up to 2 years of service as a teacher or administrator employed by a private school registered with or recognized by the Illinois State Board of Education, provided that the teacher (i) was certified under the law governing the certification of teachers at the time the service was rendered, (ii) applies in writing on or after the effective date of this amendatory Act of the 94th General Assembly and on or before June 1, 2009, (iii) supplies satisfactory evidence of the employment, (iv) completes at least 10 years of contributing service as a teacher as defined in Section 17-106, (v) pays the contribution required in this Section, and (vi) does not receive credit for that service under any other provision of this Code. The member may apply for credit under this subsection and pay the required contribution before completing the 10 years of contributing service required under item (iv), but the credit may not be used until the item (iv) contributing service requirement has been met.

For each year of service credit to be established under this subparagraph 6, a member is required to contribute to the System (i) 16.5% of the annual salary rate during the first year of full-time employment as a teacher under this Article following the private school service, plus (ii) interest thereon from the date of

first full-time employment as a teacher under this Article following the private school service to the date of payment, compounded annually, at the rate of 8.0% per year.

For service described in sub-paragraphs 1, 2 and 3 of this Section, interest shall be charged beginning one year after the effective date of appointment or reappointment.

Effective September 1, 1974, the interest rate to be charged by the Fund on contributions provided in sub-paragraphs 1, 2, 3 and 4 shall be 5% per annum compounded annually.

(Source: P.A. 90-566, eff. 1-2-98; 91-887, eff. 7-6-00.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

The foregoing motion prevailed and the amendment was adopted.

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

### SENATE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Madigan, SENATE BILL 36 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:

109, Yeas; 6, Nays; 0, Answering Present.

(ROLL CALL 3)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

### SENATE BILLS ON SECOND READING

SENATE BILL 380. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 380 as follows:  
immediately before the enacting clause, by inserting the following:

"WHEREAS, Oswego Community Unit School District Number 308 has experienced an extremely rapid increase in the size of its student population; since 2003, the size of the district's student population has increased from 8,600 to 14,100 and is expected to exceed 27,000 by the 2011-2012 school year; in order to meet the needs of its current and future students, the school district must be able to construct new facilities and improve its existing facilities; additional bonding authority, subject to referendum approval, is needed to finance these capital projects; at the general election held on November 7, 2006, the voters of the district approved the following proposition:

Shall the Board of Education of Oswego Community Unit School District Number 308, Kendall, Kane and Will Counties, Illinois, build and equip one new high school building, four new junior high school buildings, eight new elementary school buildings, an early childhood building, a maintenance building, a transportation facility and additions to existing school buildings, alter, repair, equip and provide technology improvements to existing school buildings, acquire and improve school sites and issue the bonds of said School District to the amount of \$450,000,000 for the purpose of paying the costs thereof?; and

WHEREAS, Lincoln-Way Community High School District Number 210 has experienced an extremely rapid increase in the size of its student population; the size of the district's student population has increased from 4,475 in the 1998-1999 school year to 6,632 in the 2005-2006 school year and is expected to exceed 8,400 by the 2009-2010 school year; in order to meet the needs of its current and future students, the school district must be able to construct new facilities and improve its existing facilities; additional bonding authority, subject to referendum approval, is needed to finance these capital projects; at the general primary election held on March 21, 2006, the voters of the district approved the following proposition:

Shall the Board of Education of Lincoln-Way Community High School District 210, Will County,

Illinois, improve the sites of and build and equip two high school buildings, improve the sites and alter, repair and equip the Lincoln-Way Central and East High School Buildings and issue bonds of said School District to the amount of \$225,000,000 for the purpose of paying the costs thereof?; and

WHEREAS, Ford Heights School District 169 serves the educational needs of one of the poorest communities in the nation; the Ford Motor Company is the largest single property taxpayer within the District, and it owns property that comprises at least 20% of the equalized assessed value in the District; the Ford Motor Company has realized reductions of its property's equalized assessed valuation of at least 40% between the 2000 and 2005 taxable years; the District has, consequently, lost property tax revenues due to tax refunds of \$2,700,000 over the past several years; it is projected that the District will run out of operating funds entirely as early as January 2007, and it will be forced to lay off approximately 30 of its 65 teachers; this financial crisis endangers the quality of education received by the children of the District and it threatens the health, safety, and welfare of the citizens; therefore"; and

by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 18-185 and 18-190.5 as follows:

(35 ILCS 200/18-185)

Sec. 18-185. Short title; definitions. This Division 5 may be cited as the Property Tax Extension Limitation Law. As used in this Division 5:

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Extension limitation" means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205.

"Affected county" means a county of 3,000,000 or more inhabitants or a county contiguous to a county of 3,000,000 or more inhabitants.

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water

Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; and (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for the handicapped under subsection (c) of Section 7.06 of the Chicago Park District Act; ~~and~~ (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means the annual corporate extension for the taxing district and those special purpose extensions that are made

annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that

date); (k) made to fund expenses of providing joint recreational programs for the handicapped under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

"Special purpose extensions" include, but are not limited to, extensions for levies made on an annual basis for unemployment and workers' compensation, self-insurance, contributions to pension plans, and extensions made pursuant to Section 6-601 of the Illinois Highway Code for a road district's permanent road fund whether levied annually or not. The extension for a special service area is not included in the aggregate extension.

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-215 through 18-230.

"Levy year" has the same meaning as "year" under Section 1-155.

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, and (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

"Qualified airport authority" means an airport authority organized under the Airport Authorities Act and located in a county bordering on the State of Wisconsin and having a population in excess of 200,000 and not greater than 500,000.

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for

a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided.

(Source: P.A. 93-601, eff. 1-1-04; 93-606, eff. 11-18-03; 93-612, eff. 11-18-03; 93-689, eff. 7-1-04; 93-690, eff. 7-1-04; 93-1049, eff. 11-17-04; 94-974, eff. 6-30-06; 94-976, eff. 6-30-06; revised 8-3-06.)

(35 ILCS 200/18-190.5)

Sec. 18-190.5. School districts. The requirements of Section 18-190 of this Code for a direct referendum on the imposition of a new or increased tax rate do not apply to tax levies that are not included in the aggregate extension for those taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213 of this Code) pursuant to ~~clauses~~ clause (m) and (q) of Section 18-185 of this Code.

(Source: P.A. 92-547, eff. 6-13-02.)

Section 10. The Illinois Municipal Code is amended by changing Section 8-11-1.2 as follows:

(65 ILCS 5/8-11-1.2) (from Ch. 24, par. 8-11-1.2)

Sec. 8-11-1.2. Definition. As used in Sections 8-11-1.3, 8-11-1.4 and 8-11-1.5 of this Act:

(a) "Public infrastructure" means municipal roads and streets, access roads, bridges, and sidewalks; waste disposal systems; and water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities. For purposes of referenda authorizing the imposition of taxes by the City of DuQuoin under Sections 8-11-1.3, 8-11-1.4, and 8-11-1.5 of this Act that are approved in November, 2002, or for purposes of referenda authorizing the imposition of taxes by the Village of Forsyth under Sections 8-11-1.3, 8-11-1.4, and 8-11-1.5 of this Act that are approved after the effective date of this amendatory Act of the 94th General Assembly, "public infrastructure" shall also include public schools.

(b) "Property tax relief" means the action of a municipality to reduce the levy for real estate taxes or avoid an increase in the levy for real estate taxes that would otherwise have been required. Property tax relief or the avoidance of property tax must uniformly apply to all classes of property.

(Source: P.A. 91-51, eff. 6-30-99; 92-739, eff. 1-1-03; 92-815, eff. 8-21-02; revised 9-10-02.)

Section 15. The School Code is amended by changing Sections 5-1 and 19-1 and by adding Section 17-9.02 as follows:

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

Sec. 5-1. County school units.

(a) The territory in each county, exclusive of any school district governed by any special act which

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

(b) Notwithstanding subsections (a) and (c), the school board of any elementary school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of a high school district, and the school board of any high school district having a fall, 1989 aggregate enrollment of at least 2,500 but less than 6,500 pupils and having boundaries that are coterminous with the boundaries of an elementary school district, may, whenever the territory of such school district forms a part of a Class II county school unit, by proper resolution withdraw such school district from the jurisdiction and authority of the trustees of schools of the township in which such school district is located and from the jurisdiction and authority of the township treasurer in such Class II county school unit; provided that the school board of any such school district shall, upon the adoption and passage of such resolution, thereupon elect or appoint its own school treasurer as provided in Section 8-1. Upon the adoption and passage of such resolution and the election or appointment by the school board of its own school treasurer: (1) the trustees of schools in such township shall no longer have or exercise any powers and duties with respect to the school district governed by such school board or with respect to the school business, operations or assets of such school district; and (2) all books and records of the township trustees relating to the school business and affairs of such school district shall be transferred and delivered to the school board of such school district. Upon the effective date of this amendatory Act of 1993, the legal title to, and all right, title and interest formerly held by the township trustees in any school buildings and school sites used and occupied by the school board of such school district for school purposes, that legal title, right, title and interest thereafter having been transferred to and vested in the regional board of school trustees under P.A. 87-473 until the abolition of that regional board of school trustees by P.A. 87-969, shall be deemed transferred by operation of law to and shall vest in the school board of that school district.

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

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

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



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

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

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

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

If in each elementary and unit school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished a majority of the electors in each such district voting at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township votes in favor of the proposition as submitted to them, the proposition shall be deemed to have passed; but if in any such elementary or unit school district a majority of the electors voting on that proposition in that district fails to vote in favor of the proposition as submitted to them, then notwithstanding the vote of the electors in any other such elementary or unit school district on that proposition the proposition shall not be deemed to have passed in any of those elementary or unit school districts, and the offices of township treasurer and trustee of schools of the township in which those offices were sought to be abolished shall not be abolished, unless in each of those elementary and unit school districts remaining subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township proceedings are again initiated to abolish those offices and all of the proceedings and conditions prescribed in paragraphs (1) through (4) of this subsection are repeated and met in each of those elementary and unit school districts.

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

The electors in all of the school districts subject to the jurisdiction and authority of the township treasurer and trustees of schools of the township in which those offices are sought to be abolished shall vote at the consolidated election on the proposition to abolish the offices of township treasurer and trustee of schools of that township. If a majority of the electors in all of the school districts

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

If the proposition to abolish the offices of township treasurer and trustee of schools of a township is deemed to have passed at the consolidated election as provided in this subsection, those offices shall be deemed abolished by operation of law effective on January 1 of the calendar year immediately following the calendar year in which that consolidated election is held, provided that if after the election, the trustees of schools by resolution elect to abolish the offices of township treasurer and trustee of schools effective on July 1 immediately following the election, then the offices shall be abolished on July 1 immediately following the election. On the date that the offices of township treasurer and trustee of schools of a township are deemed abolished by operation of law, the school board of each elementary and unit school district and the school board of each high school district that is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township at the time those offices are abolished: (i) shall appoint its own school treasurer as provided in Section 8-1; and (ii) unless the term of the contract of a township treasurer expires on the date that the office of township treasurer is abolished, shall pay to the former township treasurer its proportionate share of any aggregate compensation that, were the office of township treasurer not abolished at that time, would have been payable to the former township treasurer after that date over the remainder of the term of the contract of the former township treasurer that began prior to but ends after that date. In addition, on the date that the offices of township treasurer and trustee of schools of a township are deemed abolished as provided in this subsection, the school board of each elementary school, high school and unit school district that until that date is subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township shall be deemed by operation of law to have agreed and assumed to pay and, when determined, shall pay to the Illinois Municipal Retirement Fund a proportionate share of the unfunded liability existing in that Fund at the time these offices are abolished in that calendar year for all annuities or other benefits then or thereafter to become payable from that Fund with respect to all periods of service performed prior to that date as a participating employee in that Fund by persons serving during those periods of service as a trustee of schools, township treasurer or regular employee in the office of the township treasurer of that township. That unfunded liability shall be actuarially determined by the board of trustees of the Illinois Municipal Retirement Fund, and the board of trustees shall thereupon notify each school board required to pay a proportionate share of that unfunded liability of the aggregate amount of the unfunded liability so determined. The amount so paid to the Illinois Municipal Retirement Fund by each of those school districts shall be credited to the account of the township in that Fund. For each elementary school, high school and unit school district under the jurisdiction and authority of a township treasurer and trustees of schools of a township in which those offices are abolished as provided in this subsection, each such district's proportionate share of the aggregate compensation payable to the former township treasurer as provided in this paragraph and each such district's proportionate share of the aggregate amount of the unfunded liability payable to the Illinois Municipal Retirement Fund as provided in this paragraph shall be computed in accordance with the ratio that the number of pupils in average daily attendance in each such district as reported in schedules prepared under Section 24-19 for the school year last ending prior to the date on which the offices of township treasurer and trustee of schools of that township are abolished bears to the aggregate number of pupils in average daily attendance in all of those districts as so reported for that school year.

Upon abolition of the offices of township treasurer and trustee of schools of a township as provided in this subsection: (i) the regional board of school trustees, in its corporate capacity, shall be deemed the successor in interest to the former trustees of schools of that township with respect to the common school lands and township loanable funds of the township; (ii) all right, title and interest existing or vested in the former trustees of schools of that township in the common school lands and township loanable funds of the township, and all records, moneys, securities and other assets, rights of property and causes of action pertaining to or constituting a part of those common school lands or township loanable funds, shall be transferred to and deemed vested by operation of law in the regional board of school trustees, which shall hold legal title to, manage and operate all common school lands and township loanable funds of the township, receive the rents, issues and profits therefrom, and have and exercise with respect thereto the same powers and duties as are provided by this Code to be exercised by regional boards of school trustees when acting as township land commissioners in counties having at least 220,000 but fewer than 2,000,000

inhabitants; (iii) the regional board of school trustees shall select to serve as its treasurer with respect to the common school lands and township loanable funds of the township a person from time to time also serving as the appointed school treasurer of any school district that was subject to the jurisdiction and authority of the township treasurer and trustees of schools of that township at the time those offices were abolished, and the person selected to also serve as treasurer of the regional board of school trustees shall have his compensation for services in that capacity fixed by the regional board of school trustees, to be paid from the township loanable funds, and shall make to the regional board of school trustees the reports required to be made by treasurers of township land commissioners, give bond as required by treasurers of township land commissioners, and perform the duties and exercise the powers of treasurers of township land commissioners; (iv) the regional board of school trustees shall designate in the manner provided by Section 8-7, insofar as applicable, a depository for its treasurer, and the proceeds of all rents, issues and profits from the common school lands and township loanable funds of that township shall be deposited and held in the account maintained for those purposes with that depository and shall be expended and distributed therefrom as provided in Section 15-24 and other applicable provisions of this Code; and (v) whenever there is vested in the trustees of schools of a township at the time that office is abolished under this subsection the legal title to any school buildings or school sites used or occupied for school purposes by any elementary school, high school or unit school district subject to the jurisdiction and authority of those trustees of school at the time that office is abolished, the legal title to those school buildings and school sites shall be deemed transferred by operation of law to and invested in the school board of that school district, in its corporate capacity Section 7-28, the same to be held, sold, exchanged leased or otherwise transferred in accordance with applicable provisions of this Code.

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

(Source: P.A. 91-269, eff. 7-23-99; 92-448, eff. 8-21-01.)

(105 ILCS 5/17-9.02 new)

Sec. 17-9.02. Supplemental tax levy for Ford Heights School District 169.

(a) Notwithstanding any other provisions of this Article and in addition to the methods provided by other Sections of this Article for increasing the rate of tax levied for any school purpose, Ford Heights School District 169 may levy a supplemental tax for the 2006, 2007, and 2008 taxable years.

(b) The supplemental tax authorized by this Section is levied upon all the taxable property of the school district at its value as equalized or assessed by the Department of Revenue for each of the years in which the levy is made. The supplemental tax is in addition to all other taxes that the district may levy for any school purpose for the years in which the levy is made.

(c) For each year that it is levied, the supplemental tax must be levied at a rate not exceeding that which, when applied to the equalized assessed value of all taxable property in the district for that year in which the levy is made, is sufficient to yield that amount of tax revenue that is equal to \$1,067,000 for a total of \$3,201,000 for all taxable years that the tax is levied.

(d) The supplemental tax authorized by this Section must be levied by proper resolution of the school board and without referendum. A certified copy of the resolution levying the supplemental tax, signed by the president and clerk or secretary of the school board, must be filed in the office of the county clerk, and it is, then, the duty of the county clerk to extend the supplemental tax. The supplemental tax must be extended and collected in like manner as all other taxes of the school district, but the supplemental tax must be separately identified by the collectors.

(e) Ford Heights School District 169 may use the proceeds from the supplemental tax for any purpose for which the district is authorized to make expenditures.

(105 ILCS 5/19-1) (from Ch. 122, par. 19-1)

Sec. 19-1. Debt limitations of school districts.

(a) School districts shall not be subject to the provisions limiting their indebtedness prescribed in "An Act to limit the indebtedness of counties having a population of less than 500,000 and townships, school districts and other municipal corporations having a population of less than 300,000", approved February 15, 1928, as amended.

No school districts maintaining grades K through 8 or 9 through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 6.9% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No school districts maintaining grades K through 12 shall become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate exceeding 13.8% on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979, previous to the incurring of such indebtedness.

No partial elementary unit district, as defined in Article 11E of this Code, shall become indebted in any manner or for any purpose in an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, plus an amount, including existing indebtedness, in the aggregate exceeding 6.9% of the value of the taxable property of that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes. Moreover, no partial elementary unit district, as defined in Article 11E of this Code, shall become indebted on account of bonds issued by the district for high school purposes in the aggregate exceeding 6.9% of the value of the taxable property of the entire district, to be ascertained by the last assessment for State and county taxes, nor shall the district become indebted on account of bonds issued by the district for elementary purposes in the aggregate exceeding 6.9% of the value of the taxable property for that portion of the district included in the elementary and high school classification, to be ascertained by the last assessment for State and county taxes.

Notwithstanding the provisions of any other law to the contrary, in any case in which the voters of a school district have approved a proposition for the issuance of bonds of such school district at an election held prior to January 1, 1979, and all of the bonds approved at such election have not been issued, the debt limitation applicable to such school district during the calendar year 1979 shall be computed by multiplying the value of taxable property therein, including personal property, as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, by the percentage limitation applicable to such school district under the provisions of this subsection (a).

(b) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, additional indebtedness may be incurred in an amount not to exceed the estimated cost of acquiring or improving school sites or constructing and equipping additional building facilities under the following conditions:

(1) Whenever the enrollment of students for the next school year is estimated by the board of education to increase over the actual present enrollment by not less than 35% or by not less than 200 students or the actual present enrollment of students has increased over the previous school year by not less than 35% or by not less than 200 students and the board of education determines that additional school sites or building facilities are required as a result of such increase in enrollment; and

(2) When the Regional Superintendent of Schools having jurisdiction over the school district and the State Superintendent of Education concur in such enrollment projection or increase and approve the need for such additional school sites or building facilities and the estimated cost thereof; and

(3) When the voters in the school district approve a proposition for the issuance of bonds for the purpose of acquiring or improving such needed school sites or constructing and equipping such needed additional building facilities at an election called and held for that purpose. Notice of such an election shall state that the amount of indebtedness proposed to be incurred would exceed the debt limitation otherwise applicable to the school district. The ballot for such proposition shall state what percentage of the equalized assessed valuation will be outstanding in bonds if the proposed issuance of bonds is approved by the voters; or

(4) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if the school board determines that additional facilities are needed to provide a quality educational program and not less than 2/3 of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose; or

(5) Notwithstanding the provisions of paragraphs (1) through (3) of this subsection (b), if (i) the school district has previously availed itself of the provisions of paragraph (4) of this subsection (b) to enable it to issue bonds, (ii) the voters of the school district have not defeated a proposition for the issuance of bonds since the referendum described in paragraph (4) of this subsection (b) was held, (iii) the school board determines that additional facilities are needed to provide a quality educational program, and (iv) a majority of those voting in an election called by the school board on the question approve the issuance of bonds for the construction of such facilities, the school district may issue bonds for this purpose.

In no event shall the indebtedness incurred pursuant to this subsection (b) and the existing indebtedness of the school district exceed 15% of the value of the taxable property therein to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness or, until January 1, 1983, if greater, the sum that is produced by multiplying the school district's 1978 equalized assessed valuation by the debt limitation percentage in effect on January 1, 1979.

The indebtedness provided for by this subsection (b) shall be in addition to and in excess of any other debt limitation.

(c) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, in any case in which a public question for the issuance of bonds of a proposed school district maintaining grades kindergarten through 12 received at least 60% of the valid ballots cast on the question at an election held on or prior to November 8, 1994, and in which the bonds approved at such election have not been issued, the school district pursuant to the requirements of Section 11A-10 (now repealed) may issue the total amount of bonds approved at such election for the purpose stated in the question.

(d) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) and (2) of this subsection (d) may incur an additional indebtedness in an amount not to exceed \$4,500,000, even though the amount of the additional indebtedness authorized by this subsection (d), when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (d), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable to that district under subsection (a):

(1) The additional indebtedness authorized by this subsection (d) is incurred by the school district through the issuance of bonds under and in accordance with Section 17-2.11a for the purpose of replacing a school building which, because of mine subsidence damage, has been closed as provided in paragraph (2) of this subsection (d) or through the issuance of bonds under and in accordance with Section 19-3 for the purpose of increasing the size of, or providing for additional functions in, such replacement school buildings, or both such purposes.

(2) The bonds issued by the school district as provided in paragraph (1) above are issued for the purposes of construction by the school district of a new school building pursuant to Section 17-2.11, to replace an existing school building that, because of mine subsidence damage, is closed as of the end of the 1992-93 school year pursuant to action of the regional superintendent of schools of the educational service region in which the district is located under Section 3-14.22 or are issued for the purpose of increasing the size of, or providing for additional functions in, the new school building being constructed to replace a school building closed as the result of mine subsidence damage, or both such purposes.

(e) (Blank).

(f) Notwithstanding the provisions of subsection (a) of this Section or of any other law, bonds in not to exceed the aggregate amount of \$5,500,000 and issued by a school district meeting the following criteria shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness:

(1) At the time of the sale of such bonds, the board of education of the district shall have determined by resolution that the enrollment of students in the district is projected to increase by not less than 7% during each of the next succeeding 2 school years.

(2) The board of education shall also determine by resolution that the improvements to be financed with the proceeds of the bonds are needed because of the projected enrollment increases.

(3) The board of education shall also determine by resolution that the projected increases in enrollment are the result of improvements made or expected to be made to passenger rail facilities located in the school district.

Notwithstanding the provisions of subsection (a) of this Section or of any other law, a school district that has availed itself of the provisions of this subsection (f) prior to July 22, 2004 (the effective date of Public Act 93-799) may also issue bonds approved by referendum up to an amount, including existing indebtedness, not exceeding 25% of the equalized assessed value of the taxable property in the district if all of the conditions set forth in items (1), (2), and (3) of this subsection (f) are met.

(g) Notwithstanding the provisions of subsection (a) of this Section or any other law, bonds in not to exceed an aggregate amount of 25% of the equalized assessed value of the taxable property of a school district and issued by a school district meeting the criteria in paragraphs (i) through (iv) of this subsection shall not be considered indebtedness for purposes of any statutory limitation and may be issued pursuant to

resolution of the school board in an amount or amounts, including existing indebtedness, in excess of any statutory limitation of indebtedness heretofore or hereafter imposed:

- (i) The bonds are issued for the purpose of constructing a new high school building to replace two adjacent existing buildings which together house a single high school, each of which is more than 65 years old, and which together are located on more than 10 acres and less than 11 acres of property.
  - (ii) At the time the resolution authorizing the issuance of the bonds is adopted, the cost of constructing a new school building to replace the existing school building is less than 60% of the cost of repairing the existing school building.
  - (iii) The sale of the bonds occurs before July 1, 1997.
  - (iv) The school district issuing the bonds is a unit school district located in a county of less than 70,000 and more than 50,000 inhabitants, which has an average daily attendance of less than 1,500 and an equalized assessed valuation of less than \$29,000,000.
- (h) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27.6% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:
- (i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$24,000,000;
  - (ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which buildings were originally constructed not less than 40 years ago;
  - (iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after March 19, 1996; and
  - (iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.
- (i) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1998, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:
- (i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$44,600,000;
  - (ii) The bonds are issued for the capital improvement, renovation, rehabilitation, or replacement of existing school buildings of the district, all of which existing buildings were originally constructed not less than 80 years ago;
  - (iii) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after December 31, 1996; and
  - (iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.
- (j) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:
- (i) The school district has an equalized assessed valuation for calendar year 1995 of less than \$140,000,000 and a best 3 months average daily attendance for the 1995-96 school year of at least 2,800;
  - (ii) The bonds are issued to purchase a site and build and equip a new high school, and the school district's existing high school was originally constructed not less than 35 years prior to the sale of the bonds;
  - (iii) At the time of the sale of the bonds, the board of education determines by resolution that a new high school is needed because of projected enrollment increases;
  - (iv) At least 60% of those voting in an election held after December 31, 1996 approve a proposition for the issuance of the bonds; and
  - (v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.
- (k) Notwithstanding the debt limitation prescribed in subsection (a) of this Section, a school district that meets all the criteria set forth in paragraphs (1) through (4) of this subsection (k) may issue bonds to incur an additional indebtedness in an amount not to exceed \$4,000,000 even though the amount of the additional indebtedness authorized by this subsection (k), when incurred and added to the aggregate amount of indebtedness of the school district existing immediately prior to the school district incurring such additional

indebtedness, causes the aggregate indebtedness of the school district to exceed or increases the amount by which the aggregate indebtedness of the district already exceeds the debt limitation otherwise applicable to that school district under subsection (a):

- (1) the school district is located in 2 counties, and a referendum to authorize the additional indebtedness was approved by a majority of the voters of the school district voting on the proposition to authorize that indebtedness;
  - (2) the additional indebtedness is for the purpose of financing a multi-purpose room addition to the existing high school;
  - (3) the additional indebtedness, together with the existing indebtedness of the school district, shall not exceed 17.4% of the value of the taxable property in the school district, to be ascertained by the last assessment for State and county taxes; and
  - (4) the bonds evidencing the additional indebtedness are issued, if at all, within 120 days of the effective date of this amendatory Act of 1998.
- (l) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 2000, a school district maintaining grades kindergarten through 8 may issue bonds up to an amount, including existing indebtedness, not exceeding 15% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:
- (i) the district has an equalized assessed valuation for calendar year 1996 of less than \$10,000,000;
  - (ii) the bonds are issued for capital improvement, renovation, rehabilitation, or replacement of one or more school buildings of the district, which buildings were originally constructed not less than 70 years ago;
  - (iii) the voters of the district approve a proposition for the issuance of the bonds at a referendum held on or after March 17, 1998; and
  - (iv) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.
- (m) Notwithstanding any other provisions of this Section or the provisions of any other law, until January 1, 1999, an elementary school district maintaining grades K through 8 may issue bonds up to an amount, excluding existing indebtedness, not exceeding 18% of the equalized assessed value of the taxable property in the district, if all of the following conditions are met:
- (i) The school district has an equalized assessed valuation for calendar year 1995 or less than \$7,700,000;
  - (ii) The school district operates 2 elementary attendance centers that until 1976 were operated as the attendance centers of 2 separate and distinct school districts;
  - (iii) The bonds are issued for the construction of a new elementary school building to replace an existing multi-level elementary school building of the school district that is not handicapped accessible at all levels and parts of which were constructed more than 75 years ago;
  - (iv) The voters of the school district approve a proposition for the issuance of the bonds at a referendum held after July 1, 1998; and
  - (v) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.
- (n) Notwithstanding the debt limitation prescribed in subsection (a) of this Section or any other provisions of this Section or of any other law, a school district that meets all of the criteria set forth in paragraphs (i) through (vi) of this subsection (n) may incur additional indebtedness by the issuance of bonds in an amount not exceeding the amount certified by the Capital Development Board to the school district as provided in paragraph (iii) of this subsection (n), even though the amount of the additional indebtedness so authorized, when incurred and added to the aggregate amount of indebtedness of the district existing immediately prior to the district incurring the additional indebtedness authorized by this subsection (n), causes the aggregate indebtedness of the district to exceed the debt limitation otherwise applicable by law to that district:
- (i) The school district applies to the State Board of Education for a school construction project grant and submits a district facilities plan in support of its application pursuant to Section 5-20 of the School Construction Law.
  - (ii) The school district's application and facilities plan are approved by, and the district receives a grant entitlement for a school construction project issued by, the State Board of Education under the School Construction Law.
  - (iii) The school district has exhausted its bonding capacity or the unused bonding capacity of the district is less than the amount certified by the Capital Development Board to the district under Section 5-15 of the School Construction Law as the dollar amount of the school construction

project's cost that the district will be required to finance with non-grant funds in order to receive a school construction project grant under the School Construction Law.

(iv) The bonds are issued for a "school construction project", as that term is defined in Section 5-5 of the School Construction Law, in an amount that does not exceed the dollar amount certified, as provided in paragraph (iii) of this subsection (n), by the Capital Development Board to the school district under Section 5-15 of the School Construction Law.

(v) The voters of the district approve a proposition for the issuance of the bonds at a referendum held after the criteria specified in paragraphs (i) and (iii) of this subsection (n) are met.

(vi) The bonds are issued pursuant to Sections 19-2 through 19-7 of the School Code.

(o) Notwithstanding any other provisions of this Section or the provisions of any other law, until November 1, 2007, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including existing indebtedness, not exceeding 20% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) the school district has an equalized assessed valuation for calendar year 2001 of at least \$737,000,000 and an enrollment for the 2002-2003 school year of at least 8,500;

(ii) the bonds are issued to purchase school sites, build and equip a new high school, build and equip a new junior high school, build and equip 5 new elementary schools, and make technology and other improvements and additions to existing schools;

(iii) at the time of the sale of the bonds, the board of education determines by resolution that the sites and new or improved facilities are needed because of projected enrollment increases;

(iv) at least 57% of those voting in a general election held prior to January 1, 2003 approved a proposition for the issuance of the bonds; and

(v) the bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p) Notwithstanding any other provisions of this Section or the provisions of any other law, a community unit school district maintaining grades K through 12 may issue bonds up to an amount, including indebtedness, not exceeding 27% of the equalized assessed value of the taxable property in the district if all of the following conditions are met:

(i) The school district has an equalized assessed valuation for calendar year 2001 of at least \$295,741,187 and a best 3 months' average daily attendance for the 2002-2003 school year of at least 2,394.

(ii) The bonds are issued to build and equip 3 elementary school buildings; build and equip one middle school building; and alter, repair, improve, and equip all existing school buildings in the district.

(iii) At the time of the sale of the bonds, the board of education determines by resolution that the project is needed because of expanding growth in the school district and a projected enrollment increase.

(iv) The bonds are issued pursuant to Sections 19-2 through 19-7 of this Code.

(p-5) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community unit school district maintaining grades K through 12 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

(i) For each of the 4 most recent years, residential property comprises more than 80% of the equalized assessed valuation of the district.

(ii) At least 2 school buildings that were constructed 40 or more years prior to the issuance of the bonds will be demolished and will be replaced by new buildings or additions to one or more existing buildings.

(iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.

(iv) At the time of the sale of the bonds, the school board determines by resolution that the new buildings or building additions are needed because of an increase in enrollment projected by the school board.

(v) The principal amount of the bonds, including existing indebtedness, does not exceed 25% of the equalized assessed value of the taxable property in the district.

(vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.



(p-10) Notwithstanding any other provisions of this Section or the provisions of any other law, bonds issued by a community consolidated school district maintaining grades K through 8 shall not be considered indebtedness for purposes of any statutory limitation and may be issued in an amount or amounts, including existing indebtedness, in excess of any heretofore or hereafter imposed statutory limitation as to indebtedness, if all of the following conditions are met:

- (i) For each of the 4 most recent years, residential and farm property comprises more than 80% of the equalized assessed valuation of the district.
- (ii) The bond proceeds are to be used to acquire and improve school sites and build and equip a school building.
- (iii) Voters of the district approve a proposition for the issuance of the bonds at a regularly scheduled election.
- (iv) At the time of the sale of the bonds, the school board determines by resolution that the school sites and building additions are needed because of an increase in enrollment projected by the school board.
- (v) The principal amount of the bonds, including existing indebtedness, does not exceed 20% of the equalized assessed value of the taxable property in the district.
- (vi) The bonds are issued prior to January 1, 2007, pursuant to Sections 19-2 through 19-7 of this Code.

(p-15) In addition to all other authority to issue bonds, the Oswego Community Unit School District Number 308 may issue bonds with an aggregate principal amount not to exceed \$450,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general election held on November 7, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school building, new junior high school buildings, new elementary school buildings, early childhood building, maintenance building, transportation facility, and additions to existing school buildings, the altering, repairing, equipping, and provision of technology improvements to existing school buildings, and the acquisition and improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before November 7, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$450,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the general election held on November 7, 2006.

The debt incurred on any bonds issued under this subsection (p-15) shall not be considered indebtedness for purposes of any statutory debt limitation.

(p-20) In addition to all other authority to issue bonds, the Lincoln-Way Community High School District Number 210 may issue bonds with an aggregate principal amount not to exceed \$225,000,000, but only if all of the following conditions are met:

(i) The voters of the district have approved a proposition for the bond issue at the general primary election held on March 21, 2006.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that: (A) the building and equipping of the new high school buildings, the altering, repairing, and equipping of existing school buildings, and the improvement of school sites, as the case may be, are required as a result of a projected increase in the enrollment of students in the district; and (B) the sale of bonds for these purposes is authorized by legislation that exempts the debt incurred on the bonds from the district's statutory debt limitation.

(iii) The bonds are issued, in one or more bond issues, on or before March 21, 2011, but the aggregate principal amount issued in all such bond issues combined must not exceed \$225,000,000.

(iv) The bonds are issued in accordance with this Article 19.

(v) The proceeds of the bonds are used only to accomplish those projects approved by the voters at the primary election held on March 21, 2006.

The debt incurred on any bonds issued under this subsection (p-20) shall not be considered indebtedness for purposes of any statutory debt limitation.

(q) A school district must notify the State Board of Education prior to issuing any form of long-term or

short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in this Section or any other provision of law.

(Source: P.A. 93-13, eff. 6-9-03; 93-799, eff. 7-22-04; 93-1045, eff. 10-15-04; 94-234, eff. 7-1-06; 94-721, eff. 1-6-06; 94-952, eff. 6-27-06; 94-1019, eff. 7-10-06; revised 8-3-06.)

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 628.

SENATE BILL 947. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 947 on page 5, immediately below line 34, by inserting the following:

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILLS 948, 1195 and 1269.

SENATE BILL 2300. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 2300 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 12-55, 15-176, and 20-5 as follows:

(35 ILCS 200/12-55)

Sec. 12-55. Notice requirement if assessment is increased; counties of 3,000,000 or more.

(a) In counties with 3,000,000 or more inhabitants, a revision by the county assessor, except where such revision is made on complaint of the owner, shall not increase an assessment without notice to the person to whom the most recent tax bill was mailed and an opportunity to be heard before the assessment is verified. When a notice is mailed by the county assessor to the address of a mortgagee, the mortgagee, within 7 business days after the mortgagee receives the notice, shall forward a copy of the notice to each mortgagor of the property referred to in the notice at the last known address of each mortgagor as shown on the records of the mortgagee. There shall be no liability for the failure of the mortgagee to forward the notice to each mortgagor. The assessor may provide for the filing of complaints and make revisions at times other than those dates published under Section 14-35. When the county assessor has completed the revision and correction and entered the changes and revision in the assessment books, an affidavit shall be attached to the assessment books in the form required by law, signed by the county assessor.

(b) In counties with 3,000,000 or more inhabitants, for parcels, other than parcels in the class that includes the majority of the single-family residential parcels under a county ordinance adopted in accordance with Section 4 of Article IX of the Illinois Constitution, located in the assessment district for which the current assessment year is a general assessment year, within 30 days after sending the required notices under this Section, the county assessor shall file with the board of appeals (until the first Monday in December 1998, and the board of review beginning the first Monday in December 1998 and thereafter) a list of the parcels for which the notices under this Section were sent, showing the following information for each such parcel: the parcel index number, the township in which the parcel is located, the class for the

current year, the previous year's final total assessed value, the total assessed value proposed by the county assessor, and the name of the person to whom the notice required under this Section was sent. The list shall be available for public inspection at the office of the board during the regular office hours of the board. The list shall be retained by the board for at least 10 years after the date it is initially filed by the county assessor.

(c) The provisions of subsection (b) of this Section shall be applicable beginning with the assessment for the 1997 tax year.

(d) On and after the effective date of this amendatory Act of the 94th General Assembly and so long as any portion of the county is subject to the provisions of Section 15-176 instead of Section 15-175, the notice required under this Section must include the following statement:

Beginning in 2003, the Cook County Board imposed a 7% cap on annual increases in property tax assessments for certain owner-occupied residences. This assessment cap takes the form of an expanded homestead exemption. It is designed to reduce the burden of large property tax increases caused by rapid appreciation in home prices.

The assessment cap shifts the property tax burden. Some homeowners pay less, but all other taxpayers pay more. This is because a reduction in the assessed value of some properties causes the tax rate to increase for all properties in order for the taxing district to collect the same total amount in taxes.

The taxpayers who pay more include owners of rental housing, commercial property, industrial property, and vacant land. The higher rate also causes some senior citizen homeowners to pay more because, though technically eligible for the 7% assessment cap, they already qualify for the more advantageous "senior freeze" on assessments. Similarly, homeowners whose property value appreciates less than 7% annually will also pay more in taxes than if the assessment cap were not in effect.

In general, the assessment cap shifts the tax burden from fast-growing to slow-growing residential areas and from homeowners to businesses. The magnitude of the shift will depend on how rapidly home prices appreciate over time.

Property tax bills for homestead property will indicate whether the property taxes are more, less, or the same as a result of the county's election to implement an assessment cap.

No other information related to the operation of the alternative general homestead exemption may be included with the notice required under this subsection (d).

(Source: P.A. 90-4, eff. 3-7-97; 91-751, eff. 6-2-00.)

(35 ILCS 200/15-176)

Sec. 15-176. Alternative general homestead exemption.

(a) For the assessment years as determined under subsection (j), in any county that has elected, by an ordinance in accordance with subsection (k), to be subject to the provisions of this Section in lieu of the provisions of Section 15-175, homestead property is entitled to an annual homestead exemption equal to a reduction in the property's equalized assessed value calculated as provided in this Section.

(b) As used in this Section:

(1) "Assessor" means the supervisor of assessments or the chief county assessment officer of each county.

(2) "Adjusted homestead value" means the lesser of the following values:

(A) The property's base homestead value increased by 7% for each tax year after the base year through and including the current tax year, or, if the property is sold or ownership is otherwise transferred, the property's base homestead value increased by 7% for each tax year after the year of the sale or transfer through and including the current tax year. The increase by 7% each year is an increase by 7% over the prior year.

(B) The property's equalized assessed value for the current tax year minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter.

(3) "Base homestead value".

(A) Except as provided in subdivision (b)(3)(B), "base homestead value" means the equalized assessed value of the property for the base year prior to exemptions, minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter, provided that it was assessed for that year as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property for that year. Except as provided in subdivision (b)(3)(B), if the property did not have a residential equalized assessed value for the base year, then

"base homestead value" means the base homestead value established by the assessor under subsection (c).

(B) If the property is sold or ownership is otherwise transferred, other than sales or transfers between spouses or between a parent and a child, "base homestead value" means the equalized assessed value of the property at the time of the sale or transfer prior to exemptions, minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter, provided that it was assessed as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property.

(3.5) "Base year" means (i) tax year 2002 in Cook County or (ii) tax year 2004 or 2005 ~~2002 or 2003~~ in all other

counties in accordance with the designation made by the county as provided in subsection (k).

(4) "Current tax year" means the tax year for which the exemption under this Section is being applied.

(5) "Equalized assessed value" means the property's assessed value as equalized by the Department.

(6) "Homestead" or "homestead property" means:

(A) Residential property that as of January 1 of the tax year is occupied by its owner or owners as his, her, or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, that is occupied as a residence by a person who has a legal or equitable interest therein evidenced by a written instrument, as an owner or as a lessee, and on which the person is liable for the payment of property taxes. Residential units in an apartment building owned and operated as a cooperative, or as a life care facility, which are occupied by persons who hold a legal or equitable interest in the cooperative apartment building or life care facility as owners or lessees, and who are liable by contract for the payment of property taxes, shall be included within this definition of homestead property.

(B) A homestead includes the dwelling place, appurtenant structures, and so much of the surrounding land constituting the parcel on which the dwelling place is situated as is used for residential purposes. If the assessor has established a specific legal description for a portion of property constituting the homestead, then the homestead shall be limited to the property within that description.

(7) "Life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act.

(c) If the property did not have a residential equalized assessed value for the base year as provided in subdivision (b)(3)(A) of this Section, then the assessor shall first determine an initial value for the property by comparison with assessed values for the base year of other properties having physical and economic characteristics similar to those of the subject property, so that the initial value is uniform in relation to assessed values of those other properties for the base year. The product of the initial value multiplied by the equalized factor for the base year for homestead properties in that county, less (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter, is the base homestead value.

For any tax year for which the assessor determines or adjusts an initial value and hence a base homestead value under this subsection (c), the initial value shall be subject to review by the same procedures applicable to assessed values established under this Code for that tax year.

(d) The base homestead value shall remain constant, except that the assessor may revise it under the following circumstances:

(1) If the equalized assessed value of a homestead property for the current tax year is less than the previous base homestead value for that property, then the current equalized assessed value (provided it is not based on a reduced assessed value resulting from a temporary irregularity in the property) shall become the base homestead value in subsequent tax years.

(2) For any year in which new buildings, structures, or other improvements are constructed on the homestead property that would increase its assessed value, the assessor shall adjust the base homestead value as provided in subsection (c) of this Section with due regard to the value added by the new improvements.

(3) If the property is sold or ownership is otherwise transferred, the base homestead value of the property shall be adjusted as provided in subdivision (b)(3)(B). This item (3) does not apply

to sales or transfers between spouses or between a parent and a child.

(e) The amount of the exemption under this Section is the equalized assessed value of the homestead property for the current tax year, minus the adjusted homestead value, with the following exceptions:

(1) The exemption under this Section shall not exceed \$20,000 for any taxable year.

(2) In the case of homestead property that also qualifies for the exemption under Section 15-172, the property is entitled to the exemption under this Section, limited to the amount of (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter.

(e-5) For each assessment year in which the alternative general homestead exemption under this Section applies to any portion of the county, the county clerk must determine whether the taxes for that year on each homestead property are more, less, or the same as a result of the county having elected to be subject to the provisions of this Section rather than the general homestead exemption under Section 15-175. The assessor must provide the county clerk with any assistance that the clerk requires. The determination of whether the taxes for that year are more, less, or the same must be made without regard to any other factor. In making the determination, the actual taxes on the property for that year shall be compared to what the taxes would have been for that year had the county not elected to be subject to the provisions of this Section. In calculating what the taxes would have been for that year had the county not elected to be subject to the provisions of this Section, the county clerk shall use the equalized assessed value of the homestead property and the combined tax rate of all taxing districts, both computed based on the assumption that the general homestead exemption under Section 15-175 was in effect throughout the county when this Section applied to any portion of the county.

The county clerk must provide the results of these calculations for each homestead property to the assessor and to the official in the county who is responsible for preparing and mailing the property tax bills so that the official and assessor can comply with subsections (b) and (c) of Section 20-5. For the purpose of this subsection, "homestead property" has the definition set forth under Section 15-175.

(f) In the case of an apartment building owned and operated as a cooperative, or as a life care facility, that contains residential units that qualify as homestead property under this Section, the maximum cumulative exemption amount attributed to the entire building or facility shall not exceed the sum of the exemptions calculated for each qualified residential unit. The cooperative association, management firm, or other person or entity that manages or controls the cooperative apartment building or life care facility shall credit the exemption attributable to each residential unit only to the apportioned tax liability of the owner or other person responsible for payment of taxes as to that unit. Any person who willfully refuses to so credit the exemption is guilty of a Class B misdemeanor.

(g) When married persons maintain separate residences, the exemption provided under this Section shall be claimed by only one such person and for only one residence.

(h) In the event of a sale or other transfer in ownership of the homestead property, the exemption under this Section shall remain in effect for the remainder of the tax year in which the sale or transfer occurs, but (other than for sales or transfers between spouses or between a parent and a child) shall be calculated using the new base homestead value as provided in subdivision (b)(3)(B). The assessor may require the new owner of the property to apply for the exemption in the following year.

(i) The assessor may determine whether property qualifies as a homestead under this Section by application, visual inspection, questionnaire, or other reasonable methods. Each year, at the time the assessment books are certified to the county clerk by the board of review, the assessor shall furnish to the county clerk a list of the properties qualified for the homestead exemption under this Section. The list shall note the base homestead value of each property to be used in the calculation of the exemption for the current tax year.

(j) In counties with 3,000,000 or more inhabitants, the provisions of this Section apply as follows:

(1) If the general assessment year for the property is 2003, this Section applies for assessment years 2003, 2004, and 2005. Thereafter, the provisions of Section 15-175 apply.

(2) If the general assessment year for the property is 2004, this Section applies for assessment years 2004, 2005, and 2006. Thereafter, the provisions of Section 15-175 apply.

(3) If the general assessment year for the property is 2005, this Section applies for assessment years 2005, 2006, and 2007. Thereafter, the provisions of Section 15-175 apply.

(4) If the general assessment year for the property is 2006 and only if the county elects, by ordinance, to extend the application of this Section under subsection (k-5), then this Section continues to apply for assessment years 2006, 2007, and 2008. Thereafter, the provisions of Section 15-175 apply.

(5) If the general assessment year for the property is 2007 and only if the county elects, by ordinance,

to extend the application of this Section under subsection (k-5), then this Section continues to apply for assessment years 2007, 2008, and 2009. Thereafter, the provisions of Section 15-175 apply.

(6) If the general assessment year for the property is 2008 and only if the county elects, by ordinance, to extend the application of this Section under subsection (k-5), then this Section continues to apply for assessment years 2008, 2009, and 2010. Thereafter, the provisions of Section 15-175 apply.

In counties with less than 3,000,000 inhabitants, this Section applies for assessment years

(i) 2005, 2006, and 2007 if tax year 2004 ~~2003, 2004, and 2005~~ if 2002 is the designated base year or (ii) 2006, 2007, and 2008 if tax year 2005 ~~2004, 2005, and 2006~~ if 2003 is the designated base year.

Thereafter, the provisions of Section 15-175 apply.

(k) To be subject to the provisions of this Section in lieu of Section 15-175, a county must adopt an ordinance to subject itself to the provisions of this Section within (i) 6 months after the effective date of this amendatory Act of the 93rd General Assembly for Cook County, except as provided in subsection (k-5), or (ii) within 6 months after the effective date of this amendatory Act of the 94th General Assembly for all other counties. In a county other than Cook County, the ordinance must designate either tax year ~~2004~~ 2002 or tax year ~~2005~~ 2003 as the base year.

(k-5) Cook County may elect, by ordinance, to extend the application of this Section for the assessment years set forth under items (4), (5), and (6) of subsection (j). The ordinance must be adopted within 6 months after the effective date of this amendatory Act of the 94th General Assembly.

(l) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 93-715, eff. 7-12-04.)

(35 ILCS 200/20-5)

Sec. 20-5. Mailing tax bill to owner.

(a) Every township collector, and every county collector in cases where there is no township collector, upon receiving the tax book or books, shall prepare tax bills showing each installment of property taxes assessed, which shall be filled out in accordance with Section 20-40. A copy of the bill shall be mailed by the collector, at least 30 days prior to the date upon which unpaid taxes become delinquent, to the owner of the property taxed or to the person in whose name the property is taxed.

(b) In each county in which the county clerk is required to make the determinations under subsection (e-5) of Section 15-176, the tax bill for each homestead property must include, on the bill, a notification to the taxpayer as to whether the taxes on the property are more, less, or the same as a result of the county's election to be subject to the alternative general homestead exemption under Section 15-176 rather than the general homestead exemption under Section 15-175. The notification must be based on the determinations made under subsection (e-5) of Section 15-176. The notification must be clearly visible and must be in the following form:

"The taxes on this property are (more/less/the same) as a result of the county's election to be subject to the alternative general homestead exemption under Section 15-176 of the Property Tax Code, sometimes known as the "7% solution" or "assessment cap"."

For the purpose of this subsection, "homestead property" has the definition set forth under Section 15-175.

(c) On and after the effective date of this amendatory Act of the 94th General Assembly and so long as any portion of the county is subject to the provisions of Section 15-176 instead of Section 15-175, the following statement must be included with each tax bill in Cook County:

Beginning in 2003, the Cook County Board imposed a 7% cap on annual increases in property tax assessments for certain owner-occupied residences. This assessment cap takes the form of an expanded homestead exemption. It is designed to reduce the burden of large property tax increases caused by rapid appreciation in home prices.

The assessment cap shifts the property tax burden. Some homeowners pay less, but all other taxpayers pay more. This is because a reduction in the assessed value of some properties causes the tax rate to increase for all properties in order for the taxing district to collect the same total amount in taxes.

The taxpayers who pay more include owners of rental housing, commercial property, industrial property, and vacant land. The higher rate also causes some senior citizen homeowners to pay more because, though technically eligible for the 7% assessment cap, they already qualify for the more advantageous "senior freeze" on assessments. Similarly, homeowners whose property value appreciates less than 7% annually will also pay more in taxes than if the assessment cap were not in effect.

In general, the assessment cap shifts the tax burden from fast-growing to slow-growing residential areas and from homeowners to businesses. The magnitude of the shift will depend on how rapidly home

prices appreciate over time.

Property tax bills for homestead property will indicate whether the property taxes are more, less, or the same as a result of the county's election to implement an assessment cap.

(d) In each county in which the county clerk is required to make the determinations under subsection (e-5) of Section 15-176, as soon as practical after the tax bills are mailed, but no more than 30 days, the assessor must mail a copy of the notification set forth under subsections (b) and (c) to the owner of each homestead property in the county at the mailing address of the homestead property together with sufficient information to identify the property in question, but the mailing shall include nothing else.

(Source: P.A. 86-957; 87-818; 88-455.)

Section 90. The State Mandates Act is amended by adding Section 8.30 as follows:

(30 ILCS 805/8.30 new)

Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 94th General Assembly.

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL 2608. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and reproduced:

AMENDMENT NO. 1. Amend Senate Bill 2608 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Sections 4.17 and 4.18 as follows:

(5 ILCS 80/4.17)

Sec. 4.17. Acts repealed on January 1, 2007. The following are repealed on January 1, 2007:

Articles II, III, IV, V, V 1/2, VI, VIIA, VIIB, VIIC, XVII, XXXI, XXXI 1/4, and XXXI

3/4 of the Illinois Insurance Code.

~~The Medical Practice Act of 1987.~~

~~The Environmental Health Practitioner Licensing Act.~~

(Source: P.A. 94-754, eff. 5-10-06; 94-787, eff. 5-19-06; 94-870, eff. 6-16-06; 94-956, eff. 6-27-06; revised 8-3-06.)

(5 ILCS 80/4.18)

Sec. 4.18. Acts repealed January 1, 2008 and December 31, 2008.

(a) The following Acts are repealed on January 1, 2008:

The Acupuncture Practice Act.

The Clinical Social Work and Social Work Practice Act.

The Home Medical Equipment and Services Provider License Act.

The Nursing and Advanced Practice Nursing Act.

The Illinois Petroleum Education and Marketing Act.

The Illinois Speech-Language Pathology and Audiology Practice Act.

The Marriage and Family Therapy Licensing Act.

The Nursing Home Administrators Licensing and Disciplinary Act.

The Pharmacy Practice Act of 1987.

The Physician Assistant Practice Act of 1987.

The Podiatric Medical Practice Act of 1987.

The Structural Pest Control Act.

(b) The following Acts are repealed on December 31, 2008:

The Medical Practice Act of 1987.

The Environmental Health Practitioner Licensing Act.

(Source: P.A. 94-754, eff. 5-10-06.)

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

There being no further amendment(s), the bill, as amended, was advanced to the order of Third Reading.

### **RECALLS**

At the request of the principal sponsor, Representative Lang, SENATE BILL 2300 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Feigenholtz, SENATE BILL 505 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

At the request of the principal sponsor, Representative Molaro, SENATE BILL 821 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

### **SENATE BILL ON SECOND READING**

Having been read by title a second time on November 15, 2006 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 1856.

### **SENATE BILL ON THIRD READING**

The following bill and any amendments adopted thereto were reproduced. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Lang, SENATE BILL 1856 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: 88, Yeas; 23, Nays; 0, Answering Present.

(ROLL CALL 4)

This bill, as amended, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence in the House amendment/s adopted.

### **AGREED RESOLUTIONS**

HOUSE RESOLUTIONS 1521, 1522, 1523, 1524, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534 and 1535 and HOUSE JOINT RESOLUTION 149 were taken up for consideration.

Representative Hannig moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 6:47 o'clock p.m., Representative Hannig moved that the House do now adjourn until Wednesday, November 29, 2006, at 9:30 o'clock a.m.

The motion prevailed.

And the House stood adjourned.



STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
QUORUM ROLL CALL FOR ATTENDANCE

November 28, 2006

0 YEAS

0 NAYS

116 PRESENT

P Acevedo	P Dugan	P Krause	P Pritchard
P Bassi	P Dunkin	P Lang	P Ramey
P Beaubien	P Dunn	P Leitch	P Reis
P Beiser	P Durkin	P Lindner (ADDED)	P Reitz
P Bellock	P Eddy	P Lyons	P Rita
P Berrios	P Feigenholtz	P Mathias	P Rose
P Biggins	P Flider	P Mautino	P Ryg
P Black	P Flowers	P May	P Sacia
P Boland	P Franks	P McAuliffe	P Saviano
P Bost	P Fritchey	P McCarthy	P Schmitz
P Bradley, John	P Froehlich	P McGuire	P Schock
P Bradley, Richard	P Giles	P McKeon	P Scully
P Brady	P Golar	P Mendoza	P Smith
P Brauer	P Gordon	P Meyer	P Sommer
P Brosnahan	P Graham	P Miller	P Soto (ADDED)
P Burke	P Granberg	P Mitchell, Bill	P Stephens
P Chapa LaVia	P Hamos	P Mitchell, Jerry	P Sullivan
P Chavez	P Hannig	P Moffitt	P Tracy
P Churchill	P Hassert (ADDED)	P Molaro	P Tryon
P Collins	P Hoffman (ADDED)	P Mulligan	P Turner
P Colvin (ADDED)	P Holbrook	P Munson	P Verschoore
P Coulson	P Howard	P Myers	P Wait
P Cross (ADDED)	P Hultgren	P Nekritz	P Washington (ADDED)
P Cultra	P Jakobsson	P Osmond	P Watson
E Currie	P Jefferies	P Osterman	P Winters
P D'Amico	P Jefferson	P Parke	P Yarbrough
P Daniels	P Jenisch	E Patterson	P Younge
P Davis, Monique	P Joyce	P Phelps	P Mr. Speaker
P Davis, W. (ADDED)	P Kelly	P Pihos	
P Delgado	P Kosel	P Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
HOUSE BILL 5857  
ELECTRIC RATES-RESID INCREASE  
MOTION TO SUSTAIN THE CHAIR  
SUSTAINED

November 28, 2006

63 YEAS

52 NAYS

0 PRESENT

Y Acevedo	Y Dugan	N Krause	N Pritchard
N Bassi	Y Dunkin	Y Lang	N Ramey
N Beaubien	N Dunn	N Leitch	N Reis
Y Beiser	A Durkin	N Lindner	Y Reitz
N Bellock	N Eddy	Y Lyons	Y Rita
Y Berrios	Y Feigenholtz	N Mathias	N Rose
N Biggins	Y Flider	Y Mautino	Y Ryg
N Black	Y Flowers	Y May	N Sacia
Y Boland	Y Franks	N McAuliffe	N Saviano
N Bost	Y Fritchey	Y McCarthy	N Schmitz
Y Bradley, John	N Froehlich	Y McGuire	N Schock
Y Bradley, Richard	Y Giles	Y McKeon	Y Scully
N Brady	Y Golar	Y Mendoza	Y Smith
N Brauer	Y Gordon	N Meyer	N Sommer
Y Brosnahan	Y Graham	Y Miller	Y Soto
Y Burke	Y Granberg	N Mitchell, Bill	N Stephens
Y Chapa LaVia	Y Hamos	N Mitchell, Jerry	N Sullivan
Y Chavez	Y Hannig	N Moffitt	N Tracy
N Churchill	N Hassert	Y Molaro	N Tryon
Y Collins	Y Hoffman	N Mulligan	Y Turner
Y Colvin	Y Holbrook	N Munson	Y Verschoore
N Coulson	Y Howard	N Myers	N Wait
N Cross	N Hultgren	Y Nekritz	Y Washington
N Cultra	Y Jakobsson	N Osmond	N Watson
E Currie	Y Jefferies	Y Osterman	N Winters
Y D'Amico	Y Jefferson	N Parke	Y Yarbrough
N Daniels	N Jenisch	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	N Pihos	
Y Delgado	N Kosel	N Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS  
 NINETY-FOURTH  
 GENERAL ASSEMBLY  
 HOUSE ROLL CALL  
 SENATE BILL 36  
 PENSION-IMRF-RETURN TO WORK  
 THIRD READING  
 PASSED

November 28, 2006

109 YEAS

6 NAYS

0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
A Beaubien	Y Dunn	N Leitch	Y Reis
Y Beiser	Y Durkin	Y Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons	Y Rita
Y Berrios	Y Feigenholtz	Y Mathias	Y Rose
Y Biggins	Y Flider	Y Mautino	Y Ryg
Y Black	Y Flowers	Y May	Y Sacia
Y Boland	Y Franks	Y McAuliffe	Y Saviano
Y Bost	Y Fritchey	Y McCarthy	Y Schmitz
Y Bradley, John	Y Froehlich	Y McGuire	Y Schock
Y Bradley, Richard	Y Giles	Y McKeon	Y Scully
Y Brady	Y Golar	Y Mendoza	Y Smith
Y Brauer	Y Gordon	Y Meyer	N Sommer
Y Brosnahan	Y Graham	Y Miller	Y Soto
Y Burke	Y Granberg	Y Mitchell, Bill	Y Stephens
Y Chapa LaVia	Y Hamos	Y Mitchell, Jerry	Y Sullivan
Y Chavez	Y Hannig	Y Moffitt	Y Tracy
N Churchill	Y Hassert	Y Molaro	Y Tryon
Y Collins	Y Hoffman	Y Mulligan	Y Turner
Y Colvin	Y Holbrook	Y Munson	Y Verschoore
Y Coulson	Y Howard	Y Myers	Y Wait
Y Cross	Y Hultgren	Y Nekritz	Y Washington
N Cultra	Y Jakobsson	Y Osmond	Y Watson
E Currie	Y Jefferies	Y Osterman	N Winters
Y D'Amico	Y Jefferson	Y Parke	Y Yarbrough
N Daniels	Y Jenisch	E Patterson	Y Younge
Y Davis, Monique	Y Joyce	Y Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	Y Pihos	
Y Delgado	Y Kosel	Y Poe	

E - Denotes Excused Absence

STATE OF ILLINOIS  
NINETY-FOURTH  
GENERAL ASSEMBLY  
HOUSE ROLL CALL  
SENATE BILL 1856  
EDUCATION-TECH  
THIRD READING  
PASSED

November 28, 2006

88 YEAS

23 NAYS

0 PRESENT

Y Acevedo	N Dugan	Y Krause	N Pritchard
Y Bassi	Y Dunkin	Y Lang	Y Ramey
A Beaubien	Y Dunn	Y Leitch	N Reis
N Beiser	Y Durkin	Y Lindner	Y Reitz
Y Bellock	Y Eddy	Y Lyons	Y Rita
Y Berrios	Y Feigenholtz	Y Mathias	N Rose
Y Biggins	N Flider	Y Mautino	Y Ryg
N Black	Y Flowers	Y May	Y Sacia
N Boland	N Franks	Y McAuliffe	Y Saviano
Y Bost	Y Fritchey	Y McCarthy	Y Schmitz
N Bradley, John	Y Froehlich	Y McGuire	Y Schock
Y Bradley, Richard	Y Giles	Y McKeon	Y Scully
Y Brady	Y Golar	Y Mendoza	Y Smith
Y Brauer	N Gordon	Y Meyer	Y Sommer
Y Brosnahan	Y Graham	Y Miller	Y Soto
Y Burke	A Granberg	N Mitchell, Bill	N Stephens
N Chapa LaVia	Y Hamos	Y Mitchell, Jerry	N Sullivan
Y Chavez	Y Hannig	Y Moffitt	N Tracy
Y Churchill	Y Hassert	Y Molaro	Y Tryon
Y Collins	Y Hoffman	Y Mulligan	Y Turner
Y Colvin	N Holbrook	N Munson	N Verschoore
Y Coulson	Y Howard	Y Myers	Y Wait
Y Cross	A Hultgren	Y Nekritz	Y Washington
Y Cultra	N Jakobsson	Y Osmond	N Watson
E Currie	Y Jefferies	Y Osterman	Y Winters
Y D'Amico	N Jefferson	Y Parke	Y Yarbrough
Y Daniels	Y Jenisch	E Patterson	A Younge
Y Davis, Monique	Y Joyce	N Phelps	Y Mr. Speaker
Y Davis, William	Y Kelly	Y Pihos	
A Delgado	Y Kosel	Y Poe	

E - Denotes Excused Absence