

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

159TH LEGISLATIVE DAY

REGULAR & PERFUNCTORY SESSION

TUESDAY, JANUARY 4, 2011

1:36 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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[January 4, 2011]

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The House met pursuant to adjournment.

Representative Mautino 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 Carberry 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:

113 present. (ROLL CALL 1)

By unanimous consent, Representatives Burns, Mell, Miller, Mulligan and Pritchard were excused from attendance.

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

Report on Emerging Money Managers (Public Act 96-0006), submitted by Illinois State Board of Investment on January 3, 2011.

Report on Efforts to Assist Other State Agencies in Collecting Debt Owed to the State of Illinois, submitted by Illinois Department of Revenue on January 3, 2011.

The Bilingual Needs And Bilingual Pay Survey Report For Fiscal Year 2010, submitted by Department of Central Management Services on January 3, 2011.

Office of the Inspector General Fiscal Year 2010 Annual Report, submitted by Office of the Inspector General on January 3, 2011.

Office of the Inspector General - Chicago Board of Education Annual Report July 1, 2009 - June 30, 2010, submitted by Office of the Inspector General on January 3, 2011.

LETTER OF TRANSMITTAL

January 4, 2011

Mark Mahoney
Chief Clerk of the House
420 State House
Springfield, Il 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Final Action Deadline to January 11, 2011 for the following House and Senate Bills:

House Bills: 1515.

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 Harris replaced Representative Hannig in the Committee on Rules on January 4, 2011.

Representative Acevedo replaced Representative Lang in the Committee on Rules (A) on January 4, 2011.

Representative Reitz replaced Representative Mell in the Committee on Aging on January 4, 2011.

Representative DeLuca replaced Representative Miller in the Committee on Health Care Licenses on January 4, 2011.

Representative Zalewski replaced Representative Flowers in the Committee on Agriculture & Conservation on January 4, 2011.

Representative Coulson replaced Representative Hammond in the Committee on Higher Education on January 4, 2011.

Representative Mayfield replaced Representative May in the Committee on Mass Transit on January 4, 2011.

Representative Walker replaced Representative Mell in the Committee on Mass Transit on January 4, 2011.

Representative Franks replaced Representative Miller in the Committee on Mass Transit on January 4, 2011.

Representative Moore replaced Representative Soto in the Committee on Mass Transit on January 4, 2011.

Representative Zalewski replaced Representative Burke in the Committee on Personnel and Pensions on January 4, 2011.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on January 4, 2011, 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: HOUSE BILL 1515.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

State Government Administration: HOUSE AMENDMENT No. 1 to HOUSE BILL 1454 and HOUSE AMENDMENT No. 1 to SENATE BILL 2525.

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

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

Y Currie(D), Chairperson
Y Lang(D)
Y Schmitz(R)

Y Harris(D) (replacing Hannig)
A Osmond(R)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on January 4, 2011, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported “recommends be adopted”:
Amendment No. 2 to SENATE BILL 2530.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Executive: HOUSE AMENDMENT No. 2 to SENATE BILL 3383.
International Trade & Commerce: HOUSE RESOLUTION 1570.
State Government Administration: HOUSE AMENDMENT No. 1 to HOUSE BILL 1515.

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

Y Currie(D), Chairperson	Y Hannig(D)
Y Acevedo(D) (replacing Lang)	Y Osmond(R)
Y Schmitz(R)	

REPORTS FROM STANDING COMMITTEES

Representative Beiser, Chairperson, from the Committee on Aging to which the following were referred, action taken on January 4, 2011, reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar:
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 6063.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 6063 is as follows:

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

Y Beiser(D), Vice-Chairperson	Y Pihos(R), Republican Spokesperson
A Biggins(R)	Y Cavaletto(R)
A Coladipietro(R)	Y D'Amico(D)
Y Farnham(D)	A Franks(D)
A Harris(D)	Y Hatcher(R)
Y Jefferson(D)	Y Lyons(D)
A McAsey(D)	Y McGuire(D)
A Reitz(D) (replacing Mell)	A Mitchell, Bill(R)
A Saviano(R)	Y Sente(D)
Y Tracy(R)	

Representative Reitz, Chairperson, from the Committee on Health Care Licenses to which the following were referred, action taken on January 4, 2011, reported the same back with the following recommendations:

That the Motion be reported “recommends be adopted” and placed on the House Calendar:
Motion to concur with Senate Amendment No. 1 to HOUSE BILL 1720.

The committee roll call vote on Motion to Concur with Senate Amendment No. 1 to House Bill 1720 is as follows:

7, Yeas; 1, Nay; 0, Answering Present.

Y Reitz(D), Chairperson	Y Phelps(D), Vice-Chairperson
A Saviano(R), Republican Spokesperson	N Coulson(R)
Y Harris(D)	Y Jackson(D)
Y Kosel(R)	A McAuliffe(R)
A McCarthy(D)	Y Deluca(D) (replacing Miller)
A Mulligan(R)	Y Verschoore(D)

Representative Phelps, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on January 4, 2011, 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 902.

The committee roll call vote on Senate Bill 902 is as follows:

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

Y Phelps(D), Chairperson	Y Verschoore(D), Vice-Chairperson
Y Sacia(R), Republican Spokesperson	Y Cavaletto(R)
Y Cultra(R)	A Dugan(D)
Y Flider(D)	Y Zalewski(D) (replacing Flowers)
Y Hammond(R)	Y Moffitt(R)
Y Reis(R)	Y Reitz(D)

Representative Boland, Chairperson, from the Committee on Higher Education to which the following were referred, action taken on January 4, 2011, 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 647.

The committee roll call vote on Senate Bill 647 is as follows:

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

Y Boland(D), Chairperson	Y Jakobsson(D), Vice-Chairperson
A Pritchard(R), Republican Spokesperson	Y Bost(R)
A Flowers(D)	Y Coulson(R) (replacing Hammond)
Y McCarthy(D)	

Representative Arroyo, Chairperson, from the Committee on Mass Transit to which the following were referred, action taken on January 4, 2011, 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 3965.

The committee roll call vote on Senate Bill 3965 is as follows:

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

Y Arroyo(D), Chairperson	Y Mathias(R), Republican Spokesperson
Y Bassi(R)	Y Beaubien(R)
Y Bellock(R)	Y Berrios(D)
A Biggins(R)	Y Crespo(D)
Y DeLuca(D)	Y Feigenholtz(D)
Y Fortner(R)	Y Gabel(D)
Y Kosel(R)	Y Mayfield(D) (replacing May)
Y Walker(D) (replacing Mell)	Y Franks(D) (replacing Miller)
Y Osterman(D)	Y Riley(D)
Y Senger(R)	Y Moore(D) (replacing Soto)
Y Sullivan(R)	Y Tryon(R)

Representative McCarthy, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on January 4, 2011, reported the same back with the following recommendations:

That the Constitutional Amendment be reported "do pass" and be placed on the order of Second Reading – Short Debate: HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 62.

The committee roll call vote on House Joint Resolution Constitutional Amendment 62 is as follows: 7, Yeas; 3, Nays; 0, Answering Present.

Y McCarthy(D), Chairperson	Y Colvin(D), Vice-Chairperson
N Poe(R), Republican Spokesperson	Y Acevedo(D)
N Brady(R)	N Brauer(R)
Y Zalewski(D) (replacing Burke)	Y May(D)
Y McAuliffe(R)	Y Nekritz(D)

MOTIONS SUBMITTED

Representative Reitz submitted the following written motion, which was referred to the Committee on Rules:

MOTION

I move to concur with Senate Amendment No. 2 to HOUSE BILL 5224.

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

MOTION

I move to table Amendment 1 to SENATE BILL 1381.

MESSAGES FROM THE SENATE

A message from the Senate by
Ms. Rock, Secretary:

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

SENATE BILL NO. 362

A bill for AN ACT concerning elections.
House Amendment No. 1 to SENATE BILL NO. 362.
Action taken by the Senate, January 4, 2011.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:

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

SENATE BILL NO. 389

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 389.
House Amendment No. 2 to SENATE BILL NO. 389.
House Amendment No. 3 to SENATE BILL NO. 389.
Action taken by the Senate, January 4, 2011.

Jillayne Rock, Secretary of the Senate

A message from the Senate by
Ms. Rock, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 3708

A bill for AN ACT concerning State government.
House Amendment No. 1 to SENATE BILL NO. 3708.
Action taken by the Senate, January 4, 2011.

Jillayne Rock, Secretary of the Senate

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Berrios was removed as principal sponsor, and Representative Currie became the new principal sponsor of SENATE BILL 3461.

AGREED RESOLUTIONS

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

HOUSE RESOLUTION 1567

Offered by Representative Cross:
Thanks Richard C. "Dick" Edwards upon his retirement as Executive Director of the Legislative Reference Bureau.

HOUSE RESOLUTION 1568

Offered by Representative Rita:
Congratulates Illinois' State Comptroller, Daniel W. Hynes, for his service to the citizens and taxpayers of Illinois and wishes him success in his future endeavors.

HOUSE RESOLUTION 1569

Offered by Representative Hoffman:
Mourns the death of Susan I. "Sue" Staley of Springfield.

HOUSE RESOLUTION 1572

Offered by Representative William Davis:
Mourns the death of Alene O. Fleming of Robbins.

HOUSE RESOLUTION 1573

Offered by Representative Sacia:
Congratulates the members of the Lena-Winslow Panthers football team on the occasion of their victory at the IHSA Class 1A State Tournament.

HOUSE RESOLUTION 1574

Offered by Representative Cavaletto:
Congratulates Fred Rakers, longtime coach of the Mater Dei High School girls volleyball team, on his retirement.

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 1:31 o'clock p.m.

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendment No. 1 to HOUSE BILL 1720, having been reproduced, was taken up for consideration.

Representative Harris moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 2)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 1720.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 6063, having been reproduced, was taken up for consideration.

Representative Reitz moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

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

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

(ROLL CALL 3)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 6063.

Ordered that the Clerk inform the Senate.

HOUSE BILL ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 1515.

SENATE BILLS ON SECOND 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 647 and 902.

SENATE BILL 3965. Having been reproduced, was taken up and read by title a second time.

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

AMENDMENT NO. 1. Amend Senate Bill 3965 by replacing everything after the enacting clause with the following:

"Section 5. The State Officials and Employees Ethics Act is amended by changing Sections 1-5, 20-5, 20-10, 20-23, 20-90, and 20-95 and by adding the heading of Article 75 and Sections 75-5 and 75-10 as follows:

(5 ILCS 430/1-5)

Sec. 1-5. Definitions. As used in this Act:

"Appointee" means a person appointed to a position in or with a State agency, regardless of whether the position is compensated.

"Board members of Regional Transit Boards" means any person appointed to serve on the governing board of a Regional Transit Board.

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected State office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election.

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act.

"Commission" means an ethics commission created by this Act.

"Compensated time" means any time worked by or credited to a State employee that counts toward any minimum work time requirement imposed as a condition of employment with a State agency, but does not include any designated State holidays or any period when the employee is on a leave of absence.

"Compensatory time off" means authorized time off earned by or awarded to a State employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment with a State agency.

"Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code.

"Employee" means (i) any person employed full-time, part-time, or pursuant to a contract and whose employment duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed or (ii) any appointed or elected commissioner, trustee, director, or board member of a board of a State agency, including any retirement system or investment board subject to the Illinois Pension Code or (iii) any other appointee.

"Employment benefits" include but are not limited to the following: modified compensation or benefit terms; compensated time off; or change of title, job duties, or location of office or employment. An employment benefit may also include favorable treatment in determining whether to bring any disciplinary or similar action or favorable treatment during the course of any disciplinary or similar action or other performance review.

"Executive branch constitutional officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an employee, member, or officer.

"Governmental entity" means a unit of local government (including a community college district) or a school district but not a State agency or a Regional Transit Board.

"Leave of absence" means any period during which a State employee does not receive (i) compensation for State employment, (ii) service credit towards State pension benefits, and (iii) health insurance benefits paid for by the State.

"Legislative branch constitutional officer" means a member of the General Assembly and the Auditor General.

"Legislative leader" means the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House of Representatives.

"Member" means a member of the General Assembly.

"Officer" means an executive branch constitutional officer or a legislative branch constitutional officer.

"Political" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the

person's official State duties or governmental and public service functions.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
 - (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
 - (3) Soliciting, planning the solicitation of, or preparing any document or report regarding any thing of value intended as a campaign contribution.
 - (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
 - (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
 - (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
 - (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
 - (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
 - (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
 - (10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
 - (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
 - (12) Campaigning for any elective office or for or against any referendum question.
 - (13) Managing or working on a campaign for elective office or for or against any referendum question.
 - (14) Serving as a delegate, alternate, or proxy to a political party convention.
 - (15) Participating in any recount or challenge to the outcome of any election, except to the extent that under subsection (d) of Section 6 of Article IV of the Illinois Constitution each house of the General Assembly shall judge the elections, returns, and qualifications of its members.
- "Prohibited source" means any person or entity who:
- (1) is seeking official action (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;
 - (2) does business or seeks to do business (i) with the member or officer or (ii) in the case of an employee, with the employee or with the member, officer, State agency, or other employee directing the employee;
 - (3) conducts activities regulated (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;
 - (4) has interests that may be substantially affected by the performance or non-performance of the official duties of the member, officer, or employee;
 - (5) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or
 - (6) is an agent of, a spouse of, or an immediate family member who is living with a "prohibited source".

"Regional Transit Boards" means (i) the Regional Transportation Authority created by the Regional Transportation Authority Act, (ii) the Suburban Bus Division created by the Regional Transportation Authority Act, (iii) the Commuter Rail Division created by the Regional Transportation Authority Act, and (iv) the Chicago Transit Authority created by the Metropolitan Transit Authority Act.

"State agency" includes all officers, boards, commissions and agencies created by the Constitution, whether in the executive or legislative branch; all officers, departments, boards, commissions, agencies, institutions, authorities, public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), and bodies politic and corporate of the State; and administrative units or corporate outgrowths of the State government which are created by or pursuant to statute, other than units of local government (including community college districts) and their officers, school districts, and boards of election commissioners; and all administrative units and corporate outgrowths of the above and as may be created by executive order of the Governor. "State agency" includes the General Assembly, the Senate, the House of Representatives, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, the Senate Operations Commission, and the legislative support services agencies. "State agency" includes the Office of the Auditor General. "State agency" does not include the judicial branch.

"State employee" means any employee of a State agency.

"Ultimate jurisdictional authority" means the following:

(1) For members, legislative partisan staff, and legislative secretaries, the appropriate legislative leader: President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, or Minority Leader of the House of Representatives.

(2) For State employees who are professional staff or employees of the Senate and not covered under item (1), the Senate Operations Commission.

(3) For State employees who are professional staff or employees of the House of Representatives and not covered under item (1), the Speaker of the House of Representatives.

(4) For State employees who are employees of the legislative support services agencies, the Joint Committee on Legislative Support Services.

(5) For State employees of the Auditor General, the Auditor General.

(6) For State employees of public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), the board of trustees of the appropriate public institution of higher learning.

(7) For State employees of an executive branch constitutional officer other than those described in paragraph (6), the appropriate executive branch constitutional officer.

(8) For State employees not under the jurisdiction of paragraph (1), (2), (3), (4), (5), (6), or (7), the Governor.

(9) For employees of Regional Transit Boards, the appropriate Regional Transit Board.

(10) For board members of Regional Transit Boards, the Governor.

(Source: P.A. 95-880, eff. 8-19-08; 96-6, eff. 4-3-09; 96-555, eff. 8-18-09.)

(5 ILCS 430/20-5)

Sec. 20-5. Executive Ethics Commission.

(a) The Executive Ethics Commission is created.

(b) The Executive Ethics Commission shall consist of 9 commissioners. The Governor shall appoint 5 commissioners, and the Attorney General, Secretary of State, Comptroller, and Treasurer shall each appoint one commissioner. Appointments shall be made by and with the advice and consent of the Senate by three-fifths of the elected members concurring by record vote. Any nomination not acted upon by the Senate within 60 session days of the receipt thereof shall be deemed to have received the advice and consent of the Senate. If, during a recess of the Senate, there is a vacancy in an office of commissioner, the appointing authority shall make a temporary appointment until the next meeting of the Senate when the appointing authority shall make a nomination to fill that office. No person rejected for an office of commissioner shall, except by the Senate's request, be nominated again for that office at the same session of the Senate or be appointed to that office during a recess of that Senate. No more than 5 commissioners may be of the same political party.

The terms of the initial commissioners shall commence upon qualification. Four initial appointees of the Governor, as designated by the Governor, shall serve terms running through June 30, 2007. One initial appointee of the Governor, as designated by the Governor, and the initial appointees of the Attorney General, Secretary of State, Comptroller, and Treasurer shall serve terms running through June 30, 2008. The initial appointments shall be made within 60 days after the effective date of this Act.

After the initial terms, commissioners shall serve for 4-year terms commencing on July 1 of the year of appointment and running through June 30 of the fourth following year. Commissioners may be reappointed to one or more subsequent terms.

Vacancies occurring other than at the end of a term shall be filled by the appointing authority only for the balance of the term of the commissioner whose office is vacant.

Terms shall run regardless of whether the position is filled.

(c) The appointing authorities shall appoint commissioners who have experience holding governmental office or employment and shall appoint commissioners from the general public. A person is not eligible to serve as a commissioner if that person (i) has been convicted of a felony or a crime of dishonesty or moral turpitude, (ii) is, or was within the preceding 12 months, engaged in activities that require registration under the Lobbyist Registration Act, (iii) is related to the appointing authority, or (iv) is a State officer or employee.

(d) The Executive Ethics Commission shall have jurisdiction over all officers and employees of State agencies other than the General Assembly, the Senate, the House of Representatives, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, the Senate Operations Commission, the legislative support services agencies, and the Office of the Auditor General. The Executive Ethics Commission shall have jurisdiction over all board members and employees of Regional Transit Boards. The jurisdiction of the Commission is limited to matters arising under this Act, except as provided in subsection (d-5).

A member or legislative branch State employee serving on an executive branch board or commission remains subject to the jurisdiction of the Legislative Ethics Commission and is not subject to the jurisdiction of the Executive Ethics Commission.

(d-5) The Executive Ethics Commission shall have jurisdiction over all chief procurement officers and procurement compliance monitors and their respective staffs. The Executive Ethics Commission shall have jurisdiction over any matters arising under the Illinois Procurement Code if the Commission is given explicit authority in that Code.

(e) The Executive Ethics Commission must meet, either in person or by other technological means, at least monthly and as often as necessary. At the first meeting of the Executive Ethics Commission, the commissioners shall choose from their number a chairperson and other officers that they deem appropriate. The terms of officers shall be for 2 years commencing July 1 and running through June 30 of the second following year. Meetings shall be held at the call of the chairperson or any 3 commissioners. Official action by the Commission shall require the affirmative vote of 5 commissioners, and a quorum shall consist of 5 commissioners. Commissioners shall receive compensation in an amount equal to the compensation of members of the State Board of Elections and may be reimbursed for their reasonable expenses actually incurred in the performance of their duties.

(f) No commissioner or employee of the Executive Ethics Commission may during his or her term of appointment or employment:

(1) become a candidate for any elective office;

(2) hold any other elected or appointed public office except for appointments on governmental advisory boards or study commissions or as otherwise expressly authorized by law;

(3) be actively involved in the affairs of any political party or political organization; or

(4) advocate for the appointment of another person to an appointed or elected office or position or actively participate in any campaign for any elective office.

(g) An appointing authority may remove a commissioner only for cause.

(h) The Executive Ethics Commission shall appoint an Executive Director. The compensation of the Executive Director shall be as determined by the Commission. The Executive Director of the Executive Ethics Commission may employ and determine the compensation of staff, as appropriations permit.

(i) The Executive Ethics Commission shall appoint, by a majority of the members appointed to the Commission, chief procurement officers and procurement compliance monitors in accordance with the provisions of the Illinois Procurement Code. The compensation of a chief procurement officer and procurement compliance monitor shall be determined by the Commission.

(Source: P.A. 96-555, eff. 8-18-09.)

(5 ILCS 430/20-10)

Sec. 20-10. Offices of Executive Inspectors General.

(a) Five independent Offices of the Executive Inspector General are created, one each for the Governor, the Attorney General, the Secretary of State, the Comptroller, and the Treasurer. Each Office shall be under

the direction and supervision of an Executive Inspector General and shall be a fully independent office with separate appropriations.

(b) The Governor, Attorney General, Secretary of State, Comptroller, and Treasurer shall each appoint an Executive Inspector General, without regard to political affiliation and solely on the basis of integrity and demonstrated ability. Appointments shall be made by and with the advice and consent of the Senate by three-fifths of the elected members concurring by record vote. Any nomination not acted upon by the Senate within 60 session days of the receipt thereof shall be deemed to have received the advice and consent of the Senate. If, during a recess of the Senate, there is a vacancy in an office of Executive Inspector General, the appointing authority shall make a temporary appointment until the next meeting of the Senate when the appointing authority shall make a nomination to fill that office. No person rejected for an office of Executive Inspector General shall, except by the Senate's request, be nominated again for that office at the same session of the Senate or be appointed to that office during a recess of that Senate.

Nothing in this Article precludes the appointment by the Governor, Attorney General, Secretary of State, Comptroller, or Treasurer of any other inspector general required or permitted by law. The Governor, Attorney General, Secretary of State, Comptroller, and Treasurer each may appoint an existing inspector general as the Executive Inspector General required by this Article, provided that such an inspector general is not prohibited by law, rule, jurisdiction, qualification, or interest from serving as the Executive Inspector General required by this Article. An appointing authority may not appoint a relative as an Executive Inspector General.

Each Executive Inspector General shall have the following qualifications:

- (1) has not been convicted of any felony under the laws of this State, another State, or the United States;
- (2) has earned a baccalaureate degree from an institution of higher education; and
- (3) has 5 or more years of cumulative service (A) with a federal, State, or local law enforcement agency, at least 2 years of which have been in a progressive investigatory capacity; (B) as a federal, State, or local prosecutor; (C) as a senior manager or executive of a federal, State, or local agency; (D) as a member, an officer, or a State or federal judge; or (E) representing any combination of (A) through (D).

The term of each initial Executive Inspector General shall commence upon qualification and shall run through June 30, 2008. The initial appointments shall be made within 60 days after the effective date of this Act.

After the initial term, each Executive Inspector General shall serve for 5-year terms commencing on July 1 of the year of appointment and running through June 30 of the fifth following year. An Executive Inspector General may be reappointed to one or more subsequent terms.

A vacancy occurring other than at the end of a term shall be filled by the appointing authority only for the balance of the term of the Executive Inspector General whose office is vacant.

Terms shall run regardless of whether the position is filled.

(c) The Executive Inspector General appointed by the Attorney General shall have jurisdiction over the Attorney General and all officers and employees of, and vendors and others doing business with, State agencies within the jurisdiction of the Attorney General. The Executive Inspector General appointed by the Secretary of State shall have jurisdiction over the Secretary of State and all officers and employees of, and vendors and others doing business with, State agencies within the jurisdiction of the Secretary of State. The Executive Inspector General appointed by the Comptroller shall have jurisdiction over the Comptroller and all officers and employees of, and vendors and others doing business with, State agencies within the jurisdiction of the Comptroller. The Executive Inspector General appointed by the Treasurer shall have jurisdiction over the Treasurer and all officers and employees of, and vendors and others doing business with, State agencies within the jurisdiction of the Treasurer. The Executive Inspector General appointed by the Governor shall have jurisdiction over (i) the Governor, (ii) the Lieutenant Governor, (iii) ~~and~~ all officers and employees of, and vendors and others doing business with, executive branch State agencies under the jurisdiction of the Executive Ethics Commission and not within the jurisdiction of the Attorney General, the Secretary of State, the Comptroller, or the Treasurer, and (iv) all board members and employees of the Regional Transit Boards and all vendors and others doing business with the Regional Transit Boards.

The jurisdiction of each Executive Inspector General is to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of this Act or violations of other related laws and rules.

(d) The compensation for each Executive Inspector General shall be determined by the Executive Ethics

Commission and shall be made from appropriations made to the Comptroller for this purpose. Subject to Section 20-45 of this Act, each Executive Inspector General has full authority to organize his or her Office of the Executive Inspector General, including the employment and determination of the compensation of staff, such as deputies, assistants, and other employees, as appropriations permit. A separate appropriation shall be made for each Office of Executive Inspector General.

(e) No Executive Inspector General or employee of the Office of the Executive Inspector General may, during his or her term of appointment or employment:

- (1) become a candidate for any elective office;
- (2) hold any other elected or appointed public office except for appointments on governmental advisory boards or study commissions or as otherwise expressly authorized by law;
- (3) be actively involved in the affairs of any political party or political organization; or
- (4) advocate for the appointment of another person to an appointed or elected office or position or actively participate in any campaign for any elective office.

In this subsection an appointed public office means a position authorized by law that is filled by an appointing authority as provided by law and does not include employment by hiring in the ordinary course of business.

(e-1) No Executive Inspector General or employee of the Office of the Executive Inspector General may, for one year after the termination of his or her appointment or employment:

- (1) become a candidate for any elective office;
- (2) hold any elected public office; or
- (3) hold any appointed State, county, or local judicial office.

(e-2) The requirements of item (3) of subsection (e-1) may be waived by the Executive Ethics Commission.

(f) An Executive Inspector General may be removed only for cause and may be removed only by the appointing constitutional officer. At the time of the removal, the appointing constitutional officer must report to the Executive Ethics Commission the justification for the removal.

(Source: P.A. 96-555, eff. 8-18-09.)

(5 ILCS 430/20-23)

Sec. 20-23. Ethics Officers. Each officer and the head of each State agency under the jurisdiction of the Executive Ethics Commission shall designate an Ethics Officer for the office or State agency. The board of each Regional Transit Board shall designate an Ethics Officer. Ethics Officers shall:

(1) act as liaisons between the State agency or Regional Transit Board and the appropriate Executive Inspector

General and between the State agency or Regional Transit Board and the Executive Ethics Commission;

(2) review statements of economic interest and disclosure forms of officers, senior employees, and contract monitors before they are filed with the Secretary of State; and

(3) provide guidance to officers and employees in the interpretation and implementation of this Act, which the officer or employee may in good faith rely upon. Such guidance shall be based, wherever possible, upon legal precedent in court decisions, opinions of the Attorney General, and the findings and opinions of the Executive Ethics Commission.

(Source: P.A. 93-617, eff. 12-9-03.)

(5 ILCS 430/20-90)

Sec. 20-90. Confidentiality.

(a) The identity of any individual providing information or reporting any possible or alleged misconduct to an Executive Inspector General or the Executive Ethics Commission shall be kept confidential and may not be disclosed without the consent of that individual, unless the individual consents to disclosure of his or her name or disclosure of the individual's identity is otherwise required by law. The confidentiality granted by this subsection does not preclude the disclosure of the identity of a person in any capacity other than as the source of an allegation.

(b) Subject to the provisions of Section 20-52, commissioners, employees, and agents of the Executive Ethics Commission, the Executive Inspectors General, and employees and agents of each Office of an Executive Inspector General, the Attorney General, and the employees and agents of the office of the Attorney General shall keep confidential and shall not disclose information exempted from disclosure under the Freedom of Information Act or by this Act, provided the identity of any individual providing information or reporting any possible or alleged misconduct to the Executive Inspector General for the Governor may be disclosed to an Inspector General appointed or employed by a Regional Transit Board in

accordance with Section 75-10.

(Source: P.A. 96-555, eff. 8-18-09.)

(5 ILCS 430/20-95)

Sec. 20-95. Exemptions.

(a) Documents generated by an ethics officer under this Act, except Section 5-50, are exempt from the provisions of the Freedom of Information Act.

(b) Any allegations and related documents submitted to an Executive Inspector General and any pleadings and related documents brought before the Executive Ethics Commission are exempt from the provisions of the Freedom of Information Act so long as the Executive Ethics Commission does not make a finding of a violation of this Act. If the Executive Ethics Commission finds that a violation has occurred, the entire record of proceedings before the Commission, the decision and recommendation, and the response from the agency head or ultimate jurisdictional authority to the Executive Ethics Commission are not exempt from the provisions of the Freedom of Information Act but information contained therein that is otherwise exempt from the Freedom of Information Act must be redacted before disclosure as provided in the Freedom of Information Act. A summary report released by the Executive Ethics Commission under Section 20-52 is a public record, but information redacted by the Executive Ethics Commission shall not be part of the public record.

(c) Meetings of the Commission are exempt from the provisions of the Open Meetings Act.

(d) Unless otherwise provided in this Act, all investigatory files and reports of the Office of an Executive Inspector General, other than monthly reports required under Section 20-85, are confidential, are exempt from disclosure under the Freedom of Information Act, and shall not be divulged to any person or agency, except as necessary (i) to a law enforcement authority, (ii) to the ultimate jurisdictional authority, (iii) to the Executive Ethics Commission, ~~or~~ (iv) to another Inspector General appointed pursuant to this Act, or (v) to an Inspector General appointed or employed by a Regional Transit Board in accordance with Section 75-10.

(Source: P.A. 96-555, eff. 8-18-09.)

(5 ILCS 430/Art. 75 heading new)

ARTICLE 75. REGIONAL TRANSIT BOARDS

(5 ILCS 430/75-5 new)

Sec. 75-5. Application of the State Officials and Employees Ethics Act to the Regional Transit Boards.

(a) Beginning July 1, 2011, the provisions of Articles 1, 5, 10, 20, and 50 of this Act, as well as this Article, shall apply to the Regional Transit Boards. As used in Articles 1, 5, 10, 20, 50, and 75, (i) "appointee" and "officer" include a person appointed to serve on the board of a Regional Transit Board, and (ii) "employee" and "State employee" include a full-time, part-time, or contractual employee of a Regional Transit Board.

(b) The Executive Ethics Commission shall have jurisdiction over all board members and employees of the Regional Transit Boards. The Executive Inspector General appointed by the Governor shall have jurisdiction over all board members, employees, vendors, and others doing business with the Regional Transit Boards to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of this Act.

(5 ILCS 430/75-10 new)

Sec. 75-10. Coordination between Executive Inspector General and Inspectors General appointed by Regional Transit Boards.

(a) Nothing in this amendatory Act of the 96th General Assembly precludes a Regional Transit Board from appointing or employing an Inspector General to serve under the jurisdiction of a Regional Transit Board to receive complaints and conduct investigations in accordance with an ordinance or resolution adopted by that respective Board, provided he or she is approved by the Executive Ethics Commission. A Regional Transit Board shall notify the Executive Ethics Commission within 10 days after employing or appointing a person to serve as Inspector General, and the Executive Ethics Commission shall approve or reject the appointment or employment of the Inspector General. Any notification not acted upon by the Executive Ethics Commission within 60 days after its receipt shall be deemed to have received the approval of the Executive Ethics Commission. Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, a Regional Transit Board shall notify the Executive Ethics Commission or any person serving on the effective date of this amendatory Act as an Inspector General for the Regional Transit Board, and the Executive Ethics Commission shall approve or reject the appointment or employment within 30 days after receipt of the notification, provided that any notification not acted upon by the Executive Ethics Commission within 30 days shall be deemed to have received approval. No person rejected by the

Executive Ethics Commission shall serve as an Inspector General for a Regional Transit Board for a term of 5 years after being rejected by the Commission. For purposes of this subsection (a), any person appointed or employed by a Transit Board to receive complaints and investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of this Act shall be considered an Inspector General and shall be subject to approval of the Executive Ethics Commission.

(b) The Executive Inspector General appointed by the Governor shall have exclusive jurisdiction to investigate complaints or allegations of violations of this Act and, in his or her discretion, may investigate other complaints or allegations. Complaints or allegations of a violation of this Act received by an Inspector General appointed or employed by a Regional Transit Board shall be immediately referred to the Executive Inspector General. The Executive Inspector General shall have authority to assume responsibility and investigate any complaint or allegation received by an Inspector General appointed or employed by a Regional Transit Board. In the event the Executive Inspector General provides written notification of intent to assume investigatory responsibility for a complaint, allegation, or ongoing investigation, the Inspector General appointed or employed by a Regional Transit Board shall cease review of the complaint, allegation, or ongoing investigation and provide all information to the Executive Inspector General. The Executive Inspector General may delegate responsibility for an investigation to the Inspector General appointed or employed by a Regional Transit Board. In the event the Executive Inspector General provides an Inspector General appointed or employed by a Regional Transit Board with written notification of intent to delegate investigatory responsibility for a complaint, allegation, or ongoing investigation, the Executive Inspector General shall provide all information to the Inspector General appointed or employed by a Regional Transit Board.

(c) An Inspector General appointed or employed by a Regional Transit Board shall provide a monthly activity report to the Executive Inspector General indicating:

(1) the total number of complaints or allegations received since the date of the last report and a description of each complaint;

(2) the number of investigations pending as of the reporting date and the status of each investigation;

(3) the number of investigations concluded since the date of the last report and the result of each investigation;

(4) the number of investigations pending as of the reporting date and the status of each investigation;
and

(5) the status of any investigation delegated by the Executive Inspector General.

An Inspector General appointed or employed by a Regional Transit Board and the Executive Inspector General shall cooperate and share resources or information as necessary to implement the provisions of this Article.

(d) Reports filed under this Section are exempt from the Freedom of Information Act and shall be deemed confidential. Investigatory files and reports prepared by the Office of the Executive Inspector General and the Office of an Inspector General appointed or employed by a Regional Transit Board may be disclosed between the Offices as necessary to implement the provisions of this Article.

Section 10. The Metropolitan Transit Authority Act is amended by changing Section 21 as follows:

(70 ILCS 3605/21) (from Ch. 111 2/3, par. 321)

Sec. 21. Members of the Board shall hold office until their respective successors have been appointed and have qualified. Any member may resign from his or her office, to take effect when his or her successor has been appointed and has qualified. The Governor and the Mayor, respectively, may remove any member of the Board appointed by him or her in case of incompetency, neglect of duty, or malfeasance in office. They may give him or her a copy of the charges against him or her and an opportunity to be publicly heard in person or by counsel in his or her own defense upon not less than 10 ten days' notice. The Governor may remove any member in response to a summary report received from the Executive Inspector General in accordance with Section 20-50 of the State Officials and Employees Ethics Act, provided he or she has an opportunity to be publicly heard in person or by counsel prior to removal. In case of failure to qualify within the time required, or of abandonment of his or her office, or in case of death, conviction of a crime or removal from office, his or her office shall become vacant. Each vacancy shall be filled for the unexpired term by appointment in like manner, and with like regard as to the place of residence of the appointee, as in case of expiration of the term of a member of the Board.

(Source: Laws 1945, p. 1171.)

Section 15. The Regional Transportation Authority Act is amended by changing Sections 3.03, 3A.03, and 3B.03 as follows:

(70 ILCS 3615/3.03) (from Ch. 111 2/3, par. 703.03)

Sec. 3.03. Terms, vacancies. Each Director shall hold office for a term of 5 years, and until his successor has been appointed and has qualified. A vacancy shall occur upon resignation, death, conviction of a felony, or removal from office of a Director. Any Director may be removed from office (i) upon concurrence of not less than 11 Directors, on a formal finding of incompetence, neglect of duty, or malfeasance in office or (ii) by the Governor in response to a summary report received from the Executive Inspector General in accordance with Section 20-50 of the State Officials and Employees Ethics Act, provided he or she has an opportunity to be publicly heard in person or by counsel prior to removal. Within 30 days after the office of any member becomes vacant for any reason, the appointing authorities of such member shall make an appointment to fill the vacancy. A vacancy shall be filled for the unexpired term.

Whenever a vacancy for a Director, except as to the Chairman or those Directors appointed by the Mayor of the City of Chicago, exists for longer than 4 months, the new Director shall be chosen by election by all legislative members in the General Assembly representing the affected area. In order to qualify as a voting legislative member in this matter, the affected area must be more than 50% of the geographic area of the legislative district.

(Source: P.A. 95-708, eff. 1-18-08.)

(70 ILCS 3615/3A.03) (from Ch. 111 2/3, par. 703A.03)

Sec. 3A.03. Terms, Vacancies. The initial term of the directors appointed pursuant to subdivision (a) of Section 3A.02 shall expire on June 30, 1985; the initial term of the directors appointed pursuant to subdivisions (b) through (g) of Section 3A.02 shall expire on June 30, 1986. Thereafter, each director shall be appointed for a term of 4 years, and until his successor has been appointed and qualified. A vacancy shall occur upon the resignation, death, conviction of a felony, or removal from office of a director. Any director may be removed from office (i) upon the concurrence of not less than 8 directors, on a formal finding of incompetence, neglect of duty, or malfeasance in office or (ii) by the Governor in response to a summary report received from the Executive Inspector General in accordance with Section 20-50 of the State Officials and Employees Ethics Act, provided he or she has an opportunity to be publicly heard in person or by counsel prior to removal. Within 30 days after the office of any director becomes vacant for any reason, the appointing authorities of such director shall make an appointment to fill the vacancy. A vacancy shall be filled for the unexpired term. The initial directors other than the chairman shall be appointed within 180 days of November 9, 1983.

On June 1, 1984 the seat of any Director of the Suburban Bus Board not yet filled shall be deemed vacant and shall be chosen by the election of all the legislative members of the General Assembly representing the affected area. In order to qualify as a voting legislative member in this matter, the affected area must be more than 50% of the geographic area of the legislative district.

(Source: P.A. 83-1156.)

(70 ILCS 3615/3B.03) (from Ch. 111 2/3, par. 703B.03)

Sec. 3B.03. Terms, Vacancies. Each director shall be appointed for a term of 4 years, and until his successor has been appointed and qualified. A vacancy shall occur upon the resignation, death, conviction of a felony, or removal from office of a director. Any director may be removed from office (i) upon the concurrence of not less than 8 directors, on a formal finding of incompetence, neglect of duty, or malfeasance in office or (ii) by the Governor in response to a summary report received from the Executive Inspector General in accordance with Section 20-50 of the State Officials and Employees Ethics Act, provided he or she has an opportunity to be publicly heard in person or by counsel prior to removal. Within 30 days after the office of any director becomes vacant for any reason, the appropriate appointing authorities of such director, as provided in Section 3B.02, shall make an appointment to fill the vacancy. A vacancy shall be filled for the unexpired term.

(Source: P.A. 95-708, eff. 1-18-08.)

Section 99. Effective date. This Act takes effect July 1, 2011."

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

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
SECOND READING**

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 62 was taken up and read in full a second time and held on the order of Second Reading.

Having been read in full on January 4, 2011 and held on the order of Second Reading, HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 62 was taken up and advanced to the order of Third Reading.

Having been read in full on January 3, 2011 and held on the order of Second Reading, HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT 61 was taken up and advanced to the order of Third Reading.

**HOUSE JOINT RESOLUTIONS
CONSTITUTIONAL AMENDMENTS
THIRD READING**

HOUSE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT No. 61 was taken up, read in full on Third Reading and held on that order.

SENATE BILLS ON THIRD READING

The following bills 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 1310 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: 112, Yeas; 1, Nay; 0, Answering Present.
(ROLL CALL 4)

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

Ordered that the Clerk inform the Senate.

On motion of Representative Rita, SENATE BILL 2814 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: 113, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 5)

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 BILL ON SECOND READING

Having been read by title a second time on May 5, 2010 and held, the following bill was taken up and advanced to the order of Third Reading: SENATE BILL 2969.

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 Franks, SENATE BILL 2969 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: 112, Yeas; 1, Nays; 0, Answering Present.

(ROLL CALL 6)

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.

HOUSE BILL ON SECOND READING

HOUSE BILL 1445. Having been read by title a second time on November 17, 2010, and held on the order of Second Reading, the same was again taken up.

Representative Feigenholtz offered and withdrew Amendment No. 1.

Representative Feigenholtz offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1445 by replacing everything after the enacting clause with the following:

"Section 5. The Vital Records Act is amended by changing Section 17 as follows:
(410 ILCS 535/17) (from Ch. 111 1/2, par. 73-17)

Sec. 17. (1) For a person born in this State, the State Registrar of Vital Records shall establish a new certificate of birth when he receives any of the following:

(a) A certificate of adoption as provided in Section 16 or a certified copy of the order of adoption together with the information necessary to identify the original certificate of birth and to establish the new certificate of birth; except that a new certificate of birth shall not be established if so requested by the court ordering the adoption, the adoptive parents, or the adopted person.

(b) A certificate of adoption or a certified copy of the order of adoption entered in a court of competent jurisdiction of any other state or country declaring adopted a child born in the State of Illinois, together with the information necessary to identify the original certificate of birth and to establish the new certificate of birth; except that a new certificate of birth shall not be established if so requested by the court ordering the adoption, the adoptive parents, or the adopted person.

(c) A request that a new certificate be established and such evidence as required by regulation proving that such person has been legitimized, or that the circuit court, the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid), or a court or administrative agency of any other state has established the paternity of such a person by judicial or administrative processes or by voluntary acknowledgment, which is accompanied by the social security numbers of all persons determined and presumed to be the parents.

(d) An affidavit by a physician that he has performed an operation on a person, and that by reason of the operation the sex designation on such person's birth record should be changed. The State Registrar of Vital Records may make any investigation or require any further information he deems necessary.

Each request for a new certificate of birth shall be accompanied by a fee of \$15 and entitles the applicant to one certification or certified copy of the new certificate. If the request is for additional copies, it shall be accompanied by a fee of \$2 for each additional certification or certified copy.

(2) When a new certificate of birth is established, the actual place and date of birth shall be shown; provided, in the case of adoption of a person born in this State by parents who were residents of this State at the time of the birth of the adopted person, the place of birth may be shown as the place of residence of the adoptive parents at the time of such person's birth, if specifically requested by them, and any new certificate of birth established prior to the effective date of this amendatory Act may be corrected accordingly if so requested by the adoptive parents or the adopted person when of legal age. The social security numbers of the parents shall not be recorded on the certificate of birth. The social security numbers may only be used for purposes allowed under federal law. The new certificate shall be substituted for the original certificate of birth:

(a) Thereafter, the original certificate and the evidence of adoption, paternity,

legitimation, or sex change shall not be subject to inspection or certification except upon order of the circuit court or as provided by regulation. If the new certificate was issued subsequent to an adoption, the original certificate shall not be subject to inspection until the adopted person has reached the age of 21; thereafter, the original certificate shall be made available as provided by Section 18.1b of the Adoption Act.

(b) Upon receipt of notice of annulment of adoption, the original certificate of birth shall be restored to its place in the files, and the new certificate and evidence shall not be subject to inspection or certification except upon order of the circuit court.

(3) If no certificate of birth is on file for the person for whom a new certificate is to be established under this Section, a delayed record of birth shall be filed with the State Registrar of Vital Records as provided in Section 14 or Section 15 of this Act before a new certificate of birth is established, except that when the date and place of birth and parentage have been established in the adoption proceedings, a delayed record shall not be required.

(4) When a new certificate of birth is established by the State Registrar of Vital Records, all copies of the original certificate of birth in the custody of any custodian of permanent local records in this State shall be transmitted to the State Registrar of Vital Records as directed, and shall be sealed from inspection except as provided by Section 18.1b of the Adoption Act.

(5) Nothing in this Section shall be construed to prohibit the amendment of a birth certificate in accordance with subsection (6) of Section 22.

(Source: P.A. 95-331, eff. 8-21-07.)

Section 10. The Adoption Act is amended by changing Sections 18.06, 18.1, 18.1a, 18.1b, 18.2, 18.3a, and 18.6 as follows:

(750 ILCS 50/18.06)

Sec. 18.06. Definitions. When used in Sections 18.05 through Section 18.6, for the purposes of the Registry:

"Adopted person" means a person who was adopted pursuant to the laws in effect at the time of the adoption.

"Adoptive parent" means a person who has become a parent through the legal process of adoption.

"Adult child" means the biological child 21 years of age or over of a deceased adopted or surrendered person.

"Adult Adopted or Surrendered Person" means an adopted or surrendered person 21 years of age or over.

"Agency" means a public child welfare agency or a licensed child welfare agency.

"Birth aunt" means the adult full or half sister of a deceased birth parent.

"Birth father" means the biological father of an adopted or surrendered person who is named on the original certificate of live birth or on a consent or surrender document, or a biological father whose paternity has been established by a judgment or order of the court, pursuant to the Illinois Parentage Act of 1984.

"Birth mother" means the biological mother of an adopted or surrendered person.

"Birth parent" means a birth mother or birth father of an adopted or surrendered person.

"Birth Parent Preference Form" means the form prepared by the Department of Public Health pursuant to Section 18.2 completed by a birth parent registrant and filed with the Registry that indicates the birth parent's preferences regarding contact and, if applicable, the release of his or her identifying information on the non-certified copy of the original birth certificate released to an adult adopted or surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person who has filed a Request for a Non-Certified Copy of an Original Birth Certificate.

"Birth relative" means a birth mother, birth father, birth sibling, birth aunt, or birth uncle.

"Birth sibling" means the adult full or half sibling of an adopted or surrendered person.

"Birth uncle" means the adult full or half brother of a deceased birth parent.

"Confidential intermediary" means an individual certified by the Department of Children and Family Services pursuant to Section 18.3a(e).

"Denial of Information Exchange" means an affidavit completed by a registrant with the Illinois Adoption Registry and Medical Information Exchange denying the release of identifying information which has been filed with the Registry.

"Information Exchange Authorization" means an affidavit completed by a registrant with the Illinois Adoption Registry and Medical Information Exchange authorizing the release of identifying information which has been filed with the Registry.

"Medical Information Exchange Questionnaire" means the medical history questionnaire completed by a

registrant of the Illinois Adoption Registry and Medical Information Exchange.

"Non-certified Copy of the Original Birth Certificate" means a non-certified copy of the original certificate of live birth of an adult adopted or surrendered person who was born in Illinois.

"Proof of death" means a death certificate.

"Registrant" or "Registered Party" means a birth parent, birth sibling, birth aunt, birth uncle, adopted or surrendered person 21 years of age or over, adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or adoptive parent, surviving spouse, or adult child of a deceased adopted or surrendered person who has filed an Illinois Adoption Registry Application or Registration Identification Form with the Registry.

"Registry" means the Illinois Adoption Registry and Medical Information Exchange.

"Request for a Non-Certified Copy of an Original Birth Certificate" means an affidavit completed by an adult adopted or surrendered person or by the surviving adult child or surviving spouse of a deceased adopted or surrendered person and filed with the Registry requesting a non-certified copy of an adult adopted or surrendered person's original certificate of live birth in Illinois.

"Surrendered person" means a person whose parents' rights have been surrendered or terminated but who has not been adopted.

"Surviving spouse" means the wife or husband, 21 years of age or older, of a deceased adopted or surrendered person who would be 21 years of age or older if still alive and who has one or more surviving biological children who are under the age of 21.

"18.3 Statement" means a statement regarding the disclosure of identifying information signed by a birth parent under Section 18.3 of this Act as it existed immediately prior to the effective date of this amendatory Act of the 96th General Assembly.

(Source: P.A. 96-895, eff. 5-21-10.)

(750 ILCS 50/18.1) (from Ch. 40, par. 1522.1)

Sec. 18.1. Disclosure of identifying information.

(a) The Department of Public Health shall establish and maintain a Registry for the purpose of allowing mutually consenting members of birth and adoptive families to exchange identifying and medical information. Identifying information for the purpose of this Act shall mean any one or more of the following:

- (1) The name and last known address of the consenting person or persons.
- (2) A copy of the Illinois Adoption Registry Application of the consenting person or persons.
- (3) A non-certified copy of the original birth certificate of an adult adopted or surrendered person.

(b) Written authorization from all parties identified must be received prior to disclosure of any identifying information, with the exception of non-certified copies of original birth certificates released to adult adopted or surrendered persons or to surviving adult children and surviving spouses of deceased adopted or surrendered persons pursuant to the procedures outlined in Section 18.1b(e).

(c) At any time after a child is surrendered for adoption, or at any time during the adoption proceedings or at any time thereafter, either birth parent or both of them may file with the Registry a Birth Parent Registration Identification Form ~~and an Information Exchange Authorization or a Denial of Information Exchange~~.

(d) A birth sibling 21 years of age or over who was not surrendered for adoption and who has submitted a copy of his or her birth certificate as well as proof of death for a deceased birth parent and such birth parent did not file a Denial of Information Exchange or a Birth Parent Preference Form on which Option E was selected with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(e) A birth aunt or birth uncle who has submitted birth certificates for himself or herself and for a deceased birth parent naming at least one common biological parent as well as proof of death for the deceased birth parent and such birth parent did not file a Denial of Information Exchange or a Birth Parent Preference Form on which Option E was selected with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(f) Any adopted person 21 years of age or over, any surrendered person 21 years of age or over, or any adoptive parent or legal guardian of an adopted or surrendered person under the age of 21 may file with the Registry a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(g) Any adult child 21 years of age or over of a deceased adopted or surrendered person who has submitted a copy of his or her birth certificate naming an adopted or surrendered person as his or her biological parent as well as proof of death for the deceased adopted or surrendered person and such adopted or surrendered person did not file a Denial of Information Exchange with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(h) Any surviving spouse of a deceased adopted or surrendered person 21 years of age or over who has submitted proof of death for the deceased adopted or surrendered person and such adopted or surrendered person did not file a Denial of Information Exchange with the Registry prior to his or her death as well as a birth certificate naming themselves and the adopted or surrendered person as the parents of a minor child under the age of 21 may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(i) Any adoptive parent or legal guardian of a deceased adopted or surrendered person who is 21 years of age or over who has submitted proof of death as well as proof of parentage or guardianship for the deceased adopted or surrendered person and such adopted or surrendered person did not file a Denial of Information Exchange with the Registry prior to his or her death may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.

(j) The Department of Public Health shall supply to the adopted or surrendered person or his or her adoptive parents, legal guardians, adult children or surviving spouse, and to the birth parents identifying information only if both the adopted or surrendered person, or one of his or her adoptive parents, legal guardians, adult children or his or her surviving spouse, and the birth parents have filed with the Registry an Information Exchange Authorization or a Birth Parent Preference Form on which Option A, B, or C was selected and the information at the Registry indicates that the consenting adopted or surrendered person, the child of the consenting adoptive parents or legal guardians, the parent of the consenting adult child of the adopted or surrendered person, or the deceased wife or husband of the consenting surviving spouse is the child of the consenting birth parents, except identifying information that appears on a non-certified copy of an original birth certificate may be provided to an adult adopted or surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person pursuant to the procedures outlined in Section 18.1b(e) of this Act.

The Department of Public Health shall supply to adopted or surrendered persons who are birth siblings identifying information only if both siblings have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting siblings have one or both birth parents in common. Identifying information shall be supplied to consenting birth siblings who were adopted or surrendered if any such sibling is 21 years of age or over. Identifying information shall be supplied to consenting birth siblings who were not adopted or surrendered if any such sibling is 21 years of age or over and has proof of death of the common birth parent and such birth parent did not file a Denial of Information Exchange or a Birth Parent Preference Form on which Option E was selected with the Registry prior to his or her death.

(k) The Department of Public Health shall supply to the adopted or surrendered person or his or her adoptive parents, legal guardians, adult children or surviving spouse, and to a birth aunt identifying information only if both the adopted or surrendered person or one of his or her adoptive parents, legal guardians, adult children or his or her surviving spouse, and the birth aunt have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting adopted or surrendered person, or the child of the consenting adoptive parents or legal guardians, or the parent of the consenting adult child, or the deceased wife or husband of the consenting surviving spouse of the adopted or surrendered person is or was the child of the brother or sister of the consenting birth aunt.

(l) The Department of Public Health shall supply to the adopted or surrendered person or his or her adoptive parents, legal guardians, adult children or surviving spouse, and to a birth uncle identifying information only if both the adopted or surrendered person or one of his or her adoptive parents, legal guardians, adult children or his or her surviving spouse, and the birth uncle have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting adopted or surrendered person, or the child of the consenting adoptive parents or legal guardians, or the parent of the consenting adult child, or the deceased wife or husband of the consenting surviving spouse of the adopted or surrendered person is or was the child of the brother or sister of the consenting birth uncle.

(m) A registrant may notify the Registry of his or her desire not to have identifying information revealed or may revoke any previously filed Information Exchange Authorization by completing and filing with the Registry a Registration Identification Form along with a Denial of Information Exchange or, if applicable, a

Birth Parent Preference Form. Any registrant, except a birth parent, may revoke his or her Denial of Information Exchange by filing an Information Exchange Authorization. A birth parent may revoke a Denial of Information Exchange by filing a Birth Parent Preference Form. Any birth parent who has previously filed a Birth Parent Preference Form where Option E was selected may revoke such preference by filing a subsequent Birth Parent Preference Form and selecting Option A, B, C, or D. The Department of Public Health shall act in accordance with the most recently filed affidavit.

(n) Identifying information ascertained from the Registry shall be confidential and may be disclosed only (1) upon a Court Order, which order shall name the person or persons entitled to the information, or (2) to a registrant who is the subject of an Information Exchange Authorization or, if applicable, a Birth Parent Preference Form that was completed by another registrant and filed with the Illinois Adoption Registry and Medical Information Exchange, or (3) as authorized under subsection (h) of Section 18.3 of this Act, or (4) pursuant to the procedures outlined in Section 18.1b(e) of this Act. Any person who willfully provides unauthorized disclosure of any information filed with the Registry or who knowingly or intentionally files false information with the Registry shall be guilty of a Class A misdemeanor and shall be liable for damages.

(o) If information is disclosed pursuant to this Act, the Department shall redact it to remove any identifying information about any party who has not consented to the disclosure of such identifying information, or, in the case of identifying information on the original birth certificate, pursuant to Section 18.1b(e) of this Act.

(Source: P.A. 96-895, eff. 5-21-10.)

(750 ILCS 50/18.1a)

Sec. 18.1a. Registry matches.

(a) The Registry shall release identifying information, as specified on the applicant's Information Exchange Authorization or, if applicable, a Birth Parent Preference Form, to the following mutually consenting registered parties and provide them with any photographs or correspondence which have been placed in the Adoption/Surrender Records File and are specifically intended for the registered parties:

(i) an adult adopted or surrendered person and one of his or her birth relatives who have both filed an applicable Information Exchange Authorization or, if applicable, a Birth Parent Preference Form specifying the other consenting party with the Registry, if information available to the Registry confirms that the consenting adopted or surrendered person is biologically related to the consenting birth relative;

(ii) the adoptive parent or legal guardian of an adopted or surrendered person under the age of 21 and one of the adopted or surrendered person's birth relatives who have both filed an Information Exchange Authorization specifying the other consenting party ~~with the Registry, or, if applicable, a Birth Parent Preference Form, with the Registry,~~ if information available to the Registry confirms that the child of the consenting adoptive parent or legal guardian is biologically related to the consenting birth relative; and

(iii) the adoptive parent, adult child or surviving spouse of a deceased adopted or surrendered person, and one of the adopted or surrendered person's birth relatives who have both filed an applicable Information Exchange Authorization specifying the other consenting party ~~with the Registry, or, if applicable, a Birth Parent Preference Form, with the Registry,~~ if information available to the Registry confirms that the child of the consenting adoptive parent, the parent of the consenting adult child or the deceased wife or husband of the consenting surviving spouse of the adopted or surrendered person was biologically related to the consenting birth relative.

(b) If a registrant is the subject of a Denial of Information Exchange filed by another registered party or is an adopted or surrendered person, or the surviving relative of a deceased adopted or surrendered person, and a birth parent of the adopted or surrendered person completed a Birth Parent Preference Form and selected Option E, the Registry shall not release identifying information to either registrant or, if applicable, to an adopted person who has requested a copy of his or her original birth certificate, with the exception of non-certified copies of the original birth certificate released under Section 18.1b(e), and as to a birth parent who has prohibited release of identifying information on the original birth certificate to the adult adopted or surrendered person, upon the death of said birth parent.

(c) If a registrant has completed a Medical Information Exchange Questionnaire and has consented to its disclosure, that Questionnaire shall be released to any registered party who has indicated their desire to receive such information on his or her Illinois Adoption Registry Application, if information available to the Registry confirms that the consenting parties are biologically related, that the consenting birth relative and the child of the consenting adoptive parents or legal guardians are birth relatives, or that the consenting

birth relative and the deceased wife or husband of the consenting surviving spouse are birth relatives. (Source: P.A. 96-895, eff. 5-21-10.)

(750 ILCS 50/18.1b)

Sec. 18.1b. The Illinois Adoption Registry Application. The Illinois Adoption Registry Application shall substantially include the following:

(a) General Information. The Illinois Adoption Registry Application shall include the space to provide Information about the registrant including his or her surname, given name or names, social security number (optional), mailing address, home telephone number, gender, date and place of birth, and the date of registration. If applicable and known to the registrant, he or she may include the maiden surname of the birth mother, any subsequent surnames of the birth mother, the surname of the birth father, the given name or names of the birth parents, the dates and places of birth of the birth parents, the surname and given name or names of the adopted person prior to adoption, the gender and date and place of birth of the adopted or surrendered person, the name of the adopted person following his or her adoption and the state and county where the judgment of adoption was finalized.

(b) Medical Information Exchange Questionnaire. In recognition of the importance of medical information and of recent discoveries regarding the genetic origin of many medical conditions and diseases all registrants shall be asked to voluntarily complete a Medical Information Exchange Questionnaire. The Medical Information Exchange Questionnaire shall include a comprehensive check-list of medical conditions and diseases including those of genetic origin.

(1) ~~For birth relatives, the Medical Information Exchange Questionnaire shall include a comprehensive check list of medical conditions and diseases including those of genetic origin.~~ Birth relatives shall be asked to indicate all genetically-inherited diseases and conditions on this list which are known to exist in the adopted or surrendered person's birth family at the time of registration. In addition, all birth relatives shall be apprised of the Registry's provisions for voluntarily submitting information about their and their family's medical histories on a confidential, ongoing basis.

(2) Adopted and surrendered persons and their adoptive parents, legal guardians, adult children, and surviving spouses shall be asked to indicate all genetically-inherited diseases and medical conditions with which the adopted or surrendered person or, if applicable, his or her children have been diagnosed since birth.

(3) The Medical Information Exchange Questionnaire shall include a space where the registrant may authorize the release of the Medical Information Exchange Questionnaire to specified registered parties and a disclaimer informing registrants that the Department of Public Health cannot guarantee the accuracy of medical information exchanged through the Registry.

(c) Written statement. All registrants shall be given the opportunity to voluntarily file a written statement with the Registry. This statement shall be submitted in the space provided. No written statement submitted to the Registry shall include identifying information pertaining to any person other than the registrant who submitted it. Any such identifying information shall be redacted by the Department or returned for removal of identifying information.

(d) Exchange of information. All registrants except birth parents may indicate their wishes regarding contact and the exchange of identifying and/or medical information with any other registrant by completing an Information Exchange Authorization or a Denial of Information Exchange. Birth parents may indicate their wishes regarding contact by filing a Birth Parent Preference Form pursuant to the procedures outlined in this Section.

(1) Information Exchange Authorization. Adopted or surrendered persons 21 years of age or over who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of their birth relatives; ~~birth parents who are interested in exchanging identifying and/or medical information or would welcome contact with an adopted or surrendered person 21 years of age or over, or one or more of his or her adoptive parents, legal guardians, adult children, or a surviving spouse;~~ birth siblings 21 years of age or over who were adopted or surrendered and who are interested in exchanging identifying and/or medical information or would welcome contact with an adopted or surrendered person, or one or more of his or her adoptive parents, legal guardians, adult children, or a surviving spouse; birth siblings 21 years of age or over who were not surrendered and who have submitted proof of death for any common birth parent who did not file a Denial of Information Exchange or a Birth Parent Preference Form on which Option E was selected prior to his or her death, and who are interested in exchanging identifying and/or medical information or would welcome contact with an adopted or surrendered person, or one or more of his or her adoptive parents, legal guardians,

adult children, or a surviving spouse; birth aunts and birth uncles 21 years of age or over who have submitted birth certificates for themselves and a deceased birth parent naming at least one common biological parent as well as proof of death for a deceased birth parent and who are interested in exchanging identifying and/or medical information or would welcome contact with an adopted or surrendered person 21 years of age or over, or one or more of his or her adoptive parents, legal guardians, adult children or a surviving spouse; adoptive parents or legal guardians of adopted or surrendered persons under the age of 21 who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of the adopted or surrendered person's birth relatives; adoptive parents and legal guardians of deceased adopted or surrendered persons 21 years of age or over who have submitted proof of death for a deceased adopted or surrendered person who did not file a Denial of Information Exchange prior to his or her death and who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of the adopted or surrendered person's birth relatives; adult children of deceased adopted or surrendered persons who have submitted a birth certificate naming the adopted or surrendered person as their biological parent and proof of death for an adopted or surrendered person who did not file a Denial of Information Exchange prior to his or her death; and surviving spouses of deceased adopted or surrendered persons who have submitted a marriage certificate naming an adopted or surrendered person as their deceased wife or husband and proof of death for an adopted or surrendered person who did not file a Denial of Information Exchange prior to his or her death and who are interested in exchanging identifying and/or medical information or would welcome contact with one or more of the adopted or surrendered person's birth relatives may specify with whom they wish to exchange identifying information by filing an Information Exchange Authorization.

(2) Denial of Information Exchange. Adopted or surrendered persons 21 years of age or over who do not wish to exchange identifying information or establish contact with one or more of their birth relatives may specify with whom they do not wish to exchange identifying information or do not wish to establish contact by filing a Denial of Information Exchange. Birth relatives other than birth parents who do not wish to establish contact with an adopted or surrendered person or one or more of his or her adoptive parents, legal guardians, or adult children may specify with whom they do not wish to exchange identifying information or do not wish to establish contact by filing a Denial of Information Exchange. Birth parents who wish to prohibit the release of their identifying information on the original birth certificate released to an adult adopted or surrendered person who was born after January 1, 1946, or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person who was born after January 1, 1946, may do so by filing a Denial with the Registry on or before December 31, 2010. ~~As of January 1, 2011, birth parents who wish to prohibit the release of identifying information on the non-certified copy of the original birth certificate released to an adult adopted surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person may do so by selecting Option E on a Birth Parent Preference Form and filing the Form with the Registry.~~ Adoptive parents or legal guardians of adopted or surrendered persons under the age of 21 who do not wish to establish contact with one or more of the adopted or surrendered person's birth relatives may specify with whom they do not wish to exchange identifying information by filing a Denial of Information Exchange. Adoptive parents, adult children, and surviving spouses of deceased adoptees who do not wish to exchange identifying information or establish contact with one or more of the adopted or surrendered person's birth relatives may specify with whom they do not wish to exchange identifying information or do not wish to establish contact by filing a Denial of Information Exchange.

(3) Birth Parent Preference Form. Beginning January 1, 2011, birth parents who are eligible to register with the Illinois Adoption Registry and Medical Information Exchange and whose birth child was born on or after January 1, 1946 may ~~who wish to~~ communicate their wishes regarding contact or may prohibit ~~and/or~~ the release of their identifying information on the non-certified copy of the original birth certificate released under subsection (e) of this Section by filing to an adult adopted or surrendered person or the surviving adult child or surviving spouse of a deceased adopted or surrendered person who has requested a copy of the adopted or surrendered person's original birth certificate by filing a Request for a Non-Certified Copy of an Original Birth Certificate pursuant to subsection (e) of this Section, may file a Birth Parent Preference Form with the Registry. Birth parents whose birth child was born before January 1, 1946, may communicate their wishes regarding contact by completing a Birth Parent Preference Form, selecting Option A, B, C, or D, and filing the form with the Registry, but may not prohibit the release of identifying information. All Birth Parent Preference Forms on file with the Registry at the time of receipt of a Request for a Non-Certified Copy of an Original Birth Certificate

from an adult adopted or surrendered person or the surviving adult child or surviving spouse of a deceased adopted or surrendered person shall be forwarded to the relevant adopted or surrendered person or surviving adult child or surviving spouse of a deceased adopted or surrendered person along with a non-certified copy of the adopted or surrendered person's original birth certificate as outlined in subsection (e) of this Section.

(e) Procedures for requesting a non-certified copy of an original birth certificate by an adult adopted or surrendered person or by a surviving adult child or surviving spouse of a deceased adopted or surrendered person:

(1) On or after the effective date of this amendatory Act of the 96th General Assembly, any adult adopted or surrendered person who was born in Illinois prior to January 1, 1946, may complete and file with the Registry a Request for a Non-Certified Copy of an Original Birth Certificate. The Registry shall provide such adult adopted or surrendered person with an unaltered, non-certified copy of his or her original birth certificate upon receipt of the Request for a Non-Certified Copy of an Original Birth Certificate. Additionally, in cases where an adopted or surrendered person born in Illinois prior to January 1, 1946, is deceased, and one of his or her surviving adult children or his or her surviving spouse has registered with the Registry, he or she may complete and file with the Registry a Request for a Non-Certified Copy of an Original Birth Certificate. The Registry shall provide such surviving adult child or surviving spouse with an unaltered, non-certified copy of the adopted or surrendered person's original birth certificate upon receipt of the Request for a Non-Certified Copy of an Original Birth Certificate.

(2) Beginning November 15, 2011, any adult adopted or surrendered person who was born in Illinois on or after January 1, 1946, may complete and file with the Registry a Request for a Non-certified Copy of an Original Birth Certificate. Additionally, in cases where the adopted or surrendered person is deceased and one of his or her surviving adult children or his or her surviving spouse has registered with the Registry, he or she may complete and file with the Registry a Request for a Non-Certified Copy of an Original Birth Certificate. Upon receipt of such request from an adult adopted or surrendered person or from one of his or her surviving adult children or his or her surviving spouse, the Registry shall:

(i) Determine if there is a Denial of Information Exchange which was filed by a birth parent named on the original birth certificate prior to January 1, 2011. If a Denial was filed by a birth parent named on the original birth certificate prior to January 1, 2011, and there is no proof of death in the Registry file for the birth parent who filed said Denial, the Registry shall inform the requesting adult adopted or surrendered person or the requesting surviving adult child or surviving spouse of a deceased adopted or surrendered person that they may receive a non-certified copy of the original birth certificate from which all identifying information pertaining to the birth parent who filed the Denial has been redacted. A requesting adult adopted or surrendered person shall also be informed in writing of his or her right to petition the court for the appointment of a confidential intermediary pursuant to Section 18.3a of this Act and, if applicable, to conduct a search through an agency post-adoption search program once 5 years have elapsed since the birth parent filed the Denial of Information Exchange with the Registry.

(ii) Determine if a birth parent named on the original birth certificate has filed a Birth Parent Preference Form. If one of the birth parents named on the original birth certificate filed a Birth Parent Preference Form and selected Option A, B, C, or D, the Registry shall forward to the adult adopted or surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person a copy of the Birth Parent Preference Form along with an unaltered non-certified copy of his or her original birth certificate. If one of the birth parents named on the original birth certificate filed a Birth Parent Preference Form and selected Option E, and there is no proof of death in the Registry file for the birth parent who filed said Birth Parent Preference Form, the Registry shall inform the requesting adult adopted or surrendered person or the requesting surviving adult child or surviving spouse of a deceased adopted or surrendered person that he or she may receive a non-certified copy of the original birth certificate from which identifying information pertaining to the birth parent who completed the Birth Parent Preference Form has been redacted per the birth parent's specifications on the Form. The Registry shall forward to the adult adopted or surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person a copy of the Birth Parent Preference Form filed by the birth parent from which identifying information has been redacted per the birth parent's specifications on the Form. The requesting adult adopted or surrendered person shall also be informed in writing of his or her right to petition the court

for the appointment of a confidential intermediary pursuant to Section 18.3a of this Act, and, if applicable, to conduct a search through an agency post-adoption search program once 5 years have elapsed since the birth parent filed the Birth Parent Preference Form, on which Option E was selected, with the Registry.

(iii) Determine if a birth parent named on the original birth certificate has filed an Information Exchange Authorization.

(iv) If the Registry has confirmed that a requesting adult adopted or surrendered person or the parent of a requesting adult child of a deceased adopted or surrendered person or the husband or wife of a requesting surviving spouse was not the object of a Denial of Information Exchange filed by a birth parent on or before December 31, 2010, and that no birth parent named on the original birth certificate has filed a Birth Parent Preference Form where Option E was selected prior to the receipt of a Request for a Non-Certified Copy of an Original Birth Certificate, the Registry shall provide the adult adopted or surrendered person or his or her surviving adult child or surviving spouse with an unaltered non-certified copy of the adopted or surrendered person's original birth certificate.

(3) In cases where the Registry receives a Birth Parent Preference Form from a birth parent subsequent to the release of the non-certified copy of the original birth certificate to an adult adopted or surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person, the Birth Parent Preference Form shall be immediately forwarded to the adult adopted or surrendered person or to the surviving adult child or surviving spouse of the deceased adopted or surrendered person and the birth parent who filed the form shall be informed that the relevant original birth certificate has already been released.

(4) A copy of the original birth certificate shall only be released to adopted or surrendered persons who were born in Illinois; to surviving adult children or surviving spouses of deceased adopted or surrendered persons who were born in Illinois; or to 2 registered parties who have both consented to the release of a non-certified copy of the original birth certificate to one another through the Registry when the birth of the relevant adopted or surrendered person took place in Illinois.

(5) In cases where the Registry receives a Request for a Non-Certified Copy of an Original Birth Certificate from an adult adopted or surrendered person who has not completed a Registry application and the file of that adopted or surrendered person includes an Information Exchange Authorization, Birth Parent Preference Form, or Medical Information Exchange Questionnaire from one or more of his or her birth relatives, the Registry shall so inform the adult adopted or surrendered person and forward Registry application forms to him or her along with a non-certified copy of the original birth certificate consistent with the procedures outlined in this subsection (e).

(6) In cases where a birth parent registered with the Registry and filed a Medical Information Exchange Questionnaire prior to the effective date of this amendatory Act of the 96th General Assembly but gave no indication as to his or her wishes regarding contact or the sharing of identifying information, the Registry shall contact the birth parent by written letter prior to January 1, 2011, and provide him or her with the opportunity to indicate his or her preference regarding contact and the sharing of identifying information by submitting a Birth Parent Preference Form to the Registry prior to November 1, 2011.

(7) In cases where the Registry cannot locate a copy of the original birth certificate in the Registry file, they shall be authorized to request a copy of the original birth certificate from the Illinois county where the birth took place for placement in the Registry file.

(8) Adopted and surrendered persons who wish to have their names placed with the Illinois Adoption Registry and Medical Information Exchange may do so by completing a Registry application at any time, but completing a Registry application shall not be required for adopted and surrendered persons who seek only to obtain a copy of their original birth certificate or any relevant Birth Parent Preference Forms through the Registry.

(9) In cases where a birth parent filed a Denial of Information Exchange with the Registry prior to January 1, 2011, or filed a Birth Parent Preference Form with the Registry and selected Option E after January 1, 2011, and a proof of death for the birth parent who filed the Denial or the Birth Parent Preference Form has been filed with the Registry by ~~either~~ a confidential intermediary, ~~or~~ a surviving relative of the deceased birth parent, or a birth child of the deceased birth parent, the Registry shall be authorized to release an unaltered non-certified copy of the original birth certificate to an adult adopted or surrendered person or to the surviving adult child or surviving spouse of a deceased adopted or surrendered person who has filed a Request for a Non-Certified Copy of the Original Birth Certificate

with the Registry.

(10) On and after the effective date of this amendatory Act of the 96th General Assembly, in cases where all birth parents named on the original birth certificate of an adopted or surrendered person born after January 1, 1946, are deceased and copies of death certificates for all birth parents named on the original birth certificate have been filed with the Registry by either a confidential intermediary, ~~or~~ a surviving relative of the deceased birth parent, or a birth child of the deceased birth parent, the Registry shall be authorized to release a non-certified copy of the original birth certificate to the adopted or surrendered person upon receipt of his or her Request for a Non-Certified Copy of an Original Birth Certificate.

(f) A registrant may complete all or any part of the Illinois Adoption Registry Application. All Illinois Adoption Registry Applications, Information Exchange Authorizations, Denials of Information Exchange, requests to revoke an Information Exchange Authorization or Denial of Information Exchange, Birth Parent Preference Forms, and affidavits submitted to the Registry shall be accompanied by proof of identification. (Source: P.A. 96-895, eff. 5-21-10; revised 9-2-10.)

(750 ILCS 50/18.2) (from Ch. 40, par. 1522.2)
Sec. 18.2. Forms.

(a) The Department shall develop the Illinois Adoption Registry forms as provided in this Section. The General Assembly shall reexamine the content of the form as requested by the Department, in consultation with the Registry Advisory Council. The form of the Birth Parent Registration Identification Form shall be substantially as follows:

BIRTH PARENT REGISTRATION IDENTIFICATION

(Insert all known information)

I,, state that I am the (mother or father) of the following child:

Child's original name: (first) (middle) (last), (hour of birth),
..... (date of birth), (city and state of birth), (name of hospital).

Father's full name: (first) (middle) (last), (date of birth),
..... (city and state of birth).

Name of mother inserted on birth certificate: (first) (middle) (last),
..... (race), (date of birth), (city and state of birth).

That I surrendered my child to: (name of agency), (city and state of
agency), (approximate date child surrendered).

That I placed my child by private adoption: (date), (city and state).

Name of adoptive parents, if known:

Other identifying information:

.....
(Signature of parent)

.....
(date)

.....
(printed name of parent)

(b) The form of the Adopted Person Registration Identification shall be substantially as follows:

ADOPTED PERSON
REGISTRATION IDENTIFICATION

(Insert all known information)

I,, state the following:

Adopted Person's present name: (first) (middle) (last).

Adopted Person's name at birth (if known): (first) (middle) (last),
(birth date), (city and state of birth), (sex), (race).

Name of adoptive father: (first) (middle) (last), (race).

Maiden name of adoptive mother: (first) (middle) (last), (race).

Name of birth mother (if known): (first) (middle) (last), (race).

Name of birth father (if known): (first) (middle) (last), (race).

Name(s) at birth of sibling(s) having a common birth parent with adoptee (if known):
(first) (middle) (last), (race), and name of common birth parent: (first) (middle)
(last), (race).

I was adopted through: (name of agency).

I was adopted privately: (state "yes" if known).

I was adopted in (city and state), (approximate date).

Other identifying information:

.....
(signature of adoptee)

.....
(date)

.....
(printed name of adoptee)

(c) The form of the Surrendered Person Registration Identification shall be substantially as follows:

SURRENDERED PERSON REGISTRATION
IDENTIFICATION

(Insert all known information)

I,, state the following:

- Surrendered Person's present name: (first) (middle) (last).
- Surrendered Person's name at birth (if known): (first) (middle) (last),
.....(birth date), (city and state of birth), (sex), (race).
- Name of guardian father: (first) (middle) (last), (race).
- Maiden name of guardian mother: (first) (middle) (last), (race).
- Name of birth mother (if known): (first) (middle) (last) (race).
- Name of birth father (if known): (first) (middle) (last),(race).
- Name(s) at birth of sibling(s) having a common birth parent with surrendered person (if
known): (first) (middle) (last), (race), and name of common birth parent: (first)
(middle) (last), (race).

I was surrendered for adoption to: (name of agency).
 I was surrendered for adoption in (city and state), (approximate date).
 Other identifying information:

.....
(signature of surrendered person)

.....
(date)

.....
(printed name of person
surrendered for adoption)

(c-3) The form of the Registration Identification Form for Surviving Relatives of Deceased Birth Parents shall be substantially as follows:

REGISTRATION IDENTIFICATION FORM
FOR SURVIVING RELATIVES OF DECEASED BIRTH PARENTS

(Insert all known information)

I,, state the following:

- Name of deceased birth parent at time of surrender:
- Deceased birth parent's date of birth:
- Deceased birth parent's date of death:
- Adopted or surrendered person's name at birth (if known):(first) (middle)
(last),(birth date), (city and state of birth), (sex), (race).

My relationship to the adopted or surrendered person (check one): (birth parent's non-surrendered child)
(birth parent's sister) (birth parent's brother).

If you are a non-surrendered child of the birth parent, provide name(s) at birth and age(s) of non-surrendered siblings having a common parent with the birth parent. If more than one sibling, please give information requested below on reverse side of this form. If you are a sibling or parent of the birth parent, provide name(s) at birth and age(s) of the sibling(s) of the birth parent. If more than one sibling, please give information requested below on reverse side of this form.

- Name (First) (middle) (last),(birth date), (city and state of
birth), (sex), (race).
- Name(s) of common parent(s) (first) (middle) (last),(race), (first)
(middle) (last),(race).

My birth sibling/child of my brother/child of my sister/ was surrendered for adoption to
 (name of agency) City and state of agency Date(approximate) Other identifying information
 (Please note that you must: (i) be at least 21 years of age to register; (ii) submit with your registration a
 certified copy of the birth parent's birth certificate; (iii) submit a certified copy of the birth parent's death

certificate; and (iv) if you are a non-surrendered birth sibling or a sibling of the deceased birth parent, also submit a certified copy of your birth certificate with this registration. No application from a surviving relative of a deceased birth parent can be accepted if the birth parent filed a Denial of Information Exchange prior to his or her death.)

.....
(signature of birth parent's surviving relative)

.....
(date)

.....
(printed name of birth
parent's surviving relative)

(c-5) The form of the Registration Identification Form for Surviving Relatives of Deceased Adopted or Surrendered Persons shall be substantially as follows:

REGISTRATION IDENTIFICATION FORM FOR
SURVIVING RELATIVES OF DECEASED ADOPTED OR SURRENDERED PERSONS
(Insert all known information)

I,, state the following:

Adopted or surrendered person's name at birth (if known): (first) (middle)
(last),(birth date), (city and state of birth), (sex), (race).

Adopted or surrendered person's date of death:

My relationship to the deceased adopted or surrendered person(check one): (adoptive mother) (adoptive father) (adult child) (surviving spouse).

If you are an adult child or surviving spouse of the adopted or surrendered person, provide name(s) at birth and age(s) of the children of the adopted or surrendered person. If the adopted or surrendered person had more than one child, please give information requested below on reverse side of this form.

Name (first) (middle) (last),(birth date), (city and state of birth), (sex), (race).

Name(s) of common parent(s) (first) (middle) (last),(race), (first) (middle) (last),(race).

My child/parent/deceased spouse was surrendered for adoption to(name of agency) City and state of agency Date (approximate) Other identifying information (Please note that you must: (i) be at least 21 years of age to register; (ii) submit with your registration a certified copy of the adopted or surrendered person's death certificate; (iii) if you are the child of a deceased adopted or surrendered person, also submit a certified copy of your birth certificate with this registration; and (iv) if you are the surviving wife or husband of a deceased adopted or surrendered person, also submit a copy of your marriage certificate with this registration. No application from a surviving relative of a deceased adopted or surrendered person can be accepted if the adopted or surrendered person filed a Denial of Information Exchange prior to his or her death.)

.....
(signature of adopted or surrendered person's surviving
relative)

.....
(date)

.....
(printed name of adopted
person's surviving relative)

(d) The form of the Information Exchange Authorization shall be substantially as follows:

INFORMATION EXCHANGE AUTHORIZATION

I,, state that I am the person who completed the Registration Identification; that I am of the age of years; that I hereby authorize the Department of Public Health to give to the following person(s) (birth mother) (birth father) (birth sibling) (adopted or surrendered person) (adoptive mother) (adoptive father) (legal guardian of an adopted or surrendered person) (birth aunt) (birth uncle) (adult child of a deceased adopted or surrendered person) (surviving spouse of a deceased adopted or surrendered person) (all eligible relatives) the following (please check the information authorized for exchange):

- 1. Only my name and last known address.
- 2. A copy of my Illinois Adoption Registry Application.

[] 3. A non-certified copy of the adopted or surrendered person's original certificate of live birth (check only if you are an adopted or surrendered person or the surviving adult child or surviving spouse of a deceased adopted or surrendered person).

[] 4. A copy of my completed medical questionnaire.

I am fully aware that I can only be supplied with information about an individual or individuals who have duly executed an Information Exchange Authorization that has not been revoked or, if I am an adopted or surrendered person, from a birth parent who completed a Birth Parent Preference Form and did not prohibit the release of his or her identity to me; that I can be contacted by writing to: (own name or name of person to contact) (address) (phone number).

NOTE: New IARMIE registrants who do not complete a Medical Information Exchange Questionnaire and release a copy of their questionnaire to at least one Registry applicant must pay a \$15 registration fee.

Dated (insert date).

..... (signature)

(e) The form of the Denial of Information Exchange shall be substantially as follows:

DENIAL OF INFORMATION EXCHANGE

I,, state that I am the person who completed the Registration Identification; that I am of the age of years; that I hereby instruct the Department of Public Health not to give any identifying information about me to the following person(s) (birth mother) (birth father) (birth sibling)(adopted or surrendered person)(adoptive mother) (adoptive father)(legal guardian of an adopted or surrendered person)(birth aunt)(birth uncle)(adult child of a deceased adopted or surrendered person) (surviving spouse of a deceased adopted or surrendered person) (all eligible relatives).

~~IMPORTANT NOTE: A DENIAL FILED BY A BIRTH PARENT ON OR AFTER JANUARY 1, 2011, SHALL NOT PROHIBIT THE RELEASE OF THE BIRTH PARENT'S IDENTIFYING INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE OF AN ADULT ADOPTED OR SURRENDERED PERSON. BIRTH PARENTS WHO WISH TO PROHIBIT THE RELEASE OF THEIR IDENTIFYING INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE OF AN ADULT ADOPTED OR SURRENDERED PERSON SHALL FILE A BIRTH PARENT PREFERENCE FORM ON OR AFTER JANUARY 1, 2011. DENIALS FILED BY A BIRTH PARENT BEFORE JANUARY 1, 2011, WILL EXPIRE UPON THE DEATH OF THE BIRTH PARENT WITH RESPECT TO ACCESS TO IDENTIFYING INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE RELEASED TO AN ADULT ADOPTED OR SURRENDERED PERSON OR TO A SURVIVING ADULT CHILD OR SURVIVING SPOUSE OF A DECEASED ADOPTED OR SURRENDERED PERSON.~~

I do/do not (circle appropriate response) authorize the Registry to release a copy of my completed Medical Information Exchange Questionnaire to qualified Registry applicants. NOTE: New IARMIE registrants who do not complete a Medical Information Exchange Questionnaire and release a copy of their questionnaire to at least one Registry applicant must pay a \$15 registration fee. Birth parents filing a Denial of Information Exchange are advised that, under Illinois law, an adult adopted person may initiate a search for a birth parent who has filed a Denial of Information Exchange or Birth Parent Preference Form on which Option E was selected through the State confidential intermediary program once 5 years have elapsed since the filing of the Denial of Information Exchange or Birth Parent Preference Form.

Dated (insert date).

..... (signature)

(f) The form of the Birth Parent Preference Form shall be substantially as follows:

In recognition of the basic right of all persons to access their birth records, Illinois law now provides for the release of original birth certificates to adopted and surrendered persons 21 years of age or older upon request. While many birth parents are comfortable sharing their identities or initiating contact with their birth sons and daughters once they have reached adulthood, Illinois law also recognizes that there may be unique situations where a birth parent might have a compelling reason for not wishing to establish contact with a birth son or birth daughter or for not wishing to release identifying information that appears on the original birth certificate of a birth son or birth daughter who has reached adulthood. The Illinois Adoption Registry and Medical Information Exchange (IARMIE) has therefore established the attached ~~this~~ form to allow birth parents ~~whose birth son or daughter was born on or after January 1, 1946,~~ to express their preferences ~~wishes~~ regarding contact ; and if their birth child was born on or after January 1, 1946, to express their wishes regarding the sharing of identifying information listed on the original birth certificate with an adult adopted or surrendered person who has reached the age of 21 or his or her surviving relatives.

In selecting one of the 5 options below, birth parents should keep in mind that the decision to deny an adult adopted or surrendered person access to identifying information on his or her original birth record and/or information about genetically-transmitted diseases is an important decision ~~one~~ that may ~~can~~ impact the adopted or surrendered person's life in many ways. A request for anonymity on this form only pertains to information that is provided to an adult adopted or surrendered person or his or her surviving relatives through the Registry. This will ~~and does~~ not prevent the disclosure of identifying information that may be available to the adoptee through his or her adoptive parents and/or other means available to him or her. Birth parents who would prefer not to be contacted by their surrendered son or daughter are strongly urged to complete both the Non-Identifying Information Section included on the final page of the attached form ~~this document~~ and the Medical Questionnaire in order to provide their surrendered son or daughter with the background information he or she ~~their surrendered son or daughter~~ may need to better understand himself or herself ~~and~~ his or her origins. Birth parents whose birth son or birth daughter is under 21 years of age at the time of the completion of this form are reminded that no original birth certificate will be released by the IARMIE before an adoptee has reached the age of 21. ~~Furthermore, birth parents whose surrendered son or daughter is under 21 years of age at the time of completion of this form are reminded that, since no original birth certificates are released by the IARMIE before an adoptee has reached the age of 21, and birth parents are encouraged to take as much time as they need to weigh the options available to them before completing this form.~~ Should you need additional assistance in completing this form, please contact the agency that handled the adoption, if applicable, or the Illinois Adoption Registry and Medical Information Exchange at 877-323-5299 217-557-5159.

After careful consideration, I, ~~(insert your name)~~, have made the following decision regarding contact with my birth son/birth daughter, (insert birth son's/birth daughter's name at birth, if applicable), who was born in (insert city/town of birth) on (insert date of birth)..... and the release of my identifying information as it appears on his/her original birth certificate when he/she reaches the age of 21, and I have chosen Option (insert A, B, C, D, or E, as applicable). I realize that this form must be accompanied by a completed IARMIE application form as well as a Medical Information Exchange Questionnaire or the \$15 registration fee. I am also aware that I may revoke this decision at any time by completing a new Birth Parent Preference Form and filing it with the IARMIE. I understand that it is my responsibility to update the IARMIE with any changes to contact information provided below. I also understand that, while preferences regarding the release of identifying information through the Registry are binding unless the law should change in the future, any selection I have made regarding my preferred method of contact is not.

.....
 (Signature/Date)

(Please insert your signature and today's date above, as well as under your chosen option, A, B, C, D, or E below.)

Option A. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information as it appears on my birth son's/birth daughter's original birth certificate, OR my birth son or birth daughter was born prior to January 1, 1946. I would welcome direct contact with my birth son/birth daughter when he or she has reached the age of 21. In addition, before my birth son or birth daughter has reached the age of 21 or in the event of his or her death, I would welcome contact with the following relatives of my birth child (circle all that apply): adoptive mother, adoptive father, surviving spouse, surviving adult child. ~~and~~ I wish to be contacted at the following mailing address, email address or phone number:

.....

 (Signature/Date)

Option B. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information as it appears on my birth son's/birth daughter's original birth certificate, OR my birth son or birth daughter was born prior to January 1, 1946. I would welcome contact with my birth son/birth daughter when he or she has reached the age of 21. In addition, before my birth son or birth daughter has reached the age of 21 or in the event of his or her death, I would welcome contact with the

following relatives of my birth child (circle all that apply): adoptive mother, adoptive father, surviving spouse, surviving adult child. ~~but~~ I would prefer to be contacted through the following person. (Insert name and mailing address, email address or phone number of chosen contact person.)

.....
.....

(Signature/Date)

Option C. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information name as it appears on my birth son's/birth daughter's original birth certificate, OR my birth son or birth daughter was born prior to January 1, 1946. I would welcome contact with my birth son/birth daughter when he or she has reached the age of 21. In addition, before my birth son or birth daughter has reached the age of 21 or in the event of his or her death, I would welcome contact with the following relatives of my birth child (circle all that apply): adoptive mother, adoptive father, surviving spouse, surviving adult child. ~~but~~ I would prefer to be contacted through the Illinois Confidential Intermediary Program ~~confidential intermediary program~~ (please call 800-526-9022 for additional information) or through the agency that handled the adoption. (Insert agency name, address and phone number, if applicable.)

.....
.....

(Signature/Date)

Option D. My birth son or birth daughter was born on or after January 1, 1946, and I agree to the release of my identifying information name as it appears on my birth son's/birth daughter's original birth certificate when he or she has reached the age of 21, OR my birth son or birth daughter was born prior to January 1, 1946. ~~but~~ I would prefer not to be contacted by my birth son/birth daughter or his or her adoptive parents or surviving relatives when he or she has reached the age of 21.

.....
.....

(Signature/Date)

Option E. My birth son or birth daughter was born on or after January 1, 1946, and I wish to prohibit the release of my (circle ALL applicable options) first name, last name, last known address, birth son/birth daughter's last name (if last name listed is same as mine), as they appear on my birth son's/birth daughter's original birth certificate and do not wish to be contacted by my birth son/birth daughter when he or she has reached the age of 21. If there were any special circumstances that played a role in your decision to remain anonymous which you would like to share with your birth son/birth daughter, please list them in the space provided below (optional).

.....
.....

I understand that, although I have chosen to prohibit the release of my identity on the non-certified copy of the original birth certificate released to my birth son/birth daughter, he or she may request that a court-appointed confidential intermediary contact me to request updated medical information and/or confirm my desire to remain anonymous once 5 years have elapsed since the signing of this form; at the time of this subsequent search, I wish to be contacted through the person named below. (Insert in blank area below the name and phone number of the contact person, or leave it blank if you wish to be contacted directly.) I also understand that this request for anonymity shall expire upon my death.

.....
.....

(Signature/Date)

NOTE: A copy of this form will be forwarded to your birth son or birth daughter should he or she file a request for his or her original birth certificate with the IARMIE. However, if you have selected Option E, identifying information, per your specifications above, will be deleted from the copy of this form forwarded to your birth son or daughter during your lifetime. In the event that an adopted or surrendered person is deceased, his or her surviving adult children may request a copy of the adopted or surrendered person's original birth certificate providing they have registered with the IARMIE; the copy of this form and the non-certified copy of the original birth certificate forwarded to the surviving child of the adopted or surrendered person shall be redacted per your specifications on this form during your lifetime.

Non-Identifying Information Section

I wish to voluntarily provide the following non-identifying information to my birth son or birth daughter ~~surrendered son or daughter~~:

My age at the time of my child's birth was

My race is best described as:

My height is:

My body type is best described as (circle one): slim, average, muscular, a few extra pounds, or more than a few extra pounds.

My natural hair color is/was:

My eye color is:

My religion is best described as:

My ethnic background is best described as:

My educational level is closest to (circle applicable response): completed elementary school, graduated from high school, attended college, earned bachelor's degree, earned master's degree, earned doctoral degree.

My occupation is best described as

My hobbies include

My interests include

My talents include

In addition to my surrendered son or daughter, I also am the biological parent of (insert number) boys and (insert number) girls, of whom (insert number) are still living.

The relationship between me and my child's birth mother/birth father would best be described as (circle appropriate response): husband and wife, ex-spouses, boyfriend and girlfriend, casual acquaintances, other (please specify)

(g) The form of the Request for a Non-Certified Copy of an Original Birth Certificate shall be substantially as follows:

REQUEST FOR A NON-CERTIFIED COPY OF AN ORIGINAL BIRTH CERTIFICATE

I, (requesting party's full name), hereby request a non-certified copy of (check appropriate option) my original birth certificate the original birth certificate of my deceased adopted or surrendered parent the original birth certificate of my deceased adopted or surrendered spouse (insert deceased parent's/deceased spouse's name at adoption) I/my deceased parent/my deceased spouse was born in (insert city and county of adopted or surrendered person's birth) on (insert adopted or surrendered person's date of birth). In the event that one or both of my/my deceased parent's/my deceased spouse's birth parents has requested that their identity not be released to me/to my deceased parent/to my deceased spouse, I wish to (check appropriate option) a. receive a non-certified copy of the original birth certificate from which identifying information pertaining to the birth parent who requested anonymity has been deleted; or b. I do not wish to received an altered copy of the original birth certificate.

Dated (insert date).

.....

(signature)

(h) Any Information Exchange Authorization, Denial of Information Exchange, or Birth Parent Preference Form filed with the Registry, or Request for a Non-Certified Copy of an Original Birth Certificate filed with the Registry by a surviving adult child or surviving spouse of a deceased adopted or surrendered person, shall be acknowledged by the person who filed it before a notary public, in form substantially as follows:

State of

County of

I, a Notary Public, in and for the said County, in the State aforesaid, do hereby certify that personally known to me to be the same person whose name is subscribed to the foregoing certificate of acknowledgement, appeared before me in person and acknowledged that (he or she) signed such certificate as (his or her) free and voluntary act and that the statements in such certificate are true.

Given under my hand and notarial seal on (insert date).

.....
(signature)

(i) When the execution of an Information Exchange Authorization, Denial of Information Exchange, or Birth Parent Preference Form or Request for a Non-Certified Copy of an Original Birth Certificate completed by a surviving adult child or surviving spouse of a deceased adopted or surrendered person is acknowledged before a representative of an agency, such representative shall have his signature on said Certificate acknowledged before a notary public, in form substantially as follows:

State of.....

County of.....

I, a Notary Public, in and for the said County, in the State aforesaid, do hereby certify that personally known to me to be the same person whose name is subscribed to the foregoing certificate of acknowledgement, appeared before me in person and acknowledged that (he or she) signed such certificate as (his or her) free and voluntary act and that the statements in such certificate are true.

Given under my hand and notarial seal on (insert date).

.....
(signature)

(j) When an Illinois Adoption Registry Application, Information Exchange Authorization, Denial of Information Exchange, Birth Parent Preference Form, or Request for a Non-Certified Copy of an Original Birth Certificate completed by a surviving adult child or surviving spouse of a deceased adopted or surrendered person is executed in a foreign country, the execution of such document shall be acknowledged or affirmed before an officer of the United States consular services.

(k) If the person signing an Information Exchange Authorization, Denial of Information, Birth Parent Preference Form, or Request for a Non-Certified Copy of an Original Birth Certificate completed by a surviving adult child or surviving spouse of a deceased adopted or surrendered person is in the military service of the United States, the execution of such document may be acknowledged before a commissioned officer and the signature of such officer on such certificate shall be verified or acknowledged before a notary public or by such other procedure as is then in effect for such division or branch of the armed forces.

(l) An adopted or surrendered person who completes a Request For a Non-Certified Copy of the Original Birth Certificate shall meet the same filing requirements and pay the same filing fees as a non-adopted person seeking to obtain a copy of his or her original birth certificate.

(Source: P.A. 96-895, eff. 5-21-10.)

(750 ILCS 50/18.3a) (from Ch. 40, par. 1522.3a)

Sec. 18.3a. Confidential intermediary.

(a) General purposes. Notwithstanding any other provision of this Act, any adopted or surrendered person 21 years of age or over, any adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or any birth parent of an adopted or surrendered person who is 21 years of age or over may petition the court in any county in the State of Illinois for appointment of a confidential intermediary as provided in this Section for the purpose of exchanging medical information with one or more mutually consenting biological relatives, obtaining identifying information about one or more mutually consenting biological relatives, or arranging contact with one or more mutually consenting biological relatives. Additionally, in cases where an adopted or surrendered person is deceased, an adult child of the adopted or surrendered person or his or her adoptive parents or surviving spouse may file a petition under this Section and in cases where the birth parent is deceased, an adult birth sibling of the adopted or surrendered person or of the deceased birth parent may file a petition under this Section for the purpose of exchanging medical information with one or more mutually consenting biological relatives of the adopted or surrendered person, obtaining identifying information about one or more mutually consenting biological relatives of the adopted or surrendered person, or arranging contact with one or more mutually consenting biological relatives of the adopted or surrendered person. Beginning January 1, 2006, any adopted or surrendered person 21 years of age or over; any adoptive parent or legal guardian of an adopted or surrendered person under the age of 21; any birth parent, birth sibling, birth aunt, or birth uncle of an adopted or surrendered person over the age of 21; any surviving child, adoptive parent, or surviving spouse of a deceased adopted or surrendered person who wishes to petition the court for the appointment of a confidential intermediary shall be required to accompany their petition with proof of registration with the Illinois Adoption Registry

and Medical Information Exchange.

(b) Petition. Upon petition by an adopted or surrendered person 21 years of age or over (an "adult adopted or surrendered person"), an adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or a birth parent of an adopted or surrendered person who is 21 years of age or over, the court shall appoint a confidential intermediary. Upon petition by an adult child, adoptive parent or surviving spouse of an adopted or surrendered person who is deceased, by an adult birth sibling of an adopted or surrendered person whose common birth parent is deceased and whose adopted or surrendered birth sibling is 21 years of age or over, or by an adult sibling of a birth parent who is deceased, and whose surrendered child is 21 years of age or over, the court may appoint a confidential intermediary if the court finds that the disclosure is of greater benefit than nondisclosure. The petition shall state which biological relative or relatives are being sought and shall indicate if the petitioner wants to do any one or more of the following: exchange medical information with the biological relative or relatives, obtain identifying information from the biological relative or relatives, or to arrange contact with the biological relative.

(c) Order. The order appointing the confidential intermediary shall allow that intermediary to conduct a search for the sought-after relative by accessing those records described in subsection (g) of this Section.

(d) Fees and expenses. The court shall condition the appointment of the confidential intermediary on the petitioner's payment of the intermediary's fees and expenses in advance of the commencement of the work of the confidential intermediary. However, no fee shall be charged if the petitioner is an adult adopted or surrendered person and the sought-after relative is a birth parent who filed a Denial with the Registry prior to January 1, 2011, or filed a Birth Parent Preference Form on which Option E was selected after January 1, 2011 and more than 5 years have transpired since the birth parent filed the Denial of Information Exchange or Birth Parent Preference Form on which Option E was selected.

(e) Eligibility of intermediary. The court may appoint as confidential intermediary any person certified by the Department of Children and Family Services as qualified to serve as a confidential intermediary. Certification shall be dependent upon the confidential intermediary completing a course of training including, but not limited to, applicable federal and State privacy laws.

(f) Confidential Intermediary Council. There shall be established under the Department of Children and Family Services a Confidential Intermediary Advisory Council. One member shall be an attorney representing the Attorney General's Office appointed by the Attorney General. One member shall be a currently certified confidential intermediary appointed by the Director of the Department of Children and Family Services. The Director shall also appoint 5 additional members. When making those appointments, the Director shall consider advocates for adopted persons, adoptive parents, birth parents, lawyers who represent clients in private adoptions, lawyers specializing in privacy law, and representatives of agencies involved in adoptions. The Director shall appoint one of the 7 members as the chairperson. An attorney from the Department of Children and Family Services and the person directly responsible for administering the confidential intermediary program shall serve as ex-officio, non-voting advisors to the Council. Council members shall serve at the discretion of the Director and shall receive no compensation other than reasonable expenses approved by the Director. The Council shall meet no less than twice yearly and shall meet at least once yearly with the Registry Advisory Council, and shall make recommendations to the Director regarding the development of rules, procedures, and forms that will ensure efficient and effective operation of the confidential intermediary process, including:

(1) Standards for certification for confidential intermediaries.

(2) Oversight of methods used to verify that intermediaries are complying with the appropriate laws.

(3) Training for confidential intermediaries, including training with respect to federal and State privacy laws.

(4) The relationship between confidential intermediaries and the court system, including the development of sample orders defining the scope of the intermediaries' access to information.

(5) Any recent violations of policy or procedures by confidential intermediaries and remedial steps, including decertification, to prevent future violations.

(g) Access. Subject to the limitations of subsection (i) of this Section, the confidential intermediary shall have access to vital records or a comparable public entity that maintains vital records in another state in accordance with that state's laws, maintained by the Department of Public Health and its local designees for the maintenance of vital records or a comparable public entity that maintains vital records in another state in accordance with that state's laws and all records of the court or any adoption agency, public or private, as limited in this Section, which relate to the adoption or the identity and location of an adopted or surrendered person, of an adult child or surviving spouse of a deceased adopted or surrendered person, or of

a birth parent, birth sibling, or the sibling of a deceased birth parent. The confidential intermediary shall not have access to any personal health information protected by the Standards for Privacy of Individually Identifiable Health Information adopted by the U.S. Department of Health and Human Services under the Health Insurance Portability and Accountability Act of 1996 unless the confidential intermediary has obtained written consent from the person whose information is being sought by an adult adopted or surrendered person or, if that person is a minor child, that person's parent or guardian. Confidential intermediaries shall be authorized to inspect confidential relinquishment and adoption records. The confidential intermediary shall not be authorized to access medical records, financial records, credit records, banking records, home studies, attorney file records, or other personal records. In cases where a birth parent is being sought, an adoption agency shall inform the confidential intermediary of any statement filed pursuant to Section 18.3, hereinafter referred to as "the 18.3 statement", indicating a desire of the surrendering birth parent to have identifying information shared or to not have identifying information shared. If there was a clear statement of intent by the sought-after birth parent not to have identifying information shared, the confidential intermediary shall discontinue the search and inform the petitioning party of the sought-after relative's intent unless the birth parent filed the 18.3 statement prior to the effective date of this amendatory Act of the 96th General Assembly and more than 5 years have elapsed since the filing of the 18.3 statement. If the adult adopted or surrendered person is the subject of an 18.3 statement indicating a desire not to establish contact which was filed more than 5 years prior to the search request, the confidential intermediary shall confirm the petitioner's desire to continue the search. Information provided to the confidential intermediary by an adoption agency shall be restricted to the full name, date of birth, place of birth, last known address, last known telephone number of the sought-after relative or, if applicable, of the children or siblings of the sought-after relative, and the 18.3 statement.

(h) Adoption agency disclosure of medical information. If the petitioner is an adult adopted or surrendered person or the adoptive parent of a minor and if the petitioner has signed a written authorization to disclose personal medical information, an adoption agency disclosing information to a confidential intermediary shall disclose available medical information about the adopted or surrendered person from birth through adoption.

(i) Duties of confidential intermediary in conducting a search. In conducting a search under this Section, the confidential intermediary shall first confirm that there is no Denial of Information Exchange on file with the Illinois Adoption Registry. If the petitioner is an adult child of an adopted or surrendered person who is deceased, the confidential intermediary shall additionally confirm that the adopted or surrendered person did not file a Denial of Information Exchange or a Birth Parent Preference Form with Option E selected with the Illinois Adoption Registry during his or her life. If there is a Denial on file with the Registry, the confidential intermediary must discontinue the search unless the petitioner is an adult adopted or surrendered person and the sought-after birth relative filed the Denial 5 years or more prior to the search or the birth parent has not been the object of a search through the State confidential intermediary program for 10 or more years. If the petitioner is an adult adopted or surrendered person and there is a Birth Parent Preference Form on file with the Registry and the birth parent who completed the form selected Option E, the confidential intermediary must discontinue the search unless 5 years or more have elapsed since the filing of the Birth Parent Preference Form. If the petitioner is an adult birth sibling of an adopted or surrendered person or an adult sibling of a birth parent who is deceased, the confidential intermediary shall additionally confirm that the birth parent did not file a Denial of Information Exchange or a Birth Parent Preference Form with Option E selected with the Registry during his or her life. If the confidential intermediary learns that a sought-after birth parent signed an 18.3 statement indicating his or her intent not to have identifying information shared, and did not later file an Information Exchange Authorization or a Birth Parent Preference Form with the Registry, the confidential intermediary shall discontinue the search and inform the petitioning party of the birth parent's intent, unless the petitioner is an adult adopted or surrendered person and 5 years or more have elapsed since the birth parent signed the statement indicating his or her intent not to have identifying information shared. In cases where the birth parent filed a Denial of Information Exchange or Birth Parent Preference Form where Option E was selected, or statement indicating his or her intent not to have identifying information shared less than 5 years prior to the search request and the petitioner is an adult adopted or surrendered person, the confidential intermediary shall inform the petitioner of the need to discontinue the search until 5 years have elapsed since the Denial of Information Exchange or Birth Parent Preference Form where Option E was selected, or statement was filed; in cases where a birth parent was previously the subject of a search through the State confidential intermediary program, the confidential intermediary shall inform the petitioner of the need to discontinue the search until 10 years or more have elapsed since the initial search was closed. In cases where a birth

parent has been the object of 2 searches through the State confidential intermediary program, no subsequent search for the birth parent shall be authorized absent a court order to the contrary.

In conducting a search under this Section, the confidential intermediary shall attempt to locate the relative or relatives from whom the petitioner has requested information. If the sought-after relative is deceased or cannot be located after a diligent search, the confidential intermediary may contact other adult relatives of the sought-after relative.

The confidential intermediary shall contact a sought-after relative on behalf of the petitioner in a manner that respects the sought-after relative's privacy and shall inform the sought-after relative of the petitioner's request for medical information, identifying information or contact as stated in the petition. Based upon the terms of the petitioner's request, the confidential intermediary shall contact a sought-after relative on behalf of the petitioner and inform the sought-after relative of the following options:

(1) The sought-after relative may totally reject one or all of the requests for medical information, identifying information or contact. The sought-after relative shall be informed that they can provide a medical questionnaire to be forwarded to the petitioner without releasing any identifying information. The confidential intermediary shall inform the petitioner of the sought-after relative's decision to reject the sharing of information or contact.

(2) The sought-after relative may consent to completing a medical questionnaire only. In this case, the confidential intermediary shall provide the questionnaire and ask the sought-after relative to complete it. The confidential intermediary shall forward the completed questionnaire to the petitioner and inform the petitioner of the sought-after relative's desire to not provide any additional information.

(3) The sought-after relative may communicate with the petitioner without having his or her identity disclosed. In this case, the confidential intermediary shall arrange the desired communication in a manner that protects the identity of the sought-after relative. The confidential intermediary shall inform the petitioner of the sought-after relative's decision to communicate but not disclose his or her identity.

(4) The ~~sought-after~~ sought-after relative may consent to initiate contact with the petitioner. If both the petitioner and the sought-after relative or relatives are eligible to register with the Illinois Adoption Registry, the confidential intermediary shall provide the necessary application forms and request that the sought-after relative register with the Illinois Adoption Registry. If either the petitioner or the sought-after relative or relatives are ineligible to register with the Illinois Adoption Registry, the confidential intermediary shall obtain written consents from both parties that they wish to disclose their identities to each other and to have contact with each other.

(j) Oath. The confidential intermediary shall sign an oath of confidentiality substantially as follows: "I,, being duly sworn, on oath depose and say: As a condition of appointment as a confidential intermediary, I affirm that:

(1) I will not disclose to the petitioner, directly or indirectly, any confidential information except in a manner consistent with the law.

(2) I recognize that violation of this oath subjects me to civil liability and to a potential finding of contempt of court.

SUBSCRIBED AND SWORN to before me, a Notary Public, on (insert date)"

(k) Sanctions.

(1) Any confidential intermediary who improperly discloses confidential information identifying a sought-after relative shall be liable to the sought-after relative for damages and may also be found in contempt of court.

(2) Any person who learns a sought-after relative's identity, directly or indirectly, through the use of procedures provided in this Section and who improperly discloses information identifying the sought-after relative shall be liable to the sought-after relative for actual damages plus minimum punitive damages of \$10,000.

(3) The Department shall fine any confidential intermediary who improperly discloses confidential information in violation of item (1) or (2) of this subsection (k) an amount up to \$2,000 per improper disclosure. This fine does not affect civil liability under item (2) of this subsection (k). The Department shall deposit all fines and penalties collected under this Section into the Illinois Adoption Registry and Medical Information Fund.

(l) Death of person being sought. Notwithstanding any other provision of this Act, if the confidential intermediary discovers that the person being sought has died, he or she shall report this fact to the court, along with a copy of the death certificate. If the sought-after relative is a birth parent, the confidential

intermediary shall also forward a copy of the birth parent's death certificate, if available, to the Registry for inclusion in the Registry file.

(m) Any confidential information obtained by the confidential intermediary during the course of his or her search shall be kept strictly confidential and shall be used for the purpose of arranging contact between the petitioner and the sought-after birth relative. At the time the case is closed, all identifying information shall be returned to the court for inclusion in the impounded adoption file.

(n) If the petitioner is an adopted or surrendered person 21 years of age or over or the adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, any non-identifying information, as defined in Section 18.4, that is ascertained during the course of the search may be given in writing to the petitioner at any time during the search before the case is closed.

(o) Except as provided in subsection (k) of this Section, no liability shall accrue to the State, any State agency, any judge, any officer or employee of the court, any certified confidential intermediary, or any agency designated to oversee confidential intermediary services for acts, omissions, or efforts made in good faith within the scope of this Section.

(p) An adoption agency that has received a request from a confidential intermediary for the full name, date of birth, last known address, or last known telephone number of a sought-after relative pursuant to subsection (g) of Section 18.3a, or for medical information regarding a sought-after relative pursuant to subsection (h) of Section 18.3a, must satisfactorily comply with this court order within a period of 45 days. The court shall order the adoption agency to reimburse the petitioner in an amount equal to all payments made by the petitioner to the confidential intermediary, and the adoption agency shall be subject to a civil monetary penalty of \$1,000 to be paid to the Department of Children and Family Services. Following the issuance of a court order finding that the adoption agency has not complied with Section 18.3, the adoption agency shall be subject to a monetary penalty of \$500 per day for each subsequent day of non-compliance. Proceeds from such fines shall be utilized by the Department of Children and Family Services to subsidize the fees of petitioners as referenced in subsection (d) of this Section.

(q) Provide information to eligible petitioner. The confidential intermediary may provide to eligible petitioners as described in subsections (a) and (b) of this Section, the name of the child welfare agency which had legal custody of the surrendered person or responsibility for placing the surrendered person and any available contact information for such agency. In addition, the confidential intermediary may provide to such petitioners the name of the state in which the surrender occurred or in which the adoption was finalized.

Any reimbursements and fines, notwithstanding any reimbursement directly to the petitioner, paid under this subsection are in addition to other remedies a court may otherwise impose by law.

The Department of Children and Family Services shall submit reports to the Confidential Intermediary Advisory Council by July 1 and January 1 of each year in order to report the penalties assessed and collected under this subsection, the amounts of related deposits into the DCFS Children's Services Fund, and any expenditures from such deposits.

(Source: P.A. 96-661, eff. 8-25-09; 96-895, eff. 5-21-10.)

(750 ILCS 50/18.6) (from Ch. 40, par. 1522.6)

Sec. 18.6. Registry fees. The Department of Public Health shall levy a fee for each registrant under Sections 18.05 through 18.5. A \$15 fee shall be charged for registering with the Illinois Adoption Registry and Medical Information Exchange. However, this fee shall be waived for all adopted or surrendered persons, surviving children and spouses of deceased adopted persons, adoptive parents, legal guardians, birth parents, birth aunts, birth uncles, and birth siblings who complete a Medical Information Exchange Questionnaire at the time of registration and authorize its release to specified registered parties, and for adoptive parents registering within 12 months of the finalization of the adoption. All persons who were registered with the Illinois Adoption Registry prior to the effective date of this amendatory Act of 1999 and who wish to update their registration may do so without charge. No charge of any kind shall be made for the withdrawal of any form provided in Section 18.2.

(Source: P.A. 96-895, eff. 5-21-10.)

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

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. This bill has been examined, any amendments thereto engrossed and any errors corrected. 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 Feigenholtz, HOUSE BILL 1445 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: 76, Yeas; 37, Nays; 0, Answering Present.

(ROLL CALL 7)

This bill, 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.

RECALL

At the request of the principal sponsor, Representative Jackson, SENATE BILL 2530 was recalled from the order of Third Reading to the order of Second Reading.

SENATE BILLS ON SECOND READING

SENATE BILL 2530. Having been recalled on January 4, 2011, and held on the order of Second Reading, the same was again taken up.

Representative Jackson offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend Senate Bill 2530, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:
(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted, if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was

adopted:

- (1) if the ordinance was adopted before January 15, 1981;
- (2) if the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989;
- (3) if the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport;
- (4) if the ordinance was adopted before January 1, 1987 by a municipality in Mason County;
- (5) if the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law;
- (6) if the ordinance was adopted in December 1984 by the Village of Rosemont;
- (7) if the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997;
- (8) if the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis;
- (9) if the ordinance was adopted on November 12, 1991 by the Village of Sauget;
- (10) if the ordinance was adopted on February 11, 1985 by the City of Rock Island;
- (11) if the ordinance was adopted before December 18, 1986 by the City of Moline;
- (12) if the ordinance was adopted in September 1988 by Sauk Village;
- (13) if the ordinance was adopted in October 1993 by Sauk Village;
- (14) if the ordinance was adopted on December 29, 1986 by the City of Galva;
- (15) if the ordinance was adopted in March 1991 by the City of Centreville;
- (16) if the ordinance was adopted on January 23, 1991 by the City of East St. Louis;
- (17) if the ordinance was adopted on December 22, 1986 by the City of Aledo;
- (18) if the ordinance was adopted on February 5, 1990 by the City of Clinton;
- (19) if the ordinance was adopted on September 6, 1994 by the City of Freeport;
- (20) if the ordinance was adopted on December 22, 1986 by the City of Tuscola;
- (21) if the ordinance was adopted on December 23, 1986 by the City of Sparta;
- (22) if the ordinance was adopted on December 23, 1986 by the City of Beardstown;
- (23) if the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville;
- (24) if the ordinance was adopted on December 29, 1986 by the City of Collinsville;
- (25) if the ordinance was adopted on September 14, 1994 by the City of Alton;
- (26) if the ordinance was adopted on November 11, 1996 by the City of Lexington;
- (27) if the ordinance was adopted on November 5, 1984 by the City of LeRoy;
- (28) if the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham;
- (29) if the ordinance was adopted on November 11, 1986 by the City of Pekin;
- (30) if the ordinance was adopted on December 15, 1981 by the City of Champaign;
- (31) if the ordinance was adopted on December 15, 1986 by the City of Urbana;
- (32) if the ordinance was adopted on December 15, 1986 by the Village of Heyworth;
- (33) if the ordinance was adopted on February 24, 1992 by the Village of Heyworth;
- (34) if the ordinance was adopted on March 16, 1995 by the Village of Heyworth;
- (35) if the ordinance was adopted on December 23, 1986 by the Town of Cicero;
- (36) if the ordinance was adopted on December 30, 1986 by the City of Effingham;
- (37) if the ordinance was adopted on May 9, 1991 by the Village of Tilton;
- (38) if the ordinance was adopted on October 20, 1986 by the City of Elmhurst;
- (39) if the ordinance was adopted on January 19, 1988 by the City of Waukegan;
- (40) if the ordinance was adopted on September 21, 1998 by the City of Waukegan;
- (41) if the ordinance was adopted on December 31, 1986 by the City of Sullivan;
- (42) if the ordinance was adopted on December 23, 1991 by the City of Sullivan;
- (43) if the ordinance was adopted on December 31, 1986 by the City of Oglesby;
- (44) if the ordinance was adopted on July 28, 1987 by the City of Marion;
- (45) if the ordinance was adopted on April 23, 1990 by the City of Marion;

- (46) if the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect;
- (47) if the ordinance was adopted on February 2, 1998 by the Village of Woodhull;
- (48) if the ordinance was adopted on April 20, 1993 by the Village of Princeville;
- (49) if the ordinance was adopted on July 1, 1986 by the City of Granite City;
- (50) if the ordinance was adopted on February 2, 1989 by the Village of Lombard;
- (51) if the ordinance was adopted on December 29, 1986 by the Village of Gardner;
- (52) if the ordinance was adopted on July 14, 1999 by the Village of Paw Paw;
- (53) if the ordinance was adopted on November 17, 1986 by the Village of Franklin Park;
- (54) if the ordinance was adopted on November 20, 1989 by the Village of South Holland;
- (55) if the ordinance was adopted on July 14, 1992 by the Village of Riverdale;
- (56) if the ordinance was adopted on December 29, 1986 by the City of Galesburg;
- (57) if the ordinance was adopted on April 1, 1985 by the City of Galesburg;
- (58) if the ordinance was adopted on May 21, 1990 by the City of West Chicago;
- (59) if the ordinance was adopted on December 16, 1986 by the City of Oak Forest;
- (60) if the ordinance was adopted in 1999 by the City of Villa Grove;
- (61) if the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion;
- (62) if the ordinance was adopted on December 30, 1986 by the Village of Manteno;
- (63) if the ordinance was adopted on April 3, 1989 by the City of Chicago Heights;
- (64) if the ordinance was adopted on January 6, 1999 by the Village of Rosemont;
- (65) if the ordinance was adopted on December 19, 2000 by the Village of Stone Park;
- (66) if the ordinance was adopted on December 22, 1986 by the City of DeKalb;
- (67) if the ordinance was adopted on December 2, 1986 by the City of Aurora;
- (68) if the ordinance was adopted on December 31, 1986 by the Village of Milan;
- (69) if the ordinance was adopted on September 8, 1994 by the City of West Frankfort;
- (70) if the ordinance was adopted on December 23, 1986 by the Village of Libertyville;
- (71) if the ordinance was adopted on December 22, 1986 by the Village of Hoffman Estates;
- (72) if the ordinance was adopted on September 17, 1986 by the Village of Sherman;
- (73) if the ordinance was adopted on December 16, 1986 by the City of Macomb;
- (74) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF;
- (75) if the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF;
- (76) if the ordinance was adopted on August 7, 2000 by the City of Des Plaines;
- (77) if the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2;
- (78) if the ordinance was adopted on December 29, 1986 by the City of Morris;
- (79) if the ordinance was adopted on July 6, 1998 by the Village of Steeleville;
- (80) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF);
- (81) if the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF);
- (82) if the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District;
- (83) if the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District;
- (84) if the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District;
- (85) if the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District;
- (86) if the ordinance was adopted on December 27, 1986 by the City of Mendota;
- (87) if the ordinance was adopted on December 31, 1986 by the Village of Cahokia;
- (88) if the ordinance was adopted on September 20, 1999 by the City of Belleville;
- (89) if the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1;
- (90) if the ordinance was adopted on December 13, 1993 by the Village of Crete;
- (91) if the ordinance was adopted on February 12, 2001 by the Village of Crete;

(92) if the ordinance was adopted on April 23, 2001 by the Village of Crete;

(93) if the ordinance was adopted on December 16, 1986 by the City of Champaign; ~~or~~

(94) if the ordinance was adopted on December 20, 1986 by the City of Charleston; ~~or~~ -

(95) if the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice.

(d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.

(e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 95-932, eff. 8-26-08; 95-964, eff. 9-23-08; incorporates P.A. 95-777, eff. 9-22-08, and 95-1028, eff. 8-25-09 (see Section 5 of P.A. 96-717 for the effective date of changes made by P.A. 95-1028); 96-127, eff. 8-4-09; 96-182, eff. 8-10-09; 96-208, eff. 8-10-09; 96-209, eff. 1-1-10; 96-213, eff. 8-10-09; 96-264, eff. 8-11-09; 96-328, eff. 8-11-09; 96-439, eff. 8-14-09; 96-454, eff. 8-14-09; 96-722, eff. 8-25-09; 96-773, eff. 8-28-09; 96-830, eff. 12-4-09; 96-837, eff. 12-16-09; 96-1000, eff. 7-2-10; 96-1359, eff. 7-28-10; 96-1494, eff. 12-30-10.)

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 again 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 Jackson, SENATE BILL 2530 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; 4, Nays; 0, Answering Present.
(ROLL CALL 8)

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.

RECALL

At the request of the principal sponsor, Representative Lang, SENATE BILL 1381 was recalled from the order of Consideration Postponed to the order of Second Reading.

SENATE BILL ON SECOND READING

SENATE BILL 1381. Having been recalled from the order of Consideration Postponed on January 4, 2011, and held on the order of Second Reading, the same was again taken up.

Representative Lang moved to table Floor Amendment No. 1.

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

51, Yeas; 59, Nays; 2, Answering Present.

(ROLL CALL 9)

The motion lost.

There being no further action pending, the bill was returned to the order of Consideration Postponed.

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 Currie, SENATE BILL 3976 was taken up and read by title a third time.

Representative Tracy requests a verified roll call should this bill receive the required number of votes for passage.

Pending discussion, Representative Reis moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

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

67, Yeas; 46, Nays; 0, Answering Present.

(ROLL CALL 10) VERIFIED

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

Ordered that the Clerk inform the Senate.

SUSPEND POSTING REQUIREMENTS

Pursuant to Rule 25, Representative Mendoza moved to suspend the posting requirements of Rule 21 in relation to House Resolution 1570.

The motion prevailed.

AGREED RESOLUTIONS

HOUSE RESOLUTIONS 1567, 1568, 1569, 1572 and 1573 were taken up for consideration.

Representative Currie moved the adoption of the agreed resolutions.

The motion prevailed and the agreed resolutions were adopted.

At the hour of 3:26 o'clock p.m., Representative Currie moved that the House do now adjourn until Wednesday, January 5, 2011, at 11:30 o'clock a.m., allowing perfunctory time for the Clerk.

The motion prevailed.

And the House stood adjourned.

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

January 04, 2011

0 YEAS

0 NAYS

113 PRESENT

P Acevedo	P Davis, William	P Kosel	P Reboletti
P Arroyo	P DeLuca	P Lang	P Reis
P Bassi	P Dugan	P Leitch	P Reitz
P Beaubien	P Dunkin	P Lilly	P Riley
P Beiser	P Durkin	P Lyons	P Rita
P Bellock	P Eddy	P Mathias	P Rose
P Berrios	P Farnham	P Mautino	P Sacia
P Biggins	P Feigenholtz	P May	P Saviano
P Boland	P Flider	P Mayfield	P Schmitz
P Bost	P Flowers	P McAsey	P Senger
P Bradley	P Ford	P McAuliffe	P Sente
P Brady	P Fortner	P McCarthy	P Smith
P Brauer	P Franks	P McGuire	P Sommer
P Burke	P Froehlich	E Mell	P Soto
E Burns	P Gabel	P Mendoza	P Stephens
P Carberry	P Golar	E Miller	P Sullivan
P Cavaletto	P Gordon, Careen	P Mitchell, Bill	P Thapedi
P Chapa LaVia	P Gordon, Jehan	P Mitchell, Jerry	P Tracy
P Coladipietro	P Hammond	P Moffitt	P Tryon
P Cole	P Hannig	P Moore	P Turner
P Collins	P Harris	E Mulligan	P Verschoore
P Colvin	P Hatcher	P Nekritz	P Wait
P Connelly	P Hays, Chad	P O'Sullivan	P Walker
P Coulson	P Hernandez	P Osmond	P Watson
P Crespo	P Hoffman	P Osterman	P Winters
P Cross	P Holbrook	P Phelps	P Yarbrough
P Cultra	P Howard	P Pihos	P Zalewski
P Currie	P Jackson	P Poe	P Mr. Speaker
P D'Amico	P Jakobsson	E Pritchard	
P Davis, Monique	P Jefferson	P Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1720
 REGULATION-TECH
 MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
 CONCURRED

January 04, 2011

113 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Kosel	Y Reboletti
Y Arroyo	Y DeLuca	Y Lang	Y Reis
Y Bassi	Y Dugan	Y Leitch	Y Reitz
Y Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	Y Durkin	Y Lyons	Y Rita
Y Bellock	Y Eddy	Y Mathias	Y Rose
Y Berrios	Y Farnham	Y Mautino	Y Sacia
Y Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	Y Schmitz
Y Bost	Y Flowers	Y McAsey	Y Senger
Y Bradley	Y Ford	Y McAuliffe	Y Sente
Y Brady	Y Fortner	Y McCarthy	Y Smith
Y Brauer	Y Franks	Y McGuire	Y Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	Y Stephens
Y Carberry	Y Golar	E Miller	Y Sullivan
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	Y Mitchell, Jerry	Y Tracy
Y Coladipietro	Y Hammond	Y Moffitt	Y Tryon
Y Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	Y Hatcher	Y Nekritz	Y Wait
Y Connelly	Y Hays, Chad	Y O'Sullivan	Y Walker
Y Coulson	Y Hernandez	Y Osmond	Y Watson
Y Crespo	Y Hoffman	Y Osterman	Y Winters
Y Cross	Y Holbrook	Y Phelps	Y Yarbrough
Y Cultra	Y Howard	Y Pihos	Y Zalewski
Y Currie	Y Jackson	Y Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	Y Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 6063
 AGING-ALZHEIMER'S SRVC NEEDS
 MOTION TO CONCUR IN SENATE AMENDMENT NO. 1
 CONCURRED

January 04, 2011

113 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Kosel	Y Reboletti
Y Arroyo	Y DeLuca	Y Lang	Y Reis
Y Bassi	Y Dugan	Y Leitch	Y Reitz
Y Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	Y Durkin	Y Lyons	Y Rita
Y Bellock	Y Eddy	Y Mathias	Y Rose
Y Berrios	Y Farnham	Y Mautino	Y Sacia
Y Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	Y Schmitz
Y Bost	Y Flowers	Y McAsey	Y Senger
Y Bradley	Y Ford	Y McAuliffe	Y Sente
Y Brady	Y Fortner	Y McCarthy	Y Smith
Y Brauer	Y Franks	Y McGuire	Y Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	Y Stephens
Y Carberry	Y Golar	E Miller	Y Sullivan
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	Y Mitchell, Jerry	Y Tracy
Y Coladipietro	Y Hammond	Y Moffitt	Y Tryon
Y Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	Y Hatcher	Y Nekritz	Y Wait
Y Connelly	Y Hays, Chad	Y O'Sullivan	Y Walker
Y Coulson	Y Hernandez	Y Osmond	Y Watson
Y Crespo	Y Hoffman	Y Osterman	Y Winters
Y Cross	Y Holbrook	Y Phelps	Y Yarbrough
Y Cultra	Y Howard	Y Pihos	Y Zalewski
Y Currie	Y Jackson	Y Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	Y Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 1310
 CRIMINAL LAW-TECH
 THIRD READING
 PASSED

January 04, 2011

112 YEAS

1 NAY

0 PRESENT

Y Acevedo	Y Davis, William	Y Kosel	Y Reboletti
Y Arroyo	Y DeLuca	Y Lang	Y Reis
Y Bassi	Y Dugan	Y Leitch	Y Reitz
Y Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	Y Durkin	Y Lyons	Y Rita
Y Bellock	Y Eddy	Y Mathias	Y Rose
Y Berrios	Y Farnham	Y Mautino	Y Sacia
Y Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	Y Schmitz
Y Bost	Y Flowers	Y McAsey	Y Senger
Y Bradley	Y Ford	Y McAuliffe	Y Sente
Y Brady	Y Fortner	Y McCarthy	Y Smith
Y Brauer	Y Franks	Y McGuire	Y Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	Y Stephens
Y Carberry	Y Golar	E Miller	Y Sullivan
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	Y Mitchell, Jerry	Y Tracy
Y Coladipietro	Y Hammond	Y Moffitt	Y Tryon
Y Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	Y Hatcher	Y Nekritz	Y Wait
Y Connelly	Y Hays, Chad	Y O'Sullivan	Y Walker
Y Coulson	Y Hernandez	Y Osmond	Y Watson
Y Crespo	Y Hoffman	Y Osterman	Y Winters
Y Cross	Y Holbrook	Y Phelps	Y Yarbrough
Y Cultra	Y Howard	Y Pihos	Y Zalewski
Y Currie	Y Jackson	N Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	Y Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2814
LOCKSMITH AGENCY-LICENSURE
THIRD READING
PASSED

January 04, 2011

113 YEAS

0 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Kosel	Y Reboletti
Y Arroyo	Y DeLuca	Y Lang	Y Reis
Y Bassi	Y Dugan	Y Leitch	Y Reitz
Y Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	Y Durkin	Y Lyons	Y Rita
Y Bellock	Y Eddy	Y Mathias	Y Rose
Y Berrios	Y Farnham	Y Mautino	Y Sacia
Y Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	Y Schmitz
Y Bost	Y Flowers	Y McAsey	Y Senger
Y Bradley	Y Ford	Y McAuliffe	Y Sente
Y Brady	Y Fortner	Y McCarthy	Y Smith
Y Brauer	Y Franks	Y McGuire	Y Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	Y Stephens
Y Carberry	Y Golar	E Miller	Y Sullivan
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	Y Mitchell, Jerry	Y Tracy
Y Coladipietro	Y Hammond	Y Moffitt	Y Tryon
Y Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	Y Hatcher	Y Nekritz	Y Wait
Y Connelly	Y Hays, Chad	Y O'Sullivan	Y Walker
Y Coulson	Y Hernandez	Y Osmond	Y Watson
Y Crespo	Y Hoffman	Y Osterman	Y Winters
Y Cross	Y Holbrook	Y Phelps	Y Yarbrough
Y Cultra	Y Howard	Y Pihos	Y Zalewski
Y Currie	Y Jackson	Y Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	Y Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 2969
 VEH CD-TOWING-EXCLUDE COUNTY
 THIRD READING
 PASSED

January 04, 2011

112 YEAS

1 NAY

0 PRESENT

Y Acevedo	Y Davis, William	Y Kosel	Y Reboletti
Y Arroyo	Y DeLuca	Y Lang	Y Reis
Y Bassi	Y Dugan	Y Leitch	Y Reitz
Y Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	Y Durkin	Y Lyons	Y Rita
Y Bellock	Y Eddy	Y Mathias	Y Rose
Y Berrios	Y Farnham	Y Mautino	Y Sacia
Y Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	Y Schmitz
Y Bost	Y Flowers	Y McAsey	Y Senger
Y Bradley	Y Ford	Y McAuliffe	Y Sente
Y Brady	Y Fortner	N McCarthy	Y Smith
Y Brauer	Y Franks	Y McGuire	Y Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	Y Stephens
Y Carberry	Y Golar	E Miller	Y Sullivan
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	Y Mitchell, Jerry	Y Tracy
Y Coladipietro	Y Hammond	Y Moffitt	Y Tryon
Y Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	Y Hatcher	Y Nekritz	Y Wait
Y Connelly	Y Hays, Chad	Y O'Sullivan	Y Walker
Y Coulson	Y Hernandez	Y Osmond	Y Watson
Y Crespo	Y Hoffman	Y Osterman	Y Winters
Y Cross	Y Holbrook	Y Phelps	Y Yarbrough
Y Cultra	Y Howard	Y Pihos	Y Zalewski
Y Currie	Y Jackson	Y Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	Y Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 HOUSE BILL 1445
 STATE GOVERNMENT-TECH
 THIRD READING
 PASSED

January 04, 2011

76 YEAS

37 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Kosel	N Reboletti
Y Arroyo	Y DeLuca	Y Lang	N Reis
N Bassi	Y Dugan	N Leitch	Y Reitz
N Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	N Durkin	Y Lyons	Y Rita
N Bellock	N Eddy	Y Mathias	Y Rose
Y Berrios	Y Farnham	Y Mautino	Y Sacia
Y Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	N Schmitz
N Bost	Y Flowers	Y McAsey	N Senger
Y Bradley	Y Ford	N McAuliffe	Y Sente
N Brady	N Fortner	N McCarthy	Y Smith
N Brauer	Y Franks	Y McGuire	N Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	N Stephens
N Carberry	Y Golar	E Miller	N Sullivan
N Cavaletto	Y Gordon, Careen	N Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	N Mitchell, Jerry	Y Tracy
Y Coladipietro	N Hammond	N Moffitt	N Tryon
N Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	N Hatcher	Y Nekritz	N Wait
N Connelly	N Hays, Chad	Y O'Sullivan	Y Walker
Y Coulson	Y Hernandez	N Osmond	Y Watson
Y Crespo	Y Hoffman	Y Osterman	Y Winters
N Cross	Y Holbrook	Y Phelps	Y Yarbrough
N Cultra	Y Howard	N Pihos	Y Zalewski
Y Currie	Y Jackson	N Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	N Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
NINETY-SIXTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 2530
MUNI CD-DISSOLVE POLICE DIST
THIRD READING
PASSED

January 04, 2011

109 YEAS

4 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	Y Kosel	Y Reboletti
Y Arroyo	Y DeLuca	Y Lang	Y Reis
Y Bassi	Y Dugan	Y Leitch	Y Reitz
Y Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	Y Durkin	Y Lyons	Y Rita
Y Bellock	Y Eddy	Y Mathias	Y Rose
Y Berrios	Y Farnham	Y Mautino	Y Sacia
Y Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	Y Schmitz
Y Bost	Y Flowers	Y McAsey	Y Senger
Y Bradley	Y Ford	Y McAuliffe	Y Sente
Y Brady	Y Fortner	Y McCarthy	Y Smith
Y Brauer	N Franks	Y McGuire	Y Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	N Stephens
Y Carberry	Y Golar	E Miller	Y Sullivan
Y Cavaletto	Y Gordon, Careen	Y Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	Y Mitchell, Jerry	Y Tracy
Y Coladipietro	Y Hammond	Y Moffitt	Y Tryon
N Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	Y Hatcher	Y Nekritz	Y Wait
Y Connelly	Y Hays, Chad	Y O'Sullivan	Y Walker
N Coulson	Y Hernandez	Y Osmond	Y Watson
Y Crespo	Y Hoffman	Y Osterman	Y Winters
Y Cross	Y Holbrook	Y Phelps	Y Yarbrough
Y Cultra	Y Howard	Y Pihos	Y Zalewski
Y Currie	Y Jackson	Y Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	Y Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 1381
 MEDICAL CANNABIS
 MOTION TO TABLE FLOOR AMENDMENT NO. 1
 LOST

January 04, 2011

51 YEAS

59 NAYS

2 PRESENT

Y Acevedo	N Davis, William	N Kosel	N Reboletti
Y Arroyo	N DeLuca	Y Lang	N Reis
N Bassi	Y Dugan	N Leitch	N Reitz
N Beaubien	Y Dunkin	Y Lilly	Y Riley
N Beiser	N Durkin	P Lyons	Y Rita
N Bellock	N Eddy	N Mathias	N Rose
Y Berrios	Y Farnham	Y Mautino	N Sacia
N Biggins	Y Feigenholtz	Y May	Y Saviano
Y Boland	Y Flider	Y Mayfield	N Schmitz
N Bost	Y Flowers	N McAsey	N Senger
N Bradley	Y Ford	N McAuliffe	Y Sente
N Brady	N Fortner	N McCarthy	Y Smith
N Brauer	NV Franks	Y McGuire	N Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	N Stephens
Y Carberry	Y Golar	E Miller	N Sullivan
N Cavaletto	Y Gordon, Careen	N Mitchell, Bill	P Thapedi
Y Chapa LaVia	N Gordon, Jehan	N Mitchell, Jerry	N Tracy
N Coladipietro	N Hammond	N Moffitt	N Tryon
N Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	N Verschoore
N Colvin	N Hatcher	Y Nekritz	Y Wait
N Connelly	N Hays, Chad	Y O'Sullivan	N Walker
N Coulson	Y Hernandez	N Osmond	N Watson
Y Crespo	N Hoffman	Y Osterman	Y Winters
N Cross	N Holbrook	N Phelps	Y Yarbrough
N Cultra	Y Howard	N Pihos	N Zalewski
Y Currie	N Jackson	N Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	N Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS
 NINETY-SIXTH
 GENERAL ASSEMBLY
 HOUSE ROLL CALL
 SENATE BILL 3976
 VOTING RIGHTS-REDISTRICTING
 THIRD READING
 PASSED
 VERIFIED

January 04, 2011

67 YEAS

46 NAYS

0 PRESENT

Y Acevedo	Y Davis, William	N Kosel	N Reboletti
Y Arroyo	Y DeLuca	Y Lang	N Reis
N Bassi	Y Dugan	N Leitch	Y Reitz
N Beaubien	Y Dunkin	Y Lilly	Y Riley
Y Beiser	N Durkin	Y Lyons	Y Rita
N Bellock	N Eddy	N Mathias	N Rose
Y Berrios	Y Farnham	Y Mautino	N Sacia
N Biggins	Y Feigenholtz	Y May	N Saviano
Y Boland	Y Flider	Y Mayfield	N Schmitz
N Bost	Y Flowers	Y McAsey	N Senger
Y Bradley	Y Ford	N McAuliffe	Y Sente
N Brady	N Fortner	Y McCarthy	Y Smith
N Brauer	Y Franks	Y McGuire	N Sommer
Y Burke	Y Froehlich	E Mell	Y Soto
E Burns	Y Gabel	Y Mendoza	N Stephens
Y Carberry	Y Golar	E Miller	N Sullivan
N Cavaletto	Y Gordon, Careen	N Mitchell, Bill	Y Thapedi
Y Chapa LaVia	Y Gordon, Jehan	N Mitchell, Jerry	N Tracy
N Coladipietro	N Hammond	N Moffitt	N Tryon
N Cole	Y Hannig	Y Moore	Y Turner
Y Collins	Y Harris	E Mulligan	Y Verschoore
Y Colvin	N Hatcher	Y Nekritz	N Wait
N Connelly	N Hays, Chad	Y O'Sullivan	Y Walker
N Coulson	Y Hernandez	N Osmond	N Watson
Y Crespo	Y Hoffman	Y Osterman	N Winters
N Cross	Y Holbrook	Y Phelps	Y Yarbrough
N Cultra	Y Howard	N Pihos	Y Zalewski
Y Currie	Y Jackson	N Poe	Y Mr. Speaker
Y D'Amico	Y Jakobsson	E Pritchard	
Y Davis, Monique	Y Jefferson	N Ramey	

E - Denotes Excused Absence

159TH LEGISLATIVE DAY

Perfunctory Session

TUESDAY, JANUARY 4, 2011

At the hour of 11:01 o'clock a.m., the House convened perfunctory session.

HOUSE RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 1570

Offered by Representative Mendoza:

WHEREAS, Turkey has the 17th largest economy in the world and is a founding member of the Organisation for Economic Co-operation and Development (OECD) and the Group of Twenty (G-20); and

WHEREAS, Turkey has signed 16 free trade agreements with several countries and the European Free Trade Association, and 14 of those agreements are in effect; and

WHEREAS, Turkey is in negotiations to enter into free trade agreements with several other countries, including Canada, Lebanon, South Africa, and Mexico; and

WHEREAS, United States exports account for 6.09 percent of goods that enter Turkey; and

WHEREAS, Closer relations with Turkey through free trade agreements would encourage further privatization in Turkey's economy; and

WHEREAS, From 2000 to 2009 Turkey's imports posted a 158 percent increase and imports from free trade agreement countries increased by 118 percent; and

WHEREAS, Turkey is a democratic, secular, unitary, constitutional republic, with an ancient cultural heritage and westward-looking future; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support the passage of United States House Resolution 1748, urging the United States to initiate negotiations to enter into a bilateral free trade agreement with Turkey.

HOUSE RESOLUTION 1571

Offered by Representative Reitz:

WHEREAS, Each year, an estimated 250 people fall through ice-covered bodies of water and drown; most are boys between the ages of 6 and 15 years; and

WHEREAS, On February 19, 2010, Kathy Kohler Baxmeyer, her son, Kadin, and Kadin's best friend, Austin, all drowned after ice gave way on a frozen pond, the boys fell through, and Kadin's mom tried to save them; and

WHEREAS, Project SKiPPeR was created out of that tragedy and is an educational program that will go into schools and teach children about the dangers of ice-covered water; and

WHEREAS, Project SKiPPeR is an acronym for "stay calm, kick like a swimmer, aim for ice edge, prop arms onto ice opening, pull yourself up onto ice, exit the water, roll away"; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we respectfully request that the State Board of Education inform school districts about Project SKiPPeR; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the State Board of Education.

At the hour of 11:01 o'clock a.m., the House Perfunctory Session adjourned.

