



SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

36TH LEGISLATIVE DAY

THURSDAY, APRIL 27, 2017

1:15 O'CLOCK P.M.

SENATE
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36th Legislative Day

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The Senate met pursuant to adjournment.
Senator Don Harmon, Oak Park, Illinois, presiding.
Prayer by Dr. Driss El-Akrich, Islamic Society of Greater Springfield, Springfield, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, April 26, 2017, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to Senate Bill 1862
Amendment No. 1 to Senate Bill 2012

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

Amendment No. 2 to Senate Bill 350
Amendment No. 3 to Senate Bill 350
Amendment No. 2 to Senate Bill 396
Amendment No. 1 to Senate Bill 520
Amendment No. 1 to Senate Bill 988
Amendment No. 1 to Senate Bill 1011
Amendment No. 1 to Senate Bill 1095
Amendment No. 3 to Senate Bill 1351
Amendment No. 1 to Senate Bill 1753
Amendment No. 2 to Senate Bill 1761
Amendment No. 2 to Senate Bill 1882

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

Amendment No. 1 to House Bill 2516

MESSAGES FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 26, 2017

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

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am cancelling Session scheduled for Friday, April 28th, 2017.

[April 27, 2017]

When the Senate adjourns on Thursday, April 27th, the Senate will reconvene on Tuesday, May 2nd, 2017.

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

cc: Senate Minority Leader Christine Radogno

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 27, 2017

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

Dear Mr. Secretary:

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

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

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 471

Offered by Senator Anderson and all Senators:
Mourns the death of Robert Earl Downing of Taylor Ridge.

SENATE RESOLUTION NO. 472

Offered by Senator Anderson and all Senators:
Mourns the death of James E. "Ed" Lawson of Rock Island.

SENATE RESOLUTION NO. 473

Offered by Senator Manar and all Senators:
Mourns the death of Donald Anthony Boeckenstedt of Staunton.

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

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

SENATE RESOLUTION NO. 470

[April 27, 2017]

WHEREAS, Pulmonary fibrosis (PF), is a serious disease that creates scarring in the delicate lung tissue and is incurable; and

WHEREAS, Pulmonary fibrosis often progresses quickly, causing limited quality of life and disability, and can lead to death within a few short years; and

WHEREAS, In many cases, there is no identified cause of pulmonary fibrosis, which is therefore called idiopathic pulmonary fibrosis (IPF), and approximately 200,000 people in the United States are estimated to be diagnosed with this disease; and

WHEREAS, Pulmonary fibrosis is often misdiagnosed and under-diagnosed, and a need has been identified to increase wide-ranging awareness and detection of this imperceptible disease; and

WHEREAS, The Pulmonary Fibrosis Foundation mobilizes people and resources to provide access to high quality care and leads research for a cure so people with pulmonary fibrosis will live longer, healthier lives; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare September of 2017 as Global Pulmonary Fibrosis Month in the State of Illinois to increase awareness of this disease and encourage research into new treatments; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Pulmonary Fibrosis Foundation as a symbol of our respect and esteem.

Senator Bivins offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

**SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT NO. 13**

SC0013

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 6 of Article VII as follows:

ARTICLE VII
LOCAL GOVERNMENT

SECTION 6. POWERS OF HOME RULE UNITS

(a) A County which has a chief executive officer elected by the electors of the county and any municipality which has a population of more than ~~5,000~~ 25,000 are home rule units. Other municipalities may elect by referendum to become home rule units. Except as limited by this Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt.

(b) A home rule unit by referendum may elect not to be a home rule unit.

(c) If a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction.

(d) A home rule unit does not have the power (1) to incur debt payable from ad valorem property tax receipts maturing more than 40 years from the time it is incurred or (2) to define and provide for the punishment of a felony.

(e) A home rule unit shall have only the power that the General Assembly may provide by law (1) to punish by imprisonment for more than six months or (2) to license for revenue or impose taxes upon or measured by income or earnings or upon occupations.

[April 27, 2017]

(f) A home rule unit shall have the power subject to approval by referendum to adopt, alter or repeal a form of government provided by law, except that the form of government of Cook County shall be subject to the provisions of Section 3 of this Article. A home rule municipality shall have the power to provide for its officers, their manner of selection and terms of office only as approved by referendum or as otherwise authorized by law. A home rule county shall have the power to provide for its officers, their manner of selection and terms of office in the manner set forth in Section 4 of this Article.

(g) The General Assembly by a law approved by the vote of three-fifths of the members elected to each house may deny or limit the power to tax and any other power or function of a home rule unit not exercised or performed by the State other than a power or function specified in subsection (l) of this section.

(h) The General Assembly may provide specifically by law for the exclusive exercise by the State of any power or function of a home rule unit other than a taxing power or a power or function specified in subsection (l) of this Section.

(i) Home rule units may exercise and perform concurrently with the State any power or function of a home rule unit to the extent that the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the State's exercise to be exclusive.

(j) The General Assembly may limit by law the amount of debt which home rule counties may incur and may limit by law approved by three-fifths of the members elected to each house the amount of debt, other than debt payable from ad valorem property tax receipts, which home rule municipalities may incur.

(k) The General Assembly may limit by law the amount and require referendum approval of debt to be incurred by home rule municipalities, payable from ad valorem property tax receipts, only in excess of the following percentages of the assessed value of its taxable property: (1) if its population is 500,000 or more, an aggregate of three percent; (2) if its population is more than 5,000 ~~25,000~~ and less than 500,000, an aggregate of one percent; and (3) if its population is 5,000 ~~25,000~~ or less, an aggregate of one-half percent. Indebtedness which is outstanding on the effective date of this Constitution or which is thereafter approved by referendum or assumed from another unit of local government shall not be included in the foregoing percentage amounts.

(l) The General Assembly may not deny or limit the power of home rule units (1) to make local improvements by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution unless that power is subsequently denied by law to any such other units of local government or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services.

(m) Powers and functions of home rule units shall be construed liberally.
(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

REPORTS FROM STANDING COMMITTEES

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 317
 Senate Amendment No. 4 to Senate Bill 589
 Senate Amendment No. 2 to Senate Bill 771
 Senate Amendment No. 1 to Senate Bill 902
 Senate Amendment No. 1 to Senate Bill 1085
 Senate Amendment No. 1 to Senate Bill 1391
 Senate Amendment No. 1 to Senate Bill 1531
 Senate Amendment No. 1 to Senate Bill 1585
 Senate Amendment No. 2 to Senate Bill 1585
 Senate Amendment No. 4 to Senate Bill 1688
 Senate Amendment No. 2 to Senate Bill 1811
 Senate Amendment No. 2 to Senate Bill 1818
 Senate Amendment No. 2 to Senate Bill 1821

[April 27, 2017]

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

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

Senate Amendment No. 2 to Senate Bill 942
Senate Amendment No. 1 to Senate Bill 1798
Senate Amendment No. 2 to Senate Bill 1798

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **Senate Joint Resolution Constitutional Amendment No. 4**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution Constitutional Amendment No. 4** was placed on the Order of Constitutional Amendments First Reading.

Senator Landek, Chairperson of the Committee on State Government, to which was referred **Senate Bill No. 1453**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 3 to Senate Bill 263
Senate Amendment No. 1 to Senate Bill 282
Senate Amendment No. 1 to Senate Bill 984
Senate Amendment No. 2 to Senate Bill 986
Senate Amendment No. 2 to Senate Bill 1527
Senate Amendment No. 3 to Senate Bill 1936

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

Senator Landek, Chairperson of the Committee on State Government, to which was referred **Senate Resolution No. 370**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 370** was placed on the Secretary's Desk.

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

Senate Amendment No. 1 to Senate Bill 314
Senate Amendment No. 3 to Senate Bill 1286

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

Senator Holmes, Chairperson of the Committee on Commerce and Economic Development, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 265
Senate Amendment No. 2 to Senate Bill 1461

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

Senator Holmes, Chairperson of the Committee on Commerce and Economic Development, to which was referred **Senate Resolution No. 277**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 277** was placed on the Secretary's Desk.

Senator Koehler, Chairperson of the Committee on Environment and Conservation, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 611
Senate Amendment No. 1 to Senate Bill 1029
Senate Amendment No. 1 to Senate Bill 1561
Senate Amendment No. 4 to Senate Bill 1775

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

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

Senate Amendment No. 1 to Senate Bill 320
Senate Amendment No. 1 to Senate Bill 1322
Senate Amendment No. 1 to Senate Bill 1400

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

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

Senate Amendment No. 1 to Senate Bill 448
Senate Amendment No. 1 to Senate Bill 1865

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

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

Senate Amendment No. 1 to Senate Bill 567
Senate Amendment No. 2 to Senate Bill 584
Senate Amendment No. 1 to Senate Bill 885
Senate Amendment No. 1 to Senate Bill 928
Senate Amendment No. 1 to Senate Bill 1020
Senate Amendment No. 3 to Senate Bill 1319
Senate Amendment No. 2 to Senate Bill 1459
Senate Amendment No. 1 to Senate Bill 1647
Senate Amendment No. 1 to Senate Bill 1657

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

INTRODUCTION OF BILLS

SENATE BILL NO. 2193. Introduced by Senator Radogno, a bill for AN ACT concerning public employee benefits.

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

[April 27, 2017]

SENATE BILL NO. 2194. Introduced by Senator Radogno, a bill for AN ACT concerning public employee benefits.

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

SENATE BILL NO. 2195. Introduced by Senator Radogno, a bill for AN ACT concerning public employee benefits.

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

SENATE BILL NO. 2196. Introduced by Senator McCarter, a bill for AN ACT concerning government.

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

SENATE BILL NO. 2197. Introduced by Senator McCarter, a bill for AN ACT concerning public employee benefits.

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

SENATE BILL NO. 2198. Introduced by Senator Oberweis, a bill for AN ACT concerning finance.

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

SENATE BILL NO. 2199. Introduced by Senator McCarter, a bill for AN ACT concerning revenue.

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

SENATE BILL NO. 2200. Introduced by Senator McCarter, a bill for AN ACT concerning government.

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

SENATE BILL NO. 2201. Introduced by Senator McCarter, a bill for AN ACT concerning public aid.

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

SENATE BILL NO. 2202. Introduced by Senator McConchie, a bill for AN ACT concerning finance.

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

SENATE BILL NO. 2203. Introduced by Senator McCarter, a bill for AN ACT concerning revenue.

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

SENATE BILL NO. 2204. Introduced by Senator McCarter, a bill for AN ACT concerning finance.

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

SENATE BILL NO. 2205. Introduced by Senator McCarter, a bill for AN ACT concerning finance.

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

SENATE BILL NO. 2206. Introduced by Senator McCarter, a bill for AN ACT concerning revenue.

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

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL NO. 169

A bill for AN ACT concerning local government.

HOUSE BILL NO. 682

A bill for AN ACT concerning State government.

HOUSE BILL NO. 698

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1253

A bill for AN ACT concerning education.

HOUSE BILL NO. 1849

A bill for AN ACT concerning State government.

HOUSE BILL NO. 2462

A bill for AN ACT concerning employment.

Passed the House, April 26, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 169, 682, 698, 1253, 1849 and 2462** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL NO. 2963

A bill for AN ACT concerning corporations.

HOUSE BILL NO. 2977

A bill for AN ACT concerning education.

HOUSE BILL NO. 2989

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 3163

A bill for AN ACT concerning State government.

HOUSE BILL NO. 3244

A bill for AN ACT concerning insurance.

HOUSE BILL NO. 3601

A bill for AN ACT concerning education.

Passed the House, April 26, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 2963, 2977, 2989, 3163, 3244 and 3601** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

[April 27, 2017]

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

HOUSE BILL NO. 3033

A bill for AN ACT concerning State government.
Passed the House, April 26, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 3033** was taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 3744

A bill for AN ACT concerning finance.

HOUSE BILL NO. 3806

A bill for AN ACT concerning State government.

HOUSE BILL NO. 3904

A bill for AN ACT concerning criminal law.
Passed the House, April 26, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 3744, 3806 and 3904** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 169, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 223, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 682, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 698, sponsored by Senator Aquino, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1253, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1849, sponsored by Senator Muñoz, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2462, sponsored by Senator Biss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2738, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2794, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

[April 27, 2017]

House Bill No. 2963, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2977, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2989, sponsored by Senator Sandoval, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3018, sponsored by Senator Schimpf, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3074, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3084, sponsored by Senator Connelly, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3163, sponsored by Senator Bennett, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3244, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3601, sponsored by Senator Clayborne, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3744, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3904, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3910, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 474

Offered by Senator Harmon and all Senators:

Mourns the death of Frank H. "Bud" Paschen of Jupiter, Florida.

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

At the hour of 1:28 o'clock p.m., Senator Hunter, presiding.

At the hour of 1:36 o'clock p.m., Senator Harmon, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 27, 2017 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

State Government: **Senate Resolution No. 427.**

[April 27, 2017]

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 27, 2017 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 1 to Senate Joint Resolution 28

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

Pursuant to Senate Rule 3-8 (b-1), the following amendments will remain in the Committee on Assignments:

Floor Amendment No. 1 to Senate Bill 634

Floor Amendment No. 1 to Senate Bill 1125

Floor Amendment No. 2 to Senate Bill 1687

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Bertino-Tarrant moved that **Senate Joint Resolution No. 28**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Bertino-Tarrant offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 28

AMENDMENT NO. 1. Amend Senate Joint Resolution 28 by replacing lines 7 through 12 with the following:

"RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that all of the requests in the Report on Waiver of School Code Mandates are approved."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Bertino-Tarrant moved that Senate Joint Resolution No. 28, as amended, be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

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And the resolution, as amended, was adopted.

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

SENATE BILL RECALLED

On motion of Senator Koehler, **Senate Bill No. 1561** was recalled from the order of third reading to the order of second reading.

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1561

AMENDMENT NO. 1. Amend Senate Bill 1561 by replacing everything after the enacting clause with the following:

"Section 5. The Solid Waste Planning and Recycling Act is amended by adding Section 9.5 as follows:
(415 ILCS 15/9.5 new)

Sec. 9.5. Regulation of certain pollution control facilities. No provision of this Act shall be construed to allow any county with a population of less than 2,000,000 residents to adopt an ordinance or resolution, except an ordinance or resolution adopting a county plan in accordance with Sections 4 and 5 of this Act, or implementing a county plan in accordance with Section 7 of this Act, that requires the issuance of a permit, or that imposes regulations upon the operations of a municipal solid waste landfill unit, sanitary landfill, storage site, transfer station, or waste disposal site, as long as the facility obtains appropriate permits from the Agency in accordance with Section 39 of the Environmental Protection Act. Nothing in this amendatory Act of the 100th General Assembly shall be construed to diminish or impair any authority conferred upon a county under the Environmental Protection Act, including, but not limited to, subsection (r) of Section 4 and Section 39.2 of the Environmental Protection Act.

Nothing in this amendatory Act of the 100th General Assembly shall be construed to limit the authority of a county to prepare or adopt a county plan pursuant to and in accordance with Sections 4 and 5 of this Act, to implement a county plan in accordance with Section 7 of this Act, or to relieve a facility proposed for siting approval from demonstrating consistency with that plan as required by criterion (viii) of subsection (a) of Section 39.2 of the Environmental Protection Act.

For the purposes of this Section, "municipal solid waste landfill unit", "sanitary landfill", "storage site", "transfer station", and "waste disposal site" have the meanings provided to those terms in the Environmental Protection Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Koehler, **Senate Bill No. 1561** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCarter	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Silverstein

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Bennett	Holmes	Morrison	Stadelman
Bertino-Tarrant	Hunter	Mulroe	Steans
Biss	Hutchinson	Muñoz	Tracy
Bivins	Jones, E.	Murphy	Trotter
Brady	Koehler	Nybo	Van Pelt
Bush	Landek	Oberweis	Weaver
Castro	Lightford	Radogno	Mr. President
Clayborne	Link	Raoul	
Collins	Manar	Rezin	
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	

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

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

On motion of Senator Morrison, **Senate Bill No. 1573** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Anderson, **Senate Bill No. 1576** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Anderson, **Senate Bill No. 1579** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Anderson, **Senate Bill No. 1580** was recalled from the order of third reading to the order of second reading.

Senator Anderson offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1580

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AMENDMENT NO. 2. Amend Senate Bill 1580 as follows:

by deleting line 4 on page 1 through line 21 on page 6.

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Anderson, **Senate Bill No. 1580** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Aquino	Fowler	McConchie	Rose
Barickman	Harris	McConnaughay	Sandoval
Bennett	Holmes	McGuire	Schimpf
Bertino-Tarrant	Hunter	Morrison	Silverstein
Biss	Hutchinson	Mulroe	Stadelman
Bivins	Jones, E.	Muñoz	Steans
Brady	Koehler	Murphy	Syversen
Bush	Landek	Nybo	Tracy
Castro	Lightford	Oberweis	Trotter
Clayborne	Link	Radogno	Van Pelt
Collins	Manar	Raoul	Weaver
Connelly	Martinez	Rezin	Mr. President
Cullerton, T.	McCann	Righter	
Cunningham	McCarter	Rooney	

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

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

On motion of Senator Anderson, **Senate Bill No. 1581** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	McCann	Rooney
Anderson	Cunningham	McConchie	Rose
Aquino	Fowler	McConnaughay	Sandoval
Barickman	Harris	McGuire	Schimpf
Bennett	Holmes	Morrison	Silverstein
Bertino-Tarrant	Hunter	Mulroe	Stadelman
Biss	Hutchinson	Muñoz	Steans
Bivins	Jones, E.	Murphy	Syversen

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Brady	Koehler	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	

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

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

On motion of Senator Harris, **Senate Bill No. 1584** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Martinez, **Senate Bill No. 1585** was recalled from the order of third reading to the order of second reading.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1585

AMENDMENT NO. 1. Amend Senate Bill 1585 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.28 and by adding Section 4.38 as follows:

(5 ILCS 80/4.28)

Sec. 4.28. Acts repealed on January 1, 2018. The following Acts are repealed on January 1, 2018:

The Illinois Petroleum Education and Marketing Act.

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The Podiatric Medical Practice Act of 1987.
 The Acupuncture Practice Act.
 The Illinois Speech-Language Pathology and Audiology Practice Act.
 The Interpreter for the Deaf Licensure Act of 2007.
 The Nurse Practice Act.
 The Clinical Social Work and Social Work Practice Act.
 The Pharmacy Practice Act.
 The Home Medical Equipment and Services Provider License Act.
 The Marriage and Family Therapy Licensing Act.
 The Nursing Home Administrators Licensing and Disciplinary Act.
~~The Physician Assistant Practice Act of 1987.~~

(Source: P.A. 95-187, eff. 8-16-07; 95-235, eff. 8-17-07; 95-450, eff. 8-27-07; 95-465, eff. 8-27-07; 95-617, eff. 9-12-07; 95-639, eff. 10-5-07; 95-687, eff. 10-23-07; 95-689, eff. 10-29-07; 95-703, eff. 12-31-07; 95-876, eff. 8-21-08; 96-328, eff. 8-11-09.)

(5 ILCS 80/4.38 new)

Sec. 4.38. Act repealed on January 1, 2028. The following Act is repealed on January 1, 2028:

The Physician Assistant Practice Act of 1987.

Section 7. The Medical Practice Act of 1987 is amended by changing Section 54.5 as follows:
 (225 ILCS 60/54.5)

(Section scheduled to be repealed on December 31, 2017)

Sec. 54.5. Physician delegation of authority to physician assistants, advanced practice nurses, and prescribing psychologists.

(a) Physicians licensed to practice medicine in all its branches may delegate care and treatment responsibilities to a physician assistant under guidelines in accordance with the requirements of the Physician Assistant Practice Act of 1987. A physician licensed to practice medicine in all its branches may enter into collaborative supervising physician agreements with no more than 5 full-time equivalent physician assistants, except in a hospital, hospital affiliate, or ambulatory surgical treatment center as set forth by Section 7.7 of the Physician Assistant Practice Act of 1987 as set forth in subsection (a) of Section 7 of the Physician Assistant Practice Act of 1987.

(b) A physician licensed to practice medicine in all its branches in active clinical practice may collaborate with an advanced practice nurse in accordance with the requirements of the Nurse Practice Act. Collaboration is for the purpose of providing medical consultation, and no employment relationship is required. A written collaborative agreement shall conform to the requirements of Section 65-35 of the Nurse Practice Act. The written collaborative agreement shall be for services in the same area of practice or specialty as the collaborating physician in his or her clinical medical practice. A written collaborative agreement shall be adequate with respect to collaboration with advanced practice nurses if all of the following apply:

(1) The agreement is written to promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience.

(2) The advanced practice nurse provides services based upon a written collaborative agreement with the collaborating physician, except as set forth in subsection (b-5) of this Section. With respect to labor and delivery, the collaborating physician must provide delivery services in order to participate with a certified nurse midwife.

(3) Methods of communication are available with the collaborating physician in person or through telecommunications for consultation, collaboration, and referral as needed to address patient care needs.

(b-5) An anesthesiologist or physician licensed to practice medicine in all its branches may collaborate with a certified registered nurse anesthetist in accordance with Section 65-35 of the Nurse Practice Act for the provision of anesthesia services. With respect to the provision of anesthesia services, the collaborating anesthesiologist or physician shall have training and experience in the delivery of anesthesia services consistent with Department rules. Collaboration shall be adequate if:

(1) an anesthesiologist or a physician participates in the joint formulation and joint approval of orders or guidelines and periodically reviews such orders and the services provided patients under such orders; and

(2) for anesthesia services, the anesthesiologist or physician participates through discussion of and agreement with the anesthesia plan and is physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. Anesthesia services in a hospital shall be conducted in accordance with

Section 10.7 of the Hospital Licensing Act and in an ambulatory surgical treatment center in accordance with Section 6.5 of the Ambulatory Surgical Treatment Center Act.

(b-10) The anesthesiologist or operating physician must agree with the anesthesia plan prior to the delivery of services.

(c) The ~~collaborating supervising~~ physician shall have access to the medical records of all patients attended by a physician assistant. The collaborating physician shall have access to the medical records of all patients attended to by an advanced practice nurse.

(d) (Blank).

(e) A physician shall not be liable for the acts or omissions of a prescribing psychologist, physician assistant, or advanced practice nurse solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing a prescribing psychologist, physician assistant, or advanced practice nurse to perform acts, unless the physician has reason to believe the prescribing psychologist, physician assistant, or advanced practice nurse lacked the competency to perform the act or acts or commits willful and wanton misconduct.

(f) A collaborating physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(g) A ~~collaborating supervising~~ physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written ~~collaborative supervision~~ agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

(h) (Blank).

(i) A collaborating physician shall delegate prescriptive authority to a prescribing psychologist as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 4.3 of the Clinical Psychologist Licensing Act.

(Source: P.A. 98-192, eff. 1-1-14; 98-668, eff. 6-25-14; 99-173, eff. 7-29-15.)

Section 10. The Physician Assistant Practice Act of 1987 is amended by changing Sections 1, 2, 3, 4, 5, 6, 7, 7.5, 7.7, 9, 10, 12, 13, 14.1, 16, 21, 22.2, 22.6, 22.7, 22.11, 22.14, and 23 and by adding Sections 4.5, 5.3, 5.5, 11.5, and 22.17 as follows:

(225 ILCS 95/1) (from Ch. 111, par. 4601)

(Section scheduled to be repealed on January 1, 2018)

Sec. 1. Legislative purpose. The practice as a physician assistant in the State of Illinois is hereby declared to affect the public health, safety and welfare and to be subject to regulation and control in the public interest. The purpose and legislative intent of this Act is to encourage and promote the more effective utilization of the skills of physicians by enabling them to delegate certain health tasks to physician assistants where such delegation is consistent with the health and welfare of the patient and is conducted at the direction of and under the responsible supervision of the physician.

It is further declared to be a matter of public health and concern that the practice as a physician assistant, as defined in this Act, merit and receive the confidence of the public, that only qualified persons be authorized to practice as a physician assistant in the State of Illinois. This Act shall be liberally construed to best carry out these subjects and purposes.

(Source: P.A. 85-981.)

(225 ILCS 95/2) (from Ch. 111, par. 4602)

(Section scheduled to be repealed on January 1, 2018)

Sec. 2. Short title. This Article ~~II shall be known and~~ may be cited as the "Physician Assistant Practice Act of 1987". References in this Article to "this Act" mean this Article.

(Source: P.A. 85-981.)

(225 ILCS 95/3) (from Ch. 111, par. 4603)

(Section scheduled to be repealed on January 1, 2018)

Sec. 3. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, continuation or renewal of the license is specifically excluded. For the purposes of this Act the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when personally served, mailed to the address of record of the applicant or licensee, or emailed to the email address of record of the applicant or licensee last known address of a party. The Secretary may adopt

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promulgate rules for the administration and enforcement of this Act and may prescribe forms to be issued in connection with this Act.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/4) (from Ch. 111, par. 4604)

(Section scheduled to be repealed on January 1, 2018)

Sec. 4. Definitions. In this Act:

1. "Department" means the Department of Financial and Professional Regulation.

2. "Secretary" means the Secretary of Financial and Professional Regulation.

3. "Physician assistant" means any person not holding an active license or permit issued by the Department pursuant to the Medical Practice Act of 1987 who has been certified as a physician assistant by the National Commission on the Certification of Physician Assistants or equivalent successor agency and performs procedures in collaboration with under the supervision of a physician as defined in this Act. A physician assistant may perform such procedures within the specialty of the collaborating supervising physician, except that such physician shall exercise such direction, collaboration, supervision and control over such physician assistants as will assure that patients shall receive quality medical care. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care under the in collaboration with supervision of a physician. Collaboration with Supervision of the physician assistant shall not be construed to necessarily require the personal presence of the collaborating supervising physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone or telecommunications within established guidelines as determined by the physician/physician assistant team. The collaborating supervising physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative supervision agreement established by the physician or physician/physician assistant team. A physician assistant, acting as an agent of the physician, shall be permitted to transmit the collaborating supervising physician's orders as determined by the institution's by-laws, policies, procedures, or job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative supervision agreement.

Any person who holds an active license or permit issued pursuant to the Medical Practice Act of 1987 shall have that license automatically placed into inactive status upon issuance of a physician assistant license. Any person who holds an active license as a physician assistant who is issued a license or permit pursuant to the Medical Practice Act of 1987 shall have his or her physician assistant license automatically placed into inactive status.

3.5. "Physician assistant practice" means the performance of procedures within the specialty of the collaborating physician. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care of the collaborating physician. Collaboration with the physician assistant shall not be construed to necessarily require the personal presence of the collaborating physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone, telecommunications, or electronic communications. The collaborating physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative agreement established by the physician or physician/physician assistant team. A physician assistant, acting as an agent of the physician, shall be permitted to transmit the collaborating physician's orders as determined by the institution's bylaws, policies, or procedures or the job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative agreement, except as provided in Section 7.5 of this Act.

4. "Board" means the Medical Licensing Board constituted under the Medical Practice Act of 1987.

5. "Disciplinary Board" means the Medical Disciplinary Board constituted under the Medical Practice Act of 1987.

6. "Physician" means, ~~for purposes of this Act,~~ a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

7. "Collaborating physician" means the physician who, within his or her specialty and expertise, may delegate a variety of tasks and procedures to the physician assistant. Such tasks and procedures shall be delegated in accordance with a written collaborative agreement. "Supervising Physician" means, ~~for the purposes of this Act, the primary supervising physician of a physician assistant, who, within his specialty and expertise may delegate a variety of tasks and procedures to the physician assistant. Such tasks and procedures shall be delegated in accordance with a written supervision agreement. The supervising~~

physician maintains the final responsibility for the care of the patient and the performance of the physician assistant.

8. "Alternate collaborating supervising physician" means, ~~for the purpose of this Act,~~ any physician designated by the collaborating supervising physician to collaborate provide supervision in the event that he or she is unable to collaborate provide that supervision. The Department may further define "alternate collaborating supervising physician" by rule.

The alternate collaborating supervising physicians shall maintain all the same responsibilities as the collaborating supervising physician. Nothing in this Act shall be construed as relieving any physician of the professional or legal responsibility for the care and treatment of persons attended by him or her or by physician assistants with under his or her collaboration supervision. Nothing in this Act shall be construed as to limit the reasonable number of alternate collaborating supervising physicians, provided they are designated by the supervising physician.

9. "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit. ~~It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's website or by contacting the Department's licensure maintenance unit.~~

10. "Hospital affiliate" means a corporation, partnership, joint venture, limited liability company, or similar organization, other than a hospital, that is devoted primarily to the provision, management, or support of health care services and that directly or indirectly controls, is controlled by, or is under common control of the hospital. For the purposes of this definition, "control" means having at least an equal or a majority ownership or membership interest. A hospital affiliate shall be 100% owned or controlled by any combination of hospitals, their parent corporations, or physicians licensed to practice medicine in all its branches in Illinois. "Hospital affiliate" does not include a health maintenance organization regulated under the Health Maintenance Organization Act.

11. "Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

(Source: P.A. 99-330, eff. 1-1-16.)

(225 ILCS 95/4.5 new)

Sec. 4.5. Address of record; email address of record. All applicants and licensees shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license; and

(2) inform the Department of any change of address of record or email address of record within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.

(225 ILCS 95/5) (from Ch. 111, par. 4605)

(Section scheduled to be repealed on January 1, 2018)

Sec. 5. Applicability. This Act does not prohibit:

(1) any ~~1-~~Any person licensed in this State under any other Act from engaging in the practice for which he is licensed;

(2) the ~~2-~~The practice as a physician assistant by a person who is employed by the United States government or any bureau, division or agency thereof while in the discharge of the employee's official duties;

(3) the ~~3-~~The practice as a physician assistant which is included in their program of study by students enrolled in schools or in refresher courses approved by the Department.

4. The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 96-7, eff. 4-3-09.)

(225 ILCS 95/5.3 new)

Sec. 5.3. Advertising.

(a) As used in this Section, "advertise" means solicitation by the licensee or through another person or entity by means of hand bills, posters, circulars, motion pictures, radio, newspapers, or television or any other manner.

(b) A person licensed under this Act as a physician assistant may advertise the availability of professional services in the public media or on the premises where the professional services are rendered. The advertising is limited to the following information:

- (1) publication of the person's name, title, office hours, address, and telephone number;
- (2) information pertaining to the person's areas of specialization, including, but not limited to, appropriate board certification or limitation of professional practice;
- (3) publication of the person's collaborating physician's name, title, and areas of specialization;
- (4) information on usual and customary fees for routine professional services offered, which shall include notification that fees may be adjusted due to complications or unforeseen circumstances;
- (5) announcements of the opening of, change of, absence from, or return to business;
- (6) announcements of additions to or deletions from professional licensed staff; and
- (7) the issuance of business or appointment cards.

(c) It is unlawful for a person licensed under this Act as a physician assistant to use claims of superior quality of care to entice the public. It is unlawful to advertise fee comparisons of available services with those of other licensed persons.

(d) This Section does not authorize the advertising of professional services that the offeror of the services is not licensed or authorized to render. The advertiser shall not use statements that contain false, fraudulent, deceptive, or misleading material or guarantees of success, statements that play upon the vanity or fears of the public, or statements that promote or produce unfair competition.

(e) It is unlawful and punishable under the penalty provisions of this Act for a person licensed under this Act to knowingly advertise that the licensee will accept as payment for services rendered by assignment from any third-party payor the amount the third-party payor covers as payment in full if the effect is to give the impression of eliminating the need of payment by the patient of any required deductible or copayment applicable in the patient's health benefit plan.

(f) A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.

(225 ILCS 95/5.5 new)

Sec. 5.5. Billing. The employer of a physician assistant may charge for services rendered by the physician assistant. All claims for services rendered by the physician assistant shall be submitted using the physician assistant's national provider identification number as the billing provider whenever appropriate. Payment for services rendered by a physician assistant shall be made to his or her employer if the payor would have made payment had the services been provided by a physician licensed to provide medicine in all of its branches.

(225 ILCS 95/6) (from Ch. 111, par. 4606)

(Section scheduled to be repealed on January 1, 2018)

Sec. 6. Physician assistant title Title; advertising-billing.

(a) No physician assistant shall use the title of doctor or associate with his or her name or any other term that would indicate to other persons that he or she is qualified to engage in the general practice of medicine.

(b) No person shall use any words, abbreviations, figures, letters, title, sign, card, or device tending to imply that he or she is a physician assistant, including, but not limited to, using the titles or initials "Physician Assistant" or "PA", or similar titles or initials, with the intention of indicating practice as a physician assistant without meeting the requirements of this Act. A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.

(c) A physician assistant shall verbally identify himself or herself as a physician assistant, including specialty certification, to each patient.

(d) Nothing in this Act shall be construed to relieve a physician assistant of the professional or legal responsibility for the care and treatment of persons attended by him or her.

(e) A physician assistant shall not be allowed to bill patients or in any way to charge for services. Nothing in this Act, however, shall be so construed as to prevent the employer of a physician assistant from charging for services rendered by the physician assistant. Payment for services rendered by a physician assistant shall be made to his or her employer if the payor would have made payment had the services been provided by a physician licensed to practice medicine in all its branches.

(d) The supervising physician shall file with the Department notice of employment, discharge, or supervisory control of a physician assistant at the time of employment, discharge, or assumption of supervisory control of a physician assistant.

(Source: P.A. 90-61, eff. 12-30-97; 90-116, eff. 7-14-97; 90-655, eff. 7-30-98; 91-310, eff. 1-1-00.)

(225 ILCS 95/7) (from Ch. 111, par. 4607)

(Section scheduled to be repealed on January 1, 2018)

[April 27, 2017]

Sec. 7. Collaboration Supervision requirements.

(a) A collaborating supervising physician shall determine the number of physician assistants to collaborate with, under his or her supervision provided the physician is able to provide adequate collaboration supervision as outlined in the written collaborative supervision agreement required under Section 7.5 of this Act and consideration is given to the nature of the physician's practice, complexity of the patient population, and the experience of each supervised physician assistant. A collaborating physician may collaborate with a maximum of 5 full-time equivalent physician assistants. The number of physician assistants that the physician collaborates with shall not be reduced by the number of advanced practice nurses with whom the physician holds collaborative agreements. Physicians and physician assistants who work in a hospital, hospital affiliate, or ambulatory surgical treatment center as defined by Section 7.7 of this Act are exempt from the collaborative ratio restriction requirements of this Section. A supervising physician may supervise a maximum of 5 full-time equivalent physician assistants; provided, however, this number of physician assistants shall be reduced by the number of collaborative agreements the supervising physician maintains. A physician assistant shall be able to hold more than one professional position. A supervising physician shall file a notice of supervision of each physician assistant according to the rules of the Department. It is the responsibility of the supervising physician to maintain documentation each time he or she has designated an alternate supervising physician. This documentation shall include the date alternate supervisory control began, the date alternate supervisory control ended, and any other changes. A supervising physician shall provide a copy of this documentation to the Department, upon request.

Physician assistants shall collaborate be supervised only with by physicians as defined in this Act who are engaged in clinical practice, or in clinical practice in public health or other community health facilities.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a nurse or other appropriately trained personnel.

Nothing in this Act shall be construed to prohibit the employment of physician assistants by a hospital, nursing home or other health care facility where such physician assistants function under a collaborating the supervision of a supervising physician.

A physician assistant may be employed by a practice group or other entity employing multiple physicians at one or more locations. In that case, one of the physicians practicing at a location shall be designated the collaborating supervising physician. The other physicians with that practice group or other entity who practice in the same general type of practice or specialty as the collaborating supervising physician may collaborate with supervise the physician assistant with respect to their patients without being deemed alternate supervising physicians for the purpose of this Act.

(b) A physician assistant licensed in this State, or licensed or authorized to practice in any other U.S. jurisdiction or credentialed by his or her federal employer as a physician assistant, who is responding to a need for medical care created by an emergency or by a state or local disaster may render such care that the physician assistant is able to provide without collaboration supervision as it is defined in this Section or with such supervision as is available. For purposes of this Section, an "emergency situation" shall not include one that occurs in the place of one's employment.

Any physician who collaborates with supervises a physician assistant providing medical care in response to such an emergency or state or local disaster shall not be required to meet the requirements set forth in this Section for a collaborating supervising physician.

(Source: P.A. 96-70, eff. 7-23-09; 97-1071, eff. 8-24-12.)

(225 ILCS 95/7.5)

(Section scheduled to be repealed on January 1, 2018)

Sec. 7.5. Written collaborative Prescriptions; written supervision agreements; prescriptive authority.

(a) A written collaborative supervision agreement is required for all physician assistants to practice in the State, except as provided in Section 7.7 of this Act.

(1) A written collaborative supervision agreement shall describe the working relationship of the physician

assistant with the collaborating supervising physician and shall describe authorize the categories of care, treatment, or procedures to be provided performed by the physician assistant. The written collaborative supervision agreement shall promote the exercise of professional judgment by the physician assistant commensurate with his or her education and experience. The services to be provided by the physician assistant shall be services that the collaborating supervising physician is authorized to and generally provides to his or her patients in the normal course of his or her clinical medical practice. The written collaborative supervision agreement need not describe the exact steps that a physician assistant must take with respect to each specific condition, disease, or symptom but must specify which authorized procedures require the presence of the collaborating supervising physician as the procedures are being

performed. The ~~supervision~~ relationship under a written ~~collaborative supervision~~ agreement shall not be construed to require the personal presence of a physician at the place where services are rendered. Methods of communication shall be available for consultation with the ~~collaborating supervising~~ physician in person or by telecommunications or ~~electronic communications~~ in accordance with ~~established written guidelines~~ as set forth in the written ~~collaborative supervision~~ agreement. For the purposes of this Act, "generally provides to his or her patients in the normal course of his or her clinical medical practice" means services, not specific tasks or duties, the ~~collaborating supervising~~ physician routinely provides individually or through delegation to other persons so that the physician has the experience and ability to ~~collaborate and provide supervision and consultation~~.

(2) The written ~~collaborative supervision~~ agreement shall be adequate if a physician does each of the following:

(A) Participates in the joint formulation and joint approval of orders or guidelines with the physician assistant and he or she periodically reviews such orders and the services provided patients under such orders in accordance with accepted standards of medical practice and physician assistant practice.

(B) Provides ~~supervision and~~ consultation at least once a month.

(3) A copy of the signed, written ~~collaborative supervision~~ agreement must be available to the Department upon request from both the physician assistant and the ~~collaborating supervising~~ physician.

(4) A physician assistant shall inform each ~~collaborating supervising~~ physician of all written ~~collaborative supervision~~ agreements he or

she has signed and provide a copy of these to any ~~collaborating supervising~~ physician upon request.

(b) A ~~collaborating supervising~~ physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written ~~collaborative supervision~~ agreement. This authority may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over the counter medications, legend drugs, medical gases, and controlled substances categorized as Schedule ~~II III~~ through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies. The ~~collaborating supervising~~ physician must have a valid, current Illinois controlled substance license and federal registration with the Drug Enforcement Agency to delegate the authority to prescribe controlled substances.

(1) To prescribe Schedule ~~II III, IV, or V~~ controlled substances under this Section, a physician assistant must obtain a mid-level practitioner controlled substances license. Medication orders issued by a physician assistant shall be reviewed periodically by the ~~collaborating supervising~~ physician.

(2) The ~~collaborating supervising~~ physician shall file with the Department notice of delegation of prescriptive

authority to a physician assistant and termination of delegation, specifying the authority delegated or terminated. Upon receipt of this notice delegating authority to prescribe ~~Schedule III, IV, or V~~ controlled substances, the physician assistant shall be eligible to register for a mid-level practitioner controlled substances license under Section 303.05 of the Illinois Controlled Substances Act. Nothing in this Act shall be construed to limit the delegation of tasks or duties by the ~~collaborating supervising~~ physician to a nurse or other appropriately trained persons in accordance with Section 54.2 of the Medical Practice Act of 1987.

(3) In addition to the requirements of ~~this subsection (b) of this Section~~, a ~~collaborating supervising~~ physician may, but is not

required to, delegate authority to a physician assistant to prescribe Schedule II controlled substances, if all of the following conditions apply:

(A) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the ~~collaborating supervising~~ physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated.

(B) Any delegation must be controlled substances that the ~~collaborating supervising~~ physician prescribes.

(C) Any prescription must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the ~~collaborating supervising~~ physician.

(D) The physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the ~~collaborating supervising~~ physician.

(E) The physician assistant meets the education requirements of Section 303.05 of the Illinois Controlled Substances Act.

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

(c-5) Nothing in this Section shall be construed to apply to any medication authority, including Schedule II controlled substances of a licensed physician assistant for care provided in a hospital, hospital affiliate, or ambulatory surgical treatment center pursuant to Section 7.7 of this Act.

(d) Any physician assistant who writes a prescription for a controlled substance without having a valid appropriate authority may be fined by the Department not more than \$50 per prescription, and the Department may take any other disciplinary action provided for in this Act.

(e) Nothing in this Section shall be construed to prohibit generic substitution.

(Source: P.A. 96-268, eff. 8-11-09; 96-618, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-358, eff. 8-12-11.)

(225 ILCS 95/7.7)

(Section scheduled to be repealed on January 1, 2018)

Sec. 7.7. Physician assistants in hospitals, hospital affiliates, or ambulatory surgical treatment centers.

(a) A physician assistant may provide services in a hospital or a hospital affiliate as those terms are defined in the Hospital Licensing Act or the University of Illinois Hospital Act or a licensed ambulatory surgical treatment center without a written ~~collaborative supervision~~ agreement pursuant to Section 7.5 of this Act. A physician assistant must possess clinical privileges recommended by the hospital medical staff and granted by the hospital or the consulting medical staff committee and ambulatory surgical treatment center in order to provide services. The medical staff or consulting medical staff committee shall periodically review the services of physician assistants granted clinical privileges, including any care provided in a hospital affiliate. Authority may also be granted when recommended by the hospital medical staff and granted by the hospital or recommended by the consulting medical staff committee and ambulatory surgical treatment center to individual physician assistants to select, order, and administer medications, including controlled substances, to provide delineated care. In a hospital, hospital affiliate, or ambulatory surgical treatment center, the attending physician shall determine a physician assistant's role in providing care for his or her patients, except as otherwise provided in the medical staff bylaws or consulting committee policies.

(a-5) Physician assistants practicing in a hospital affiliate may be, but are not required to be, granted authority to prescribe Schedule II through V controlled substances when such authority is recommended by the appropriate physician committee of the hospital affiliate and granted by the hospital affiliate. This authority may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over-the-counter medications, legend drugs, medical gases, and controlled substances categorized as Schedule II through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies.

To prescribe controlled substances under this subsection (a-5), a physician assistant must obtain a mid-level practitioner controlled substance license. Medication orders shall be reviewed periodically by the appropriate hospital affiliate physicians committee or its physician designee.

The hospital affiliate shall file with the Department notice of a grant of prescriptive authority consistent with this subsection (a-5) and termination of such a grant of authority in accordance with rules of the Department. Upon receipt of this notice of grant of authority to prescribe any Schedule II through V controlled substances, the licensed physician assistant may register for a mid-level practitioner controlled substance license under Section 303.05 of the Illinois Controlled Substances Act.

In addition, a hospital affiliate may, but is not required to, grant authority to a physician assistant to prescribe any Schedule II controlled substances if all of the following conditions apply:

(1) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be designated, provided that the designated Schedule II controlled substances are routinely prescribed by physician assistants in their area of certification; this grant of authority must identify the specific Schedule II controlled substances by either brand name or generic name; authority to prescribe or dispense Schedule II controlled substances to be delivered by injection or other route of administration may not be granted;

(2) any grant of authority must be controlled substances limited to the practice of the physician assistant;

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(3) any prescription must be limited to no more than a 30-day supply;

(4) the physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the appropriate physician committee of the hospital affiliate or its physician designee; and

(5) the physician assistant must meet the education requirements of Section 303.05 of the Illinois Controlled Substances Act.

(b) A physician assistant granted authority to order medications including controlled substances may complete discharge prescriptions provided the prescription is in the name of the physician assistant and the attending or discharging physician.

(c) Physician assistants practicing in a hospital, hospital affiliate, or an ambulatory surgical treatment center are not required to obtain a mid-level controlled substance license to order controlled substances under Section 303.05 of the Illinois Controlled Substances Act.

(Source: P.A. 97-1071, eff. 8-24-12.)

(225 ILCS 95/9) (from Ch. 111, par. 4609)

(Section scheduled to be repealed on January 1, 2018)

Sec. 9. Application for licensure. Applications for original licenses shall be made to the Department in writing on forms or electronically as prescribed by the Department and shall be accompanied by the required fee, which shall not be refundable. An application shall require information that in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for a license. An application shall include evidence of passage of the examination of the National Commission on the Certification of Physician Assistants, or its successor agency, and proof that the applicant holds a valid certificate issued by that Commission.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/10) (from Ch. 111, par. 4610)

(Section scheduled to be repealed on January 1, 2018)

Sec. 10. Identification. No person shall use the title "physician or perform the duties of "Physician assistant" or perform the duties of a physician assistant unless he or she holds is a qualified holder of a valid license issued by the Department as provided in this Act. A physician assistant shall wear on his or her person a visible identification indicating that he or she is certified as a physician assistant while acting in the course of his or her duties.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/11.5 new)

Sec. 11.5. Continuing education. The Department shall adopt rules for continuing education for persons licensed under this Act that require 50 hours of continuing education per 2-year license renewal cycle. Completion of the 50 hours of continuing education shall be deemed to satisfy the continuing education requirements for renewal of a physician assistant license as required by this Act. The rules shall not be inconsistent with requirements of relevant national certifying bodies or State or national professional associations. The rules shall also address variances in part or in whole for good cause, including, but not limited to, illness or hardship. The continuing education rules shall ensure that licensees are given the opportunity to participate in programs sponsored by or through their State or national professional associations, hospitals, or other providers of continuing education. Each licensee is responsible for maintaining records of completion of continuing education and shall be prepared to produce the records when requested by the Department.

(225 ILCS 95/12) (from Ch. 111, par. 4612)

(Section scheduled to be repealed on January 1, 2018)

Sec. 12. A person shall be qualified for licensure as a physician assistant and the Department may issue a physician assistant license to a person who:

1. ~~has~~ ~~Has~~ has applied in writing or electronically in form and substance satisfactory to the Department and has not

violated any of the provisions of Section 21 of this Act or the rules adopted under this Act promulgated hereunder. The Department may take into consideration any felony conviction of the applicant but such conviction shall not operate as an absolute bar to licensure;

2. ~~has~~ ~~Has~~ successfully completed the examination provided by the National Commission on the Certification of Physician Assistants ~~Physician's Assistant~~ or its successor agency;

3. ~~holds~~ ~~Has~~ holds a certificate issued by the National Commission on ~~the~~ Certification of Physician Assistants or an equivalent successor agency; and

4. ~~complies~~ Complies with all applicable rules of the Department.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/13) (from Ch. 111, par. 4613)

(Section scheduled to be repealed on January 1, 2018)

Sec. 13. Department powers and duties.

(a) Subject to the provisions of this Act, the Department shall:

(1) ~~adopt 1. Promulgate rules approved by the Board~~ setting forth standards to be met by a school or institution offering a course of training for physician assistants prior to approval of such school or institution; -

(2) ~~adopt 2. Promulgate rules approved by the Board~~ setting forth uniform and reasonable standards of instruction to be met prior to

approval of such course of institution for physician assistants; and -

(3) ~~determine 3. Determine~~ the reputability and good standing of such schools or institutions and their course of

instruction for physician assistants by reference to compliance with such rules, provided that no school of physician assistants that refuses admittance to applicants solely on account of race, color, sex, or creed shall be considered reputable and in good standing.

(b) No rule shall be adopted under this Act which allows a physician assistant to perform any act, task, or function primarily performed in the lawful practice of optometry under the Illinois Optometric Practice Act of 1987.

(c) All rules shall be submitted to the Board for review and the Department shall consider any comments provided by the Board.

(Source: P.A. 85-1440.)

(225 ILCS 95/14.1)

(Section scheduled to be repealed on January 1, 2018)

Sec. 14.1. Fees.

(a) Fees collected for the administration of this Act shall be set by the Department by rule. All fees are nonrefundable not refundable.

(b) (Blank).

(c) All moneys collected under this Act by the Department shall be deposited in the Illinois State Medical Disciplinary Fund in the State Treasury and used (1) in the exercise of its powers and performance of its duties under this Act, as such use is made by the Department; (2) for costs directly related to licensing and license renewal of persons licensed under this Act; and (3) for costs related to the public purposes of the Department.

All earnings received from investment of moneys in the Illinois State Medical Disciplinary Fund shall be deposited into the Illinois State Medical Disciplinary Fund and shall be used for the same purposes as fees deposited in the Fund.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/16) (from Ch. 111, par. 4616)

(Section scheduled to be repealed on January 1, 2018)

Sec. 16. Expiration; renewal. The expiration date and renewal period for each license issued under this Act shall be set by rule. Renewal shall be conditioned on paying the required fee and by meeting such other requirements as may be established by rule. The certification as a physician assistant by the National Commission on Certification of Physician Assistants or an equivalent successor agency is not required for renewal of a license under this Act.

Any physician assistant who has permitted his or her license to expire or who has had his or her license on inactive status may have the license restored by making application to the Department and filing proof acceptable to the Department of his or her fitness to have the license restored, and by paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction.

If the physician assistant has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of the license and shall establish procedures and requirements for such restoration.

However, any physician assistant whose license expired while he or she was (1) in federal service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have the license restored without paying any lapsed renewal fees if within 2 years after honorable termination of such service, training, or education he or she furnishes the Department with

satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/21) (from Ch. 111, par. 4621)

(Section scheduled to be repealed on January 1, 2018)

Sec. 21. Grounds for disciplinary action.

(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, ~~ensure~~ ~~or~~ reprimand, or take other disciplinary or non-disciplinary action with regard to any license issued under this Act as the Department may deem proper, including the issuance of fines not to exceed \$10,000 for each violation, for any one or combination of the following causes:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act, or the rules adopted under this Act.

(3) ~~Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is: (i) a felony; or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession. Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty or that is directly related to the practice of the profession.~~

(4) Making any misrepresentation for the purpose of obtaining licenses.

(5) Professional incompetence.

(6) Aiding or assisting another person in violating any provision of this Act or its rules.

(7) Failing, within 60 days, to provide information in response to a written request made by the Department.

(8) Engaging in dishonorable, unethical, or unprofessional conduct, as defined by rule, of a character likely to deceive, defraud, or harm the public.

(9) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a physician assistant's inability to practice with reasonable judgment, skill, or safety.

(10) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section.

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements, which may include provisions for compensation, health insurance, pension, or other employment benefits, with persons or entities authorized under this Act for the provision of services within the scope of the licensee's practice under this Act.

(12) A finding by the Disciplinary Board that the licensee, after having his or her license placed on probationary status has violated the terms of probation.

(13) Abandonment of a patient.

(14) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with state agencies or departments.

(15) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(16) Physical illness, or mental illness or impairment that results in the inability to practice the profession with reasonable judgment, skill, or safety, including, but not limited to, deterioration through the aging process or loss of motor skill.

(17) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(18) (Blank).

(19) Gross negligence resulting in permanent injury or death of a patient.

(20) Employment of fraud, deception or any unlawful means in applying for or securing a license as a physician assistant.

(21) Exceeding the authority delegated to him or her by his or her collaborating supervising physician

in a

written collaborative supervision agreement.

(22) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation related to the licensee's practice.

(23) Violation of the Health Care Worker Self-Referral Act.

(24) Practicing under a false or assumed name, except as provided by law.

(25) Making a false or misleading statement regarding his or her skill or the efficacy or value of the medicine, treatment, or remedy prescribed by him or her in the course of treatment.

(26) Allowing another person to use his or her license to practice.

(27) Prescribing, selling, administering, distributing, giving, or self-administering a drug classified as a controlled substance (~~designated product~~) or narcotic for other than medically-accepted therapeutic purposes.

(28) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in a manner to exploit the patient for financial gain.

(29) A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

(30) Violating State or federal laws or regulations relating to controlled substances or other legend drugs or ephedra as defined in the Ephedra Prohibition Act.

(31) Exceeding the prescriptive authority delegated by the collaborating supervising physician or violating the written collaborative supervision agreement delegating that authority.

(32) Practicing without providing to the Department a notice of collaboration supervision or delegation of prescriptive authority.

(33) Failure to establish and maintain records of patient care and treatment as required by law.

(34) Attempting to subvert or cheat on the examination of the National Commission on Certification of Physician Assistants or its successor agency.

(35) Willfully or negligently violating the confidentiality between physician assistant and patient, except as required by law.

(36) Willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act.

(37) Being named as an abuser in a verified report by the Department on Aging under the Adult Protective Services Act and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(38) Failure to report to the Department an adverse final action taken against him or her by another licensing jurisdiction of the United States or a foreign state or country, a peer review body, a health care institution, a professional society or association, a governmental agency, a law enforcement agency, or a court acts or conduct similar to acts or conduct that would constitute grounds for action under this Section.

(b) The Department may, without a hearing, refuse to issue or renew or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient, and upon the recommendation of the Disciplinary Board to the Secretary that the licensee be allowed to resume his or her practice.

(d) In enforcing this Section, the Department upon a showing of a possible violation may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department.

The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete

any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed.

The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning the mental or physical examination of the licensee or applicant. No information, report, record, or other documents in any way related to the examination shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The examining physicians shall be specifically designated by the Department.

The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. However, that physician shall be present only to observe and may not interfere in any way with the examination.

Failure of an individual to submit to a mental or physical examination, when ordered directed, shall result in an automatic be grounds for suspension of his or her license until the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department finds an individual unable to practice because of the reasons set forth in this Section, the Department may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(e) An individual or organization acting in good faith, and not in a willful and wanton manner, in complying with this Section by providing a report or other information to the Board, by assisting in the investigation or preparation of a report or information, by participating in proceedings of the Board, or by serving as a member of the Board, shall not be subject to criminal prosecution or civil damages as a result of such actions.

(f) Members of the Board and the Disciplinary Board shall be indemnified by the State for any actions occurring within the scope of services on the Disciplinary Board or Board, done in good faith and not willful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were willful and wanton.

If the Attorney General declines representation, the member has the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were willful and wanton.

The member must notify the Attorney General within 7 days after receipt of notice of the initiation of any action involving services of the Disciplinary Board. Failure to so notify the Attorney General constitutes an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine, within 7 days after receiving such notice, whether he or she will undertake to represent the member.

(Source: P.A. 95-703, eff. 12-31-07; 96-268, eff. 8-11-09; 96-1482, eff. 11-29-10.)

(225 ILCS 95/22.2) (from Ch. 111, par. 4622.2)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.2. Investigation; notice; hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license. The Department shall, before suspending, revoking, placing on probationary status, or taking any other disciplinary action as the Department may deem proper with regard to any license, at least 30 days prior to the date set for the hearing, notify the applicant or licensee in writing of any charges made and the time and place for a hearing of the charges before the Disciplinary Board, direct him or her to file his or her written answer thereto to the Disciplinary Board under oath within 20 days after the service on him or her of such notice and inform him or her that if he or she fails to file such answer default will be taken against him or her and his or her license may be suspended, revoked, placed on probationary status, or have other disciplinary action, including limiting the scope, nature or extent of his or her practice, as the Department may deem proper taken with regard thereto. Written or electronic notice may be served by personal delivery, email, or certified or registered mail to the applicant or licensee at his or her last address of record or email address of record with the Department. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence, and argument as may be pertinent to the charges or to the defense thereto. The Department may continue such hearing from time to time. In case the applicant or licensee, after receiving notice, fails to file an answer, his or her license may in the discretion of the Secretary, having received first the recommendation of the Disciplinary Board, be suspended, revoked, placed on probationary status, or the Secretary may take whatever disciplinary action as he or she may deem proper, including limiting the scope, nature, or extent of such person's practice, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.6) (from Ch. 111, par. 4622.6)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.6. At the conclusion of the hearing, the Disciplinary Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The Disciplinary Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary.

The report of findings of fact, conclusions of law, and recommendation of the Disciplinary Board shall be the basis for the Department's order or refusal or for the granting of a license or permit. If the Secretary disagrees in any regard with the report of the Disciplinary Board, the Secretary may issue an order in contravention thereof. The Secretary shall provide a written report to the Disciplinary Board on any deviation, and shall specify with particularity the reasons for such action in the final order. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and finding are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.7) (from Ch. 111, par. 4622.7)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.7. Hearing officer. Notwithstanding the provisions of Section 22.2 of this Act, the Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew, or for discipline of, a license. ~~The Secretary shall notify the Disciplinary Board of any such appointment.~~ The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Disciplinary Board and the Secretary. The Disciplinary Board shall have 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law, and recommendations to the Secretary. If the Disciplinary Board fails to present its report within the ~~60-day~~ 60-day period, the respondent may request in writing a direct appeal to the Secretary, in which case the Secretary may shall, within 7 calendar days after the request, issue an order directing the Disciplinary Board to issue its findings of fact, conclusions of law, and recommendations to the Secretary within 30 calendar days after such order. ~~If the Disciplinary Board fails to issue its findings of fact, conclusions of law, and recommendations within that time frame to the Secretary after the entry of such order, the Secretary shall, within 30 calendar days thereafter, issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order. If (i) a direct appeal is requested, (ii) the Disciplinary Board fails to issue its findings of fact, conclusions of law, and recommendations within the 30-day mandate from the Secretary or the Secretary fails to order the Disciplinary Board to do so, and (iii) the Secretary fails to issue an order within 30 calendar days thereafter, then the hearing officer's~~

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~~report is deemed accepted and a final decision of the Secretary. Notwithstanding any other provision of this Section, if the Secretary, upon review, determines that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license or other disciplinary action taken as the result of the entry of the hearing officer's report, the Secretary may order a rehearing by the same or other examiners. If the Secretary disagrees in any regard with the report of the Disciplinary Board or hearing officer, he or she may issue an order in contravention thereof. The Secretary shall provide a written explanation to the Disciplinary Board on any such deviation, and shall specify with particularity the reasons for such action in the final order.~~

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.11) (from Ch. 111, par. 4622.11)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.11. Restoration of license. At any time after the successful completion of a term of probation, suspension, or revocation of any license, the Department may restore it to the licensee, unless after an investigation and a hearing, the Department determines that restoration is not in the public interest. Where circumstances of suspension or revocation so indicate, the Department may require an examination of the licensee prior to restoring his or her license. No person whose license has been revoked as authorized in this Act may apply for restoration of that license until such time as provided for in the Civil Administrative Code of Illinois.

A license that has been suspended or revoked shall be considered nonrenewed for purposes of restoration and a person restoring his or her license from suspension or revocation must comply with the requirements for restoration of a nonrenewed license as set forth in Section 16 of this Act and any related rules adopted.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/22.14) (from Ch. 111, par. 4622.14)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.14. Administrative review: certification of record.

(a) All final administrative decisions of the Department are subject to judicial review pursuant to the provisions of the "Administrative Review Law", and all rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the "Code of Civil Procedure".

(b) Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; but if the party is not a resident of this State, venue shall be in Sangamon County.

(c) The Department shall not be required to certify any record to the court, to file an answer in court, or to otherwise appear in any court in a judicial review proceeding unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in court is grounds for dismissal of the action. During the pendency and hearing of any and all judicial proceedings incident to the disciplinary action the sanctions imposed upon the accused by the Department because of acts or omissions related to the delivery of direct patient care as specified in the Department's final administrative decision, shall, as a matter of public policy, remain in full force and effect in order to protect the public pending final resolution of any of the proceedings.

(Source: P.A. 86-596.)

(225 ILCS 95/22.17 new)

Sec. 22.17. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 95/23) (from Ch. 111, par. 4623)

(Section scheduled to be repealed on January 1, 2018)

Sec. 23. Home rule. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not

be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.

(Source: P.A. 85-981.)

Section 15. The Illinois Public Aid Code is amended by changing Section 5-8 as follows:
(305 ILCS 5/5-8) (from Ch. 23, par. 5-8)

Sec. 5-8. Practitioners. In supplying medical assistance, the Illinois Department may provide for the legally authorized services of (i) persons licensed under the Medical Practice Act of 1987, as amended, except as hereafter in this Section stated, whether under a general or limited license, (ii) persons licensed under the Nurse Practice Act as advanced practice nurses, regardless of whether or not the persons have written collaborative agreements, (iii) persons licensed or registered under other laws of this State to provide dental, medical, pharmaceutical, optometric, podiatric, or nursing services, or other remedial care recognized under State law, and (iv) persons licensed under other laws of this State as a clinical social worker, and (v) persons licensed under other laws of this State as physician assistants. The Department shall adopt rules, no later than 90 days after the effective date of this amendatory Act of the 99th General Assembly, for the legally authorized services of persons licensed under other laws of this State as a clinical social worker. The Department may not provide for legally authorized services of any physician who has been convicted of having performed an abortion procedure in a wilful and wanton manner on a woman who was not pregnant at the time such abortion procedure was performed. The utilization of the services of persons engaged in the treatment or care of the sick, which persons are not required to be licensed or registered under the laws of this State, is not prohibited by this Section.

(Source: P.A. 99-173, eff. 7-29-15; 99-621, eff. 1-1-17.)

Section 20. The Illinois Controlled Substances Act is amended by changing Sections 102 and 303.05 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self control with reference to his or her addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient, research subject, or animal (as defined by the Humane Euthanasia in Animal Shelters Act) by:

- (1) a practitioner (or, in his or her presence, by his or her authorized agent),
- (2) the patient or research subject pursuant to an order, or
- (3) a euthanasia technician as defined by the Humane Euthanasia in Animal Shelters Act.

(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, dispenser, prescriber, or practitioner. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes:

- (i) 3[beta],17-dihydroxy-5a-androstane,
- (ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,
- (iii) 5[alpha]-androst-3,17-dione,
- (iv) 1-androstenediol (3[beta],
17[beta]-dihydroxy-5[alpha]-androst-1-ene),
- (v) 1-androstenediol (3[alpha],
17[beta]-dihydroxy-5[alpha]-androst-1-ene),
- (vi) 4-androstenediol
(3[beta],17[beta]-dihydroxy-androst-4-ene),
- (vii) 5-androstenediol
(3[beta],17[beta]-dihydroxy-androst-5-ene),
- (viii) 1-androstenedione
([5alpha]-androst-1-en-3,17-dione),
- (ix) 4-androstenedione
(androst-4-en-3,17-dione),
- (x) 5-androstenedione

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- (androst-5-en-3,17-dione),
- (xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-hydroxyandrost-4-en-3-one),
- (xii) boldenone (17[beta]-hydroxyandrost-1,4,-diene-3-one),
- (xiii) boldione (androsta-1,4-diene-3,17-dione),
- (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one),
- (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one),
- (xvi) dehydrochloromethyltestosterone (4-chloro-17[beta]-hydroxy-17[alpha]-methyl-androst-1,4-dien-3-one),
- (xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol)(a.k.a., madol),
- (xviii) [delta]1-dihydrotestosterone (a.k.a. '1-testosterone') (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one),
- (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one),
- (xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one),
- (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene),
- (xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
- (xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one),
- (xxiv) furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan),
- (xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one
- (xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one),
- (xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxy-estr-4-en-3-one),
- (xxviii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5-androstan-3-one),
- (xxix) mesterolone (1-methyl-17[beta]-hydroxy-[5a]-androstan-3-one),
- (xxx) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one),
- (xxxii) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene),
- (xxxiii) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one),
- (xxxiiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5a-androstane),
- (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5a-androstane),
- (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene),
- (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
- (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one),
- (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one),
- (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-

- hydroxyandrost-4-en-3-one),
- (xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-hydroxyestr-4-en-3-one),
- (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one)(a.k.a. '17-[alpha]-methyl-1-testosterone'),
- (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),
- (xliiii) 19-nor-4-androstenediol (3[beta], 17[beta]-dihydroxyestr-4-ene),
- (xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-dihydroxyestr-4-ene),
- (xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-dihydroxyestr-5-ene),
- (xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-dihydroxyestr-5-ene),
- (xlvii) 19-nor-4,9(10)-androsta-1,4-diene-3,17-dione (estra-4,9(10)-diene-3,17-dione),
- (xlviii) 19-nor-4-androstenedione (estr-4-en-3,17-dione),
- (xlix) 19-nor-5-androstenedione (estr-5-en-3,17-dione),
- (l) norbolethone (13[beta], 17a-diethyl-17[beta]-hydroxygon-4-en-3-one),
- (li) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one),
- (lii) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one),
- (liii) normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one),
- (liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-2-oxa-5[alpha]-androstan-3-one),
- (lv) oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one),
- (lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-(5[alpha]-androstan-3-one),
- (lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-(5[alpha]-androst-2-eno[3,2-c]-pyrazole),
- (lviii) stenbolone (17[beta]-hydroxy-2-methyl-(5[alpha]-androst-1-en-3-one),
- (lix) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone),
- (lx) testosterone (17[beta]-hydroxyandrost-4-en-3-one),
- (lxi) tetrahydrogestrinone (13[beta], 17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one),
- (lxii) trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one).

Any person who is otherwise lawfully in possession of an anabolic steroid, or who otherwise lawfully manufactures, distributes, dispenses, delivers, or possesses with intent to deliver an anabolic steroid, which anabolic steroid is expressly intended for and lawfully allowed to be administered through implants to livestock or other nonhuman species, and which is approved by the Secretary of Health and Human Services for such administration, and which the person intends to administer or have administered through such implants, shall not be considered to be in unauthorized possession or to unlawfully manufacture, distribute, dispense, deliver, or possess with intent to deliver such anabolic steroid for purposes of this Act.

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(d) "Administration" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.

(d-5) "Clinical Director, Prescription Monitoring Program" means a Department of Human Services administrative employee licensed to either prescribe or dispense controlled substances who shall run the clinical aspects of the Department of Human Services Prescription Monitoring Program and its Prescription Information Library.

(d-10) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if both of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means (i) a drug, substance, immediate precursor, or synthetic drug in the Schedules of Article II of this Act or (ii) a drug or other substance, or immediate precursor, designated as a controlled substance by the Department through administrative rule. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in the Liquor Control Act of 1934 and the Tobacco Products Tax Act of 1995.

(f-5) "Controlled substance analog" means a substance:

(1) the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II;

(2) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II; or

(3) with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.

(g) "Counterfeit substance" means a controlled substance, which, or the container or labeling of which, without authorization bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of a controlled substance, with or without consideration, whether or not there is an agency relationship.

(i) "Department" means the Illinois Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) or its successor agency.

(j) (Blank).

(k) "Department of Corrections" means the Department of Corrections of the State of Illinois or its successor agency.

(l) "Department of Financial and Professional Regulation" means the Department of Financial and Professional Regulation of the State of Illinois or its successor agency.

(m) "Depressant" means any drug that (i) causes an overall depression of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to alcohol, cannabis and its active principles and their analogs, benzodiazepines and their analogs, barbiturates and their analogs, opioids (natural and synthetic) and their analogs, and chloral hydrate and similar sedative hypnotics.

(n) (Blank).

(o) "Director" means the Director of the Illinois State Police or his or her designated agents.

(p) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a prescriber, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

(q) "Dispenser" means a practitioner who dispenses.

(r) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

(s) "Distributor" means a person who distributes.

(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-3) "Electronic health record" or "EHR" means an electronic record of health-related information on an individual that is created, gathered, managed, and consulted by authorized health care clinicians and staff.

(t-5) "Euthanasia agency" means an entity certified by the Department of Financial and Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(t-10) "Euthanasia drugs" means Schedule II or Schedule III substances (nonnarcotic controlled substances) that are used by a euthanasia agency for the purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his or her treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein: and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be guided by accepted professional standards including, but not limited to the following, in making the judgment:

(1) lack of consistency of prescriber-patient relationship,

(2) frequency of prescriptions for same drug by one prescriber for large numbers of patients,

(3) quantities beyond those normally prescribed,

(4) unusual dosages (recognizing that there may be clinical circumstances where more or less than the usual dose may be used legitimately),

(5) unusual geographic distances between patient, pharmacist and prescriber,

(6) consistent prescribing of habit-forming drugs.

(u-0.5) "Hallucinogen" means a drug that causes markedly altered sensory perception leading to hallucinations of any type.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(u-5) "Illinois State Police" means the State Police of the State of Illinois, or its successor agency.

(v) "Immediate precursor" means a substance:

(1) which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;

(2) which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and

(3) the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

(a) statements made by the owner or person in control of the substance concerning its

nature, use or effect;

(b) statements made to the buyer or recipient that the substance may be resold for profit;

(c) whether the substance is packaged in a manner normally used for the illegal distribution of controlled substances;

(d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.

Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance other than methamphetamine, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

(1) by an ultimate user, the preparation or compounding of a controlled substance for his or her own use; or

(2) by a practitioner, or his or her authorized agent under his or her supervision, the preparation, compounding, packaging, or labeling of a controlled substance:

(a) as an incident to his or her administering or dispensing of a controlled substance in the course of his or her professional practice; or

(b) as an incident to lawful research, teaching or chemical analysis and not for sale.

(z-1) (Blank).

(z-5) "Medication shopping" means the conduct prohibited under subsection (a) of Section 314.5 of this Act.

(z-10) "Mid-level practitioner" means (i) a physician assistant who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches, in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, (ii) an advanced practice nurse who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches or by a podiatric physician, in accordance with Section 65-40 of the Nurse Practice Act, (iii) an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist who has been granted authority to prescribe by a hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act, (iv) an animal euthanasia agency, or (v) a prescribing psychologist.

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium, opiates, derivatives of opium and opiates, including their isomers, esters,

ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation; however the term "narcotic drug" does not include the isoquinoline alkaloids of opium;

(2) (blank);

(3) opium poppy and poppy straw;

(4) coca leaves, except coca leaves and extracts of coca leaves from which substantially all of the cocaine and ecgonine, and their isomers, derivatives and salts, have been removed;

(5) cocaine, its salts, optical and geometric isomers, and salts of isomers;

(6) ecgonine, its derivatives, their salts, isomers, and salts of isomers;

- (7) any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (1) through (6).
- (bb) "Nurse" means a registered nurse licensed under the Nurse Practice Act.
- (cc) (Blank).
- (dd) "Opiate" means any substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.
- (ee) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.
- (ee-5) "Oral dosage" means a tablet, capsule, elixir, or solution or other liquid form of medication intended for administration by mouth, but the term does not include a form of medication intended for buccal, sublingual, or transmucosal administration.
- (ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.
- (gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.
- (hh) "Pharmacist" means any person who holds a license or certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act.
- (ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act.
- (ii-5) "Pharmacy shopping" means the conduct prohibited under subsection (b) of Section 314.5 of this Act.
- (ii-10) "Physician" (except when the context otherwise requires) means a person licensed to practice medicine in all of its branches.
- (jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.
- (kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.
- (ll) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance; the term does not mean a written prescription that is individually generated by machine or computer in the prescriber's office.
- (mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, optometrist, prescribing psychologist licensed under Section 4.2 of the Clinical Psychologist Licensing Act with prescriptive authority delegated under Section 4.3 of the Clinical Psychologist Licensing Act, podiatric physician, or veterinarian who issues a prescription, a physician assistant who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act and in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act, or an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist who has been granted authority to prescribe by a hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act and in accordance with Section 303.05.
- (nn) "Prescription" means a written, facsimile, or oral order, or an electronic order that complies with applicable federal requirements, of a physician licensed to practice medicine in all its branches, dentist, podiatric physician or veterinarian for any controlled substance, of an optometrist in accordance with Section 15.1 of the Illinois Optometric Practice Act of 1987, of a prescribing psychologist licensed under Section 4.2 of the Clinical Psychologist Licensing Act with prescriptive authority delegated under Section 4.3 of the Clinical Psychologist Licensing Act, of a physician assistant for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, of an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act, or of an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist who has been granted

authority to prescribe by a hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act and in accordance with Section 303.05 when required by law.

(nn-5) "Prescription Information Library" (PIL) means an electronic library that contains reported controlled substance data.

(nn-10) "Prescription Monitoring Program" (PMP) means the entity that collects, tracks, and stores reported data on controlled substances and select drugs pursuant to Section 316.

(oo) "Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance other than methamphetamine.

(pp) "Registrant" means every person who is required to register under Section 302 of this Act.

(qq) "Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

(qq-5) "Secretary" means, as the context requires, either the Secretary of the Department or the Secretary of the Department of Financial and Professional Regulation, and the Secretary's designated agents.

(rr) "State" includes the State of Illinois and any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(rr-5) "Stimulant" means any drug that (i) causes an overall excitation of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to amphetamines and their analogs, methylphenidate and its analogs, cocaine, and phencyclidine and its analogs.

(ss) "Ultimate user" means a person who lawfully possesses a controlled substance for his or her own use or for the use of a member of his or her household or for administering to an animal owned by him or her or by a member of his or her household.

(Source: P.A. 98-214, eff. 8-9-13; 98-668, eff. 6-25-14; 98-756, eff. 7-16-14; 98-1111, eff. 8-26-14; 99-78, eff. 7-20-15; 99-173, eff. 7-29-15; 99-371, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642, eff. 7-28-16.)

(720 ILCS 570/303.05)

Sec. 303.05. Mid-level practitioner registration.

(a) The Department of Financial and Professional Regulation shall register licensed physician assistants, licensed advanced practice nurses, and prescribing psychologists licensed under Section 4.2 of the Clinical Psychologist Licensing Act to prescribe and dispense controlled substances under Section 303 and euthanasia agencies to purchase, store, or administer animal euthanasia drugs under the following circumstances:

(1) with respect to physician assistants,

(A) the physician assistant has been delegated written authority to prescribe any Schedule III through V controlled substances by a physician licensed to practice medicine in all its branches in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987; and the physician assistant has completed the appropriate application forms and has paid the required fees as set by rule; or

(B) the physician assistant has been delegated authority by a collaborating supervising physician licensed to

practice medicine in all its branches to prescribe or dispense Schedule II controlled substances through a written delegation of authority and under the following conditions:

(i) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating supervising physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

(ii) any delegation must be of controlled substances prescribed by the collaborating supervising physician;

(iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating supervising physician;

(iv) the physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician;

(v) the physician assistant must have completed the appropriate application forms and paid the required fees as set by rule;

(vi) the physician assistant must provide evidence of satisfactory completion of 45 contact hours in pharmacology from any physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA), or its

predecessor agency, for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

- (vii) the physician assistant must annually complete at least 5 hours of continuing education in pharmacology;
- (2) with respect to advanced practice nurses,

(A) the advanced practice nurse has been delegated authority to prescribe any Schedule III through V controlled substances by a collaborating physician licensed to practice medicine in all its branches or a collaborating podiatric physician in accordance with Section 65-40 of the Nurse Practice Act. The advanced practice nurse has completed the appropriate application forms and has paid the required fees as set by rule; or

(B) the advanced practice nurse has been delegated authority by a collaborating physician licensed to practice medicine in all its branches or collaborating podiatric physician to prescribe or dispense Schedule II controlled substances through a written delegation of authority and under the following conditions:

- (i) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating physician or podiatric physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

- (ii) any delegation must be of controlled substances prescribed by the collaborating physician or podiatric physician;

- (iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating physician or podiatric physician;

- (iv) the advanced practice nurse must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician or podiatric physician or in the course of review as required by Section 65-40 of the Nurse Practice Act;

- (v) the advanced practice nurse must have completed the appropriate application forms and paid the required fees as set by rule;

- (vi) the advanced practice nurse must provide evidence of satisfactory completion of at least 45 graduate contact hours in pharmacology for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

- (vii) the advanced practice nurse must annually complete 5 hours of continuing education in pharmacology;

(2.5) with respect to advanced practice nurses certified as nurse practitioners, nurse midwives, or clinical nurse specialists practicing in a hospital affiliate,

(A) the advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist has been granted authority to prescribe any Schedule II through V controlled substances by the hospital affiliate upon the recommendation of the appropriate physician committee of the hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act, has completed the appropriate application forms, and has paid the required fees as set by rule; and

(B) an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist has been granted authority to prescribe any Schedule II controlled substances by the hospital affiliate upon the recommendation of the appropriate physician committee of the hospital affiliate, then the following conditions must be met:

- (i) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be designated, provided that the designated Schedule II controlled substances are routinely prescribed by advanced practice nurses in their area of certification; this grant of authority must identify the specific Schedule II controlled substances by either brand name or generic name; authority to prescribe or dispense Schedule II controlled substances to be delivered by injection or other route of administration may not be granted;

- (ii) any grant of authority must be controlled substances limited to the practice of the advanced practice nurse;

- (iii) any prescription must be limited to no more than a 30-day supply;

- (iv) the advanced practice nurse must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the appropriate physician committee of the hospital affiliate or its physician designee; and

(v) the advanced practice nurse must meet the education requirements of this Section;

(3) with respect to animal euthanasia agencies, the euthanasia agency has obtained a license from the Department of Financial and Professional Regulation and obtained a registration number from the Department; or

(4) with respect to prescribing psychologists, the prescribing psychologist has been delegated authority to prescribe any nonnarcotic Schedule III through V controlled substances by a collaborating physician licensed to practice medicine in all its branches in accordance with Section 4.3 of the Clinical Psychologist Licensing Act, and the prescribing psychologist has completed the appropriate application forms and has paid the required fees as set by rule.

(b) The mid-level practitioner shall only be licensed to prescribe those schedules of controlled substances for which a licensed physician or licensed podiatric physician has delegated prescriptive authority, except that an animal euthanasia agency does not have any prescriptive authority. A physician assistant and an advanced practice nurse are prohibited from prescribing medications and controlled substances not set forth in the required written delegation of authority.

(c) Upon completion of all registration requirements, physician assistants, advanced practice nurses, and animal euthanasia agencies may be issued a mid-level practitioner controlled substances license for Illinois.

(d) A collaborating physician or podiatric physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(e) A ~~collaborating supervising~~ physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written ~~collaborative supervision~~ agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

(f) Nothing in this Section shall be construed to prohibit generic substitution.
(Source: P.A. 98-214, eff. 8-9-13; 98-668, eff. 6-25-14; 99-173, eff. 7-29-15.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Martinez offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1585

AMENDMENT NO. 2. Amend Senate Bill 1585 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.28 and by adding Section 4.38 as follows:

(5 ILCS 80/4.28)

Sec. 4.28. Acts repealed on January 1, 2018. The following Acts are repealed on January 1, 2018:

The Illinois Petroleum Education and Marketing Act.

The Podiatric Medical Practice Act of 1987.

The Acupuncture Practice Act.

The Illinois Speech-Language Pathology and Audiology Practice Act.

The Interpreter for the Deaf Licensure Act of 2007.

The Nurse Practice Act.

The Clinical Social Work and Social Work Practice Act.

The Pharmacy Practice Act.

The Home Medical Equipment and Services Provider License Act.

The Marriage and Family Therapy Licensing Act.

The Nursing Home Administrators Licensing and Disciplinary Act.

~~The Physician Assistant Practice Act of 1987.~~

(Source: P.A. 95-187, eff. 8-16-07; 95-235, eff. 8-17-07; 95-450, eff. 8-27-07; 95-465, eff. 8-27-07; 95-617, eff. 9-12-07; 95-639, eff. 10-5-07; 95-687, eff. 10-23-07; 95-689, eff. 10-29-07; 95-703, eff. 12-31-07; 95-876, eff. 8-21-08; 96-328, eff. 8-11-09.)

(5 ILCS 80/4.38 new)

Sec. 4.38. Act repealed on January 1, 2028. The following Act is repealed on January 1, 2028:

[April 27, 2017]

The Physician Assistant Practice Act of 1987.

Section 7. The Medical Practice Act of 1987 is amended by changing Section 54.5 as follows:
(225 ILCS 60/54.5)

(Section scheduled to be repealed on December 31, 2017)

Sec. 54.5. Physician delegation of authority to physician assistants, advanced practice nurses, and prescribing psychologists.

(a) Physicians licensed to practice medicine in all its branches may delegate care and treatment responsibilities to a physician assistant under guidelines in accordance with the requirements of the Physician Assistant Practice Act of 1987. A physician licensed to practice medicine in all its branches may enter into ~~collaborative supervising physician~~ agreements with no more than 5 full-time equivalent physician assistants, ~~except in a hospital, hospital affiliate, or ambulatory surgical treatment center as set forth by Section 7.7 of the Physician Assistant Practice Act of 1987 as set forth in subsection (a) of Section 7 of the Physician Assistant Practice Act of 1987.~~

(b) A physician licensed to practice medicine in all its branches in active clinical practice may collaborate with an advanced practice nurse in accordance with the requirements of the Nurse Practice Act. Collaboration is for the purpose of providing medical consultation, and no employment relationship is required. A written collaborative agreement shall conform to the requirements of Section 65-35 of the Nurse Practice Act. The written collaborative agreement shall be for services in the same area of practice or specialty as the collaborating physician in his or her clinical medical practice. A written collaborative agreement shall be adequate with respect to collaboration with advanced practice nurses if all of the following apply:

(1) The agreement is written to promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience.

(2) The advanced practice nurse provides services based upon a written collaborative agreement with the collaborating physician, except as set forth in subsection (b-5) of this Section. With respect to labor and delivery, the collaborating physician must provide delivery services in order to participate with a certified nurse midwife.

(3) Methods of communication are available with the collaborating physician in person or through telecommunications for consultation, collaboration, and referral as needed to address patient care needs.

(b-5) An anesthesiologist or physician licensed to practice medicine in all its branches may collaborate with a certified registered nurse anesthetist in accordance with Section 65-35 of the Nurse Practice Act for the provision of anesthesia services. With respect to the provision of anesthesia services, the collaborating anesthesiologist or physician shall have training and experience in the delivery of anesthesia services consistent with Department rules. Collaboration shall be adequate if:

(1) an anesthesiologist or a physician participates in the joint formulation and joint approval of orders or guidelines and periodically reviews such orders and the services provided patients under such orders; and

(2) for anesthesia services, the anesthesiologist or physician participates through discussion of and agreement with the anesthesia plan and is physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. Anesthesia services in a hospital shall be conducted in accordance with Section 10.7 of the Hospital Licensing Act and in an ambulatory surgical treatment center in accordance with Section 6.5 of the Ambulatory Surgical Treatment Center Act.

(b-10) The anesthesiologist or operating physician must agree with the anesthesia plan prior to the delivery of services.

(c) The ~~collaborating supervising~~ physician shall have access to the medical records of all patients attended by a physician assistant. The collaborating physician shall have access to the medical records of all patients attended to by an advanced practice nurse.

(d) (Blank).

(e) A physician shall not be liable for the acts or omissions of a prescribing psychologist, physician assistant, or advanced practice nurse solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing a prescribing psychologist, physician assistant, or advanced practice nurse to perform acts, unless the physician has reason to believe the prescribing psychologist, physician assistant, or advanced practice nurse lacked the competency to perform the act or acts or commits willful and wanton misconduct.

(f) A collaborating physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(g) A ~~collaborating supervising~~ physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written ~~collaborative supervision~~ agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

(h) (Blank).

(i) A collaborating physician shall delegate prescriptive authority to a prescribing psychologist as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 4.3 of the Clinical Psychologist Licensing Act.

(Source: P.A. 98-192, eff. 1-1-14; 98-668, eff. 6-25-14; 99-173, eff. 7-29-15.)

Section 10. The Physician Assistant Practice Act of 1987 is amended by changing Sections 1, 2, 3, 4, 5, 6, 7, 7.5, 7.7, 9, 10, 10.5, 12, 13, 14.1, 16, 21, 22.2, 22.6, 22.7, 22.11, 22.14, and 23 and by adding Sections 4.5, 5.3, 5.5, 11.5, and 22.17 as follows:

(225 ILCS 95/1) (from Ch. 111, par. 4601)

(Section scheduled to be repealed on January 1, 2018)

Sec. 1. Legislative purpose. The practice as a physician assistant in the State of Illinois is hereby declared to affect the public health, safety and welfare and to be subject to regulation and control in the public interest. The purpose and legislative intent of this Act is to encourage and promote the more effective utilization of the skills of physicians by enabling them to delegate certain health tasks to physician assistants where such delegation is consistent with the health and welfare of the patient and is conducted at the direction of and under the responsible supervision of the physician.

It is further declared to be a matter of public health and concern that the practice as a physician assistant, as defined in this Act, merit and receive the confidence of the public, that only qualified persons be authorized to practice as a physician assistant in the State of Illinois. This Act shall be liberally construed to best carry out these subjects and purposes.

(Source: P.A. 85-981.)

(225 ILCS 95/2) (from Ch. 111, par. 4602)

(Section scheduled to be repealed on January 1, 2018)

Sec. 2. Short title. This ~~Act~~ ~~Article shall be known as~~ and may be cited as the "Physician Assistant Practice Act of 1987".

(Source: P.A. 85-981.)

(225 ILCS 95/3) (from Ch. 111, par. 4603)

(Section scheduled to be repealed on January 1, 2018)

Sec. 3. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated herein as if all of the provisions of that Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, continuation or renewal of the license is specifically excluded. For the purposes of this Act the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when personally served, mailed to the address of record of the applicant or licensee, or emailed to the email address of record of the applicant or licensee ~~last known address of a party~~. The Secretary may adopt ~~promulgate~~ rules for the administration and enforcement of this Act and may prescribe forms to be issued in connection with this Act.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/4) (from Ch. 111, par. 4604)

(Section scheduled to be repealed on January 1, 2018)

Sec. 4. Definitions. In this Act:

1. "Department" means the Department of Financial and Professional Regulation.
2. "Secretary" means the Secretary of Financial and Professional Regulation.
3. "Physician assistant" means any person not holding an active license or permit issued by the Department pursuant to the Medical Practice Act of 1987 who has been certified as a physician assistant by the National Commission on the Certification of Physician Assistants or equivalent successor agency and performs procedures in collaboration with under the supervision of a physician as defined in this Act. A physician assistant may perform such procedures within the specialty of the ~~collaborating supervising~~ physician, except that such physician shall exercise such direction, collaboration, supervision and control over such physician assistants as will assure that patients shall receive quality medical care. Physician

assistants shall be capable of performing a variety of tasks within the specialty of medical care ~~under the~~ in collaboration with supervision of a physician. Collaboration with Supervision of the physician assistant shall not be construed to necessarily require the personal presence of the collaborating supervising physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone or telecommunications within established guidelines as determined by the physician/physician assistant team. The collaborating supervising physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative supervision agreement established by the physician or physician/physician assistant team. A physician assistant, acting as an agent of the physician, shall be permitted to transmit the collaborating supervising physician's orders as determined by the institution's by-laws, policies, procedures, or job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative supervision agreement.

Any person who holds an active license or permit issued pursuant to the Medical Practice Act of 1987 shall have that license automatically placed into inactive status upon issuance of a physician assistant license. Any person who holds an active license as a physician assistant who is issued a license or permit pursuant to the Medical Practice Act of 1987 shall have his or her physician assistant license automatically placed into inactive status.

3.5. "Physician assistant practice" means the performance of procedures within the specialty of the collaborating physician. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care of the collaborating physician. Collaboration with the physician assistant shall not be construed to necessarily require the personal presence of the collaborating physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone, telecommunications, or electronic communications. The collaborating physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written collaborative agreement established by the physician or physician/physician assistant team. A physician assistant shall be permitted to transmit the collaborating physician's orders as determined by the institution's bylaws, policies, or procedures or the job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance with a written collaborative agreement, except as provided in Section 7.5 of this Act.

4. "Board" means the Medical Licensing Board constituted under the Medical Practice Act of 1987.

5. "Disciplinary Board" means the Medical Disciplinary Board constituted under the Medical Practice Act of 1987.

6. "Physician" means, ~~for purposes of this Act,~~ a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

7. "Collaborating physician" means the physician who, within his or her specialty and expertise, may delegate a variety of tasks and procedures to the physician assistant. Such tasks and procedures shall be delegated in accordance with a written collaborative agreement. "Supervising Physician" means, ~~for the purposes of this Act, the primary supervising physician of a physician assistant, who, within his specialty and expertise may delegate a variety of tasks and procedures to the physician assistant. Such tasks and procedures shall be delegated in accordance with a written supervision agreement. The supervising physician maintains the final responsibility for the care of the patient and the performance of the physician assistant.~~

8. (Blank). "Alternate supervising physician" means, for the purpose of this Act, any physician designated by the supervising physician to provide supervision in the event that he or she is unable to provide that supervision. The Department may further define "alternate supervising physician" by rule.

~~The alternate supervising physicians shall maintain all the same responsibilities as the supervising physician. Nothing in this Act shall be construed as relieving any physician of the professional or legal responsibility for the care and treatment of persons attended by him or by physician assistants under his supervision. Nothing in this Act shall be construed as to limit the reasonable number of alternate supervising physicians, provided they are designated by the supervising physician.~~

9. "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit. ~~It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's website or by contacting the Department's licensure maintenance unit.~~

10. "Hospital affiliate" means a corporation, partnership, joint venture, limited liability company, or similar organization, other than a hospital, that is devoted primarily to the provision, management, or support of health care services and that directly or indirectly controls, is controlled by, or is under common control of the hospital. For the purposes of this definition, "control" means having at least an equal or a majority ownership or membership interest. A hospital affiliate shall be 100% owned or controlled by any combination of hospitals, their parent corporations, or physicians licensed to practice medicine in all its branches in Illinois. "Hospital affiliate" does not include a health maintenance organization regulated under the Health Maintenance Organization Act.

11. "Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

(Source: P.A. 99-330, eff. 1-1-16.)

(225 ILCS 95/4.5 new)

Sec. 4.5. Address of record; email address of record. All applicants and licensees shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license; and

(2) inform the Department of any change of address of record or email address of record within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.

(225 ILCS 95/5) (from Ch. 111, par. 4605)

(Section scheduled to be repealed on January 1, 2018)

Sec. 5. Applicability. This Act does not prohibit:

(1) any ~~1-~~Any person licensed in this State under any other Act from engaging in the practice for which he is licensed;

(2) the ~~2-~~The practice as a physician assistant by a person who is employed by the United States government or any bureau, division or agency thereof while in the discharge of the employee's official duties;

(3) the ~~3-~~The practice as a physician assistant which is included in their program of study by students enrolled in schools or in refresher courses approved by the Department.

4. The practice, services, or activities of persons practicing the specified occupations set forth in subsection (a) of, and pursuant to a licensing exemption granted in subsection (b) or (d) of, Section 2105-350 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, but only for so long as the 2016 Olympic and Paralympic Games Professional Licensure Exemption Law is operable.

(Source: P.A. 96-7, eff. 4-3-09.)

(225 ILCS 95/5.3 new)

Sec. 5.3. Advertising.

(a) As used in this Section, "advertise" means solicitation by the licensee or through another person or entity by means of hand bills, posters, circulars, motion pictures, radio, newspapers, or television or any other manner.

(b) A person licensed under this Act as a physician assistant may advertise the availability of professional services in the public media or on the premises where the professional services are rendered. The advertising is limited to the following information:

(1) publication of the person's name, title, office hours, address, and telephone number;

(2) information pertaining to the person's areas of specialization, including, but not limited to, appropriate board certification or limitation of professional practice;

(3) publication of the person's collaborating physician's name, title, and areas of specialization;

(4) information on usual and customary fees for routine professional services offered, which shall include notification that fees may be adjusted due to complications or unforeseen circumstances;

(5) announcements of the opening of, change of, absence from, or return to business;

(6) announcements of additions to or deletions from professional licensed staff; and

(7) the issuance of business or appointment cards.

(c) It is unlawful for a person licensed under this Act as a physician assistant to use claims of superior quality of care to entice the public. It is unlawful to advertise fee comparisons of available services with those of other licensed persons.

(d) This Section does not authorize the advertising of professional services that the offeror of the services is not licensed or authorized to render. The advertiser shall not use statements that contain false,

fraudulent, deceptive, or misleading material or guarantees of success, statements that play upon the vanity or fears of the public, or statements that promote or produce unfair competition.

(e) It is unlawful and punishable under the penalty provisions of this Act for a person licensed under this Act to knowingly advertise that the licensee will accept as payment for services rendered by assignment from any third-party payor the amount the third-party payor covers as payment in full if the effect is to give the impression of eliminating the need of payment by the patient of any required deductible or copayment applicable in the patient's health benefit plan.

(f) A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.

(225 ILCS 95/5.5 new)

Sec. 5.5. Billing. A physician assistant shall not be allowed to personally bill patients or in any way charge for services. The employer of a physician assistant may charge for services rendered by the physician assistant. All claims for services rendered by the physician assistant shall be submitted using the physician assistant's national provider identification number as the billing provider whenever appropriate. Payment for services rendered by a physician assistant shall be made to his or her employer if the payor would have made payment had the services been provided by a physician licensed to provide medicine in all of its branches.

(225 ILCS 95/6) (from Ch. 111, par. 4606)

(Section scheduled to be repealed on January 1, 2018)

Sec. 6. Physician assistant title Title; advertising-billing.

(a) No physician assistant shall use the title of doctor, physician, or associate with his or her name or any other term that would indicate to other persons that he or she is qualified to engage in the general practice of medicine.

(b) A physician assistant shall verbally identify himself or herself as a physician assistant, including specialty certification, to each patient.

(c) Nothing in this Act shall be construed to relieve a physician assistant of the professional or legal responsibility for the care and treatment of persons attended by him or her.

(b) A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.

(e) A physician assistant shall not be allowed to bill patients or in any way to charge for services. Nothing in this Act, however, shall be so construed as to prevent the employer of a physician assistant from charging for services rendered by the physician assistant. Payment for services rendered by a physician assistant shall be made to his or her employer if the payor would have made payment had the services been provided by a physician licensed to practice medicine in all its branches.

(d) The collaborating supervising physician shall file with the Department notice of employment, discharge, or collaboration with supervisory control of a physician assistant at the time of employment, discharge, or assumption of collaboration with supervisory control of a physician assistant.

(Source: P.A. 90-61, eff. 12-30-97; 90-116, eff. 7-14-97; 90-655, eff. 7-30-98; 91-310, eff. 1-1-00.)

(225 ILCS 95/7) (from Ch. 111, par. 4607)

(Section scheduled to be repealed on January 1, 2018)

Sec. 7. Collaboration Supervision requirements.

(a) A collaborating supervising physician shall determine the number of physician assistants to collaborate with, under his or her supervision provided the physician is able to provide adequate collaborative supervision as outlined in the written collaborative supervision agreement required under Section 7.5 of this Act and consideration is given to the nature of the physician's practice, complexity of the patient population, and the experience of each supervised physician assistant. A collaborating physician may collaborate with a maximum of 5 full-time equivalent physician assistants. As used in this Section, "full-time equivalent" means the equivalent of 40 hours per week per individual. Physicians and physician assistants who work in a hospital, hospital affiliate, or ambulatory surgical treatment center as defined by Section 7.7 of this Act are exempt from the collaborative ratio restriction requirements of this Section. A supervising physician may supervise a maximum of 5 full-time equivalent physician assistants; provided, however, this number of physician assistants shall be reduced by the number of collaborative agreements the supervising physician maintains. A physician assistant shall be able to hold more than one professional position. A collaborating supervising physician shall file a notice of collaboration supervision of each physician assistant according to the rules of the Department. It is the responsibility of the supervising physician to maintain documentation each time he or she has designated an alternative supervising physician. This documentation shall include the date alternate supervisory control began, the date alternate supervisory control ended, and any other changes. A supervising physician shall provide a copy of this documentation to the Department, upon request.

Physician assistants shall ~~collaborate~~ be supervised only ~~with~~ by physicians as defined in this Act who are engaged in clinical practice, or in clinical practice in public health or other community health facilities.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a nurse or other appropriately trained personnel.

Nothing in this Act shall be construed to prohibit the employment of physician assistants by a hospital, nursing home or other health care facility where such physician assistants function under a collaborating ~~the supervision of a supervising~~ physician.

A physician assistant may be employed by a practice group or other entity employing multiple physicians at one or more locations. In that case, one of the physicians practicing at a location shall be designated the collaborating supervising physician. The other physicians with that practice group or other entity who practice in the same general type of practice or specialty as the collaborating supervising physician may collaborate with supervise the physician assistant with respect to their patients ~~without being deemed alternate supervising physicians for the purpose of this Act.~~

(b) A physician assistant licensed in this State, or licensed or authorized to practice in any other U.S. jurisdiction or credentialed by his or her federal employer as a physician assistant, who is responding to a need for medical care created by an emergency or by a state or local disaster may render such care that the physician assistant is able to provide without collaboration supervision as it is defined in this Section or with such collaboration supervision as is available. ~~For purposes of this Section, an "emergency situation" shall not include one that occurs in the place of one's employment.~~

Any physician who collaborates with supervises a physician assistant providing medical care in response to such an emergency or state or local disaster shall not be required to meet the requirements set forth in this Section for a collaborating supervising physician.

(Source: P.A. 96-70, eff. 7-23-09; 97-1071, eff. 8-24-12.)

(225 ILCS 95/7.5)

(Section scheduled to be repealed on January 1, 2018)

Sec. 7.5. ~~Written collaborative Prescriptions; written supervision agreements; prescriptive authority.~~

(a) A written collaborative supervision agreement is required for all physician assistants to practice in the State, ~~except as provided in Section 7.7 of this Act.~~

(1) A written collaborative supervision agreement shall describe the working relationship of the physician

assistant with the collaborating supervising physician and shall ~~describe~~ authorize the categories of care, treatment, or procedures to be provided performed by the physician assistant. The written collaborative supervision agreement shall promote the exercise of professional judgment by the physician assistant commensurate with his or her education and experience. The services to be provided by the physician assistant shall be services that the collaborating supervising physician is authorized to and generally provides to his or her patients in the normal course of his or her clinical medical practice. The written collaborative supervision agreement need not describe the exact steps that a physician assistant must take with respect to each specific condition, disease, or symptom but must specify which authorized procedures require the presence of the collaborating supervising physician as the procedures are being performed. The supervision relationship under a written collaborative supervision agreement shall not be construed to require the personal presence of a physician at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating supervising physician in person or by telecommunications ~~or electronic communications in accordance with established written guidelines~~ as set forth in the written collaborative supervision agreement. For the purposes of this Act, "generally provides to his or her patients in the normal course of his or her clinical medical practice" means services, not specific tasks or duties, the collaborating supervising physician routinely provides individually or through delegation to other persons so that the physician has the experience and ability to collaborate and provide supervision and consultation.

(2) The written collaborative supervision agreement shall be adequate if a physician does each of the following:

(A) Participates in the joint formulation and joint approval of orders or guidelines with the physician assistant and he or she periodically reviews such orders and the services provided patients under such orders in accordance with accepted standards of medical practice and physician assistant practice.

(B) Provides ~~supervision and~~ consultation at least once a month.

(3) A copy of the signed, written collaborative supervision agreement must be available to the Department upon

request from both the physician assistant and the collaborating supervising physician.

(4) A physician assistant shall inform each collaborating supervising physician of all written collaborative supervision agreements he or

she has signed and provide a copy of these to any collaborating supervising physician upon request.

(b) A collaborating supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written collaborative supervision agreement. This authority may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing medical devices, over the counter medications, legend drugs, medical gases, and controlled substances categorized as Schedule II III through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies. The collaborating supervising physician must have a valid, current Illinois controlled substance license and federal registration with the Drug Enforcement Agency to delegate the authority to prescribe controlled substances.

(1) To prescribe Schedule II III, IV, or V controlled substances under this Section, a physician assistant must obtain a mid-level practitioner controlled substances license. Medication orders issued by a physician assistant shall be reviewed periodically by the collaborating supervising physician.

(2) The collaborating supervising physician shall file with the Department notice of delegation of prescriptive

authority to a physician assistant and termination of delegation, specifying the authority delegated or terminated. Upon receipt of this notice delegating authority to prescribe ~~Schedule III, IV, or V~~ controlled substances, the physician assistant shall be eligible to register for a mid-level practitioner controlled substances license under Section 303.05 of the Illinois Controlled Substances Act. Nothing in this Act shall be construed to limit the delegation of tasks or duties by the collaborating supervising physician to a nurse or other appropriately trained persons in accordance with Section 54.2 of the Medical Practice Act of 1987.

(3) In addition to the requirements of this subsection (b) of this Section, a collaborating supervising physician may, but is not required to, delegate authority to a physician assistant to prescribe Schedule II controlled substances, if all of the following conditions apply:

(A) Specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating supervising physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated.

(B) ~~(Blank). Any delegation must be controlled substances that the supervising physician prescribes.~~

(C) Any prescription must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating supervising physician.

(D) The physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the collaborating supervising physician.

(E) The physician assistant meets the education requirements of Section 303.05 of the Illinois Controlled Substances Act.

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

(c-5) Nothing in this Section shall be construed to apply to any medication authority, including Schedule II controlled substances of a licensed physician assistant for care provided in a hospital, hospital affiliate, or ambulatory surgical treatment center pursuant to Section 7.7 of this Act.

~~(d) (Blank). Any physician assistant who writes a prescription for a controlled substance without having a valid appropriate authority may be fined by the Department not more than \$50 per prescription, and the Department may take any other disciplinary action provided for in this Act.~~

(e) Nothing in this Section shall be construed to prohibit generic substitution.

(Source: P.A. 96-268, eff. 8-11-09; 96-618, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-358, eff. 8-12-11.)
(225 ILCS 95/7.7)

(Section scheduled to be repealed on January 1, 2018)

Sec. 7.7. Physician assistants in hospitals, hospital affiliates, or ambulatory surgical treatment centers.

[April 27, 2017]

(a) A physician assistant may provide services in a hospital ~~or a hospital affiliate as those terms are defined in the Hospital Licensing Act~~, a hospital affiliate as defined in ~~or the University of Illinois Hospital Act~~, or a licensed ambulatory surgical treatment center as defined in the Ambulatory Surgical Treatment Center Act without a written collaborative supervision ~~agreement~~ pursuant to Section 7.5 of this Act. A physician assistant must possess clinical privileges recommended by the hospital medical staff and granted by the hospital or the consulting medical staff committee and ambulatory surgical treatment center in order to provide services. The medical staff or consulting medical staff committee shall periodically review the services of physician assistants granted clinical privileges, including any care provided in a hospital affiliate. Authority may also be granted when recommended by the hospital medical staff and granted by the hospital or recommended by the consulting medical staff committee and ambulatory surgical treatment center to individual physician assistants to select, order, and administer medications, including controlled substances, to provide delineated care. In a hospital, hospital affiliate, or ambulatory surgical treatment center, the attending physician shall determine a physician assistant's role in providing care for his or her patients, except as otherwise provided in the medical staff bylaws or consulting committee policies.

(a-5) Physician assistants practicing in a hospital affiliate may be, but are not required to be, granted authority to prescribe Schedule II through V controlled substances when such authority is recommended by the appropriate physician committee of the hospital affiliate and granted by the hospital affiliate. This authority may, but is not required to, include prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over-the-counter medications, legend drugs, medical gases, and controlled substances categorized as Schedule II through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies.

To prescribe controlled substances under this subsection (a-5), a physician assistant must obtain a mid-level practitioner controlled substance license. Medication orders shall be reviewed periodically by the appropriate hospital affiliate physicians committee or its physician designee.

The hospital affiliate shall file with the Department notice of a grant of prescriptive authority consistent with this subsection (a-5) and termination of such a grant of authority in accordance with rules of the Department. Upon receipt of this notice of grant of authority to prescribe any Schedule II through V controlled substances, the licensed physician assistant may register for a mid-level practitioner controlled substance license under Section 303.05 of the Illinois Controlled Substances Act.

In addition, a hospital affiliate may, but is not required to, grant authority to a physician assistant to prescribe any Schedule II controlled substances if all of the following conditions apply:

(1) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be designated, provided that the designated Schedule II controlled substances are routinely prescribed by physician assistants in their area of certification; this grant of authority must identify the specific Schedule II controlled substances by either brand name or generic name; authority to prescribe or dispense Schedule II controlled substances to be delivered by injection or other route of administration may not be granted;

(2) any grant of authority must be controlled substances limited to the practice of the physician assistant;

(3) any prescription must be limited to no more than a 30-day supply;

(4) the physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the appropriate physician committee of the hospital affiliate or its physician designee; and

(5) the physician assistant must meet the education requirements of Section 303.05 of the Illinois Controlled Substances Act.

(b) A physician assistant granted authority to order medications including controlled substances may complete discharge prescriptions provided the prescription is in the name of the physician assistant and the attending or discharging physician.

(c) Physician assistants practicing in a hospital, hospital affiliate, or an ambulatory surgical treatment center are not required to obtain a mid-level controlled substance license to order controlled substances under Section 303.05 of the Illinois Controlled Substances Act.

(Source: P.A. 97-1071, eff. 8-24-12.)

(225 ILCS 95/9) (from Ch. 111, par. 4609)

(Section scheduled to be repealed on January 1, 2018)

Sec. 9. Application for licensure. Applications for original licenses shall be made to the Department in writing on forms or electronically as prescribed by the Department and shall be accompanied by the required fee, which shall not be refundable. An application shall require information that in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for a license.

[April 27, 2017]

An application shall include evidence of passage of the examination of the National Commission on the Certification of Physician Assistants, or its successor agency, and proof that the applicant holds a valid certificate issued by that Commission.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/10) (from Ch. 111, par. 4610)

(Section scheduled to be repealed on January 1, 2018)

Sec. 10. Identification. No person shall use the title "~~physician or perform the duties of~~ "Physician assistant" unless he or she ~~holds is a qualified holder of~~ a valid license issued by the Department as provided in this Act. A physician assistant shall wear on his or her person a visible identification indicating that he or she is certified as a physician assistant while acting in the course of his or her duties.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/10.5)

(Section scheduled to be repealed on January 1, 2018)

Sec. 10.5. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a physician's assistant without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity.

(b-5) No person shall use any words, abbreviations, figures, letters, title, sign, card, or device tending to imply that he or she is a physician assistant, including, but not limited to, using the titles or initials "Physician Assistant" or "PA", or similar titles or initials, with the intention of indicating practice as a physician assistant without meeting the requirements of this Act.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/11.5 new)

Sec. 11.5. Continuing education. The Department shall adopt rules for continuing education for persons licensed under this Act that require 50 hours of continuing education per 2-year license renewal cycle. Completion of the 50 hours of continuing education shall be deemed to satisfy the continuing education requirements for renewal of a physician assistant license as required by this Act. The rules shall not be inconsistent with requirements of relevant national certifying bodies or State or national professional associations. The rules shall also address variances in part or in whole for good cause, including, but not limited to, illness or hardship. The continuing education rules shall ensure that licensees are given the opportunity to participate in programs sponsored by or through their State or national professional associations, hospitals, or other providers of continuing education. Each licensee is responsible for maintaining records of completion of continuing education and shall be prepared to produce the records when requested by the Department.

(225 ILCS 95/12) (from Ch. 111, par. 4612)

(Section scheduled to be repealed on January 1, 2018)

Sec. 12. A person shall be qualified for licensure as a physician assistant and the Department may issue a physician assistant license to a person who:

1. ~~has~~ Has applied in writing or electronically in form and substance satisfactory to the Department and has not

violated any of the provisions of Section 21 of this Act or the rules adopted under this Act promulgated hereunder. ~~The Department may take into consideration any felony conviction of the applicant but such conviction shall not operate as an absolute bar to licensure;~~

2. ~~has~~ Has successfully completed the examination provided by the National Commission on the Certification of Physician Assistants ~~Physician's Assistant~~ or its successor agency;

3. ~~holds~~ Holds a certificate issued by the National Commission on the Certification of Physician Assistants or an equivalent successor agency; and

4. ~~complies~~ Complies with all applicable rules of the Department.

(Source: P.A. 95-703, eff. 12-31-07.)

[April 27, 2017]

(225 ILCS 95/13) (from Ch. 111, par. 4613)

(Section scheduled to be repealed on January 1, 2018)

Sec. 13. Department powers and duties.

(a) Subject to the provisions of this Act, the Department shall:

(1) ~~adopt 1. Promulgate rules approved by the Board~~ setting forth standards to be met by a school or institution offering a course

of training for physician assistants prior to approval of such school or institution; -

(2) ~~adopt 2. Promulgate rules approved by the Board~~ setting forth uniform and reasonable standards of instruction to be met prior to

approval of such course of institution for physician assistants; and -

(3) determine 3. Determine the reputability and good standing of such schools or institutions and their course of

instruction for physician assistants by reference to compliance with such rules, provided that no school of physician assistants that refuses admittance to applicants solely on account of race, color, sex, or creed shall be considered reputable and in good standing.

(b) No rule shall be adopted under this Act which allows a physician assistant to perform any act, task, or function primarily performed in the lawful practice of optometry under the Illinois Optometric Practice Act of 1987.

(c) All rules shall be submitted to the Board for review and the Department shall consider any comments provided by the Board.

(Source: P.A. 85-1440.)

(225 ILCS 95/14.1)

(Section scheduled to be repealed on January 1, 2018)

Sec. 14.1. Fees.

(a) Fees collected for the administration of this Act shall be set by the Department by rule. All fees are nonrefundable not refundable.

(b) (Blank).

(c) All moneys collected under this Act by the Department shall be deposited in the Illinois State Medical Disciplinary Fund in the State Treasury and used (1) in the exercise of its powers and performance of its duties under this Act, as such use is made by the Department; (2) for costs directly related to licensing and license renewal of persons licensed under this Act; and (3) for costs related to the public purposes of the Department.

All earnings received from investment of moneys in the Illinois State Medical Disciplinary Fund shall be deposited into the Illinois State Medical Disciplinary Fund and shall be used for the same purposes as fees deposited in the Fund.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/16) (from Ch. 111, par. 4616)

(Section scheduled to be repealed on January 1, 2018)

Sec. 16. Expiration; renewal. The expiration date and renewal period for each license issued under this Act shall be set by rule. Renewal shall be conditioned on paying the required fee and by meeting such other requirements as may be established by rule. The certification as a physician assistant by the National Commission on Certification of Physician Assistants or an equivalent successor agency is not required for renewal of a license under this Act.

Any physician assistant who has permitted his or her license to expire or who has had his or her license on inactive status may have the license restored by making application to the Department and filing proof acceptable to the Department of his or her fitness to have the license restored, and by paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction.

If the physician assistant has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of the license and shall establish procedures and requirements for such restoration.

However, any physician assistant whose license expired while he or she was (1) in federal service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have the license restored without paying any lapsed renewal fees if within 2 years after honorable termination of such service, training, or education he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been so terminated.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/21) (from Ch. 111, par. 4621)

(Section scheduled to be repealed on January 1, 2018)

Sec. 21. Grounds for disciplinary action.

(a) The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, ~~ensure~~ or reprimand, or take other disciplinary or non-disciplinary action with regard to any license issued under this Act as the Department may deem proper, including the issuance of fines not to exceed \$10,000 for each violation, for any one or combination of the following causes:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act, or the rules adopted under this Act.

~~(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States that is: (i) a felony; or (ii) a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession. Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty or that is directly related to the practice of the profession.~~

(4) Making any misrepresentation for the purpose of obtaining licenses.

(5) Professional incompetence.

(6) Aiding or assisting another person in violating any provision of this Act or its rules.

(7) Failing, within 60 days, to provide information in response to a written request made by the Department.

(8) Engaging in dishonorable, unethical, or unprofessional conduct, as defined by rule, of a character likely to deceive, defraud, or harm the public.

(9) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a physician assistant's inability to practice with reasonable judgment, skill, or safety.

(10) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for discipline is the same or substantially equivalent to those set forth in this Section.

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered. Nothing in this paragraph (11) affects any bona fide independent contractor or employment arrangements, which may include provisions for compensation, health insurance, pension, or other employment benefits, with persons or entities authorized under this Act for the provision of services within the scope of the licensee's practice under this Act.

(12) A finding by the Disciplinary Board that the licensee, after having his or her license placed on probationary status has violated the terms of probation.

(13) Abandonment of a patient.

(14) Willfully making or filing false records or reports in his or her practice, including but not limited to false records filed with state agencies or departments.

(15) Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.

(16) Physical illness, or mental illness or impairment that results in the inability to practice the profession with reasonable judgment, skill, or safety, including, but not limited to, deterioration through the aging process or loss of motor skill.

(17) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(18) (Blank).

(19) Gross negligence resulting in permanent injury or death of a patient.

(20) Employment of fraud, deception or any unlawful means in applying for or securing a license as a physician assistant.

(21) Exceeding the authority delegated to him or her by his or her ~~collaborating supervising~~ physician in a written ~~collaborative supervision~~ agreement.

(22) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation related to the licensee's practice.

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(23) Violation of the Health Care Worker Self-Referral Act.

(24) Practicing under a false or assumed name, except as provided by law.

(25) Making a false or misleading statement regarding his or her skill or the efficacy or value of the medicine, treatment, or remedy prescribed by him or her in the course of treatment.

(26) Allowing another person to use his or her license to practice.

(27) Prescribing, selling, administering, distributing, giving, or self-administering a drug classified as a controlled substance (~~designated product~~) or narcotic for other than medically-accepted therapeutic purposes.

(28) Promotion of the sale of drugs, devices, appliances, or goods provided for a patient in a manner to exploit the patient for financial gain.

(29) A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

(30) Violating State or federal laws or regulations relating to controlled substances or other legend drugs or ephedra as defined in the Ephedra Prohibition Act.

(31) Exceeding the prescriptive authority delegated by the collaborating supervising physician or violating the

written collaborative supervision agreement delegating that authority.

(32) Practicing without providing to the Department a notice of collaboration supervision or delegation of prescriptive authority.

(33) Failure to establish and maintain records of patient care and treatment as required by law.

(34) Attempting to subvert or cheat on the examination of the National Commission on Certification of Physician Assistants or its successor agency.

(35) Willfully or negligently violating the confidentiality between physician assistant and patient, except as required by law.

(36) Willfully failing to report an instance of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult as defined in and required by the Adult Protective Services Act.

(37) Being named as an abuser in a verified report by the Department on Aging under the Adult Protective Services Act and upon proof by clear and convincing evidence that the licensee abused, neglected, or financially exploited an eligible adult as defined in the Adult Protective Services Act.

(38) Failure to report to the Department an adverse final action taken against him or her by another licensing jurisdiction of the United States or a foreign state or country, a peer review body, a health care institution, a professional society or association, a governmental agency, a law enforcement agency, or a court acts or conduct similar to acts or conduct that would constitute grounds for action under this Section.

(39) Failure to provide copies of records of patient care or treatment, except as required by law.

(b) The Department may, without a hearing, refuse to issue or renew or may suspend the license of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and issues an order so finding and discharging the patient, and upon the recommendation of the Disciplinary Board to the Secretary that the licensee be allowed to resume his or her practice.

(d) In enforcing this Section, the Department upon a showing of a possible violation may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, which may include a substance abuse or sexual offender evaluation, as required by and at the expense of the Department.

The Department shall specifically designate the examining physician licensed to practice medicine in all of its branches or, if applicable, the multidisciplinary team involved in providing the mental or physical examination or both. The multidisciplinary team shall be led by a physician licensed to practice medicine in all of its branches and may consist of one or more or a combination of physicians licensed to practice medicine in all of its branches, licensed clinical psychologists, licensed clinical social workers, licensed clinical professional counselors, and other professional and administrative staff. Any examining physician or member of the multidisciplinary team may require any person ordered to submit to an examination pursuant to this Section to submit to any additional supplemental testing deemed necessary to complete any examination or evaluation process, including, but not limited to, blood testing, urinalysis, psychological testing, or neuropsychological testing.

The Department may order the examining physician or any member of the multidisciplinary team to provide to the Department any and all records, including business records, that relate to the examination and evaluation, including any supplemental testing performed.

The Department may order the examining physician or any member of the multidisciplinary team to present testimony concerning the mental or physical examination of the licensee or applicant. No information, report, record, or other documents in any way related to the examination shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician or any member of the multidisciplinary team. No authorization is necessary from the licensee or applicant ordered to undergo an examination for the examining physician or any member of the multidisciplinary team to provide information, reports, records, or other documents or to provide any testimony regarding the examination and evaluation. The examining physicians shall be specifically designated by the Department.

The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. However, that physician shall be present only to observe and may not interfere in any way with the examination.

Failure of an individual to submit to a mental or physical examination, when ordered directed, shall result in an automatic grounds for suspension of his or her license until the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department finds an individual unable to practice because of the reasons set forth in this Section, the Department may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(e) An individual or organization acting in good faith, and not in a willful and wanton manner, in complying with this Section by providing a report or other information to the Board, by assisting in the investigation or preparation of a report or information, by participating in proceedings of the Board, or by serving as a member of the Board, shall not be subject to criminal prosecution or civil damages as a result of such actions.

(f) Members of the Board and the Disciplinary Board shall be indemnified by the State for any actions occurring within the scope of services on the Disciplinary Board or Board, done in good faith and not willful and wanton in nature. The Attorney General shall defend all such actions unless he or she determines either that there would be a conflict of interest in such representation or that the actions complained of were not in good faith or were willful and wanton.

If the Attorney General declines representation, the member has the right to employ counsel of his or her choice, whose fees shall be provided by the State, after approval by the Attorney General, unless there is a determination by a court that the member's actions were not in good faith or were willful and wanton.

The member must notify the Attorney General within 7 days after receipt of notice of the initiation of any action involving services of the Disciplinary Board. Failure to so notify the Attorney General constitutes an absolute waiver of the right to a defense and indemnification.

The Attorney General shall determine, within 7 days after receiving such notice, whether he or she will undertake to represent the member.

(Source: P.A. 95-703, eff. 12-31-07; 96-268, eff. 8-11-09; 96-1482, eff. 11-29-10.)

(225 ILCS 95/22.2) (from Ch. 111, par. 4622.2)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.2. Investigation; notice; hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license. The Department shall, before suspending,

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revoking, placing on probationary status, or taking any other disciplinary action as the Department may deem proper with regard to any license, at least 30 days prior to the date set for the hearing, notify the applicant or licensee in writing of any charges made and the time and place for a hearing of the charges before the Disciplinary Board, direct him or her to file his or her written answer thereto to the Disciplinary Board under oath within 20 days after the service on him or her of such notice and inform him or her that if he or she fails to file such answer default will be taken against him or her and his or her license may be suspended, revoked, placed on probationary status, or have other disciplinary action, including limiting the scope, nature or extent of his or her practice, as the Department may deem proper taken with regard thereto. Written or electronic notice may be served by personal delivery, email, or ~~certified or registered~~ mail to the applicant or licensee at his or her ~~last~~ address of record or email address of record ~~with the Department~~. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence, and argument as may be pertinent to the charges or to the defense thereto. The Department may continue such hearing from time to time. In case the applicant or licensee, after receiving notice, fails to file an answer, his or her license may in the discretion of the Secretary, having received first the recommendation of the Disciplinary Board, be suspended, revoked, placed on probationary status, or the Secretary may take whatever disciplinary action as he or she may deem proper, including limiting the scope, nature, or extent of such person's practice, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.6) (from Ch. 111, par. 4622.6)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.6. At the conclusion of the hearing, the Disciplinary Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The Disciplinary Board shall specify the nature of the violation or failure to comply, and shall make its recommendations to the Secretary.

The report of findings of fact, conclusions of law, and recommendation of the Disciplinary Board shall be the basis for the Department's order or refusal or for the granting of a license or permit. If the Secretary disagrees in any regard with the report of the Disciplinary Board, the Secretary may issue an order in contravention thereof. ~~The Secretary shall provide a written report to the Disciplinary Board on any deviation, and shall specify with particularity the reasons for such action in the final order.~~ The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and finding are not a bar to a criminal prosecution brought for the violation of this Act.

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.7) (from Ch. 111, par. 4622.7)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.7. Hearing officer. Notwithstanding the provisions of Section 22.2 of this Act, the Secretary shall have the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew, or for discipline of, a license. ~~The Secretary shall notify the Disciplinary Board of any such appointment.~~ The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Disciplinary Board and the Secretary. The Disciplinary Board shall have 60 days from receipt of the report to review the report of the hearing officer and present their findings of fact, conclusions of law, and recommendations to the Secretary. If the Disciplinary Board fails to present its report within the ~~60-day~~ 60-day period, the respondent may request in writing a direct appeal to the Secretary, in which case the Secretary ~~may shall, within 7 calendar days after the request, issue an order directing the Disciplinary Board to issue its findings of fact, conclusions of law, and recommendations to the Secretary within 30 calendar days after such order.~~ If the Disciplinary Board fails to issue its findings of fact, conclusions of law, and recommendations ~~within that time frame to the Secretary after the entry of such order,~~ the Secretary shall, ~~within 30 calendar days thereafter,~~ issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order. If (i) a direct appeal is requested, (ii) the Disciplinary Board fails to issue its findings of fact, conclusions of law, and recommendations ~~within the 30-day mandate from the Secretary or the Secretary fails to order the Disciplinary Board to do so,~~ and (iii) the Secretary fails to issue an order within 30 calendar days thereafter, then the hearing officer's report is deemed accepted and a final decision of the Secretary. Notwithstanding any other provision of this Section, if the Secretary, upon review, determines that substantial justice has not been done in the

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revocation, suspension, or refusal to issue or renew a license or other disciplinary action taken as the result of the entry of the hearing officer's report, the Secretary may order a rehearing by the same or other examiners. If the Secretary disagrees in any regard with the report of the Disciplinary Board or hearing officer, he or she may issue an order in contravention thereof. ~~The Secretary shall provide a written explanation to the Disciplinary Board on any such deviation, and shall specify with particularity the reasons for such action in the final order.~~

(Source: P.A. 95-703, eff. 12-31-07.)

(225 ILCS 95/22.11) (from Ch. 111, par. 4622.11)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.11. Restoration of license. At any time after the successful completion of a term of probation, suspension, or revocation of any license, the Department may restore it to the licensee, unless after an investigation and a hearing, the Department determines that restoration is not in the public interest. Where circumstances of suspension or revocation so indicate, the Department may require an examination of the licensee prior to restoring his or her license. No person whose license has been revoked as authorized in this Act may apply for restoration of that license until such time as provided for in the Civil Administrative Code of Illinois.

A license that has been suspended or revoked shall be considered nonrenewed for purposes of restoration and a person restoring his or her license from suspension or revocation must comply with the requirements for restoration of a nonrenewed license as set forth in Section 16 of this Act and any related rules adopted.

(Source: P.A. 90-61, eff. 12-30-97.)

(225 ILCS 95/22.14) (from Ch. 111, par. 4622.14)

(Section scheduled to be repealed on January 1, 2018)

Sec. 22.14. Administrative review; certification of record.

(a) All final administrative decisions of the Department are subject to judicial review pursuant to the provisions of the "Administrative Review Law", and all rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the "Code of Civil Procedure".

(b) Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; but if the party is not a resident of this State, venue shall be in Sangamon County.

(c) The Department shall not be required to certify any record to the court, to file an answer in court, or to otherwise appear in any court in a judicial review proceeding unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the plaintiff to file a receipt in court is grounds for dismissal of the action. During the pendency and hearing of any and all judicial proceedings incident to the disciplinary action the sanctions imposed upon the accused by the Department because of acts or omissions related to the delivery of direct patient care as specified in the Department's final administrative decision, shall, as a matter of public policy, remain in full force and effect in order to protect the public pending final resolution of any of the proceedings.

(Source: P.A. 86-596.)

(225 ILCS 95/22.17 new)

Sec. 22.17. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

(225 ILCS 95/23) (from Ch. 111, par. 4623)

(Section scheduled to be repealed on January 1, 2018)

Sec. 23. Home rule. It is declared to be the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.

(Source: P.A. 85-981.)

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Section 15. The Illinois Public Aid Code is amended by changing Section 5-8 as follows:
(305 ILCS 5/5-8) (from Ch. 23, par. 5-8)

Sec. 5-8. Practitioners. In supplying medical assistance, the Illinois Department may provide for the legally authorized services of (i) persons licensed under the Medical Practice Act of 1987, as amended, except as hereafter in this Section stated, whether under a general or limited license, (ii) persons licensed under the Nurse Practice Act as advanced practice nurses, regardless of whether or not the persons have written collaborative agreements, (iii) persons licensed or registered under other laws of this State to provide dental, medical, pharmaceutical, optometric, podiatric, or nursing services, or other remedial care recognized under State law, ~~and~~ (iv) persons licensed under other laws of this State as a clinical social worker, and (v) persons licensed under other laws of this State as physician assistants. The Department shall adopt rules, no later than 90 days after the effective date of this amendatory Act of the 99th General Assembly, for the legally authorized services of persons licensed under other laws of this State as a clinical social worker. The Department may not provide for legally authorized services of any physician who has been convicted of having performed an abortion procedure in a wilful and wanton manner on a woman who was not pregnant at the time such abortion procedure was performed. The utilization of the services of persons engaged in the treatment or care of the sick, which persons are not required to be licensed or registered under the laws of this State, is not prohibited by this Section.
(Source: P.A. 99-173, eff. 7-29-15; 99-621, eff. 1-1-17.)

Section 20. The Illinois Controlled Substances Act is amended by changing Sections 102 and 303.05 as follows:

(720 ILCS 570/102) (from Ch. 56 1/2, par. 1102)

Sec. 102. Definitions. As used in this Act, unless the context otherwise requires:

(a) "Addict" means any person who habitually uses any drug, chemical, substance or dangerous drug other than alcohol so as to endanger the public morals, health, safety or welfare or who is so far addicted to the use of a dangerous drug or controlled substance other than alcohol as to have lost the power of self control with reference to his or her addiction.

(b) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient, research subject, or animal (as defined by the Humane Euthanasia in Animal Shelters Act) by:

(1) a practitioner (or, in his or her presence, by his or her authorized agent),

(2) the patient or research subject pursuant to an order, or

(3) a euthanasia technician as defined by the Humane Euthanasia in Animal Shelters Act.

(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, dispenser, prescriber, or practitioner. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(c-1) "Anabolic Steroids" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone), and includes:

(i) 3[beta],17-dihydroxy-5a-androstane,

(ii) 3[alpha],17[beta]-dihydroxy-5a-androstane,

(iii) 5[alpha]-androstan-3,17-dione,

(iv) 1-androstenediol (3[beta],
17[beta]-dihydroxy-5[alpha]-androst-1-ene),

(v) 1-androstenediol (3[alpha],
17[beta]-dihydroxy-5[alpha]-androst-1-ene),

(vi) 4-androstenediol
(3[beta],17[beta]-dihydroxy-androst-4-ene),

(vii) 5-androstenediol
(3[beta],17[beta]-dihydroxy-androst-5-ene),

(viii) 1-androstenedione
([5alpha]-androst-1-en-3,17-dione),

(ix) 4-androstenedione
(androst-4-en-3,17-dione),

(x) 5-androstenedione
(androst-5-en-3,17-dione),

(xi) bolasterone (7[alpha],17a-dimethyl-17[beta]-
hydroxyandrost-4-en-3-one),

- (xii) boldenone (17[beta]-hydroxyandrost-1,4,-diene-3-one),
- (xiii) boldione (androsta-1,4-diene-3,17-dione),
- (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one),
- (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one),
- (xvi) dehydrochloromethyltestosterone (4-chloro-17[beta]-hydroxy-17[alpha]-methyl-androst-1,4-dien-3-one),
- (xvii) desoxymethyltestosterone (17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol)(a.k.a., madol),
- (xviii) [delta]1-dihydrotestosterone (a.k.a. '1-testosterone') (17[beta]-hydroxy-5[alpha]-androst-1-en-3-one),
- (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one),
- (xx) drostanolone (17[beta]-hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one),
- (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene),
- (xxii) fluoxymesterone (9-fluoro-17[alpha]-methyl-1[beta],17[beta]-dihydroxyandrost-4-en-3-one),
- (xxiii) formebolone (2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one),
- (xxiv) furazabol (17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan),
- (xxv) 13[beta]-ethyl-17[beta]-hydroxygon-4-en-3-one)
- (xxvi) 4-hydroxytestosterone (4,17[beta]-dihydroxy-androst-4-en-3-one),
- (xxvii) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxy-estr-4-en-3-one),
- (xxviii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5-androstan-3-one),
- (xxix) mesterolone (1-methyl-17[beta]-hydroxy-[5a]-androstan-3-one),
- (xxx) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one),
- (xxxi) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene),
- (xxxii) methenolone (1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one),
- (xxxiii) 17[alpha]-methyl-3[beta], 17[beta]-dihydroxy-5a-androstane),
- (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5a-androstane),
- (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene),
- (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone (17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one),
- (xxxvii) methyldienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one),
- (xxxviii) methyltrienolone (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one),
- (xxxix) methyltestosterone (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one),
- (xl) mibolerone (7[alpha],17a-dimethyl-17[beta]-hydroxyestr-4-en-3-one),

- (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone (17b[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one)(a.k.a. '17-[alpha]-methyl-1-testosterone'),
- (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one),
- (xliii) 19-nor-4-androstenediol (3[beta], 17[beta]-dihydroxyestr-4-ene),
- (xliv) 19-nor-4-androstenediol (3[alpha], 17[beta]-dihydroxyestr-4-ene),
- (xlv) 19-nor-5-androstenediol (3[beta], 17[beta]-dihydroxyestr-5-ene),
- (xlvi) 19-nor-5-androstenediol (3[alpha], 17[beta]-dihydroxyestr-5-ene),
- (xlvii) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione),
- (xlviii) 19-nor-4-androstenedione (estr-4-en-3,17-dione),
- (xlix) 19-nor-5-androstenedione (estr-5-en-3,17-dione),
- (l) norbolethone (13[beta], 17a-diethyl-17[beta]-hydroxygon-4-en-3-one),
- (li) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one),
- (lii) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one),
- (liii) normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one),
- (liv) oxandrolone (17[alpha]-methyl-17[beta]-hydroxy-2-oxa-5[alpha]-androstan-3-one),
- (lv) oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one),
- (lvi) oxymetholone (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-(5[alpha]-androstan-3-one),
- (lvii) stanozolol (17[alpha]-methyl-17[beta]-hydroxy-(5[alpha]-androst-2-enof[3,2-c]-pyrazole),
- (lviii) stenbolone (17[beta]-hydroxy-2-methyl-(5[alpha]-androst-1-en-3-one),
- (lix) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone),
- (lx) testosterone (17[beta]-hydroxyandrost-4-en-3-one),
- (lxi) tetrahydrogestrinone (13[beta], 17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one),
- (lxii) trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one).

Any person who is otherwise lawfully in possession of an anabolic steroid, or who otherwise lawfully manufactures, distributes, dispenses, delivers, or possesses with intent to deliver an anabolic steroid, which anabolic steroid is expressly intended for and lawfully allowed to be administered through implants to livestock or other nonhuman species, and which is approved by the Secretary of Health and Human Services for such administration, and which the person intends to administer or have administered through such implants, shall not be considered to be in unauthorized possession or to unlawfully manufacture, distribute, dispense, deliver, or possess with intent to deliver such anabolic steroid for purposes of this Act.

(d) "Administration" means the Drug Enforcement Administration, United States Department of Justice, or its successor agency.

(d-5) "Clinical Director, Prescription Monitoring Program" means a Department of Human Services administrative employee licensed to either prescribe or dispense controlled substances who shall run the

clinical aspects of the Department of Human Services Prescription Monitoring Program and its Prescription Information Library.

(d-10) "Compounding" means the preparation and mixing of components, excluding flavorings, (1) as the result of a prescriber's prescription drug order or initiative based on the prescriber-patient-pharmacist relationship in the course of professional practice or (2) for the purpose of, or incident to, research, teaching, or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed dispensing patterns. Commercially available products may be compounded for dispensing to individual patients only if both of the following conditions are met: (i) the commercial product is not reasonably available from normal distribution channels in a timely manner to meet the patient's needs and (ii) the prescribing practitioner has requested that the drug be compounded.

(e) "Control" means to add a drug or other substance, or immediate precursor, to a Schedule whether by transfer from another Schedule or otherwise.

(f) "Controlled Substance" means (i) a drug, substance, immediate precursor, or synthetic drug in the Schedules of Article II of this Act or (ii) a drug or other substance, or immediate precursor, designated as a controlled substance by the Department through administrative rule. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in the Liquor Control Act of 1934 and the Tobacco Products Tax Act of 1995.

(f-5) "Controlled substance analog" means a substance:

(1) the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II;

(2) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II; or

(3) with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.

(g) "Counterfeit substance" means a controlled substance, which, or the container or labeling of which, without authorization bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive or attempted transfer of possession of a controlled substance, with or without consideration, whether or not there is an agency relationship.

(i) "Department" means the Illinois Department of Human Services (as successor to the Department of Alcoholism and Substance Abuse) or its successor agency.

(j) (Blank).

(k) "Department of Corrections" means the Department of Corrections of the State of Illinois or its successor agency.

(l) "Department of Financial and Professional Regulation" means the Department of Financial and Professional Regulation of the State of Illinois or its successor agency.

(m) "Depressant" means any drug that (i) causes an overall depression of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to alcohol, cannabis and its active principles and their analogs, benzodiazepines and their analogs, barbiturates and their analogs, opioids (natural and synthetic) and their analogs, and chloral hydrate and similar sedative hypnotics.

(n) (Blank).

(o) "Director" means the Director of the Illinois State Police or his or her designated agents.

(p) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a prescriber, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery.

(q) "Dispenser" means a practitioner who dispenses.

(r) "Distribute" means to deliver, other than by administering or dispensing, a controlled substance.

(s) "Distributor" means a person who distributes.

(t) "Drug" means (1) substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (2) substances intended for use in diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (3) substances (other than food) intended to affect the structure of any function of the body of man or animals and (4) substances intended for use as a component of any

article specified in clause (1), (2), or (3) of this subsection. It does not include devices or their components, parts, or accessories.

(t-3) "Electronic health record" or "EHR" means an electronic record of health-related information on an individual that is created, gathered, managed, and consulted by authorized health care clinicians and staff.

(t-5) "Euthanasia agency" means an entity certified by the Department of Financial and Professional Regulation for the purpose of animal euthanasia that holds an animal control facility license or animal shelter license under the Animal Welfare Act. A euthanasia agency is authorized to purchase, store, possess, and utilize Schedule II nonnarcotic and Schedule III nonnarcotic drugs for the sole purpose of animal euthanasia.

(t-10) "Euthanasia drugs" means Schedule II or Schedule III substances (nonnarcotic controlled substances) that are used by a euthanasia agency for the purpose of animal euthanasia.

(u) "Good faith" means the prescribing or dispensing of a controlled substance by a practitioner in the regular course of professional treatment to or for any person who is under his or her treatment for a pathology or condition other than that individual's physical or psychological dependence upon or addiction to a controlled substance, except as provided herein; and application of the term to a pharmacist shall mean the dispensing of a controlled substance pursuant to the prescriber's order which in the professional judgment of the pharmacist is lawful. The pharmacist shall be guided by accepted professional standards including, but not limited to the following, in making the judgment:

- (1) lack of consistency of prescriber-patient relationship,
- (2) frequency of prescriptions for same drug by one prescriber for large numbers of patients,
- (3) quantities beyond those normally prescribed,
- (4) unusual dosages (recognizing that there may be clinical circumstances where more or less than the usual dose may be used legitimately),
- (5) unusual geographic distances between patient, pharmacist and prescriber,
- (6) consistent prescribing of habit-forming drugs.

(u-0.5) "Hallucinogen" means a drug that causes markedly altered sensory perception leading to hallucinations of any type.

(u-1) "Home infusion services" means services provided by a pharmacy in compounding solutions for direct administration to a patient in a private residence, long-term care facility, or hospice setting by means of parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion.

(u-5) "Illinois State Police" means the State Police of the State of Illinois, or its successor agency.

(v) "Immediate precursor" means a substance:

- (1) which the Department has found to be and by rule designated as being a principal compound used, or produced primarily for use, in the manufacture of a controlled substance;
- (2) which is an immediate chemical intermediary used or likely to be used in the manufacture of such controlled substance; and
- (3) the control of which is necessary to prevent, curtail or limit the manufacture of such controlled substance.

(w) "Instructional activities" means the acts of teaching, educating or instructing by practitioners using controlled substances within educational facilities approved by the State Board of Education or its successor agency.

(x) "Local authorities" means a duly organized State, County or Municipal peace unit or police force.

(y) "Look-alike substance" means a substance, other than a controlled substance which (1) by overall dosage unit appearance, including shape, color, size, markings or lack thereof, taste, consistency, or any other identifying physical characteristic of the substance, would lead a reasonable person to believe that the substance is a controlled substance, or (2) is expressly or impliedly represented to be a controlled substance or is distributed under circumstances which would lead a reasonable person to believe that the substance is a controlled substance. For the purpose of determining whether the representations made or the circumstances of the distribution would lead a reasonable person to believe the substance to be a controlled substance under this clause (2) of subsection (y), the court or other authority may consider the following factors in addition to any other factor that may be relevant:

- (a) statements made by the owner or person in control of the substance concerning its nature, use or effect;
- (b) statements made to the buyer or recipient that the substance may be resold for profit;
- (c) whether the substance is packaged in a manner normally used for the illegal distribution of controlled substances;

(d) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of the consideration was substantially greater than the reasonable retail market value of the substance.

Clause (1) of this subsection (y) shall not apply to a noncontrolled substance in its finished dosage form that was initially introduced into commerce prior to the initial introduction into commerce of a controlled substance in its finished dosage form which it may substantially resemble.

Nothing in this subsection (y) prohibits the dispensing or distributing of noncontrolled substances by persons authorized to dispense and distribute controlled substances under this Act, provided that such action would be deemed to be carried out in good faith under subsection (u) if the substances involved were controlled substances.

Nothing in this subsection (y) or in this Act prohibits the manufacture, preparation, propagation, compounding, processing, packaging, advertising or distribution of a drug or drugs by any person registered pursuant to Section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360).

(y-1) "Mail-order pharmacy" means a pharmacy that is located in a state of the United States that delivers, dispenses or distributes, through the United States Postal Service or other common carrier, to Illinois residents, any substance which requires a prescription.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance other than methamphetamine, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling of its container, except that this term does not include:

(1) by an ultimate user, the preparation or compounding of a controlled substance for his or her own use; or

(2) by a practitioner, or his or her authorized agent under his or her supervision, the preparation, compounding, packaging, or labeling of a controlled substance:

(a) as an incident to his or her administering or dispensing of a controlled substance in the course of his or her professional practice; or

(b) as an incident to lawful research, teaching or chemical analysis and not for sale.

(z-1) (Blank).

(z-5) "Medication shopping" means the conduct prohibited under subsection (a) of Section 314.5 of this Act.

(z-10) "Mid-level practitioner" means (i) a physician assistant who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches, in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, (ii) an advanced practice nurse who has been delegated authority to prescribe through a written delegation of authority by a physician licensed to practice medicine in all of its branches or by a podiatric physician, in accordance with Section 65-40 of the Nurse Practice Act, (iii) an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist who has been granted authority to prescribe by a hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act, (iv) an animal euthanasia agency, or (v) a prescribing psychologist.

(aa) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation; however the term "narcotic drug" does not include the isoquinoline alkaloids of opium;

(2) (blank);

(3) opium poppy and poppy straw;

(4) coca leaves, except coca leaves and extracts of coca leaves from which substantially all of the cocaine and ecgonine, and their isomers, derivatives and salts, have been removed;

(5) cocaine, its salts, optical and geometric isomers, and salts of isomers;

(6) ecgonine, its derivatives, their salts, isomers, and salts of isomers;

(7) any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (1) through (6).

(bb) "Nurse" means a registered nurse licensed under the Nurse Practice Act.

(cc) (Blank).

(dd) "Opiate" means any substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having addiction forming or addiction sustaining liability.

(ee) "Opium poppy" means the plant of the species *Papaver somniferum* L., except its seeds.

(ee-5) "Oral dosage" means a tablet, capsule, elixir, or solution or other liquid form of medication intended for administration by mouth, but the term does not include a form of medication intended for buccal, sublingual, or transmucosal administration.

(ff) "Parole and Pardon Board" means the Parole and Pardon Board of the State of Illinois or its successor agency.

(gg) "Person" means any individual, corporation, mail-order pharmacy, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other entity.

(hh) "Pharmacist" means any person who holds a license or certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act.

(ii) "Pharmacy" means any store, ship or other place in which pharmacy is authorized to be practiced under the Pharmacy Practice Act.

(ii-5) "Pharmacy shopping" means the conduct prohibited under subsection (b) of Section 314.5 of this Act.

(ii-10) "Physician" (except when the context otherwise requires) means a person licensed to practice medicine in all of its branches.

(jj) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(kk) "Practitioner" means a physician licensed to practice medicine in all its branches, dentist, optometrist, podiatric physician, veterinarian, scientific investigator, pharmacist, physician assistant, advanced practice nurse, licensed practical nurse, registered nurse, hospital, laboratory, or pharmacy, or other person licensed, registered, or otherwise lawfully permitted by the United States or this State to distribute, dispense, conduct research with respect to, administer or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(ll) "Pre-printed prescription" means a written prescription upon which the designated drug has been indicated prior to the time of issuance; the term does not mean a written prescription that is individually generated by machine or computer in the prescriber's office.

(mm) "Prescriber" means a physician licensed to practice medicine in all its branches, dentist, optometrist, prescribing psychologist licensed under Section 4.2 of the Clinical Psychologist Licensing Act with prescriptive authority delegated under Section 4.3 of the Clinical Psychologist Licensing Act, podiatric physician, or veterinarian who issues a prescription, a physician assistant who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act and in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act, or an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist who has been granted authority to prescribe by a hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act and in accordance with Section 303.05.

(nn) "Prescription" means a written, facsimile, or oral order, or an electronic order that complies with applicable federal requirements, of a physician licensed to practice medicine in all its branches, dentist, podiatric physician or veterinarian for any controlled substance, of an optometrist in accordance with Section 15.1 of the Illinois Optometric Practice Act of 1987, of a prescribing psychologist licensed under Section 4.2 of the Clinical Psychologist Licensing Act with prescriptive authority delegated under Section 4.3 of the Clinical Psychologist Licensing Act, of a physician assistant for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative supervision agreement required under Section 7.5 of the Physician Assistant Practice Act of 1987, of an advanced practice nurse with prescriptive authority delegated under Section 65-40 of the Nurse Practice Act who issues a prescription for a controlled substance in accordance with Section 303.05, a written delegation, and a written collaborative agreement under Section 65-35 of the Nurse Practice Act, or of an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist who has been granted authority to prescribe by a hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act and in accordance with Section 303.05 when required by law.

(nn-5) "Prescription Information Library" (PIL) means an electronic library that contains reported controlled substance data.

(nn-10) "Prescription Monitoring Program" (PMP) means the entity that collects, tracks, and stores reported data on controlled substances and select drugs pursuant to Section 316.

(oo) "Production" or "produce" means manufacture, planting, cultivating, growing, or harvesting of a controlled substance other than methamphetamine.

(pp) "Registrant" means every person who is required to register under Section 302 of this Act.

(qq) "Registry number" means the number assigned to each person authorized to handle controlled substances under the laws of the United States and of this State.

(qj-5) "Secretary" means, as the context requires, either the Secretary of the Department or the Secretary of the Department of Financial and Professional Regulation, and the Secretary's designated agents.

(rr) "State" includes the State of Illinois and any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(rr-5) "Stimulant" means any drug that (i) causes an overall excitation of central nervous system functions, (ii) causes impaired consciousness and awareness, and (iii) can be habit-forming or lead to a substance abuse problem, including but not limited to amphetamines and their analogs, methylphenidate and its analogs, cocaine, and phencyclidine and its analogs.

(ss) "Ultimate user" means a person who lawfully possesses a controlled substance for his or her own use or for the use of a member of his or her household or for administering to an animal owned by him or her or by a member of his or her household.

(Source: P.A. 98-214, eff. 8-9-13; 98-668, eff. 6-25-14; 98-756, eff. 7-16-14; 98-1111, eff. 8-26-14; 99-78, eff. 7-20-15; 99-173, eff. 7-29-15; 99-371, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642, eff. 7-28-16.)

(720 ILCS 570/303.05)

Sec. 303.05. Mid-level practitioner registration.

(a) The Department of Financial and Professional Regulation shall register licensed physician assistants, licensed advanced practice nurses, and prescribing psychologists licensed under Section 4.2 of the Clinical Psychologist Licensing Act to prescribe and dispense controlled substances under Section 303 and euthanasia agencies to purchase, store, or administer animal euthanasia drugs under the following circumstances:

(1) with respect to physician assistants,

(A) the physician assistant has been delegated written authority to prescribe any

Schedule III through V controlled substances by a physician licensed to practice medicine in all its branches in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987; and the physician assistant has completed the appropriate application forms and has paid the required fees as set by rule; or

(B) the physician assistant has been delegated authority by a collaborating supervising physician licensed to

practice medicine in all its branches to prescribe or dispense Schedule II controlled substances through a written delegation of authority and under the following conditions:

(i) Specific Schedule II controlled substances by oral dosage or topical or

transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating supervising physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

(ii) any delegation must be of controlled substances prescribed by the collaborating supervising physician;

(iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating supervising physician;

(iv) the physician assistant must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician;

(v) the physician assistant must have completed the appropriate application forms and paid the required fees as set by rule;

(vi) the physician assistant must provide evidence of satisfactory completion of 45 contact hours in pharmacology from any physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA), or its predecessor agency, for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

(vii) the physician assistant must annually complete at least 5 hours of continuing education in pharmacology;

(2) with respect to advanced practice nurses,

(A) the advanced practice nurse has been delegated authority to prescribe any Schedule III through V controlled substances by a collaborating physician licensed to practice medicine in all its branches or a collaborating podiatric physician in accordance with Section 65-40 of the Nurse Practice Act. The advanced practice nurse has completed the appropriate application forms and has paid the required fees as set by rule; or

(B) the advanced practice nurse has been delegated authority by a collaborating physician licensed to practice medicine in all its branches or collaborating podiatric physician to prescribe or dispense Schedule II controlled substances through a written delegation of authority and under the following conditions:

(i) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be delegated, provided that the delegated Schedule II controlled substances are routinely prescribed by the collaborating physician or podiatric physician. This delegation must identify the specific Schedule II controlled substances by either brand name or generic name. Schedule II controlled substances to be delivered by injection or other route of administration may not be delegated;

(ii) any delegation must be of controlled substances prescribed by the collaborating physician or podiatric physician;

(iii) all prescriptions must be limited to no more than a 30-day supply, with any continuation authorized only after prior approval of the collaborating physician or podiatric physician;

(iv) the advanced practice nurse must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the delegating physician or podiatric physician or in the course of review as required by Section 65-40 of the Nurse Practice Act;

(v) the advanced practice nurse must have completed the appropriate application forms and paid the required fees as set by rule;

(vi) the advanced practice nurse must provide evidence of satisfactory completion of at least 45 graduate contact hours in pharmacology for any new license issued with Schedule II authority after the effective date of this amendatory Act of the 97th General Assembly; and

(vii) the advanced practice nurse must annually complete 5 hours of continuing education in pharmacology;

(2.5) with respect to advanced practice nurses certified as nurse practitioners, nurse midwives, or clinical nurse specialists practicing in a hospital affiliate,

(A) the advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist has been granted authority to prescribe any Schedule II through V controlled substances by the hospital affiliate upon the recommendation of the appropriate physician committee of the hospital affiliate in accordance with Section 65-45 of the Nurse Practice Act, has completed the appropriate application forms, and has paid the required fees as set by rule; and

(B) an advanced practice nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist has been granted authority to prescribe any Schedule II controlled substances by the hospital affiliate upon the recommendation of the appropriate physician committee of the hospital affiliate, then the following conditions must be met:

(i) specific Schedule II controlled substances by oral dosage or topical or transdermal application may be designated, provided that the designated Schedule II controlled substances are routinely prescribed by advanced practice nurses in their area of certification; this grant of authority must identify the specific Schedule II controlled substances by either brand name or generic name; authority to prescribe or dispense Schedule II controlled substances to be delivered by injection or other route of administration may not be granted;

(ii) any grant of authority must be controlled substances limited to the practice of the advanced practice nurse;

(iii) any prescription must be limited to no more than a 30-day supply;

(iv) the advanced practice nurse must discuss the condition of any patients for whom a controlled substance is prescribed monthly with the appropriate physician committee of the hospital affiliate or its physician designee; and

(v) the advanced practice nurse must meet the education requirements of this Section;

(3) with respect to animal euthanasia agencies, the euthanasia agency has obtained a license from the Department of Financial and Professional Regulation and obtained a registration number from the Department; or

(4) with respect to prescribing psychologists, the prescribing psychologist has been delegated authority to prescribe any nonnarcotic Schedule III through V controlled substances by a collaborating physician licensed to practice medicine in all its branches in accordance with Section 4.3 of the Clinical Psychologist Licensing Act, and the prescribing psychologist has completed the appropriate application forms and has paid the required fees as set by rule.

(b) The mid-level practitioner shall only be licensed to prescribe those schedules of controlled substances for which a licensed physician or licensed podiatric physician has delegated prescriptive authority, except that an animal euthanasia agency does not have any prescriptive authority. A physician assistant and an advanced practice nurse are prohibited from prescribing medications and controlled substances not set forth in the required written delegation of authority.

(c) Upon completion of all registration requirements, physician assistants, advanced practice nurses, and animal euthanasia agencies may be issued a mid-level practitioner controlled substances license for Illinois.

(d) A collaborating physician or podiatric physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(e) A ~~collaborating supervising~~ physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written ~~collaborative supervision~~ agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

(f) Nothing in this Section shall be construed to prohibit generic substitution.
(Source: P.A. 98-214, eff. 8-9-13; 98-668, eff. 6-25-14; 99-173, eff. 7-29-15.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Martinez, **Senate Bill No. 1585** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

[April 27, 2017]

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

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

On motion of Senator Cunningham, **Senate Bill No. 1586** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Link, **Senate Bill No. 1598** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McConchie	Sandoval
Anderson	Fowler	McConnaughay	Schimpf
Aquino	Harmon	McGuire	Silverstein
Barickman	Harris	Morrison	Stadelman
Bennett	Holmes	Mulroe	Steans
Bertino-Tarrant	Hunter	Muñoz	Syverson
Biss	Hutchinson	Murphy	Tracy
Bivins	Jones, E.	Nybo	Trotter
Brady	Koehler	Oberweis	Van Pelt
Bush	Landek	Radogno	Weaver
Castro	Lightford	Raoul	Mr. President
Clayborne	Link	Rezin	
Collins	Manar	Righter	

[April 27, 2017]

Connelly	Martinez	Rooney
Cullerton, T.	McCann	Rose

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

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

On motion of Senator Nybo, **Senate Bill No. 1605** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Silverstein, **Senate Bill No. 1647** was recalled from the order of third reading to the order of second reading.

Senator Silverstein offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1647

AMENDMENT NO. 1. Amend Senate Bill 1647 on page 2, line 3, by replacing "retired" with "former or deceased".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

[April 27, 2017]

On motion of Senator Silverstein, **Senate Bill No. 1647** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Koehler, **Senate Bill No. 1648** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

[April 27, 2017]

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

On motion of Senator Bivins, **Senate Bill No. 1668** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Clayborne, **Senate Bill No. 1663** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

[April 27, 2017]

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

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

On motion of Senator Bennett, **Senate Bill No. 1670** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 46; NAYS 4.

The following voted in the affirmative:

Aquino	Fowler	Martinez	Righter
Bennett	Harmon	McCann	Rose
Bertino-Tarrant	Harris	McConnaughay	Sandoval
Biss	Holmes	McGuire	Silverstein
Brady	Hunter	Morrison	Stadelman
Bush	Hutchinson	Mulroe	Steans
Castro	Jones, E.	Muñoz	Trotter
Clayborne	Koehler	Murphy	Van Pelt
Collins	Landek	Nybo	Weaver
Connelly	Lightford	Radogno	Mr. President
Cullerton, T.	Link	Raoul	
Cunningham	Manar	Rezin	

The following voted in the negative:

Bivins	McConchie
McCarter	Oberweis

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

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

On motion of Senator Tracy, **Senate Bill No. 1671** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCarter	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Silverstein
Bennett	Holmes	Morrison	Stadelman
Bertino-Tarrant	Hunter	Mulroe	Steans
Biss	Hutchinson	Muñoz	Tracy
Bivins	Jones, E.	Murphy	Trotter
Brady	Koehler	Nybo	Van Pelt
Bush	Landek	Oberweis	Weaver

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Castro	Lightford	Radogno	Mr. President
Clayborne	Link	Raoul	
Collins	Manar	Rezin	
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	

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

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

On motion of Senator Cunningham, **Senate Bill No. 1676** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Raoul, **Senate Bill No. 1688** was recalled from the order of third reading to the order of second reading.

Senator Raoul offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 1688

AMENDMENT NO. 4. Amend Senate Bill 1688, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 5, immediately below line 3, by inserting the following:

"(4.5) if, due to the applicant's criminal conviction history, the applicant would be explicitly prohibited by federal rules or regulations from working in the position for which a license is sought;".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

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READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Raoul, **Senate Bill No. 1688** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 43; NAYS 8.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Raoul
Aquino	Harmon	McCann	Sandoval
Bennett	Harris	McConchie	Silverstein
Bertino-Tarrant	Hunter	McConnaughay	Stadelman
Biss	Hutchinson	McGuire	Steans
Brady	Jones, E.	Morrison	Syverson
Bush	Koehler	Mulroe	Tracy
Castro	Landek	Muñoz	Trotter
Clayborne	Lightford	Murphy	Van Pelt
Collins	Link	Nybo	Mr. President
Cullerton, T.	Manar	Radogno	

The following voted in the negative:

Anderson	McCarter	Schimpf
Bivins	Rezin	Weaver
Fowler	Rooney	

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

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

On motion of Senator Raoul, **Senate Bill No. 1690** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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Cullerton, T.

McCann

Rose

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

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

On motion of Senator T. Cullerton, **Senate Bill No. 1693** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Koehler, **Senate Bill No. 1694** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCarter	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Silverstein
Bennett	Holmes	Morrison	Stadelman
Bertino-Tarrant	Hunter	Mulroe	Steans
Biss	Hutchinson	Muñoz	Syverson
Bivins	Jones, E.	Murphy	Tracy
Brady	Koehler	Nybo	Trotter
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver

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Clayborne	Link	Raoul	Mr. President
Collins	Manar	Rezin	
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	

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

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

On motion of Senator Collins, **Senate Bill No. 1696** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 40; NAYS 9.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	McConchie	Schimpf
Bivins	Oberweis	Tracy
McCarter	Rezin	Weaver

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

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

On motion of Senator Collins, **Senate Bill No. 1697** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Bertino-Tarrant	Hunter	Morrison	Stadelman

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Biss	Hutchinson	Mulroe	Steans
Brady	Jones, E.	Muñoz	Syverson
Bush	Koehler	Murphy	Tracy
Castro	Landek	Nybo	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Biss, **Senate Bill No. 982** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 32; NAYS 19.

The following voted in the affirmative:

Aquino	Harmon	Martinez	Stadelman
Bennett	Holmes	McGuire	Steans
Bertino-Tarrant	Hunter	Morrison	Trotter
Biss	Hutchinson	Mulroe	Van Pelt
Bush	Jones, E.	Muñoz	Mr. President
Castro	Koehler	Murphy	
Clayborne	Lightford	Raoul	
Collins	Link	Sandoval	
Cunningham	Manar	Silverstein	

The following voted in the negative:

Barickman	McCarter	Radogno	Schimpf
Bivins	McConchie	Rezin	Syverson
Fowler	McConnaughay	Righter	Tracy
Landek	Nybo	Rooney	Weaver
McCann	Oberweis	Rose	

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

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

On motion of Senator Link, **Senate Bill No. 1702** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Sandoval
Anderson	Harmon	McConnaughay	Schimpf

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Aquino	Harris	McGuire	Silverstein
Barickman	Holmes	Morrison	Stadelman
Bennett	Hunter	Mulroe	Stears
Bertino-Tarrant	Hutchinson	Muñoz	Syverson
Bivins	Jones, E.	Murphy	Tracy
Brady	Koehler	Nybo	Trotter
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	Link	Raoul	Mr. President
Collins	Manar	Rezin	
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	

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

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

On motion of Senator Clayborne, **Senate Bill No. 1714** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Hutchinson, **Senate Bill No. 1705** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 41; NAYS 12.

The following voted in the affirmative:

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Anderson	Fowler	Manar	Rooney
Aquino	Harmon	Martinez	Sandoval
Bennett	Harris	McCann	Silverstein
Bertino-Tarrant	Holmes	McConnaughay	Stadelman
Biss	Hunter	McGuire	Steans
Bush	Hutchinson	Morrison	Trotter
Castro	Jones, E.	Mulroe	Van Pelt
Clayborne	Koehler	Muñoz	Mr. President
Collins	Landek	Murphy	
Cullerton, T.	Lightford	Raoul	
Cunningham	Link	Rezin	

The following voted in the negative:

Bivins	Nybo	Rose
Connelly	Oberweis	Schimpf
McCarter	Radogno	Syverson
McConchie	Righter	Tracy

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

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

On motion of Senator Muñoz, **Senate Bill No. 1730** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Mr. President

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

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

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On motion of Senator Muñoz, **Senate Bill No. 1737** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Lightford, **Senate Bill No. 1739** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

Senator Lightford asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1739**.

On motion of Senator Rose, **Senate Bill No. 1746** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

At the hour of 3:08 o'clock p.m., Senator Muñoz, presiding.

On motion of Senator Schimpf, **Senate Bill No. 1756** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	McCarter	Rooney
Anderson	Cunningham	McConchie	Rose
Aquino	Fowler	McConnaughay	Sandoval
Barickman	Harris	McGuire	Schimpf
Bennett	Holmes	Morrison	Silverstein
Bertino-Tarrant	Hunter	Mulroe	Stadelman
Biss	Jones, E.	Muñoz	Steans
Bivins	Koehler	Murphy	Syverson
Brady	Landek	Nybo	Tracy
Bush	Lightford	Oberweis	Trotter

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Castro	Link	Radogno	Van Pelt
Clayborne	Manar	Raoul	Weaver
Collins	Martinez	Rezin	Mr. President
Connelly	McCann	Righter	

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

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

On motion of Senator Schimpf, **Senate Bill No. 1757** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Cunningham, **Senate Bill No. 1758** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCarter	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Silverstein
Bennett	Holmes	Morrison	Stadelman
Bertino-Tarrant	Hunter	Mulroe	Stears
Biss	Hutchinson	Muñoz	Syverson
Bivins	Jones, E.	Murphy	Tracy

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Brady	Koehler	Nybo	Trotter
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	Link	Raoul	Mr. President
Collins	Manar	Rezin	
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	

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

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

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 1657** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1657

AMENDMENT NO. 1. Amend Senate Bill 1657 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Gun Dealer Licensing Act.

Section 5. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Department in the applicant's, dealer's or dealership agent's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or dealer to inform the Department of any change of address, and those changes must be made either through the Department's website or by contacting the Department's licensure maintenance unit.

"Applicant" means any person who applies for a dealership license or dealer license, or the renewal of the dealership license or dealer license under this Act.

"Board" means the Gun Dealer Licensing Board.

"Collector" means as defined by 18 U.S.C. 921(a)(13) any person who acquires, holds, or disposes of firearms as curios or relics, as the United States Attorney General shall by regulation define. "Collector" includes the following type of Federal Firearms License: Type 03-collector of curios and relics.

"Confidential or security information" means information which identifies the purchasers or other transferees of firearms from a dealer or dealership.

"Dealer" means any person engaged in the business of selling, leasing, or otherwise transferring firearms or any person within the meanings provided by 18 U.S.C. 921(a)(11) and 27 CFR 478.11 to include any person engaged in the business of selling firearms at wholesale or retail, or repairing firearms or making or fitting special barrels, stocks, or trigger mechanisms to firearms. "Dealer" includes the following Federal Firearms Licenses: Type 01-dealer in firearms other than destructive devices; Type 02-pawnbroker in firearms other than destructive devices; Type 09-dealer of destructive devices.

"Dealership" means a person, firm, corporation, or other legal entity that engages in the business of selling, leasing, or otherwise transferring firearms and employs, in addition to the gun dealer licensee-in-charge, at least one other dealership agent.

"Dealership agent" means an owner, officer, paid or unpaid agent, volunteer or employee of a licensed dealership who has access to or control of firearms in the inventory of the dealership or confidential or security information of the dealership.

"Dealership licensee-in-charge" or "licensee-in-charge" means a dealer who has been designated by a dealership to be the licensee-in-charge of the dealership, who is a full-time management employee or owner who assumes sole responsibility for maintaining all records required by this Act, and who assumes sole responsibility for assuring the dealership's compliance with its responsibilities as stated in this Act. The Department shall adopt rules mandating licensee-in-charge participation in dealership affairs.

"Department" means the Department of Financial and Professional Regulation.

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"Engaged in the business" means a person who, as provided in 18 U.S.C. 921(a)(21) and 27 CFR 478.11(a), devotes time, attention, and labor to engaging in such activity as a regular course of trade or business with the principal objective of livelihood and profit, or who:

- (1) conducts a business selling, leasing, or transferring firearms;
- (2) holds himself or herself out as engaged in the business of selling, leasing, or otherwise transferring firearms; or
- (3) sells, leases, or transfers firearms in quantity, in series, or in any other manner indicative of trade.

"Firearm" has the same meaning as "firearm" in Section 1.1 of the Firearm Owners Identification Card Act.

"Gunsmith" means, as defined in 27 CFR 478.11(d), any person who receives firearms (frames, receivers, or otherwise) provided by a customer for the purpose of repairing, modifying, embellishing, refurbishing, or installing parts in or on those firearms. A gunsmith is not "engaged in the business" of manufacturing firearms because the firearms being produced are not owned by the gunsmith and he does not sell or distribute the firearms manufactured.

"Importer" means, as defined by 18 U.S.C. 921 (a)(9) and 18 U.S.C. 921 (a)(21)(E), a person who devotes time, attention, and labor to importing firearms as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of the firearms imported. "Importer" shall include the following types of Federal Firearms Licenses: Type 08-importer of firearms other than destructive devices or ammunition for firearms other than destructive devices, or ammunition other than armor piercing ammunition; Type 11-importer of destructive devices, ammunition for destructive devices, or armor piercing ammunition.

"Licensee" means a dealer or a dealership licensed under this Act. Anyone who holds himself or herself out as a licensee or who is accused of unlicensed business is considered a licensee for purposes of enforcement, investigation, hearings, and the Illinois Administrative Procedure Act.

"Licensed collector" means any person licensed as a collector under 18 U.S.C. 923.

"Manufacturer" means, as defined by 18 U.S.C. 921 (a)(10) and 27 CFR 478.11, any person engaged in the business of manufacturing firearms or ammunition for purposes of sale or distribution. "Manufacturer" includes the following types of Federal Firearms Licenses: Type 06-manufacturer of ammunition for firearms other than ammunition for destructive devices or armor piercing ammunition; Type 07-manufacturer of firearms other than destructive devices; Type 10-manufacturer of destructive devices, ammunition for destructive devices, or armor piercing ammunition.

"Person" means a natural person.

"Secretary" means the Secretary of Financial and Professional Regulation.

Section 10. License requirement.

(a) It is unlawful for a person to engage in the business of selling, leasing, or otherwise transferring firearms without a license under this Act. A dealership agent other than a dealer licensee-in-charge may act on behalf of the licensed dealership under Section 75 without being licensed as a dealer under this Act.

(b) It is unlawful for a person, firm, corporation, group of individuals, or other legal entity to act as a dealership licensed under this Act, to advertise, or to assume to act as a licensed dealership or to use a title implying that the person, firm, or other entity is engaged in business as a dealership without a license under this Act. An individual or sole proprietor licensed as a dealer who operates without any dealership agents may act as a dealership without having to obtain a dealership license, provided the dealer notifies the Department that he or she is operating in this manner and provides the information required under Section 65, as determined to be applicable to the dealer by the Department. The dealer may operate under a "doing business as" or assumed name certification so long as the assumed name is first registered with the Department.

(b-5) A person licensed as an auctioneer under the Auction License Act may facilitate a transfer permitted under this Act without being registered as a dealer under this Act.

(c) No dealership shall operate a branch office without first applying for and receiving a branch office license for each location. The term "branch office" does not include a location at which the dealership conducts business temporarily, such as at a gun show.

(d) It is unlawful to obtain or attempt to obtain any license or authorization issued under this Act by fraudulent misrepresentation.

(e) A person who violates any provision of this Section is guilty of a Class A misdemeanor for a first violation, and a Class 4 felony for a second or subsequent violation.

(f) In addition to any other penalty provided by law, any person or entity who violates any provision of this Section shall pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense

as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(g) The Department has the authority and power to investigate any and all unlicensed activity.

(h) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

Section 15. Exemptions. The provisions of this Act related to the licensure of dealers and dealerships do not apply to a person or other entity that engages in the following activities:

- (1) transfers of less than 10 firearms within each calendar year;
- (2) temporary transfers of firearms solely for use at the location or on the premises where the transfer takes place, such as transfers at a shooting range for use at that location;
- (3) temporary transfers of firearms solely for use while in the presence of the transferor, such as transfers for the purposes of firearm safety training by a training instructor;
- (4) transfers of firearms among immediate family or household members, as "immediate family or household member" is defined in Section 3-2.7-10 of the Unified Code of Corrections;
- (5) transfers by persons or entities acting under operation of law or a court order;
- (6) transfers by persons or entities liquidating all or part of a collection. For purposes of this paragraph (6), "collection" means 2 or more firearms which are of special interest to collectors by reason of some quality other than is associated with firearms intended for sporting use or as offensive or defensive weapons;
- (7) transfers of firearms that have been rendered permanently inoperable to a nonprofit historical society, museum, or institutional collection;
- (8) transfers by a law enforcement or corrections agency or a law enforcement or corrections officer acting within the course and scope of his or her official duties;
- (9) transfers by a person who has his or her Firearm Owner's Identification Card revoked to a State or local law enforcement agency;
- (10) transfers of curios and relics, as defined under federal law, between collectors licensed under subsection (b) of Section 923 of the federal Gun Control Act of 1968;
- (11) transfers by a manufacturer or importer; provided, that a dealer holding a Federal Firearms License Type 01-dealer in firearms other than destructive devices; Type 02-pawnbroker in firearms other than destructive devices; or Type 09-dealer of destructive devices on April 1, 2017, is not exempt from this Act by obtaining a Manufacturer Federal Firearms License or Importer Federal Firearms License;
- (12) transfers of pieces or parts of a firearm that do not themselves qualify as firearms under paragraph (3) of subsection (a) of Section 921 of the federal Gun Control Act of 1968 by a person who is actually engaged in manufacturing and selling those pieces or parts but only on the activities which are within the lawful scope of that business, and the manufacture of which do not require the manufacturer to hold a Federal Firearms License; or
- (13) transfers of firearms by a dealer in which 20% or less of the dealer's annual sales are from the sale of firearms.

Section 20. Powers and duties of the Department. Subject to the provisions of this Act, the Department shall exercise the following powers and duties:

(1) Prescribe forms to be issued for the administration and enforcement of this Act.

(2) Prescribe and publish rules for issuance of dealer licenses and dealership licenses authorizing qualified applicants to engage in the business of selling, leasing, or otherwise transferring firearms.

(3) Review application to ascertain the qualifications of applicants for licenses.

(4) Examine the records of licensees or investigate any other aspect of the business of selling, leasing, or otherwise transferring firearms.

(5) Conduct hearings on proceedings to refuse to issue or renew licenses or to revoke, suspend, place on probation, reprimand, or take any other disciplinary or non-disciplinary action against licenses issued under this Act.

(6) Formulate rules required for the administration of this Act. Notice of proposed rulemaking shall be transmitted to the Board, and the Department shall review the Board's response and any recommendations made in the response.

(7) Solicit the advice and expert knowledge of the Board on any matter relating to the administration and enforcement of this Act.

(8) Maintain rosters of the names and addresses of all licensees and all persons whose licenses have been suspended, revoked, denied renewal, or otherwise disciplined within the previous calendar year. These rosters shall be available upon written request and payment of the required fee as established by rule.

(9) Exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of licensing Acts.

(10) Contract with the Department of State Police, as necessary, to perform inspections of licensees, as provided under this Act.

(11) Authorize examinations to ascertain the qualifications and fitness of applicants for licensing as a dealer and pass upon the qualifications of applicants for licensure.

Section 25. The Gun Dealer Licensing Board.

(a) The Gun Dealer Licensing Board shall consist of 5 members to be appointed by the Secretary. Each member shall have a reasonable knowledge of the federal and State laws regarding firearms. Each member shall either be a resident of this State or shall certify that he or she will become a resident of this State before taking office. The Board shall consist of:

(1) one member with at least 5 years of service as a county sheriff or chief of police of a municipal police department within this State;

(2) one representative of the Department of State Police with at least 5 years investigative experience or duties related to criminal justice;

(3) one member with at least 5 years of experience as a federally licensed firearms dealer in good standing within this State;

(4) one member who is a representative of an advocacy group for public safety; and

(5) one member shall be a lawyer licensed to practice law in this State. The membership shall reasonably reflect the different geographic areas in this State.

(b) Members shall serve 4 year terms and may serve until their successors are appointed and qualified. Partial terms of over 2 years in length shall be considered full terms. No member shall serve for more than 2 successive terms. Whenever a vacancy in the Board occurs, the remaining members of the Board shall notify the Secretary of that vacancy within 5 days after its occurrence and the Secretary shall fill the vacancy within 45 days. Appointments to fill vacancies shall be made in the same manner as the original appointments for the unexpired portion of the vacated term.

(c) The Secretary may recommend the removal of any member of the Board for cause at any time before the expiration of his or her term. A majority vote of the members is required for a decision to remove any member of the Board. A member subject to formal disciplinary proceedings shall disqualify himself or herself from all Board business until the charge is resolved. A member also shall disqualify himself or herself from any matter on which the member cannot act objectively.

(d) The Board shall annually elect one of its members as chairperson and one of its members as vice-chair.

(e) Members shall receive compensation as set by law. Each member shall receive reimbursement as set by the Governor's Travel Control Board for expenses incurred in carrying out the duties as a Board member.

(f) A majority of Board members constitutes a quorum. A majority vote of the members is required for a decision. A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the Board.

(g) The Board may recommend policies, procedures, and rules relevant to the administration and enforcement of this Act.

Section 30. Application for license; forms.

(a) Each license application shall be on forms provided by the Department.

(b) Every application for an original dealer license shall include the applicant's social security number, which shall be retained in the dealership's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal or restored license shall require the applicant's customer identification number.

(c) Beginning January 1, 2019, the Department shall accept applications for dealership licenses and dealer licenses.

Section 35. Issuance of license; renewal; fees.

(a) The Department shall, upon the applicant's satisfactory completion of the requirements under this Act and receipt of the fee, issue the license indicating the name and business location of the licensee and the date of expiration. On or before December 31, 2019, the Department shall issue dealer and dealership licenses to all qualified applicants whose business existed in that location on the effective date of this Act, and who submitted the application to the Department on or after January 1, 2019 but before October 1, 2019. If an applicant submits an application for a license before October 1, 2019 and the Department does not issue or deny the license on or before December 31, 2019, or the Department does not issue or deny a license within 90 days to an applicant who submits an application for a license or renewal of a license on October 1, 2019 or thereafter, the applicant or licensee shall not be in violation of this Act on the basis of continuing to operate the business.

(b) The expiration date, renewal period, and conditions for renewal and restoration of each license shall be set by rule. The holder may renew the license during the 90 days preceding its expiration by paying the required fee and by meeting conditions that the Department may specify. As a condition of renewal of a dealer's license, the Department shall receive from the applicant a copy of his or her valid and unexpired concealed carry license, or shall verify the validity of the applicant's Firearm Owner's Identification Card through the Department of State Police in a manner prescribed by rule by the Department of State Police. A dealership or dealer operating on an expired license is considered to be practicing without a license.

(c) A dealership that has permitted a license to expire may have it restored by submitting an application to the Department, successfully completing an inspection by the Department, and by paying the required restoration fee and all lapsed renewal fees.

(d) A dealer that has permitted a license to expire may have it restored by submitting an application to the Department, paying the required restoration fee and all lapsed renewal fees and by providing evidence of competence to resume practice satisfactory to the Department and the Board, which shall include a copy of the license holder's valid and unexpired concealed carry license, or verification of the continued validity of the license holder's Firearm Owner's Identification Card through the Department of State Police in a manner prescribed by rule by the Department of State Police, and may include passing a written examination.

(e) Any dealer whose license has expired while he or she has been engaged (1) in the federal service in active duty with the Army of the United States, the United States Navy, the Marine Corps, the Air Force, the Coast Guard, or the State Militia called into the service or training of the United States of America, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license restored without paying any lapsed renewal fees or restoration fee, if within 2 years after termination of that service, training or education, other than by dishonorable discharge, he or she furnishes the Department with an affidavit to the effect that he or she has been so engaged and that his or her service, training or education has been so terminated.

(f) A license shall not be denied any applicant because of the race, religion, creed, national origin, political beliefs or activities, age, sex, sexual orientation, or physical disability that does not affect a person's ability to practice with reasonable judgment, skill, or safety.

Section 40. Continuing education. The Department may adopt rules of continuing education for persons licensed under this Act. The Department shall consider the recommendations of the Board in establishing guidelines for the continuing education requirements.

Section 45. Examination of applicants; fee forfeiture.

(a) Applicants for licensure as a dealer shall be examined as provided by this Section if they are qualified to be examined under this Act. All applicants taking the examination shall be evaluated using the same standards as others who are examined for the respective license.

(b) Examinations for licensure shall be held at the time and place as the Department may determine, but shall be held at least twice a year.

(c) Examinations shall test the amount of knowledge and skill needed to perform the duties set under this Act and comply with other provisions of federal and State law applicable to the sale and transfer of firearms. The Department may contract with a testing service for the preparation and conduct of the examination.

(d) If an applicant neglects, fails, or refuses to take an examination within one year after filing an application, the fee shall be forfeited. However, an applicant may, after a 1-year period, make a new application for examination accompanied by the required fee. If an applicant fails to pass the examination within 3 years after filing an application, the application shall be denied. An applicant may make a new application after the 3-year period.

(e) This Section does not apply to an applicant who was properly licensed as a firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923) on the effective date of this Act, in operation in this State.

Section 50. Qualifications for licensure as a dealer.

(a) A person is qualified for licensure as a dealer if he or she meets all of the following requirements:

- (1) is at least 21 years of age;
- (2) has a currently valid and unexpired concealed carry license or Firearm Owner's Identification Card. The Department shall verify the validity of the applicant's Firearm Owner's Identification Card through the Department of State Police in a manner prescribed by rule by the Department of State Police. The Department of State Police shall provide the Department with an approval number if the Firearm Owner's Identification Card is currently valid;
- (3) has not had a license or permit to sell, lease, transfer, purchase, or possess firearms from the federal government or the government of any state or subdivision of any state revoked or suspended for good cause within the preceding 3 years, or been terminated from employment with a licensee or former licensee for good cause within the preceding 3 years;
- (4) has a minimum of one year of experience, with a minimum of 100 hours per year, during the 5 years immediately preceding the application: (i) as a dealership agent under this Act; or (ii) as a federal firearms dealer licensed under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923) or an employee of the business who had access to firearms;
- (5) has paid the fees required by this Act; and
- (6) has passed an examination authorized by the Department.

(b) The Department may request a personal interview of an applicant before the Board to further evaluate his or her qualifications for a license.

Section 55. Qualifications for licensure as a dealership.

(a) Upon receipt of the required fee and the information listed in subsection (b) of this Section, the Department shall issue a license as a dealership to any of the following:

- (1) An individual who submits an application and is a licensed dealer under this Act.
- (2) A firm that submits an application and all of the members of the firm are licensed dealers under this Act.

(3) A corporation or limited liability company doing business in this State that is authorized by its articles of incorporation or organization to engage in the business of conducting a dealership if at least one executive employee is licensed as a dealer under this Act.

(b) The Department shall require all of the following information from each applicant for licensure as a dealership under this Act:

(1) The name, full business address, and telephone number of the dealership. The business address for the dealership shall be the complete street address where firearms in the inventory of the dealership are regularly stored, shall be located within the State, and may not be a Post Office Box. The applicant shall submit proof that the business location is or will be used to conduct the dealership's business.

(2) All trade or business names used by the licensee.

(3) The type of ownership or operation, such as a partnership, corporation, or sole proprietorship.

(4) The name of the owner or operator of the dealership, including:

(A) if a person, then the name and address of record of the person;

(B) if a partnership, then the name and address of record of each partner and the name of the partnership;

(C) if a corporation, then the name, address of record, and title of each corporate officer and director, the corporate names, and the name of the state of incorporation; and

(D) if a sole proprietorship, then the full name and address of record of the sole proprietor and the name of the business entity.

(5) The name and license number of the licensee-in-charge for the dealership.

(6) Proof that the applicant has applied for or received a certificate of registration under the Retailers' Occupation Tax Act.

(7) From the sheriff of the county in which the business address is located written confirmation stating that, to the best of the sheriff's knowledge, the applicant is in compliance with applicable federal, State, and local laws. A sheriff that refuses to provide this confirmation within 30 days after the date of the application shall instead submit an objection in writing to the Department and

the license applicant based upon a reasonable suspicion that the applicant is not in compliance with applicable federal, State, and local laws. If no written confirmation or objection is made under this paragraph (7) within 30 days after the date of the application, the Department shall proceed as if the sheriff had provided confirmation. A municipality or county may impose additional requirements for the operation of gun dealers and dealerships beyond the requirements of this Act and consistent with the United States Constitution and the Constitution of the State of Illinois, including local license requirements. It shall be the duty of local authorities to investigate and enforce any failure of a dealer or dealership to meet these requirements and to notify the Department of these investigations and enforcement actions. This paragraph (7) supersedes Section 13.1 of the Firearm Owners Identification Card Act and Section 90 of the Firearm Concealed Carry Act as applied to the local regulation of dealers and dealerships.

(8) Proof that the dealership is properly licensed as a firearms dealer under federal law.

(9) A final inspection report demonstrating that the Department has determined upon inspection that the proposed business premises comply with Section 70 of this Act.

(c) No dealer may be the licensee-in-charge for more than one dealership. Upon written request by a representative of a dealership, within 10 days after the loss of a licensee-in-charge of a dealership because of the death of that individual or because of the termination of the employment of that individual, the Department shall issue a temporary certificate of authority allowing the continuing operation of the licensed dealership. No temporary certificate of authority shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the dealership. Not more than 2 extensions may be granted to any dealership. No temporary permit shall be issued for loss of the licensee-in-charge because of disciplinary action by the Department related to his or her conduct on behalf of the dealership.

(d) The Department may request a personal interview of a gun dealership licensee-in-charge to evaluate the dealership's qualifications for a license.

Section 60. Training of dealership agents. The Department shall adopt rules requiring dealership agents to undergo training regarding legal requirements and responsible business practices as applicable to the sale or transfer of firearms. Before a dealership agent has unsupervised access to or control over firearms in the dealership's inventory or confidential or security information, the dealership shall ensure that the dealership agent receives the training that the Department may require.

Section 65. Display of license. Each licensee shall prominently display his or her individual, agency, or branch office license at each place where business is being conducted, as required under this Act. A licensee-in-charge is required to post his or her license only at the dealership office.

Section 70. Requirements; prohibitions.

(a) The Department of Financial and Professional Regulation shall implement the provisions of this Section by rule.

(b) A licensee shall maintain operating documents which shall include procedures for the oversight of the licensee and procedures to ensure accurate recordkeeping.

(c) By the date of application, a licensee shall implement appropriate security measures, as provided by rule, to deter and prevent the theft of firearms and unauthorized entrance into areas containing firearms. The rules may provide for:

(1) the manner of securing firearms when the location is both open and closed for business;

(2) alarm systems for licensees; and

(3) other reasonable requirements to deter illegal sales and reduce the risk of burglaries and other crimes or accidents at licensees' business establishments.

(d) If a licensee operates the business at a permanent physical location that is open to the public, that location shall be equipped with a video surveillance system sufficient to monitor the critical areas of the business premises, including, but not limited to, all places where firearms are stored, handled, sold, transferred, or carried. The video surveillance system shall operate without interruption whenever the licensee is open for business. Whenever the licensee is not open for business, the system shall be triggered by a motion detector and begin recording immediately upon detection of any motion within the monitored area. The stored images shall be maintained on the business premises of the licensee for a period of not less than 90 days from the date of recording and shall only be available for inspection on the premises by the licensee, the licensee's dealership agents, the Department, or federal, State, and local law enforcement

upon request, and neither the stored images, copies, records, or reproductions of the stored images shall leave the custody of the licensee except under a court order, subpoena, or search warrant. The licensee shall post a sign in a conspicuous place at each entrance to the premises that states in block letters not less than one inch in height:

"THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED."

(e) The area where the licensee stores firearms that are inventory of the licensee shall only be accessed by dealership agents, Department of Financial and Professional Regulation staff performing inspections, law enforcement or other emergency personnel, and contractors working on jobs unrelated to firearms, such as installing or maintaining security devices or performing electrical wiring.

(f) A licensee shall operate its business and conduct all sales and transfers of firearms in compliance with all federal and State laws, and maintain all records as required by federal and State laws.

(g) A licensee shall make a photo copy of a buyer's or transferee's valid photo I.D. card whenever a sale transaction takes place. The photo copy shall be attached to the documentation detailing the record of sale.

(h) A licensee shall post in a conspicuous position on the premises where the licensee conducts business a sign that contains the following warning in block letters not less than one inch in height:

"With few exceptions, it is unlawful for you to:

- (1) store or leave an unsecured firearm in a place where a child can obtain access to it,
- (2) sell or transfer your firearm to someone else without receiving approval for the transfer from the Department of State Police, or
- (3) fail to report the loss or theft of your firearm to local law enforcement within 72 hours."

A licensee shall post any additional warnings or provide any other information regarding firearms laws and the safe storage of firearms to consumers as required by the Department by rule.

(i) Before issuance, renewal, or restoration of a dealership license, the Department shall inspect the premises of the proposed business to ensure compliance with this Act. Licensees shall have their places of business open for inspection by the Department and law enforcement during all hours of operation, provided that the Department may conduct no more than one unannounced inspection per dealer or dealership per year without good cause. Licensees shall make all records, documents, and firearms accessible for inspection upon the request of law enforcement and the Department.

(j) The premises where the licensee conducts business shall not be located in any district or area that is within 500 feet of any school, pre-school, or day-care facility. This subsection (j) does not apply to a licensee whose business existed in that location on the effective date of this Act, and does not limit the authority of a local government to impose and enforce additional limits on the location of a business regulated under this Act.

Section 75. Dealership agent requirements. A licensed dealership may employ in the conduct of his or her business dealership agents under the following provisions:

(1) A dealership shall not knowingly allow a person to have unsupervised access to firearms in the inventory of the dealership or confidential or security information who:

(A) is younger than 21 years of age;

(B) does not have a valid and unexpired concealed carry license or Firearm Owner's Identification Card; or

(C) has had a license denied, suspended, or revoked under this Act, or been terminated from employment as a dealership agent:

(i) within one year before the date the person's application for employment with the dealership; and

(ii) that refusal, denial, suspension, revocation, or termination was based on any provision of this Act.

(2) No person may act as a dealership agent under this Section until he or she has executed and furnished to the employer, on forms furnished by the Department, a verified statement to be known as "Dealership Agent's Statement" setting forth:

(A) The person's full name, age, and residence address.

(B) That the person has not had a license denied, revoked, or suspended under this Act, or been terminated from employment as a dealership agent:

(i) within one year before the date the person's application for employment with the dealership; and

(ii) that refusal, denial, suspension, revocation, or termination was based on any

provision of this Act.

(C) That the person will notify the dealership immediately if his or her Firearm Owner's Identification Card or concealed carry license is revoked for any reason.

(D) That the person will not divert firearms in violation of the law.

(3) Each applicant for employment as a dealership agent shall provide a copy of his or her valid and unexpired concealed carry license, or have the validity of his or her Firearm Owner's Identification Card confirmed by the dealership through the Department of State Police in a manner prescribed by rule by the Department of State Police. The Department of State Police shall provide the dealership with an approval number if the Firearm Owner's Identification Card is currently valid.

(4) As part of an application for renewal or restoration of a dealership license, the dealership shall confirm the validity of the Firearm Owner's Identification Card of each dealership agent employed by the dealership, and record the unique approval number provided by the Department of State Police in the record maintained under paragraph (5) of this Section, provided that a dealership shall not be required to confirm the validity of the Firearm Owner's Identification Card of a dealership agent if the dealership has already confirmed the validity of the dealership agent's Firearm Owner's Identification Card within the last 6 months or the dealership agent has provided the dealership with a copy of his or her valid and unexpired concealed carry license within the last 6 months.

(5) Each dealership shall maintain a record of each dealership agent that is accessible to the Department. The record shall contain the following information:

(A) The Dealership Agent's Statement specified in paragraph (2) of this Section; and

(B) A copy of the dealership agent's concealed carry license or Firearm Owner's Identification Card, and the approval number provided by the Department of State Police when the dealership last confirmed the validity of the dealership agent's Firearm Owner's Identification Card. The Department may, by rule, prescribe further record requirements.

(6) Every dealership shall maintain a separate roster of the names of all dealership agents and submit the roster to the Department on request.

(7) No dealership may employ any person to perform a licensed activity under this Act unless the person possesses a valid dealer license under this Act or the requirements of this Section are met, or the person is exempt under paragraph (8) of this Section.

(8) Peace officers shall be exempt from the requirements of this Section relating to Firearm Owner's Identification Cards and concealed carry licenses. The dealership shall remain responsible for any peace officer employed under this exemption, regardless of whether the peace officer is compensated as an employee or as an independent contractor and as further defined by rule.

(9) Persons who have no unsupervised access to firearms in the inventory of a dealership or confidential or security information are exempt from the requirements of a dealership agent.

(10) This Section shall apply to unpaid or paid volunteers or other agents of the dealership who will have access to or control over firearms in the inventory of the dealership or confidential or security information, just as it applies to paid employees.

Section 80. Employment requirement. A dealership licensed under this Act is prohibited from evading or attempting to evade the requirements for dealership agents under this Act by engaging a contractor or independent contractor to perform the activities of a dealer or dealership agent, unless that person is licensed under this Act.

Section 85. Disciplinary sanctions.

(a) The Department may deny issuance, refuse to renew, or restore or may reprimand, place on probation, suspend, revoke, or take other disciplinary or non-disciplinary action against any license, may impose a fine not to exceed \$10,000 for each violation, and may assess costs as provided for under Section 150, for any of the following, consistent with the Protection of Lawful Commerce in Arms Act, 15 U.S.C. 7901 through 7903 or amendments thereto:

(1) Material misstatement in furnishing information to the Department or to any other State or federal agency.

(2) Violations of this Act, any of the rules adopted under this Act, or any law applicable to the sale or transfer of firearms.

(3) Making any misrepresentation for the purpose of obtaining licenses or cards.

(4) A pattern of practice or other behavior which demonstrates incapacity or incompetency to practice under this Act.

(5) Aiding or assisting another person in violating any provision of this Act or rules adopted under this Act.

(6) Failing, within 60 days, to provide information in response to a written request made by the Department.

(7) Conviction of or plea of guilty or plea of nolo contendere to any crime that disqualifies the person from obtaining a valid Firearm Owner's Identification Card.

(8) Continued practice, although the person has become unfit to practice due to any of the following:

(A) Physical illness, mental illness, or other impairment, including, but not limited to, deterioration through the aging process or loss of motor skills that results in the inability to serve the public with reasonable judgment, skill, or safety.

(B) Any circumstance that disqualifies the person from obtaining a valid Firearm Owner's Identification Card.

(C) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety.

(9) Receiving, directly or indirectly, compensation for any firearms sold or transferred illegally.

(10) Discipline by another United States jurisdiction, foreign nation, or governmental agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(11) Giving differential treatment to a person that is to that person's detriment because of race, color, creed, sex, sexual orientation, religion, or national origin.

(12) Violation of any disciplinary order imposed on a licensee by the Department.

(13) Conducting a dealership without a valid license.

(14) Revealing confidential or security information, except as specifically authorized by law, including but not limited to information about purchasers and transferees of firearms, provided that a licensee or dealership agent may disclose this information under a court order, subpoena, or search warrant or to the Department or federal, State, or local law enforcement agencies upon request.

(15) Purporting to be a licensee-in-charge of an agency without active participation in the agency.

(16) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(17) Failure to report in writing to the Department, within 60 days of an entry of a settlement or a verdict in excess of \$10,000, any legal action in which the business of the dealer, dealership, or dealership agent was the subject of the legal action.

(b) All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

Section 90. Suspension or revocation of dealership agent authority.

(a) Dealership agents shall be subject to the disciplinary sanctions of this Act and shall otherwise comply with this Act and the rules adopted under it. Notwithstanding any other provision in this Act to the contrary, dealership agents shall not be responsible for compliance with any requirement that this Act assigns to the dealership or the licensee-in-charge regardless of the agent's job title, job duties, or position in the dealership. The procedures for disciplining a licensee shall also apply in taking action against a dealership agent.

(b) The revocation of a dealer's or dealership agent's Firearm Owner's Identification Card or concealed carry license, if applicable, operates as an automatic suspension of the dealer license or dealership agent's authority under this Act. The suspension shall end only upon the issuance by the Department of State Police of a new Firearm Owner's Identification Card or concealed carry license to the dealer or dealership agent.

Section 95. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed business or business on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or deny the application, without hearing. If, after termination or denial, the person seeks a license, he or she shall apply

to the Department for restoration or issuance of the license and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases if the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

Section 100. Statute of limitations. No action may be taken under this Act against a person or entity licensed under this Act unless the action is commenced within 5 years after the occurrence of the alleged violations. A continuing violation shall be deemed to have occurred on the date when the circumstances last existed that give rise to the alleged violation.

Section 105. Complaints; investigations; hearings.

(a) The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license or registration under this Act.

(b) The Department shall, before disciplining a licensee under Section 130 or refusing to issue or license, at least 30 days before the date set for the hearing, (i) notify the accused in writing of the charges made and the time and place for the hearing on the charges, (ii) direct him or her to file a written answer to the charges under oath within 20 days after service, and (iii) inform the applicant or licensee that failure to answer will result in a default being entered against the applicant or licensee.

(c) At the time and place fixed in the notice, the Board or the hearing officer appointed by the Secretary shall proceed to hear the charges, and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Board or hearing officer may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his or her license may, in the discretion of the Secretary, having first received the recommendation of the Board, be suspended, revoked, or placed on probationary status, or be subject to whatever disciplinary action the Secretary considers proper, including limiting the scope, nature, or extent of the person's business or the imposition of a fine, without hearing, if the act or acts charged constitute sufficient grounds for that action under this Act.

(d) The written notice and any notice in the subsequent proceeding may be served by certified mail to the licensee's address of record.

(e) The Secretary has the authority to appoint any attorney licensed to practice law in this State to serve as the hearing officer in any action for refusal to issue, restore, or renew a license or to discipline a licensee. The hearing officer has full authority to conduct the hearing.

Section 110. Hearing; rehearing.

(a) The Board or the hearing officer authorized by the Department shall hear evidence in support of the formal charges and evidence produced by the licensee. At the conclusion of the hearing, the Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding of whether the accused person violated this Act or failed to comply with the conditions required in this Act. The Board shall specify the nature of the violation or failure to comply and shall make its recommendation to the Secretary.

(b) At the conclusion of the hearing, a copy of the Board or hearing officer's report shall be served upon the applicant or licensee by the Department, either personally or as provided in this Act for the service of a notice of hearing. Within 20 calendar days after service, the applicant or licensee may present to the Department a motion in writing for a rehearing, which shall specify the particular grounds for rehearing. The Department may respond to the motion for rehearing within 20 calendar days after its service on the Department. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or upon denial of a motion for rehearing, the Secretary may enter an order in accordance with the recommendations of the Board or hearing officer. If the applicant or licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon the delivery of the transcript to the applicant or licensee.

(c) Whenever the Secretary is not satisfied that substantial justice has been done, the Secretary may order a rehearing by the same or another hearing officer.

(d) All proceedings under this Section are matters of public record and shall be preserved.

(e) The dealer or dealership may continue to operate as a dealer or dealership during the course of an investigation or hearing, unless the Secretary finds that the public interest, safety, or welfare requires an emergency action.

(f) Upon the suspension or revocation of a license, the licensee shall surrender the license to the Department and, upon failure to do so, the Department shall seize the same.

Section 115. Disposition by consent order. At any point in any investigation or disciplinary proceeding provided for in the Act, both parties may agree to a negotiated consent order. The consent order shall be final upon signature of the Secretary.

Section 120. Restoration of license after disciplinary proceedings. At any time after the successful completion of a term of indefinite probation, indefinite suspension, or revocation of a license, the Department may restore it to the licensee, unless, after an investigation and a hearing, the Secretary determines that restoration is not in the public interest. No person or entity whose license, card, or authority has been revoked as authorized in this Act may apply for restoration of that license, registration, or authority until such time as provided for in the Civil Administrative Code of Illinois.

Section 125. Injunction; cease and desist orders.

(a) Upon the filing of a verified petition in court, if satisfied by affidavit or otherwise that the person, firm, corporation, or other legal entity is or has been conducting activities in violation of this Act, the court may enter a temporary restraining order or preliminary injunction, without bond, enjoining the defendant from further activity. A copy of the verified complaint shall be served upon the defendant and the proceedings shall be conducted as in civil cases. If it is established the defendant has been or is conducting activities in violation of this Act, the court may enter a judgment enjoining the defendant from that activity. In case of violation of any injunctive order or judgment entered under this Section, the court may punish the offender for contempt of court. Injunctive proceedings shall be in addition to all other penalties under this Act.

(b) If any person has engaged in the business of selling, leasing, or otherwise transferring firearms without having a valid license under this Act, then any licensee, any interested party, or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(c) Whenever the Department has reason to believe a person, firm, corporation, or other legal entity has violated any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person, firm, corporation, or other legal entity. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

Section 130. Administrative review. All final administrative decisions of the Department are subject to judicial review under Article III of the Code of Civil Procedure. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. The proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides; but if the party is not a resident of this State, the venue shall be in Sangamon County. The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the applicant or licensee to file a receipt in court is grounds for dismissal of the action.

Section 135. Prima facie proof.

(a) An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, is prima facie proof that the signature is that of the Secretary, and the Secretary is qualified to act.

(b) A certified copy of a record of the Department shall, without further proof, be admitted into evidence in any legal proceeding, and shall be prima facie correct and prima facie evidence of the information contained therein.

Section 140. Subpoenas.

(a) The Department may subpoena and bring before it any person to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or his or her designee deems relevant or material to any such investigation or hearing conducted by the Department with the same fees and in the same manner as prescribed in civil cases in the courts of this State.

(b) Any circuit court, upon the application of the applicant, licensee, or Department, may order the attendance and testimony of witnesses and the production of relevant documents, files, records, books, and

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papers in connection with any hearing or investigation. The circuit court may compel obedience to its order by proceedings for contempt.

(c) The Secretary, the hearing officer, any member of the Board, or a certified shorthand court reporter may administer oaths at any hearing the Department conducts. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony, production of documents or records shall be in accordance with this Act.

Section 145. Stenographers. The Department, at its expense, shall preserve the record of all proceedings at a formal hearing of any case. The notice of hearing, complaint, all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board and orders of the Department shall be in the record of the proceedings.

Section 150. Fees; deposit of fees and fines. The Department shall by rule provide for fees for the administration and enforcement of this Act, and those fees are nonrefundable. All of the fees, penalties, and fines collected under this Act shall be deposited into the General Professions Dedicated Fund and shall be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration and enforcement of this Act.

Section 155. Illinois Administrative Procedure Act; application.

(a) All rules required under this Act shall be adopted in accordance with Article 5 of the Illinois Administrative Procedure Act.

(b) Article 10 of the Illinois Administrative Procedure Act is expressly adopted and incorporated in this Act as if all of the provisions of that Article were included in this Act, except that the provision of paragraph (d) of Section 10-65 of the Illinois Administrative Procedure Act, which provides that at hearings the registrant or licensee has the right to show compliance with all lawful requirements for retention or continuation or renewal of the license, is specifically excluded. For the purpose of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is considered sufficient when mailed to the address of record of a party.

Section 160. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.

Section 165. Rules. The Department shall adopt rules necessary to implement the provisions of this Act no later than 180 days after the effective date of this Act. The Department may adopt rules necessary to implement the provisions of this Act through the use of emergency rulemaking in accordance with Section 5-45 of the Illinois Administrative Procedure Act for a period not to exceed 180 days after the effective date of this Act.

Section 900. The Regulatory Sunset Act is amended by adding Section 4.38 as follows:

(5 ILCS 80/4.38 new)

Sec. 4.38. Act repealed on January 1, 2028. The following Act is repealed on January 1, 2028:

The Gun Dealer Licensing Act.

Section 905. The Illinois Administrative Procedure Act is amended by changing Section 5-45 as follows:

(5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

(Text of Section before amendment by P.A. 99-906)

Sec. 5-45. Emergency rulemaking.

(a) "Emergency" means the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare.

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(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any ~~24-month~~ ~~24-month~~ period, except that this limitation on the number of emergency rules that may be adopted in a ~~24-month~~ ~~24-month~~ period does not apply to (i) emergency rules that make additions to and deletions from the Drug Manual under Section 5-5.16 of the Illinois Public Aid Code or the generic drug formulary under Section 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii) emergency rules adopted by the Pollution Control Board before July 1, 1997 to implement portions of the Livestock Management Facilities Act, (iii) emergency rules adopted by the Illinois Department of Public Health under subsections (a) through (i) of Section 2 of the Department of Public Health Act when necessary to protect the public's health, (iv) emergency rules adopted pursuant to subsection (n) of this Section, (v) emergency rules adopted pursuant to subsection (o) of this Section, or (vi) emergency rules adopted pursuant to subsection (c-5) of this Section. Two or more emergency rules having substantially the same purpose and effect shall be deemed to be a single rule for purposes of this Section.

(c-5) To facilitate the maintenance of the program of group health benefits provided to annuitants, survivors, and retired employees under the State Employees Group Insurance Act of 1971, rules to alter the contributions to be paid by the State, annuitants, survivors, retired employees, or any combination of those entities, for that program of group health benefits, shall be adopted as emergency rules. The adoption of those rules shall be considered an emergency and necessary for the public interest, safety, and welfare.

(d) In order to provide for the expeditious and timely implementation of the State's fiscal year 1999 budget, emergency rules to implement any provision of Public Act 90-587 or 90-588 or any other budget initiative for fiscal year 1999 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (d). The adoption of emergency rules authorized by this subsection (d) shall be deemed to be necessary for the public interest, safety, and welfare.

(e) In order to provide for the expeditious and timely implementation of the State's fiscal year 2000 budget, emergency rules to implement any provision of Public Act 91-24 or any other budget initiative for fiscal year 2000 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (e). The adoption of emergency rules authorized by this subsection (e) shall be deemed to be necessary for the public interest, safety, and welfare.

(f) In order to provide for the expeditious and timely implementation of the State's fiscal year 2001 budget, emergency rules to implement any provision of Public Act 91-712 or any other budget initiative for fiscal year 2001 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (f). The adoption of emergency rules authorized by this subsection (f) shall be deemed to be necessary for the public interest, safety, and welfare.

(g) In order to provide for the expeditious and timely implementation of the State's fiscal year 2002 budget, emergency rules to implement any provision of Public Act 92-10 or any other budget initiative for fiscal year 2002 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (g). The adoption of emergency rules authorized by this subsection (g) shall be deemed to be necessary for the public interest, safety, and welfare.

(h) In order to provide for the expeditious and timely implementation of the State's fiscal year 2003 budget, emergency rules to implement any provision of Public Act 92-597 or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with

administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

(i) In order to provide for the expeditious and timely implementation of the State's fiscal year 2004 budget, emergency rules to implement any provision of Public Act 93-20 or any other budget initiative for fiscal year 2004 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (i). The adoption of emergency rules authorized by this subsection (i) shall be deemed to be necessary for the public interest, safety, and welfare.

(j) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2005 budget as provided under the Fiscal Year 2005 Budget Implementation (Human Services) Act, emergency rules to implement any provision of the Fiscal Year 2005 Budget Implementation (Human Services) Act may be adopted in accordance with this Section by the agency charged with administering that provision, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (j). The Department of Public Aid may also adopt rules under this subsection (j) necessary to administer the Illinois Public Aid Code and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (j) shall be deemed to be necessary for the public interest, safety, and welfare.

(k) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2006 budget, emergency rules to implement any provision of Public Act 94-48 or any other budget initiative for fiscal year 2006 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (k). The Department of Healthcare and Family Services may also adopt rules under this subsection (k) necessary to administer the Illinois Public Aid Code, the Senior Citizens and Persons with Disabilities Property Tax Relief Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act (now the Illinois Prescription Drug Discount Program Act), and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (k) shall be deemed to be necessary for the public interest, safety, and welfare.

(l) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2007 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2007, including rules effective July 1, 2007, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (l) shall be deemed to be necessary for the public interest, safety, and welfare.

(m) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2008 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2008, including rules effective July 1, 2008, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (m) shall be deemed to be necessary for the public interest, safety, and welfare.

(n) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2010 budget, emergency rules to implement any provision of Public Act 96-45 or any other budget initiative authorized by the 96th General Assembly for fiscal year 2010 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (n) shall be deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (n) shall apply only to rules promulgated during Fiscal Year 2010.

(o) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2011 budget, emergency rules to implement any provision of Public Act 96-958 or any other budget initiative authorized by the 96th General Assembly for fiscal year 2011 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (o) is deemed to be necessary for the public

interest, safety, and welfare. The rulemaking authority granted in this subsection (o) applies only to rules promulgated on or after July 1, 2010 (the effective date of Public Act 96-958) through June 30, 2011.

(p) In order to provide for the expeditious and timely implementation of the provisions of Public Act 97-689, emergency rules to implement any provision of Public Act 97-689 may be adopted in accordance with this subsection (p) by the agency charged with administering that provision or initiative. The 150-day limitation of the effective period of emergency rules does not apply to rules adopted under this subsection (p), and the effective period may continue through June 30, 2013. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (p). The adoption of emergency rules authorized by this subsection (p) is deemed to be necessary for the public interest, safety, and welfare.

(q) In order to provide for the expeditious and timely implementation of the provisions of Articles 7, 8, 9, 11, and 12 of Public Act 98-104, emergency rules to implement any provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104 may be adopted in accordance with this subsection (q) by the agency charged with administering that provision or initiative. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (q). The adoption of emergency rules authorized by this subsection (q) is deemed to be necessary for the public interest, safety, and welfare.

(r) In order to provide for the expeditious and timely implementation of the provisions of Public Act 98-651, emergency rules to implement Public Act 98-651 may be adopted in accordance with this subsection (r) by the Department of Healthcare and Family Services. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (r). The adoption of emergency rules authorized by this subsection (r) is deemed to be necessary for the public interest, safety, and welfare.

(s) In order to provide for the expeditious and timely implementation of the provisions of Sections 5-5b.1 and 5A-2 of the Illinois Public Aid Code, emergency rules to implement any provision of Section 5-5b.1 or Section 5A-2 of the Illinois Public Aid Code may be adopted in accordance with this subsection (s) by the Department of Healthcare and Family Services. The rulemaking authority granted in this subsection (s) shall apply only to those rules adopted prior to July 1, 2015. Notwithstanding any other provision of this Section, any emergency rule adopted under this subsection (s) shall only apply to payments made for State fiscal year 2015. The adoption of emergency rules authorized by this subsection (s) is deemed to be necessary for the public interest, safety, and welfare.

(t) In order to provide for the expeditious and timely implementation of the provisions of Article II of Public Act 99-6, emergency rules to implement the changes made by Article II of Public Act 99-6 to the Emergency Telephone System Act may be adopted in accordance with this subsection (t) by the Department of State Police. The rulemaking authority granted in this subsection (t) shall apply only to those rules adopted prior to July 1, 2016. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (t). The adoption of emergency rules authorized by this subsection (t) is deemed to be necessary for the public interest, safety, and welfare.

(u) In order to provide for the expeditious and timely implementation of the provisions of the Burn Victims Relief Act, emergency rules to implement any provision of the Act may be adopted in accordance with this subsection (u) by the Department of Insurance. The rulemaking authority granted in this subsection (u) shall apply only to those rules adopted prior to December 31, 2015. The adoption of emergency rules authorized by this subsection (u) is deemed to be necessary for the public interest, safety, and welfare.

(v) In order to provide for the expeditious and timely implementation of the provisions of Public Act 99-516 ~~this amendatory Act of the 99th General Assembly~~, emergency rules to implement Public Act 99-516 ~~this amendatory Act of the 99th General Assembly~~ may be adopted in accordance with this subsection (v) by the Department of Healthcare and Family Services. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (v). The adoption of emergency rules authorized by this subsection (v) is deemed to be necessary for the public interest, safety, and welfare.

(w) ~~(v)~~ In order to provide for the expeditious and timely implementation of the provisions of Public Act 99-796 ~~this amendatory Act of the 99th General Assembly~~, emergency rules to implement the changes made by Public Act 99-796 ~~this amendatory Act of the 99th General Assembly~~ may be adopted in accordance with this subsection ~~(w)~~ ~~(v)~~ by the Adjutant General. The adoption of emergency rules authorized by this subsection ~~(w)~~ ~~(v)~~ is deemed to be necessary for the public interest, safety, and welfare. (Source: P.A. 98-104, eff. 7-22-13; 98-463, eff. 8-16-13; 98-651, eff. 6-16-14; 99-2, eff. 3-26-15; 99-6, eff. 1-1-16; 99-143, eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff. 6-30-16; 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; revised 9-21-16.)

(Text of Section after amendment by P.A. 99-906)

[April 27, 2017]

Sec. 5-45. Emergency rulemaking.

(a) "Emergency" means the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare.

(b) If any agency finds that an emergency exists that requires adoption of a rule upon fewer days than is required by Section 5-40 and states in writing its reasons for that finding, the agency may adopt an emergency rule without prior notice or hearing upon filing a notice of emergency rulemaking with the Secretary of State under Section 5-70. The notice shall include the text of the emergency rule and shall be published in the Illinois Register. Consent orders or other court orders adopting settlements negotiated by an agency may be adopted under this Section. Subject to applicable constitutional or statutory provisions, an emergency rule becomes effective immediately upon filing under Section 5-65 or at a stated date less than 10 days thereafter. The agency's finding and a statement of the specific reasons for the finding shall be filed with the rule. The agency shall take reasonable and appropriate measures to make emergency rules known to the persons who may be affected by them.

(c) An emergency rule may be effective for a period of not longer than 150 days, but the agency's authority to adopt an identical rule under Section 5-40 is not precluded. No emergency rule may be adopted more than once in any 24-month period, except that this limitation on the number of emergency rules that may be adopted in a 24-month period does not apply to (i) emergency rules that make additions to and deletions from the Drug Manual under Section 5-5.16 of the Illinois Public Aid Code or the generic drug formulary under Section 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii) emergency rules adopted by the Pollution Control Board before July 1, 1997 to implement portions of the Livestock Management Facilities Act, (iii) emergency rules adopted by the Illinois Department of Public Health under subsections (a) through (i) of Section 2 of the Department of Public Health Act when necessary to protect the public's health, (iv) emergency rules adopted pursuant to subsection (n) of this Section, (v) emergency rules adopted pursuant to subsection (o) of this Section, or (vi) emergency rules adopted pursuant to subsection (c-5) of this Section. Two or more emergency rules having substantially the same purpose and effect shall be deemed to be a single rule for purposes of this Section.

(c-5) To facilitate the maintenance of the program of group health benefits provided to annuitants, survivors, and retired employees under the State Employees Group Insurance Act of 1971, rules to alter the contributions to be paid by the State, annuitants, survivors, retired employees, or any combination of those entities, for that program of group health benefits, shall be adopted as emergency rules. The adoption of those rules shall be considered an emergency and necessary for the public interest, safety, and welfare.

(d) In order to provide for the expeditious and timely implementation of the State's fiscal year 1999 budget, emergency rules to implement any provision of Public Act 90-587 or 90-588 or any other budget initiative for fiscal year 1999 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (d). The adoption of emergency rules authorized by this subsection (d) shall be deemed to be necessary for the public interest, safety, and welfare.

(e) In order to provide for the expeditious and timely implementation of the State's fiscal year 2000 budget, emergency rules to implement any provision of Public Act 91-24 or any other budget initiative for fiscal year 2000 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (e). The adoption of emergency rules authorized by this subsection (e) shall be deemed to be necessary for the public interest, safety, and welfare.

(f) In order to provide for the expeditious and timely implementation of the State's fiscal year 2001 budget, emergency rules to implement any provision of Public Act 91-712 or any other budget initiative for fiscal year 2001 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (f). The adoption of emergency rules authorized by this subsection (f) shall be deemed to be necessary for the public interest, safety, and welfare.

(g) In order to provide for the expeditious and timely implementation of the State's fiscal year 2002 budget, emergency rules to implement any provision of Public Act 92-10 or any other budget initiative for fiscal year 2002 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (g). The adoption of emergency rules authorized by this subsection (g) shall be deemed to be necessary for the public interest, safety, and welfare.

(h) In order to provide for the expeditious and timely implementation of the State's fiscal year 2003 budget, emergency rules to implement any provision of Public Act 92-597 or any other budget initiative for fiscal year 2003 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (h). The adoption of emergency rules authorized by this subsection (h) shall be deemed to be necessary for the public interest, safety, and welfare.

(i) In order to provide for the expeditious and timely implementation of the State's fiscal year 2004 budget, emergency rules to implement any provision of Public Act 93-20 or any other budget initiative for fiscal year 2004 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (i). The adoption of emergency rules authorized by this subsection (i) shall be deemed to be necessary for the public interest, safety, and welfare.

(j) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2005 budget as provided under the Fiscal Year 2005 Budget Implementation (Human Services) Act, emergency rules to implement any provision of the Fiscal Year 2005 Budget Implementation (Human Services) Act may be adopted in accordance with this Section by the agency charged with administering that provision, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (j). The Department of Public Aid may also adopt rules under this subsection (j) necessary to administer the Illinois Public Aid Code and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (j) shall be deemed to be necessary for the public interest, safety, and welfare.

(k) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2006 budget, emergency rules to implement any provision of Public Act 94-48 or any other budget initiative for fiscal year 2006 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative, except that the 24-month limitation on the adoption of emergency rules and the provisions of Sections 5-115 and 5-125 do not apply to rules adopted under this subsection (k). The Department of Healthcare and Family Services may also adopt rules under this subsection (k) necessary to administer the Illinois Public Aid Code, the Senior Citizens and Persons with Disabilities Property Tax Relief Act, the Senior Citizens and Disabled Persons Prescription Drug Discount Program Act (now the Illinois Prescription Drug Discount Program Act), and the Children's Health Insurance Program Act. The adoption of emergency rules authorized by this subsection (k) shall be deemed to be necessary for the public interest, safety, and welfare.

(l) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2007 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2007, including rules effective July 1, 2007, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (l) shall be deemed to be necessary for the public interest, safety, and welfare.

(m) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2008 budget, the Department of Healthcare and Family Services may adopt emergency rules during fiscal year 2008, including rules effective July 1, 2008, in accordance with this subsection to the extent necessary to administer the Department's responsibilities with respect to amendments to the State plans and Illinois waivers approved by the federal Centers for Medicare and Medicaid Services necessitated by the requirements of Title XIX and Title XXI of the federal Social Security Act. The adoption of emergency rules authorized by this subsection (m) shall be deemed to be necessary for the public interest, safety, and welfare.

(n) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2010 budget, emergency rules to implement any provision of Public Act 96-45 or any other budget initiative authorized by the 96th General Assembly for fiscal year 2010 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (n) shall be deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (n) shall apply only to rules promulgated during Fiscal Year 2010.

(o) In order to provide for the expeditious and timely implementation of the provisions of the State's fiscal year 2011 budget, emergency rules to implement any provision of Public Act 96-958 or any other

budget initiative authorized by the 96th General Assembly for fiscal year 2011 may be adopted in accordance with this Section by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (o) is deemed to be necessary for the public interest, safety, and welfare. The rulemaking authority granted in this subsection (o) applies only to rules promulgated on or after July 1, 2010 (the effective date of Public Act 96-958) through June 30, 2011.

(p) In order to provide for the expeditious and timely implementation of the provisions of Public Act 97-689, emergency rules to implement any provision of Public Act 97-689 may be adopted in accordance with this subsection (p) by the agency charged with administering that provision or initiative. The 150-day limitation of the effective period of emergency rules does not apply to rules adopted under this subsection (p), and the effective period may continue through June 30, 2013. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (p). The adoption of emergency rules authorized by this subsection (p) is deemed to be necessary for the public interest, safety, and welfare.

(q) In order to provide for the expeditious and timely implementation of the provisions of Articles 7, 8, 9, 11, and 12 of Public Act 98-104, emergency rules to implement any provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104 may be adopted in accordance with this subsection (q) by the agency charged with administering that provision or initiative. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (q). The adoption of emergency rules authorized by this subsection (q) is deemed to be necessary for the public interest, safety, and welfare.

(r) In order to provide for the expeditious and timely implementation of the provisions of Public Act 98-651, emergency rules to implement Public Act 98-651 may be adopted in accordance with this subsection (r) by the Department of Healthcare and Family Services. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (r). The adoption of emergency rules authorized by this subsection (r) is deemed to be necessary for the public interest, safety, and welfare.

(s) In order to provide for the expeditious and timely implementation of the provisions of Sections 5-5b.1 and 5A-2 of the Illinois Public Aid Code, emergency rules to implement any provision of Section 5-5b.1 or Section 5A-2 of the Illinois Public Aid Code may be adopted in accordance with this subsection (s) by the Department of Healthcare and Family Services. The rulemaking authority granted in this subsection (s) shall apply only to those rules adopted prior to July 1, 2015. Notwithstanding any other provision of this Section, any emergency rule adopted under this subsection (s) shall only apply to payments made for State fiscal year 2015. The adoption of emergency rules authorized by this subsection (s) is deemed to be necessary for the public interest, safety, and welfare.

(t) In order to provide for the expeditious and timely implementation of the provisions of Article II of Public Act 99-6, emergency rules to implement the changes made by Article II of Public Act 99-6 to the Emergency Telephone System Act may be adopted in accordance with this subsection (t) by the Department of State Police. The rulemaking authority granted in this subsection (t) shall apply only to those rules adopted prior to July 1, 2016. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (t). The adoption of emergency rules authorized by this subsection (t) is deemed to be necessary for the public interest, safety, and welfare.

(u) In order to provide for the expeditious and timely implementation of the provisions of the Burn Victims Relief Act, emergency rules to implement any provision of the Act may be adopted in accordance with this subsection (u) by the Department of Insurance. The rulemaking authority granted in this subsection (u) shall apply only to those rules adopted prior to December 31, 2015. The adoption of emergency rules authorized by this subsection (u) is deemed to be necessary for the public interest, safety, and welfare.

(v) In order to provide for the expeditious and timely implementation of the provisions of Public Act 99-516, emergency rules to implement Public Act 99-516 may be adopted in accordance with this subsection (v) by the Department of Healthcare and Family Services. The 24-month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection (v). The adoption of emergency rules authorized by this subsection (v) is deemed to be necessary for the public interest, safety, and welfare.

(w) In order to provide for the expeditious and timely implementation of the provisions of Public Act 99-796, emergency rules to implement the changes made by Public Act 99-796 may be adopted in accordance with this subsection (w) by the Adjutant General. The adoption of emergency rules authorized by this subsection (w) is deemed to be necessary for the public interest, safety, and welfare.

(x) In order to provide for the expeditious and timely implementation of the provisions of Public Act 99-906 ~~this amendatory Act of the 99th General Assembly~~, emergency rules to implement subsection (i) of Section 16-115D, subsection (g) of Section 16-128A, and subsection (a) of Section 16-128B of the

Public Utilities Act may be adopted in accordance with this subsection (x) by the Illinois Commerce Commission. The rulemaking authority granted in this subsection (x) shall apply only to those rules adopted within 180 days after June 1, 2017 (the effective date of Public Act 99-906) ~~this amendatory Act of the 99th General Assembly~~. The adoption of emergency rules authorized by this subsection (x) is deemed to be necessary for the public interest, safety, and welfare.

(y) In order to provide for the expeditious and timely implementation of the provisions of the Gun Dealer Licensing Act, emergency rules to implement any provision of the Act may be adopted in accordance with this subsection (y) by the Department of Financial and Professional Regulation. The rulemaking authority granted in this subsection (y) shall apply only to those rules adopted no later than one year after the effective date of this amendatory Act of the 100th General Assembly. The adoption of emergency rules authorized by this subsection (y) is deemed to be necessary for the public interest, safety, and welfare.

(Source: P.A. 98-104, eff. 7-22-13; 98-463, eff. 8-16-13; 98-651, eff. 6-16-14; 99-2, eff. 3-26-15; 99-6, eff. 1-1-16; 99-143, eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff. 6-30-16; 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; 99-906, eff. 6-1-17; revised 1-1-17.)

Section 995. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 1657** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 30; NAYS 21; Present 1.

The following voted in the affirmative:

Aquino	Harmon	Martinez	Sandoval
Bennett	Harris	McGuire	Silverstein
Biss	Hunter	Morrison	Steans
Bush	Hutchinson	Mulroe	Trotter
Castro	Jones, E.	Muñoz	Van Pelt
Clayborne	Landek	Murphy	Mr. President
Collins	Lightford	Raoul	
Cunningham	Link	Rooney	

This roll call verified.

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

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

On motion of Senator Cunningham, **Senate Bill No. 1759** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

[April 27, 2017]

The following voted in the affirmative:

Anderson	Harmon	McConchie	Sandoval
Aquino	Harris	McConnaughay	Schimpf
Barickman	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Stears
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	
Cunningham	McCann	Rooney	
Fowler	McCarter	Rose	

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

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

On motion of Senator Collins, **Senate Bill No. 1781** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Sandoval
Anderson	Harmon	McConnaughay	Schimpf
Aquino	Harris	McGuire	Silverstein
Barickman	Holmes	Mulroe	Stadelman
Biss	Hunter	Muñoz	Stears
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Koehler	Oberweis	Trotter
Castro	Landek	Radogno	Van Pelt
Clayborne	Lightford	Raoul	Weaver
Collins	Link	Rezin	Mr. President
Connelly	Manar	Righter	
Cullerton, T.	Martinez	Rooney	
Cunningham	McCann	Rose	

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

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

On motion of Senator Anderson, **Senate Bill No. 1780** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 27, 2017]

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Stadelman, **Senate Bill No. 1790** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Stadelman, **Senate Bill No. 1795** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 27, 2017]

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Schimpf
Anderson	Fowler	McCarter	Silverstein
Aquino	Harmon	McConnaughay	Stadelman
Barickman	Harris	McGuire	Steans
Bennett	Holmes	Mulroe	Syverson
Biss	Hunter	Muñoz	Tracy
Bivins	Hutchinson	Nybo	Trotter
Brady	Jones, E.	Oberweis	Van Pelt
Bush	Koehler	Radogno	Weaver
Castro	Landek	Rezin	Mr. President
Clayborne	Lightford	Righter	
Collins	Link	Rooney	
Connelly	Manar	Rose	
Cullerton, T.	Martinez	Sandoval	

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

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

On motion of Senator Mulroe, **Senate Bill No. 1799** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Biss, **Senate Bill No. 1720** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[April 27, 2017]

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

YEAS 30; NAYS 22.

The following voted in the affirmative:

Aquino	Cunningham	Link	Sandoval
Bennett	Harmon	Manar	Silverstein
Biss	Holmes	Martinez	Steans
Bush	Hunter	McGuire	Trotter
Castro	Hutchinson	Mulroe	Van Pelt
Clayborne	Jones, E.	Muñoz	Mr. President
Collins	Koehler	Murphy	
Cullerton, T.	Lightford	Raoul	

The following voted in the negative:

Althoff	Fowler	Oberweis	Schimpf
Anderson	Landek	Radogno	Syverson
Barickman	McCann	Rezin	Tracy
Bivins	McConchie	Righter	Weaver
Brady	McConnaughay	Rooney	
Connelly	Nybo	Rose	

This roll call verified.

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

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

Senator McCarter asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 1720**.

On motion of Senator Syverson, **Senate Bill No. 1804** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCann	Rose
Anderson	Harmon	McConchie	Sandoval
Aquino	Harris	McConnaughay	Schimpf
Barickman	Holmes	Mulroe	Silverstein
Bennett	Hunter	Muñoz	Stadelman
Biss	Hutchinson	Murphy	Steans
Brady	Jones, E.	Nybo	Syverson
Bush	Koehler	Oberweis	Tracy
Castro	Landek	Radogno	Trotter
Clayborne	Lightford	Raoul	Van Pelt
Collins	Link	Rezin	Weaver
Cullerton, T.	Manar	Righter	Mr. President
Cunningham	Martinez	Rooney	

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

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

On motion of Senator Syverson, **Senate Bill No. 1805** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConchie	Sandoval
Anderson	Harris	McConnaughay	Schimpf
Aquino	Holmes	Mulroe	Silverstein
Barickman	Hunter	Muñoz	Stadelman
Bennett	Hutchinson	Murphy	Steans
Brady	Jones, E.	Nybo	Syverson
Bush	Koehler	Oberweis	Tracy
Castro	Landek	Radogno	Trotter
Clayborne	Lightford	Raoul	Van Pelt
Connelly	Link	Rezin	Weaver
Cullerton, T.	Manar	Righter	Mr. President
Cunningham	Martinez	Rooney	
Fowler	McCann	Rose	

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

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

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 1807** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 1807

AMENDMENT NO. 4. Amend Senate Bill 1807, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 2, by replacing line 23 with "Assembly, including the renewal or extension of a contract irrespective of whether the contract automatically renews, is amended, or is subject to a new request for proposal after the effective date of this amendatory Act of the 100th General Assembly.".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO SENATE BILL 1807

AMENDMENT NO. 5. Amend Senate Bill 1807, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 2, line 20, by replacing "party to" with "party to: (1)"; and

on page 2, by replacing line 23 with "Assembly; or (2) the renewal or extension of a contract relating to the collecting and final disposition of general construction or demolition debris irrespective of whether the contract automatically renews, is amended, or is subject to a new request for proposal after the effective date of this amendatory Act of the 100th General Assembly."; and

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on page 8, line 2, by replacing "party to" with "party to: (1)"; and

on page 8, line 6, by replacing line 6 with "100th General Assembly; or (2) the renewal or extension of a franchise or contract with a private entity for the collection of general construction or demolition debris from residential or non-residential locations irrespective of whether the franchise or contract automatically renews, is amended, or is subject to a new request for proposal after the effective date of this amendatory Act of the 100th General Assembly.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 4 and 5 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 1807** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Sandoval
Anderson	Harmon	McConchie	Schimpf
Aquino	Harris	McConnaughay	Silverstein
Barickman	Holmes	McGuire	Stadelman
Bennett	Hunter	Mulroe	Steans
Biss	Hutchinson	Muñoz	Syverson
Bivins	Jones, E.	Nybo	Tracy
Brady	Koehler	Oberweis	Trotter
Castro	Landek	Radogno	Van Pelt
Clayborne	Lightford	Raoul	Weaver
Collins	Link	Rezin	Mr. President
Connelly	Manar	Righter	
Cullerton, T.	Martinez	Rooney	
Cunningham	McCann	Rose	

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

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

SENATE BILL RECALLED

On motion of Senator Althoff, **Senate Bill No. 1811** was recalled from the order of third reading to the order of second reading.

Senator Althoff offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1811

AMENDMENT NO. 2. Amend Senate Bill 1811 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Telehealth Act.

Section 5. Definitions. As used in this Act:

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"Health care professional" includes physicians, physician assistants, optometrists, advanced practice nurses, and clinical psychologists licensed in Illinois.

"Telehealth" means the evaluation, diagnosis, or interpretation of electronically transmitted patient-specific data between a remote location and a licensed health care professional that generates interaction or treatment recommendations. "Telehealth" includes telemedicine.

Section 10. Licensure. A health care professional treating a patient located in this State through telehealth must be licensed in Illinois.

Section 15. Use of telehealth. A health care professional may engage in the practice of telehealth in Illinois to the extent of his or her scope of practice as established in his or her respective licensing Act consistent with the standards of care for in-person services. This Act shall not be construed to alter the scope of practice of any health care professional or authorize the delivery of health care services in a setting or in a manner not otherwise authorized by the laws of this State.

Section 90. The Medical Practice Act of 1987 is amended by changing Section 49.5 as follows:

(225 ILCS 60/49.5)

(Section scheduled to be repealed on December 31, 2017)

Sec. 49.5. Telemedicine.

(a) The General Assembly finds and declares that because of technological advances and changing practice patterns the practice of medicine is occurring with increasing frequency across state lines and across increasing geographical distances within the State of Illinois and that certain technological advances in the practice of medicine are in the public interest. The General Assembly further finds and declares that the practice of medicine is a privilege and that the licensure by this State of practitioners outside this State engaging in medical practice within this State and the ability to discipline those practitioners is necessary for the protection of the public health, welfare, and safety.

(b) A person who engages in the practice of telemedicine without a license issued under this Act shall be subject to penalties provided in Section 59.

(c) For purposes of this Act, "telemedicine" means the performance of any of the activities listed in Section 49, including, but not limited to, rendering written or oral opinions concerning diagnosis or treatment of a patient in Illinois by a person in a different location than the patient ~~located outside the State of Illinois~~ as a result of transmission of individual patient data by telephonic, electronic, or other means of communication ~~from within this State~~. "Telemedicine" does not include the following:

(1) periodic consultations between a person licensed under this Act and a person outside the State of Illinois;

(2) a second opinion provided to a person licensed under this Act; ~~and~~

(3) diagnosis or treatment services provided to a patient in Illinois following care or treatment originally provided to the patient in the state in which the provider is licensed to practice medicine; ~~and -~~

(4) health care services provided to an existing patient while the person licensed under this Act or patient is traveling.

(d) Whenever the Department has reason to believe that a person has violated this Section, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(e) An out-of-state person providing a service listed in Section 49 to a patient residing in Illinois through the practice of telemedicine submits himself or herself to the jurisdiction of the courts of this State.

(Source: P.A. 90-99, eff. 1-1-98.)."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

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On motion of Senator Althoff, **Senate Bill No. 1811** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCarter	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Silverstein
Bennett	Holmes	Mulroe	Stadelman
Biss	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Koehler	Oberweis	Trotter
Castro	Landek	Radogno	Van Pelt
Clayborne	Lightford	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	

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

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

SENATE BILL RECALLED

On motion of Senator Althoff, **Senate Bill No. 1818** was recalled from the order of third reading to the order of second reading.

Senator Althoff offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1818

AMENDMENT NO. 2. Amend Senate Bill 1818, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Community Association Manager Licensing and Disciplinary Act is amended by changing Sections 5, 10, 15, 25, 30, 50, 55, 60, 70, 75, 85, 90, 92, 155, and 165 as follows:
(225 ILCS 427/5)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5. Legislative intent. It is the intent of the General Assembly that this Act provide for the licensing and regulation of community association managers ~~and community association management firms~~, ensure that those who hold themselves out as possessing professional qualifications to engage in the business of community association management are, in fact, qualified to render management services of a professional nature, and provide for the maintenance of high standards of professional conduct by those licensed to provide community association management services.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/10)

(Section scheduled to be repealed on January 1, 2020)

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

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's website or by contacting the Department's licensure maintenance unit.

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"Advertise" means, but is not limited to, issuing or causing to be distributed any card, sign or device to any person; or causing, permitting or allowing any sign or marking on or in any building, structure, newspaper, magazine or directory, or on radio or television; or advertising by any other means designed to secure public attention.

"Board" means the Illinois Community Association Manager Licensing and Disciplinary Board.

"Community association" means an association in which membership is a condition of ownership or shareholder interest of a unit in a condominium, cooperative, townhouse, villa, or other residential unit which is part of a residential development plan and that is authorized to impose an assessment, rents, or other costs that may become a lien on the unit or lot.

"Community association funds" means any assessments, fees, fines, or other funds collected by the community association manager from the community association, or its members, other than the compensation paid to the community association manager for performance of community association management services.

"Community association management firm" means a company, corporation, limited liability company, or other entity that engages in community association management services through a designated community association manager.

"Community association management services" means those services listed in the definition of community association manager in this Section.

"Community association manager" means an individual who administers for remuneration the financial, administrative, maintenance, or other duties for the community association, including, but not limited to, any of the following services: (A) collecting, controlling or disbursing funds of the community association or having the authority to do so; (B) preparing budgets or other financial documents for the community association; (C) assisting in the conduct of community association meetings; (D) maintaining association records; or and (E) administering association contracts, as stated in the declaration, bylaws, proprietary lease, declaration of covenants, or other governing document of the community association. ~~"Community association manager" does not mean support staff, including, but not limited to bookkeepers, administrative assistants, secretaries, property inspectors, or customer service representatives.~~

"Department" means the Department of Financial and Professional Regulation.

"Designated community association manager" means a licensed community association manager who has an ownership interest in or is otherwise employed by a community association management firm to act as the controlling person and the authorized signatory for the firm on community association accounts and to otherwise supervise, manage, and be responsible for the firm's community association manager activities pursuant to Section 50 of this Act.

~~"License" means the license issued to a person, corporation, partnership, limited liability company, or other legal entity under this Act to provide community association management services.~~

~~"Person" means an any individual, corporation, partnership, limited liability company, or other legal entity.~~

~~"Secretary" means the Secretary of Financial and Professional Regulation.~~

~~"Supervising community association manager" means an individual licensed as a community association manager who manages and supervises a firm.~~

(Source: P.A. 98-365, eff. 1-1-14; revised 10-27-16.)

(225 ILCS 427/15)

(Section scheduled to be repealed on January 1, 2020)

Sec. 15. License required. It shall be unlawful for any person, corporation, partnership, limited liability company, or other entity to provide community association management services, provide services as a community association manager, or hold himself, herself, or itself out as a community association manager or community association management firm to any community association in this State, unless he, she, or it holds a current and valid license issued ~~licensed~~ by the Department, employs a designated community association manager with a current and valid license issued by the Department, or is otherwise exempt from licensure under this Act.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/25)

(Section scheduled to be repealed on January 1, 2020)

Sec. 25. Community Association Manager Licensing and Disciplinary Board.

(a) There is hereby created the Community Association Manager Licensing and Disciplinary Board, which shall consist of 7 members appointed by the Secretary. All members must be residents of the State and must have resided in the State for at least 5 years immediately preceding the date of appointment. Five members of the Board must be licensees under this Act, ~~at least two members of which shall be supervising community association managers.~~ Two members of the Board shall be owners of, or hold a shareholder's

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interest in, a unit in a community association at the time of appointment who are not licensees under this Act and have no direct affiliation or work experience with the community association's community association manager. This Board shall act in an advisory capacity to the Department.

(b) Board members shall serve for terms of 5 years, except that, initially, 4 members shall serve for 5 years and 3 members shall serve for 4 years. All members shall serve until his or her successor is appointed and qualified. All vacancies shall be filled in like manner for the unexpired term. No member shall serve for more than 2 successive terms. The Secretary shall remove from the Board any member whose license has become void or has been revoked or suspended and may remove any member of the Board for neglect of duty, misconduct, or incompetence. A member who is subject to formal disciplinary proceedings shall disqualify himself or herself from all Board business until the charge is resolved. A member also shall disqualify himself or herself from any matter on which the member cannot act objectively.

(c) Four Board members shall constitute a quorum. A quorum is required for all Board decisions.

(d) The Board shall elect annually a chairperson and vice chairperson.

(e) Each member shall receive reimbursement as set by the Governor's Travel Control Board for expenses incurred in carrying out the duties as a Board member. The Board shall be compensated as determined by the Secretary.

(f) The Board may recommend policies, procedures, and rules relevant to the administration and enforcement of this Act.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/30)

(Section scheduled to be repealed on January 1, 2020)

Sec. 30. Powers and duties of the Department. The Department may exercise the following functions, powers and duties:

(a) formulate rules for the administration and enforcement of this Act;

(b) prescribe forms to be issued for the administration and enforcement of this Act;

(c) conduct hearings or proceedings to refuse to issue, renew, suspend, revoke, place on probation, reprimand, or take disciplinary or non-disciplinary action as the Department may deem appropriate under this Act;

(d) maintain a roster of the names and addresses of all licensees and the community association management firms that employ them in a manner as deemed appropriate by the Department; and

(e) seek the advice and expert knowledge of the Board on any matter relating to the administration and enforcement of this Act.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/50)

(Section scheduled to be repealed on January 1, 2020)

Sec. 50. Community association management firm.

(a) No corporation, partnership, limited liability company, or other legal entity shall provide or offer to provide community association management services, unless it does so through a licensed community association manager that has applied in writing on the prescribed forms and has paid the required nonrefundable fees and provided evidence to the Department that he or she meets the requirements to be named as a ~~the firm has designated~~ community association manager and agrees a licensed supervising community association manager to supervise and manage the firm's licensed activities firm. A designated ~~supervising~~ community association manager shall be a continuing requirement of firm operation. ~~licensure. No supervising community association manager may be the supervising community association manager for more than one firm.~~

(b) Any corporation, partnership, limited liability company, or other legal entity that is providing, or offering to provide, community association management services and is not in compliance with Section 50 and other provisions of this Act shall be subject to the civil penalties fines, injunctions, cease and desist provisions, and penalties provided for in Sections 90, 92, and 155 of this Act.

(c) No community association manager may be the designated community association manager licensee in charge for more than one firm, corporation, limited liability company, or other legal entity.

(d) The Department is authorized to adopt rules and set all necessary requirements for the implementation of this Section.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/55)

(Section scheduled to be repealed on January 1, 2020)

Sec. 55. Fidelity insurance; segregation of accounts.

(a) The designated ~~supervising~~ community association manager or the community association management firm with which he or she is employed shall not have access to and disburse community association funds unless each of the following conditions occur:

- (1) There is fidelity insurance in place to insure against loss for theft of community association funds.
- (2) The fidelity insurance is not less than all moneys under the control of the designated ~~supervising~~ community association manager ~~or the employing community association management firm~~ for the association.
- (3) The fidelity insurance covers the designated community association manager, all other licensees, ~~supervising community association manager~~, and all partners, officers, and employees of the community association management firm during the term of the insurance coverage, which shall be at least for the same term as the service agreement between the community association management firm ~~or supervising community association manager~~ as well as the community association officers, directors, and employees.
- (4) The insurance company issuing the fidelity insurance may not cancel or refuse to renew the bond without giving at least 10 days' prior written notice.
- (5) Unless an agreement between the community association and the ~~supervising~~ community association

manager or the community association management firm provides to the contrary, a community association may secure and pay for the fidelity insurance required by this Section. The designated ~~supervising~~ community association manager, all other licensees, and ~~or~~ the community association management firm must be named as additional insured parties on the community association policy.

(b) A community association management firm that provides community association management services for more than one community association shall maintain separate, segregated accounts for each community association or, with the consent of the community association, combine the accounts of one or more community associations, but in that event, separately account for the funds of each community association. The funds shall not, in any event, be commingled with the ~~supervising~~ community association manager's or community association management firm's funds. The maintenance of such accounts shall be custodial, and such accounts shall be in the name of the respective community association or community association manager ~~or community association management firm~~ Community Association Management Agency as the agent for the association.

(c) The ~~supervising~~ community association manager or community association management firm shall obtain the appropriate general liability and errors and omissions insurance, as determined by the Department, to cover any losses or claims against the ~~supervising~~ community association manager or the community association management firm.

(d) The Department shall have authority to promulgate additional rules regarding insurance, fidelity insurance and all accounts maintained and to be maintained by a designated ~~supervising~~ community association manager or community association management firm.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/60)

(Section scheduled to be repealed on January 1, 2020)

Sec. 60. Licenses; renewals; restoration; person in military service.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule. The Department may promulgate rules requiring continuing education and set all necessary requirements for such, including but not limited to fees, approved coursework, number of hours, and waivers of continuing education.

(b) Any licensee who has permitted his ~~or~~ her, ~~or its~~ license to expire may have the license restored by making application to the Department and filing proof acceptable to the Department of fitness to have his ~~or~~ her, ~~or its~~ license restored, by which may include sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department, complying with any continuing education requirements, and paying the required restoration fee.

(c) If the person has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, the person's fitness to resume active status and may require the person to complete a period of evaluated clinical experience and successful completion of a practical examination. However, any person whose license expired while (i) in federal service on active duty with the Armed Forces of the United States or called into service or training with the State Militia or (ii) in training or education under the supervision of the United States preliminary to induction into the military service may have his or her license renewed or restored without paying any lapsed renewal fees if, within 2 years after honorable termination of the

service, training or education, except under condition other than honorable, he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that the service, training, or education has been so terminated.

(d) A community association manager, ~~community association management firm or supervising community association manager~~ who notifies the Department, in writing on forms prescribed by the Department, may place his or her, ~~or its~~ license on inactive status and shall be excused from the payment of renewal fees until the person notifies the Department in writing of the intention to resume active practice.

(e) A community association manager, ~~community association management firm, or supervising community association manager~~ requesting his or her, ~~or its~~ license be changed from inactive to active status shall be required to pay the current renewal fee and shall also demonstrate compliance with the continuing education requirements.

(f) Any licensee with a nonrenewed or on inactive license status or any community association firm operating without a designated community association manager shall not provide community association management services as set forth in this Act.

(g) Any person or entity violating subsection (f) of this Section shall be considered to be practicing without a license and will be subject to the disciplinary provisions of this Act.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/70)

(Section scheduled to be repealed on January 1, 2020)

Sec. 70. Penalty for insufficient funds; payments. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days after notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or deny the application, without hearing. If, after termination or denial, the person seeks a license, he or she, ~~or it~~ shall apply to the Department for restoration or issuance of the license and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/75)

(Section scheduled to be repealed on January 1, 2020)

Sec. 75. Endorsement. The Department may issue a community association manager ~~or supervising community association manager~~ license, without the required examination, to an applicant licensed under the laws of another state if the requirements for licensure in that state are, on the date of licensure, substantially equal to the requirements of this Act or to a person who, at the time of his or her application for licensure, possessed individual qualifications that were substantially equivalent to the requirements then in force in this State. An applicant under this Section shall pay all of the required fees.

Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within the 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/85)

(Section scheduled to be repealed on January 1, 2020)

Sec. 85. Grounds for discipline; refusal, revocation, or suspension.

(a) The Department may refuse to issue or renew a license, or may place on probation, reprimand, suspend, or revoke any license, or take any other disciplinary or non-disciplinary action as the Department may deem proper and impose a fine not to exceed \$10,000 for each violation upon any licensee or applicant under this Act or any person or entity who holds himself, herself, or itself out as an applicant or licensee for any one or combination of the following causes:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act or its rules.

(3) Conviction of or entry of a plea of guilty or plea of nolo contendere to a felony or a misdemeanor under the laws of the United States, any state, or any other jurisdiction or entry of an administrative sanction by a government agency in this State or any other jurisdiction. Action taken under this paragraph (3) for a misdemeanor or an administrative sanction is limited to a misdemeanor

or administrative sanction that has as an essential element dishonesty or fraud, that involves larceny, embezzlement, or obtaining money, property, or credit by false pretenses or by means of a confidence game, or that is directly related to the practice of the profession.

(4) Making any misrepresentation for the purpose of obtaining a license or violating any provision of this Act or its rules.

(5) Professional incompetence.

(6) Gross negligence.

(7) Aiding or assisting another person in violating any provision of this Act or its rules.

(8) Failing, within 30 days, to provide information in response to a request made by the Department.

(9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Department.

(10) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety.

(11) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, or a governmental agency authorized to impose discipline if at least one of the grounds for the discipline is the same or substantially equivalent of one of the grounds for which a licensee may be disciplined under this Act. A certified copy of the record of the action by the other state or jurisdiction shall be prima facie evidence thereof.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered.

(13) A finding by the Department that the licensee, after having his ~~or~~ ~~her~~, ~~or~~ ~~its~~ license placed on probationary status, has violated the terms of probation.

(14) Willfully making or filing false records or reports relating to a licensee's practice, including but not limited to false records filed with any State or federal agencies or departments.

(15) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(16) Physical illness or mental illness or impairment, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(17) Solicitation of professional services by using false or misleading advertising.

(18) A finding that licensure has been applied for or obtained by fraudulent means.

(19) Practicing or attempting to practice under a name other than the full name as shown on the license or any other legally authorized name unless approved by the Department.

(20) Gross overcharging for professional services including, but not limited to, (i) collection of fees or moneys for services that are not rendered; and (ii) charging for services that are not in accordance with the contract between the licensee and the community association.

(21) Improper commingling of personal and client funds in violation of this Act or any rules promulgated thereto.

(22) Failing to account for or remit any moneys or documents coming into the licensee's possession that belong to another person or entity.

(23) Giving differential treatment to a person that is to that person's detriment because of race, color, creed, sex, religion, or national origin.

(24) Performing and charging for services without reasonable authorization to do so from the person or entity for whom service is being provided.

(25) Failing to make available to the Department, upon request, any books, records, or forms required by this Act.

(26) Purporting to be a designated supervising community association manager of a firm without active participation in the firm.

(27) Failing to make available to the Department at the time of the request any indicia of licensure or registration issued under this Act.

(28) Failing to maintain and deposit funds belonging to a community association in accordance with subsection (b) of Section 55 of this Act.

(29) Violating the terms of a disciplinary order issued by the Department.

(30) Operating a community association management firm without a licensed designated community association manager.

(31) Failing to meet the requirements for acting as a designated community association manager, if appropriate.

(b) In accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15), the Department shall deny a license or renewal authorized by this Act to a person who has defaulted on an educational loan or scholarship provided or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will terminate only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice as a licensed community association manager.

(d) In accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15), the Department may refuse to issue or renew or may suspend the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of that tax Act are satisfied.

(e) In accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (20 ILCS 2105/2105-15) and in cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services.

(f) In enforcing this Section, the Department or Board upon a showing of a possible violation may compel a licensee or an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department or Board may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Board or Department. The individual to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of this examination. Failure of an individual to submit to a mental or physical examination, when directed, shall be grounds for suspension of his or her license or denial of his or her application or renewal until the individual submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department or Board finds an individual unable to practice because of the reasons set forth in this Section, the Department or Board may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department or Board, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Department may file, or the Board may recommend to the Department to file, a complaint to immediately suspend, revoke, deny, or otherwise discipline the license of the individual. An individual whose license was granted, continued, reinstated, renewed, disciplined or supervised subject to such terms, conditions, or restrictions, and who fails to comply with such terms, conditions, or restrictions, shall be referred to the Secretary for a determination as to whether the individual shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 30 days after the suspension and completed without appreciable delay. The Department and Board shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department or Board that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

(Source: P.A. 97-333, eff. 8-12-11; 98-365, eff. 1-1-14; 98-756, eff. 7-16-14.)

(225 ILCS 427/90)

(Section scheduled to be repealed on January 1, 2020)

Sec. 90. Violations; injunctions; cease and desist orders.

(a) If any person violates a provision of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois, petition for an order enjoining the violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section are in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person, entity or other business may provide community association management services or provide services as community association manager to any community association in this State without having a valid license under this Act or without a designated community association manager for a community association management firm, then any licensee, any interested party or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(c) Whenever in the opinion of the Department any person, entity or other business violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against such person, firm or other entity. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of at least 7 days from the date of the rule to file an answer to the satisfaction of the Department. If the person, firm or other entity fails to file an answer satisfactory to the Department, the matter shall be considered as a default and the Department may cause an order to cease and desist to be issued immediately.

(Source: P.A. 96-726, eff. 7-1-10.)

(225 ILCS 427/92)

(Section scheduled to be repealed on January 1, 2020)

Sec. 92. Unlicensed practice; violation; civil penalty.

(a) Any person, entity or other business who practices, offers to practice, attempts to practice, or holds himself, herself or itself out to practice as a community association manager or community association management firm or provide services as a community association manager or community association management firm to any community association in this State without being licensed under this Act or without a designated community association manager for a community association management firm shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department may investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/155)

(Section scheduled to be repealed on January 1, 2020)

Sec. 155. Violations; penalties.

(a) A person who violates any of the following provisions shall be guilty of a Class A misdemeanor; a person who commits a second or subsequent violation of these provisions is guilty of a Class 4 felony:

(1) The practice of or attempted practice of or holding out as available to practice as a community association manager ~~or supervising community association manager~~ without a license.

(2) Operation of or attempt to operate a community association management firm without a ~~firm license or~~ a designated ~~supervising~~ community association manager.

(3) The obtaining of or the attempt to obtain any license or authorization issued under this Act by fraudulent misrepresentation.

(b) Whenever a licensee is convicted of a felony related to the violations set forth in this Section, the clerk of the court in any jurisdiction shall promptly report the conviction to the Department and the Department shall immediately revoke any license authorized under this Act held by that licensee. The

licensee shall not be eligible for licensure under this Act until at least 10 years have elapsed since the time of full discharge from any sentence imposed for a felony conviction. If any person in making any oath or affidavit required by this Act swears falsely, the person is guilty of perjury and may be punished accordingly.

(Source: P.A. 98-365, eff. 1-1-14; 99-78, eff. 7-20-15.)

(225 ILCS 427/165)

(Section scheduled to be repealed on January 1, 2020)

Sec. 165. Home rule. The regulation and licensing of community association managers, ~~supervising community association managers, and community association management firms~~ are exclusive powers and functions of the State. A home rule unit may not regulate or license community association managers, ~~supervising community association managers, or community association management firms~~. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 98-365, eff. 1-1-14.)

(225 ILCS 427/42 rep.)

Section 10. The Community Association Manager Licensing and Disciplinary Act is amended by repealing Section 42.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Althoff, **Senate Bill No. 1818** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rose
Anderson	Harmon	McConchie	Sandoval
Aquino	Harris	McConnaughay	Schimpf
Barickman	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Biss	Hutchinson	Muñoz	Stears
Bivins	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	
Cunningham	McCann	Rooney	

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

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

[April 27, 2017]

On motion of Senator Mulroe, **Senate Bill No. 1833** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McConnaughay	Silverstein
Bennett	Holmes	McGuire	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Jones, E.	Murphy	Tracy
Bush	Koehler	Nybo	Trotter
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Collins	Link	Raoul	Mr. President
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Rooney	

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

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

On motion of Senator Mulroe, **Senate Bill No. 1834** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Sandoval
Anderson	Harmon	McConnaughay	Schimpf
Aquino	Harris	McGuire	Silverstein
Barickman	Holmes	Mulroe	Stadelman
Biss	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Koehler	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	

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

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

[April 27, 2017]

On motion of Senator Hunter, **Senate Bill No. 1845** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Silverstein
Bennett	Holmes	Mulroe	Stadelman
Biss	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Koehler	Oberweis	Trotter
Castro	Landek	Radogno	Van Pelt
Clayborne	Lightford	Raoul	Weaver
Collins	Link	Rezin	Mr. President
Connelly	Manar	Righter	
Cullerton, T.	Martinez	Rooney	

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

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

On motion of Senator Raoul, **Senate Bill No. 1842** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McConnaughay	Silverstein
Bennett	Holmes	McGuire	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Jones, E.	Murphy	Tracy
Bush	Koehler	Nybo	Trotter
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Collins	Link	Raoul	Mr. President
Connelly	Manar	Righter	
Cullerton, T.	Martinez	Rooney	

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

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

[April 27, 2017]

On motion of Senator Hunter, **Senate Bill No. 1846** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Tracy
Bush	Koehler	Nybo	Trotter
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Collins	Link	Raoul	Mr. President
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Hunter, **Senate Bill No. 1851** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McConnaughay	Silverstein
Bennett	Holmes	McGuire	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Tracy
Brady	Jones, E.	Murphy	Trotter
Bush	Koehler	Nybo	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Collins	Link	Raoul	
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	

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

[April 27, 2017]

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

On motion of Senator Bivins, **Senate Bill No. 1856** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rose
Anderson	Harmon	McConchie	Sandoval
Aquino	Harris	McConnaughay	Schimpf
Barickman	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Biss	Hutchinson	Muñoz	Steans
Bivins	Jones, E.	Murphy	Syverson
Brady	Koehler	Nybo	Tracy
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	Link	Raoul	Mr. President
Collins	Manar	Rezin	
Connelly	Martinez	Righter	
Cunningham	McCann	Rooney	

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

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

SENATE BILL RECALLED

On motion of Senator Rose, **Senate Bill No. 1865** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1865

AMENDMENT NO. 1. Amend Senate Bill 1865 on page 2, line 15, by deleting "for review and approval"; and

on page 2, line 21, by deleting "for review and approval".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 1865** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 27, 2017]

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McConnaughay	Silverstein
Bennett	Holmes	McGuire	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Tracy
Brady	Jones, E.	Murphy	Trotter
Bush	Koehler	Nybo	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Collins	Link	Raoul	
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Rose, **Senate Bill No. 1866** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

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

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

At the hour of 5:06 o'clock p.m., Senator Lightford, presiding.

[April 27, 2017]

On motion of Senator Steans, **Senate Bill No. 1870** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Sandoval
Anderson	Harmon	McConchie	Schimpf
Barickman	Harris	McConnaughay	Silverstein
Bennett	Holmes	McGuire	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Jones, E.	Murphy	Tracy
Bush	Koehler	Nybo	Trotter
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Collins	Link	Raoul	Mr. President
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	
Cunningham	McCann	Rose	

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

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

On motion of Senator Fowler, **Senate Bill No. 1876** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS 4.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rezin
Anderson	Fowler	McCann	Rooney
Aquino	Harmon	McCarter	Rose
Barickman	Harris	McConchie	Sandoval
Bennett	Holmes	McConnaughay	Silverstein
Biss	Hunter	McGuire	Stadelman
Bivins	Hutchinson	Mulroe	Steans
Brady	Jones, E.	Muñoz	Syverson
Castro	Koehler	Murphy	Trotter
Clayborne	Landek	Nybo	Weaver
Collins	Lightford	Oberweis	Mr. President
Connelly	Link	Radogno	
Cullerton, T.	Manar	Raoul	

The following voted in the negative:

Righter	Tracy
Schimpf	Van Pelt

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

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

Senator Van Pelt asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1876**.

Senator Bush asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1876**.

Senator Tracy asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1876**.

Senator Schimpf asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1876**.

On motion of Senator Link, **Senate Bill No. 1880** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Holmes, **Senate Bill No. 1884** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman

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Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Koehler, **Senate Bill No. 1887** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Stadelman, **Senate Bill No. 1898** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConchie	Sandoval
Anderson	Harris	McConnaughay	Schimpf
Aquino	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Biss	Hutchinson	Muñoz	Steans

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Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Trotter
Castro	Landek	Radogno	Van Pelt
Clayborne	Lightford	Raoul	Weaver
Collins	Link	Rezin	Mr. President
Cullerton, T.	Manar	Righter	
Cunningham	Martinez	Rooney	
Fowler	McCann	Rose	

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

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

On motion of Senator Weaver, **Senate Bill No. 1900** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Biss	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

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

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

On motion of Senator Silverstein, **Senate Bill No. 1904** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConchie	Sandoval
Anderson	Harris	McConnaughay	Schimpf
Aquino	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Biss	Hutchinson	Muñoz	Steans

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Bivins	Jones, E.	Murphy	Syverson
Brady	Koehler	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	
Cunningham	McCann	Rooney	
Fowler	McCarter	Rose	

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

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

On motion of Senator Silverstein, **Senate Bill No. 1905** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Senator McConchie asked for a ruling from the Chair as to whether or not Senate Bill 1905 preempts home rule and the number of votes required for passage.

The Chair stated that there is no provision in the legislation that preempts home rule, per Article VII of the Illinois Constitution, and that the bill requires 30 votes for passage.

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

YEAS 36; NAYS 15.

The following voted in the affirmative:

Anderson	Fowler	Martinez	Schimpf
Aquino	Harmon	McCann	Silverstein
Bennett	Holmes	McGuire	Tracy
Biss	Hunter	Mulroe	Trotter
Bush	Hutchinson	Muñoz	Van Pelt
Castro	Jones, E.	Murphy	Mr. President
Clayborne	Koehler	Raoul	
Collins	Lightford	Rezin	
Cullerton, T.	Link	Rose	
Cunningham	Manar	Sandoval	

The following voted in the negative:

Althoff	Connelly	Nybo	Rooney
Barickman	McCarter	Oberweis	Syverson
Bivins	McConchie	Radogno	Weaver
Brady	McConnaughay	Righter	

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

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

Senator Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 1905**.

Senator Tracy asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 1905**.

SENATE BILL RECALLED

[April 27, 2017]

On motion of Senator Althoff, **Senate Bill No. 1936** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was postponed in the Committee on State Government.

Senator Althoff offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1936

AMENDMENT NO. 3. Amend Senate Bill 1936 by replacing everything after the enacting clause with the following:

"ARTICLE 5. AMENDATORY PROVISIONS

(20 ILCS 605/605-523 rep.)

Section 5-5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by repealing Section 605-523.

(20 ILCS 3930/9 rep.)

Section 5-10. The Illinois Criminal Justice Information Act is amended by repealing Section 9.

(20 ILCS 3988/35 rep.)

Section 5-15. The Local Legacy Act is amended by repealing Section 35.

(30 ILCS 105/5.102 rep.) (30 ILCS 105/5.172 rep.) (30 ILCS 105/5.325 rep.) (30 ILCS 105/5.423 rep.) (30 ILCS 105/5.512 rep.) (30 ILCS 105/5.541 rep.) (30 ILCS 105/5.556 rep.) (30 ILCS 105/5.591 rep.) (30 ILCS 105/5.595 rep.) (30 ILCS 105/5.625 rep.) (30 ILCS 105/5.626 rep.) (30 ILCS 105/5.627 rep.) (30 ILCS 105/5.628 rep.) (30 ILCS 105/5.661 rep.) (30 ILCS 105/5.779 rep.) (30 ILCS 105/5.813 rep.) (30 ILCS 105/5.818 rep.) (30 ILCS 105/6a-5 rep.) (30 ILCS 105/6z-55 rep.) (30 ILCS 105/6z-83 rep.) (30 ILCS 105/6z-93 rep.)

Section 5-20. The State Finance Act is amended by repealing Sections 5.102, 5.172, 5.325, 5.423, 5.512, 5.541, 5.556, 5.591, 5.595, 5.625, 5.626, 5.627, 5.628, 5.661, 5.779, 5.813, 5.818, 6a-5, 6z-55, 6z-83, and 6z-93.

(35 ILCS 5/208.1 rep.) (35 ILCS 5/507XX rep.)

Section 5-25. The Illinois Income Tax Act is amended by repealing Sections 208.1 and 507XX.

Section 5-30. The Economic Development for a Growing Economy Tax Credit Act is amended by changing Section 5-80 as follows:

(35 ILCS 10/5-80)

Sec. 5-80. Adoption of rules. The Department may adopt rules necessary to implement this Act. The rules may provide for recipients of Credits under this Act to be charged fees to cover administrative costs of the tax credit program. Fees collected shall be deposited into the General Revenue Economic Development for a Growing Economy Fund.

(Source: P.A. 91-476, eff. 8-11-99.)

(35 ILCS 10/5-85 rep.)

Section 5-35. The Economic Development for a Growing Economy Tax Credit Act is amended by repealing Section 5-85.

(110 ILCS 805/2-16.03 rep.)

Section 5-40. The Public Community College Act is amended by repealing Section 2-16.03.

Section 5-45. The Higher Education Student Assistance Act is amended by changing Section 35 as follows:

(110 ILCS 947/35)

Sec. 35. Monetary award program.

(a) The Commission shall, each year, receive and consider applications for grant assistance under this Section. Subject to a separate appropriation for such purposes, an applicant is eligible for a grant under this Section when the Commission finds that the applicant:

(1) is a resident of this State and a citizen or permanent resident of the United States; and

(2) in the absence of grant assistance, will be deterred by financial considerations from completing an educational program at the qualified institution of his or her choice.

(b) The Commission shall award renewals only upon the student's application and upon the Commission's finding that the applicant:

(1) has remained a student in good standing;

(2) remains a resident of this State; and

(3) is in a financial situation that continues to warrant assistance.

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(c) All grants shall be applicable only to tuition and necessary fee costs. The Commission shall determine the grant amount for each student, which shall not exceed the smallest of the following amounts:

- (1) subject to appropriation, \$5,468 for fiscal year 2009, \$5,968 for fiscal year 2010, and \$6,468 for fiscal year 2011 and each fiscal year thereafter, or such lesser amount as the Commission finds to be available, during an academic year;
- (2) the amount which equals 2 semesters or 3 quarters tuition and other necessary fees required generally by the institution of all full-time undergraduate students; or
- (3) such amount as the Commission finds to be appropriate in view of the applicant's financial resources.

Subject to appropriation, the maximum grant amount for students not subject to subdivision (1) of this subsection (c) must be increased by the same percentage as any increase made by law to the maximum grant amount under subdivision (1) of this subsection (c).

"Tuition and other necessary fees" as used in this Section include the customary charge for instruction and use of facilities in general, and the additional fixed fees charged for specified purposes, which are required generally of nongrant recipients for each academic period for which the grant applicant actually enrolls, but do not include fees payable only once or breakage fees and other contingent deposits which are refundable in whole or in part. The Commission may prescribe, by rule not inconsistent with this Section, detailed provisions concerning the computation of tuition and other necessary fees.

(d) No applicant, including those presently receiving scholarship assistance under this Act, is eligible for monetary award program consideration under this Act after receiving a baccalaureate degree or the equivalent of 135 semester credit hours of award payments.

(e) The Commission, in determining the number of grants to be offered, shall take into consideration past experience with the rate of grant funds unclaimed by recipients. The Commission shall notify applicants that grant assistance is contingent upon the availability of appropriated funds.

(e-5) The General Assembly finds and declares that it is an important purpose of the Monetary Award Program to facilitate access to college both for students who pursue postsecondary education immediately following high school and for those who pursue postsecondary education later in life, particularly Illinoisans who are dislocated workers with financial need and who are seeking to improve their economic position through education. For the 2015-2016 and 2016-2017 academic years, the Commission shall give additional and specific consideration to the needs of dislocated workers with the intent of allowing applicants who are dislocated workers an opportunity to secure financial assistance even if applying later than the general pool of applicants. The Commission's consideration shall include, in determining the number of grants to be offered, an estimate of the resources needed to serve dislocated workers who apply after the Commission initially suspends award announcements for the upcoming regular academic year, but prior to the beginning of that academic year. For the purposes of this subsection (e-5), a dislocated worker is defined as in the federal Workforce Investment Act of 1998.

~~(f) (Blank). The Commission may request appropriations for deposit into the Monetary Award Program Reserve Fund. Monies deposited into the Monetary Award Program Reserve Fund may be expended exclusively for one purpose: to make Monetary Award Program grants to eligible students. Amounts on deposit in the Monetary Award Program Reserve Fund may not exceed 2% of the current annual State appropriation for the Monetary Award Program.~~

~~The purpose of the Monetary Award Program Reserve Fund is to enable the Commission each year to assure as many students as possible of their eligibility for a Monetary Award Program grant and to do so before commencement of the academic year. Moneys deposited in this Reserve Fund are intended to enhance the Commission's management of the Monetary Award Program, minimizing the necessity, magnitude, and frequency of adjusting award amounts and ensuring that the annual Monetary Award Program appropriation can be fully utilized.~~

(g) The Commission shall determine the eligibility of and make grants to applicants enrolled at qualified for-profit institutions in accordance with the criteria set forth in this Section. The eligibility of applicants enrolled at such for-profit institutions shall be limited as follows:

- (1) Beginning with the academic year 1997, only to eligible first-time freshmen and first-time transfer students who have attained an associate degree.
- (2) Beginning with the academic year 1998, only to eligible freshmen students, transfer students who have attained an associate degree, and students who receive a grant under paragraph (1) for the academic year 1997 and whose grants are being renewed for the academic year 1998.
- (3) Beginning with the academic year 1999, to all eligible students.

(Source: P.A. 98-967, eff. 8-15-14.)

Section 5-50. The Alzheimer's Disease Assistance Act is amended by changing Section 7 as follows:

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(410 ILCS 405/7) (from Ch. 111 1/2, par. 6957)

Sec. 7. Regional ADA center funding. Pursuant to appropriations enacted by the General Assembly, the Department shall provide funds to hospitals affiliated with each Regional ADA Center for necessary research and for the development and maintenance of services for individuals with Alzheimer's disease and related disorders and their families. For the fiscal year beginning July 1, 2003, and each year thereafter, the Department shall effect payments under this Section to hospitals affiliated with each Regional ADA Center through the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) ~~under the Excellence in Alzheimer's Disease Center Treatment Act~~. The Department of Healthcare and Family Services shall annually report to the Advisory Committee established under this Act regarding the funding of centers under this Act. The Department shall include the annual expenditures for this purpose in the plan required by Section 5 of this Act.

(Source: P.A. 97-768, eff. 1-1-13.)

(410 ILCS 407/Act rep.)

Section 5-55. The Excellence in Alzheimer's Disease Center Treatment Act is repealed.

Section 5-60. The Food and Agriculture Research Act is amended by changing Section 25 as follows:

(505 ILCS 82/25)

Sec. 25. Administrative oversight.

(a) The Department of Agriculture shall provide general administrative oversight with the assistance and advice of duly elected Board of Directors of the Illinois Council on Food and Agricultural Research. Food and agricultural research administrators at each of the universities shall administer the specifics of the funded research programs. Annually the Illinois Council on Food and Agricultural Research administrators shall prepare a combined proposed budget for the research that the Director of Agriculture shall submit to the Governor for inclusion in the Executive budget and consideration by the General Assembly. The budget shall specify major categories of proposed expenditures, including salary, wages, and fringe benefits; operation and maintenance; supplies and expenses; and capital improvements.

(b) ~~(Blank). The Department, with the assistance of the Illinois Council on Food and Agricultural Research, may seek additional grants and donations for research. Additional funds shall be used in conjunction with appropriated funds for research. All additional grants and donations for research shall be deposited into the Food and Agricultural Research Fund, a special fund created in the State treasury, and used as provided in this Act.~~

(Source: P.A. 97-879, eff. 8-2-12.)

(710 ILCS 45/Act rep.)

Section 5-65. The Sorry Works! Pilot Program Act is repealed.

(815 ILCS 402/Act rep.)

Section 5-70. The Restricted Call Registry Act is repealed.

ARTICLE 10. MANDATE RELIEF

Section 10-5. The Election Code is amended by changing Sections 4-8, 4-25, 5-7, 5-35, 6-35, and 6-71 as follows:

(10 ILCS 5/4-8) (from Ch. 46, par. 4-8)

Sec. 4-8. The county clerk shall provide a sufficient number of blank forms for the registration of electors, which shall be known as registration record cards and which shall consist of loose leaf sheets or cards, of suitable size to contain in plain writing and figures the data hereinafter required thereon or shall consist of computer cards of suitable nature to contain the data required thereon. The registration record cards, which shall include an affidavit of registration as hereinafter provided, shall be executed in duplicate.

The registration record card shall contain the following and such other information as the county clerk may think it proper to require for the identification of the applicant for registration:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue, or other location of the dwelling, including the apartment, unit or room number, if any, and in the case of a mobile home the lot number, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant. Where the location cannot be determined by street and number, then the section, congressional township and range number may be used, or such other description as may be necessary,

including post-office mailing address. In the case of a homeless individual, the individual's voting residence that is his or her mailing address shall be included on his or her registration record card.

Term of residence in the State of Illinois and precinct. This information shall be furnished by the applicant stating the place or places where he resided and the dates during which he resided in such place or places during the year next preceding the date of the next ensuing election.

Nativity. The state or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place, and date of naturalization.

Date of application for registration, i.e., the day, month and year when applicant presented himself for registration.

Age. Date of birth, by month, day and year.

Physical disability of the applicant, if any, at the time of registration, which would require assistance in voting.

The county and state in which the applicant was last registered.

Electronic mail address, if any.

Signature of voter. The applicant, after the registration and in the presence of a deputy registrar or other officer of registration shall be required to sign his or her name in ink or digitized form to the affidavit on both the original and duplicate registration record cards.

Signature of deputy registrar or officer of registration.

In case applicant is unable to sign his name, he may affix his mark to the affidavit. In such case the officer empowered to give the registration oath shall write a detailed description of the applicant in the space provided on the back or at the bottom of the card or sheet; and shall ask the following questions and record the answers thereto:

Father's first name.

Mother's first name.

From what address did the applicant last register?

Reason for inability to sign name.

Each applicant for registration shall make an affidavit in substantially the following form:

AFFIDAVIT OF REGISTRATION

STATE OF ILLINOIS

COUNTY OF

I hereby swear (or affirm) that I am a citizen of the United States; that on the date of the next election I shall have resided in the State of Illinois and in the election precinct in which I reside 30 days and that I intend that this location shall be my residence; that I am fully qualified to vote, and that the above statements are true.

.....
(His or her signature or mark)

Subscribed and sworn to before me on (insert date).

.....
Signature of registration officer.
(To be signed in presence of registrant.)

Space shall be provided upon the face of each registration record card for the notation of the voting record of the person registered thereon.

Each registration record card shall be numbered according to precincts, and may be serially or otherwise marked for identification in such manner as the county clerk may determine.

The registration cards shall be deemed public records and shall be open to inspection during regular business hours, except during the 27 days immediately preceding any election. On written request of any candidate or objector or any person intending to object to a petition, the election authority shall extend its hours for inspection of registration cards and other records of the election authority during the period beginning with the filing of petitions under Sections 7-10, 8-8, 10-6 or 28-3 and continuing through the termination of electoral board hearings on any objections to petitions containing signatures of registered voters in the jurisdiction of the election authority. The extension shall be for a period of hours sufficient to allow adequate opportunity for examination of the records but the election authority is not required to extend its hours beyond the period beginning at its normal opening for business and ending at midnight. If the business hours are so extended, the election authority shall post a public notice of such extended hours. Registration record cards may also be inspected, upon approval of the officer in charge of the cards, during the 27 days immediately preceding any election. Registration record cards shall also be open to inspection by certified judges and poll watchers and challengers at the polling place on election day, but

only to the extent necessary to determine the question of the right of a person to vote or to serve as a judge of election. At no time shall poll watchers or challengers be allowed to physically handle the registration record cards.

Updated copies of computer tapes or computer discs or other electronic data processing information containing voter registration information shall be furnished by the county clerk within 10 days after December 15 and May 15 each year and within 10 days after each registration period is closed to the State Board of Elections in a form prescribed by the Board. For the purposes of this Section, a registration period is closed 27 days before the date of any regular or special election. Registration information shall include, but not be limited to, the following information: name, sex, residence, telephone number, if any, age, party affiliation, if applicable, precinct, ward, township, county, and representative, legislative and congressional districts. In the event of noncompliance, the State Board of Elections is directed to obtain compliance forthwith with this nondiscretionary duty of the election authority by instituting legal proceedings in the circuit court of the county in which the election authority maintains the registration information. ~~The costs of furnishing updated copies of tapes or discs shall be paid at a rate of \$.00034 per name of registered voters in the election jurisdiction, but not less than \$50 per tape or disc and shall be paid from appropriations made to the State Board of Elections for reimbursement to the election authority for such purpose.~~ The State Board shall furnish copies of such tapes, discs, other electronic data or compilations thereof to state political committees registered pursuant to the Illinois Campaign Finance Act or the Federal Election Campaign Act and to governmental entities, at their request and at a reasonable cost. To protect the privacy and confidentiality of voter registration information, the disclosure of electronic voter registration records to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the centralized statewide voter registration list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list. Copies of the tapes, discs, or other electronic data shall be furnished by the county clerk to local political committees and governmental entities at their request and at a reasonable cost. Reasonable cost of the tapes, discs, et cetera for this purpose would be the cost of duplication plus 15% for administration. The individual representing a political committee requesting copies of such tapes shall make a sworn affidavit that the information shall be used only for bona fide political purposes, including by or for candidates for office or incumbent office holders. Such tapes, discs or other electronic data shall not be used under any circumstances by any political committee or individuals for purposes of commercial solicitation or other business purposes. If such tapes contain information on county residents related to the operations of county government in addition to registration information, that information shall not be used under any circumstances for commercial solicitation or other business purposes. The prohibition in this Section against using the computer tapes or computer discs or other electronic data processing information containing voter registration information for purposes of commercial solicitation or other business purposes shall be prospective only from the effective date of this amended Act of 1979. Any person who violates this provision shall be guilty of a Class 4 felony.

The State Board of Elections shall promulgate, by October 1, 1987, such regulations as may be necessary to ensure uniformity throughout the State in electronic data processing of voter registration information. The regulations shall include, but need not be limited to, specifications for uniform medium, communications protocol and file structure to be employed by the election authorities of this State in the electronic data processing of voter registration information. Each election authority utilizing electronic data processing of voter registration information shall comply with such regulations on and after May 15, 1988.

If the applicant for registration was last registered in another county within this State, he shall also sign a certificate authorizing cancellation of the former registration. The certificate shall be in substantially the following form:

To the County Clerk of... County, Illinois. (or)

To the Election Commission of the City of ..., Illinois.

This is to certify that I am registered in your (county) (city) and that my residence was

Having moved out of your (county) (city), I hereby authorize you to cancel said registration in your office.

Dated at, Illinois, on (insert date).

.....
(Signature of Voter)

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Attest:, County Clerk,
County, Illinois.

The cancellation certificate shall be mailed immediately by the County Clerk to the County Clerk (or election commission as the case may be) where the applicant was formerly registered. Receipt of such certificate shall be full authority for cancellation of any previous registration.

(Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

(10 ILCS 5/4-25) (from Ch. 46, par. 4-25)

Sec. 4-25. The compensation of the deputy registrars and judges of registration appointed by the county board to conduct the registrations under Section 4-6.3 and Section 4-7, shall be fixed by the county board, but in no case shall such compensation be less than \$15 nor more than \$25 per day for each day actually employed at the registration, canvass and revision and such deputy registrars and judges of registration shall also be compensated at the rate of five cents per mile for each mile actually traveled in calling at the county clerk's office for registration cards and returning them to said officer.

~~The State Board of Elections shall reimburse each county for the amount of the increase in compensation under this Section provided by this amendatory Act from funds appropriated for that purpose.~~

(Source: P.A. 84-1308.)

(10 ILCS 5/5-7) (from Ch. 46, par. 5-7)

Sec. 5-7. The county clerk shall provide a sufficient number of blank forms for the registration of electors which shall be known as registration record cards and which shall consist of loose leaf sheets or cards, of suitable size to contain in plain writing and figures the data hereinafter required thereon or shall consist of computer cards of suitable nature to contain the data required thereon. The registration record cards, which shall include an affidavit of registration as hereinafter provided, shall be executed in duplicate.

The registration record card shall contain the following and such other information as the county clerk may think it proper to require for the identification of the applicant for registration:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue, or other location of the dwelling, including the apartment, unit or room number, if any, and in the case of a mobile home the lot number, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant, including post-office mailing address. In the case of a homeless individual, the individual's voting residence that is his or her mailing address shall be included on his or her registration record card.

Term of residence in the State of Illinois and the precinct. Which questions may be answered by the applicant stating, in excess of 30 days in the State and in excess of 30 days in the precinct.

Nativity. The State or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place and date of naturalization.

Date of application for registration, i.e., the day, month and year when applicant presented himself for registration.

Age. Date of birth, by month, day and year.

Physical disability of the applicant, if any, at the time of registration, which would require assistance in voting.

The county and state in which the applicant was last registered.

Electronic mail address, if any.

Signature of voter. The applicant, after the registration and in the presence of a deputy registrar or other officer of registration shall be required to sign his or her name in ink or digitized form to the affidavit on the original and duplicate registration record card.

Signature of Deputy Registrar.

In case applicant is unable to sign his name, he may affix his mark to the affidavit. In such case the officer empowered to give the registration oath shall write a detailed description of the applicant in the space provided at the bottom of the card or sheet; and shall ask the following questions and record the answers thereto:

Father's first name

Mother's first name

From what address did you last register?

Reason for inability to sign name.

Each applicant for registration shall make an affidavit in substantially the following form:

[April 27, 2017]

AFFIDAVIT OF REGISTRATION

State of Illinois)

)ss

County of)

I hereby swear (or affirm) that I am a citizen of the United States; that on the date of the next election I shall have resided in the State of Illinois and in the election precinct in which I reside 30 days; that I am fully qualified to vote. That I intend that this location shall be my residence and that the above statements are true.

.....
(His or her signature or mark)

Subscribed and sworn to before me on (insert date).

.....
Signature of Registration Officer.
(To be signed in presence of Registrant.)

Space shall be provided upon the face of each registration record card for the notation of the voting record of the person registered thereon.

Each registration record card shall be numbered according to towns and precincts, wards, cities and villages, as the case may be, and may be serially or otherwise marked for identification in such manner as the county clerk may determine.

The registration cards shall be deemed public records and shall be open to inspection during regular business hours, except during the 27 days immediately preceding any election. On written request of any candidate or objector or any person intending to object to a petition, the election authority shall extend its hours for inspection of registration cards and other records of the election authority during the period beginning with the filing of petitions under Sections 7-10, 8-8, 10-6 or 28-3 and continuing through the termination of electoral board hearings on any objections to petitions containing signatures of registered voters in the jurisdiction of the election authority. The extension shall be for a period of hours sufficient to allow adequate opportunity for examination of the records but the election authority is not required to extend its hours beyond the period beginning at its normal opening for business and ending at midnight. If the business hours are so extended, the election authority shall post a public notice of such extended hours. Registration record cards may also be inspected, upon approval of the officer in charge of the cards, during the 27 days immediately preceding any election. Registration record cards shall also be open to inspection by certified judges and poll watchers and challengers at the polling place on election day, but only to the extent necessary to determine the question of the right of a person to vote or to serve as a judge of election. At no time shall poll watchers or challengers be allowed to physically handle the registration record cards.

Updated copies of computer tapes or computer discs or other electronic data processing information containing voter registration information shall be furnished by the county clerk within 10 days after December 15 and May 15 each year and within 10 days after each registration period is closed to the State Board of Elections in a form prescribed by the Board. For the purposes of this Section, a registration period is closed 27 days before the date of any regular or special election. Registration information shall include, but not be limited to, the following information: name, sex, residence, telephone number, if any, age, party affiliation, if applicable, precinct, ward, township, county, and representative, legislative and congressional districts. In the event of noncompliance, the State Board of Elections is directed to obtain compliance forthwith with this nondiscretionary duty of the election authority by instituting legal proceedings in the circuit court of the county in which the election authority maintains the registration information. ~~The costs of furnishing updated copies of tapes or discs shall be paid at a rate of \$.00034 per name of registered voters in the election jurisdiction, but not less than \$50 per tape or disc and shall be paid from appropriations made to the State Board of Elections for reimbursement to the election authority for such purpose.~~ The State Board shall furnish copies of such tapes, discs, other electronic data or compilations thereof to state political committees registered pursuant to the Illinois Campaign Finance Act or the Federal Election Campaign Act and to governmental entities, at their request and at a reasonable cost. To protect the privacy and confidentiality of voter registration information, the disclosure of electronic voter registration records to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the centralized statewide voter registration list on a computer screen at the Springfield office of the State

Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list. Copies of the tapes, discs or other electronic data shall be furnished by the county clerk to local political committees and governmental entities at their request and at a reasonable cost. Reasonable cost of the tapes, discs, et cetera for this purpose would be the cost of duplication plus 15% for administration. The individual representing a political committee requesting copies of such tapes shall make a sworn affidavit that the information shall be used only for bona fide political purposes, including by or for candidates for office or incumbent office holders. Such tapes, discs or other electronic data shall not be used under any circumstances by any political committee or individuals for purposes of commercial solicitation or other business purposes. If such tapes contain information on county residents related to the operations of county government in addition to registration information, that information shall not be used under any circumstances for commercial solicitation or other business purposes. The prohibition in this Section against using the computer tapes or computer discs or other electronic data processing information containing voter registration information for purposes of commercial solicitation or other business purposes shall be prospective only from the effective date of this amended Act of 1979. Any person who violates this provision shall be guilty of a Class 4 felony.

The State Board of Elections shall promulgate, by October 1, 1987, such regulations as may be necessary to ensure uniformity throughout the State in electronic data processing of voter registration information. The regulations shall include, but need not be limited to, specifications for uniform medium, communications protocol and file structure to be employed by the election authorities of this State in the electronic data processing of voter registration information. Each election authority utilizing electronic data processing of voter registration information shall comply with such regulations on and after May 15, 1988.

If the applicant for registration was last registered in another county within this State, he shall also sign a certificate authorizing cancellation of the former registration. The certificate shall be in substantially the following form:

To the County Clerk of County, Illinois. To the Election Commission of the City of, Illinois.

This is to certify that I am registered in your (county) (city) and that my residence was

Having moved out of your (county) (city), I hereby authorize you to cancel said registration in your office.

Dated at Illinois, on (insert date).

.....
(Signature of Voter)

Attest, County Clerk, County, Illinois.

The cancellation certificate shall be mailed immediately by the county clerk to the county clerk (or election commission as the case may be) where the applicant was formerly registered. Receipt of such certificate shall be full authority for cancellation of any previous registration.

(Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

(10 ILCS 5/5-35) (from Ch. 46, par. 5-35)

Sec. 5-35. The officers of registration selected to conduct registrations under Section 5-17 shall be paid at the rate set out below:

Registration officers selected to conduct registration and canvass under Section 5-17 shall be paid at a rate of not less than \$20 per day nor more than \$30 per day, for each day designated by the County Board for any registration and canvass provided by Section 5-17, but in no case shall any such officer selected to conduct canvass be credited for less than two days' service for each canvass.

Officers of registration selected to conduct any registration under Section 5-17 shall be compensated at the rate of 5 cents per mile for each mile actually traveled in calling at the county clerk's office for registration cards and returning them to said officer.

~~The State Board of Elections shall reimburse each county for the amount of the increase in compensation under this Section provided by this amendatory Act from funds appropriated for that purpose.~~

(Source: P.A. 84-1308.)

(10 ILCS 5/6-35) (from Ch. 46, par. 6-35)

Sec. 6-35. The Boards of Election Commissioners shall provide a sufficient number of blank forms for the registration of electors which shall be known as registration record cards and which shall consist of loose leaf sheets or cards, of suitable size to contain in plain writing and figures the data hereinafter required thereon or shall consist of computer cards of suitable nature to contain the data required thereon. The registration record cards, which shall include an affidavit of registration as hereinafter provided, shall be executed in duplicate. The duplicate of which may be a carbon copy of the original or a copy of the

original made by the use of other method or material used for making simultaneous true copies or duplications.

The registration record card shall contain the following and such other information as the Board of Election Commissioners may think it proper to require for the identification of the applicant for registration:

Name. The name of the applicant, giving surname and first or Christian name in full, and the middle name or the initial for such middle name, if any.

Sex.

Residence. The name and number of the street, avenue, or other location of the dwelling, including the apartment, unit or room number, if any, and in the case of a mobile home the lot number, and such additional clear and definite description as may be necessary to determine the exact location of the dwelling of the applicant, including post-office mailing address. In the case of a homeless individual, the individual's voting residence that is his or her mailing address shall be included on his or her registration record card.

Term of residence in the State of Illinois and the precinct.

Nativity. The state or country in which the applicant was born.

Citizenship. Whether the applicant is native born or naturalized. If naturalized, the court, place, and date of naturalization.

Date of application for registration, i.e., the day, month and year when the applicant presented himself for registration.

Age. Date of birth, by month, day and year.

Physical disability of the applicant, if any, at the time of registration, which would require assistance in voting.

The county and state in which the applicant was last registered.

Electronic mail address, if any.

Signature of voter. The applicant, after registration and in the presence of a deputy registrar or other officer of registration shall be required to sign his or her name in ink or digitized form to the affidavit on both the original and the duplicate registration record card.

Signature of deputy registrar.

In case applicant is unable to sign his name, he may affix his mark to the affidavit. In such case the registration officer shall write a detailed description of the applicant in the space provided at the bottom of the card or sheet; and shall ask the following questions and record the answers thereto:

Father's first name

Mother's first name

From what address did you last register?

Reason for inability to sign name

Each applicant for registration shall make an affidavit in substantially the following form:

AFFIDAVIT OF REGISTRATION

State of Illinois)

)ss

County of)

I hereby swear (or affirm) that I am a citizen of the United States, that on the day of the next election I shall have resided in the State of Illinois and in the election precinct 30 days and that I intend that this location is my residence; that I am fully qualified to vote, and that the above statements are true.

.....
(His or her signature or mark)

Subscribed and sworn to before me on (insert date).

.....

Signature of registration officer

(to be signed in presence of registrant).

Space shall be provided upon the face of each registration record card for the notation of the voting record of the person registered thereon.

Each registration record card shall be numbered according to wards or precincts, as the case may be, and may be serially or otherwise marked for identification in such manner as the Board of Election Commissioners may determine.

The registration cards shall be deemed public records and shall be open to inspection during regular business hours, except during the 27 days immediately preceding any election. On written request of any candidate or objector or any person intending to object to a petition, the election authority shall extend its hours for inspection of registration cards and other records of the election authority during the period

beginning with the filing of petitions under Sections 7-10, 8-8, 10-6 or 28-3 and continuing through the termination of electoral board hearings on any objections to petitions containing signatures of registered voters in the jurisdiction of the election authority. The extension shall be for a period of hours sufficient to allow adequate opportunity for examination of the records but the election authority is not required to extend its hours beyond the period beginning at its normal opening for business and ending at midnight. If the business hours are so extended, the election authority shall post a public notice of such extended hours. Registration record cards may also be inspected, upon approval of the officer in charge of the cards, during the 27 days immediately preceding any election. Registration record cards shall also be open to inspection by certified judges and poll watchers and challengers at the polling place on election day, but only to the extent necessary to determine the question of the right of a person to vote or to serve as a judge of election. At no time shall poll watchers or challengers be allowed to physically handle the registration record cards.

Updated copies of computer tapes or computer discs or other electronic data processing information containing voter registration information shall be furnished by the Board of Election Commissioners within 10 days after December 15 and May 15 each year and within 10 days after each registration period is closed to the State Board of Elections in a form prescribed by the State Board. For the purposes of this Section, a registration period is closed 27 days before the date of any regular or special election. Registration information shall include, but not be limited to, the following information: name, sex, residence, telephone number, if any, age, party affiliation, if applicable, precinct, ward, township, county, and representative, legislative and congressional districts. In the event of noncompliance, the State Board of Elections is directed to obtain compliance forthwith with this nondiscretionary duty of the election authority by instituting legal proceedings in the circuit court of the county in which the election authority maintains the registration information. ~~The costs of furnishing updated copies of tapes or discs shall be paid at a rate of \$.00034 per name of registered voters in the election jurisdiction, but not less than \$50 per tape or disc and shall be paid from appropriations made to the State Board of Elections for reimbursement to the election authority for such purpose.~~ The State Board shall furnish copies of such tapes, discs, other electronic data or compilations thereof to state political committees registered pursuant to the Illinois Campaign Finance Act or the Federal Election Campaign Act and to governmental entities, at their request and at a reasonable cost. To protect the privacy and confidentiality of voter registration information, the disclosure of electronic voter registration records to any person or entity other than to a State or local political committee and other than to a governmental entity for a governmental purpose is specifically prohibited except as follows: subject to security measures adopted by the State Board of Elections which, at a minimum, shall include the keeping of a catalog or database, available for public view, including the name, address, and telephone number of the person viewing the list as well as the time of that viewing, any person may view the centralized statewide voter registration list on a computer screen at the Springfield office of the State Board of Elections, during normal business hours other than during the 27 days before an election, but the person viewing the list under this exception may not print, duplicate, transmit, or alter the list. Copies of the tapes, discs or other electronic data shall be furnished by the Board of Election Commissioners to local political committees and governmental entities at their request and at a reasonable cost. Reasonable cost of the tapes, discs, et cetera for this purpose would be the cost of duplication plus 15% for administration. The individual representing a political committee requesting copies of such tapes shall make a sworn affidavit that the information shall be used only for bona fide political purposes, including by or for candidates for office or incumbent office holders. Such tapes, discs or other electronic data shall not be used under any circumstances by any political committee or individuals for purposes of commercial solicitation or other business purposes. If such tapes contain information on county residents related to the operations of county government in addition to registration information, that information shall not be used under any circumstances for commercial solicitation or other business purposes. The prohibition in this Section against using the computer tapes or computer discs or other electronic data processing information containing voter registration information for purposes of commercial solicitation or other business purposes shall be prospective only from the effective date of this amended Act of 1979. Any person who violates this provision shall be guilty of a Class 4 felony.

The State Board of Elections shall promulgate, by October 1, 1987, such regulations as may be necessary to ensure uniformity throughout the State in electronic data processing of voter registration information. The regulations shall include, but need not be limited to, specifications for uniform medium, communications protocol and file structure to be employed by the election authorities of this State in the electronic data processing of voter registration information. Each election authority utilizing electronic data processing of voter registration information shall comply with such regulations on and after May 15, 1988.

If the applicant for registration was last registered in another county within this State, he shall also sign a certificate authorizing cancellation of the former registration. The certificate shall be in substantially the following form:

To the County Clerk of County, Illinois.

To the Election Commission of the City of, Illinois.

This is to certify that I am registered in your (county) (city) and that my residence was Having moved out of your (county), (city), I hereby authorize you to cancel that registration in your office.

Dated at, Illinois, on (insert date).

.....
(Signature of Voter)

Attest, Clerk, Election Commission of the City of, Illinois.

The cancellation certificate shall be mailed immediately by the clerk of the Election Commission to the county clerk, (or Election Commission as the case may be) where the applicant was formerly registered. Receipt of such certificate shall be full authority for cancellation of any previous registration.

(Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

(10 ILCS 5/6-71) (from Ch. 46, par. 6-71)

Sec. 6-71. In the cities, villages and incorporated towns in counties having a population of 500,000 or more, which are operating under this Article, the compensation of deputy registrars and judges of registration provided for the first registration under this Article and officers of registration appointed in conformity with Section 6-69 of this Article for subsequent registration shall be not less than \$20 nor more than \$30 per day. In cities, villages and incorporated towns in counties having a population of less than 500,000, and operating under this Article, the compensation of the deputy registrars and judges of registration provided for the first registration under this Article, and officers of registration appointed in conformity with Section 6-69 of this Article for subsequent registrations shall be \$17.50 per day. The compensation of such deputy registrars, judges of registration and officers of registration, shall be apportioned and paid in the manner provided by Article 14 of this Act for judges of election.

Each judge of registration who has performed all the duties and services required for the first registration under this Article shall be credited with 2 days' service for the 2 days of general registration provided for by this Article. Each deputy registrar who has performed all the duties and services required for the first registration under this Article shall be credited with 4 days' service for the 2 days of general registration and the 2 days of canvass as provided for by this Article.

Officers of registration authorized by Section 6-69 of this Article for registration subsequent to the first registration under this Article shall be credited with one day's service for each registration, and, with the approval of the circuit court, may be credited with an additional day for such other services as the Board of Election Commissioners may require of them, an order of the circuit court in such cases to recite such additional services and to designate the officers of registration from whom such additional services are to be received, provided that in cities, villages and incorporated towns in counties having a population of 500,000 or more, which are operating under this Article, any such officer selected to conduct canvass shall be credited with not less than 2 days' service for each canvass.

~~The State Board of Elections shall reimburse each board of election commissioners for the amount of the increase in compensation under this Section provided by this amendatory Act from funds appropriated for that purpose.~~

(Source: P.A. 81-850; 81-1149.)

(15 ILCS 550/Act rep.)

Section 10-10. The Public Education Affinity Credit Card Act is repealed.

Section 10-15. The Illinois Act on the Aging is amended by changing Sections 4.02 and 4.14 as follows:
(20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

Sec. 4.02. Community Care Program. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

- (a) (blank);
- (b) (blank);
- (c) home care aide services;
- (d) personal assistant services;

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- (e) adult day services;
- (f) home-delivered meals;
- (g) education in self-care;
- (h) personal care services;
- (i) adult day health services;
- (j) habilitation services;
- (k) respite care;
- (k-5) community reintegration services;
- (k-6) flexible senior services;
- (k-7) medication management;
- (k-8) emergency home response;
- (l) other nonmedical social services that may enable the person to become self-supporting; or
- (m) clearinghouse for information provided by senior citizen home owners who want to rent rooms to or share living space with other senior citizens.

The Department shall establish eligibility standards for such services. In determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

Beginning January 1, 2008, the Department shall require as a condition of eligibility that all new financially eligible applicants apply for and enroll in medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

The Department shall, in conjunction with the Department of Public Aid (now Department of Healthcare and Family Services), seek appropriate amendments under Sections 1915 and 1924 of the Social Security Act. The purpose of the amendments shall be to extend eligibility for home and community based services under Sections 1915 and 1924 of the Social Security Act to persons who transfer to or for the benefit of a spouse those amounts of income and resources allowed under Section 1924 of the Social Security Act. Subject to the approval of such amendments, the Department shall extend the provisions of Section 5-4 of the Illinois Public Aid Code to persons who, but for the provision of home or community-based services, would require the level of care provided in an institution, as is provided for in federal law. Those persons no longer found to be eligible for receiving noninstitutional services due to changes in the eligibility criteria shall be given 45 days notice prior to actual termination. Those persons receiving notice of termination may contact the Department and request the determination be appealed at any time during the 45 day notice period. The target population identified for the purposes of this Section are persons age 60 and older with an identified service need. Priority shall be given to those who are at imminent risk of institutionalization. The services shall be provided to eligible persons age 60 and older to the extent that the cost of the services together with the other personal maintenance expenses of the persons are reasonably related to the standards established for care in a group facility appropriate to the person's condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Department of Human Services. The Departments of Human Services, Healthcare and Family Services, Public Health, Veterans' Affairs, and Commerce and Economic Opportunity and other appropriate agencies of State, federal and local governments shall cooperate with the Department on Aging in the establishment and development of the non-institutional services. The Department shall require an annual audit from all personal assistant and home care aide vendors contracting with the Department under this Section. The annual audit shall assure that each audited vendor's procedures are in compliance with Department's financial reporting guidelines requiring an administrative and employee wage and benefits cost split as defined in administrative rules. The audit is a public record under the Freedom of Information Act. The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department of Healthcare and Family Services, to effect the following: (1) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (2) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 60 years of age or older shall be conducted by the Department.

As part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older

and who are caregivers of their adult children with developmental disabilities. The content of the training shall be at the Department's discretion.

The Department is authorized to establish a system of recipient copayment for services provided under this Section, such copayment to be based upon the recipient's ability to pay but in no case to exceed the actual cost of the services provided. Additionally, any portion of a person's income which is equal to or less than the federal poverty standard shall not be considered by the Department in determining the copayment. The level of such copayment shall be adjusted whenever necessary to reflect any change in the officially designated federal poverty standard.

The Department, or the Department's authorized representative, may recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21 or blind or who has a permanent and total disability. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department shall increase the effectiveness of the existing Community Care Program by:

(1) ensuring that in-home services included in the care plan are available on evenings and weekends;

(2) ensuring that care plans contain the services that eligible participants need based on the number of days in a month, not limited to specific blocks of time, as identified by the comprehensive assessment tool selected by the Department for use statewide, not to exceed the total monthly service cost maximum allowed for each service; the Department shall develop administrative rules to implement this item (2);

(3) ensuring that the participants have the right to choose the services contained in their care plan and to direct how those services are provided, based on administrative rules established by the Department;

(4) ensuring that the determination of need tool is accurate in determining the participants' level of need; to achieve this, the Department, in conjunction with the Older Adult Services Advisory Committee, shall institute a study of the relationship between the Determination of Need scores, level of need, service cost maximums, and the development and utilization of service plans no later than May 1, 2008; findings and recommendations shall be presented to the Governor and the General Assembly no later than January 1, 2009; recommendations shall include all needed changes to the service cost maximums schedule and additional covered services;

(5) ensuring that homemakers can provide personal care services that may or may not involve contact with clients, including but not limited to:

- (A) bathing;
- (B) grooming;
- (C) toileting;
- (D) nail care;
- (E) transferring;
- (F) respiratory services;
- (G) exercise; or
- (H) positioning;

(6) ensuring that homemaker program vendors are not restricted from hiring homemakers who are family members of clients or recommended by clients; the Department may not, by rule or policy, require homemakers who are family members of clients or recommended by clients to accept assignments in homes other than the client;

(7) ensuring that the State may access maximum federal matching funds by seeking

approval for the Centers for Medicare and Medicaid Services for modifications to the State's home and community based services waiver and additional waiver opportunities, including applying for enrollment in the Balance Incentive Payment Program by May 1, 2013, in order to maximize federal matching funds; this shall include, but not be limited to, modification that reflects all changes in the Community Care Program services and all increases in the services cost maximum;

(8) ensuring that the determination of need tool accurately reflects the service needs of individuals with Alzheimer's disease and related dementia disorders;

(9) ensuring that services are authorized accurately and consistently for the Community Care Program (CCP); the Department shall implement a Service Authorization policy directive; the purpose shall be to ensure that eligibility and services are authorized accurately and consistently in the CCP program; the policy directive shall clarify service authorization guidelines to Care Coordination Units and Community Care Program providers no later than May 1, 2013;

(10) working in conjunction with Care Coordination Units, the Department of Healthcare and Family Services, the Department of Human Services, Community Care Program providers, and other stakeholders to make improvements to the Medicaid claiming processes and the Medicaid enrollment procedures or requirements as needed, including, but not limited to, specific policy changes or rules to improve the up-front enrollment of participants in the Medicaid program and specific policy changes or rules to insure more prompt submission of bills to the federal government to secure maximum federal matching dollars as promptly as possible; the Department on Aging shall have at least 3 meetings with stakeholders by January 1, 2014 in order to address these improvements;

(11) requiring home care service providers to comply with the rounding of hours worked provisions under the federal Fair Labor Standards Act (FLSA) and as set forth in 29 CFR 785.48(b) by May 1, 2013;

(12) implementing any necessary policy changes or promulgating any rules, no later than January 1, 2014, to assist the Department of Healthcare and Family Services in moving as many participants as possible, consistent with federal regulations, into coordinated care plans if a care coordination plan that covers long term care is available in the recipient's area; and

(13) maintaining fiscal year 2014 rates at the same level established on January 1, 2013.

By January 1, 2009 or as soon after the end of the Cash and Counseling Demonstration Project as is practicable, the Department may, based on its evaluation of the demonstration project, promulgate rules concerning personal assistant services, to include, but need not be limited to, qualifications, employment screening, rights under fair labor standards, training, fiduciary agent, and supervision requirements. All applicants shall be subject to the provisions of the Health Care Worker Background Check Act.

The Department shall develop procedures to enhance availability of services on evenings, weekends, and on an emergency basis to meet the respite needs of caregivers. Procedures shall be developed to permit the utilization of services in successive blocks of 24 hours up to the monthly maximum established by the Department. Workers providing these services shall be appropriately trained.

Beginning on the effective date of this amendatory Act of 1991, no person may perform chore/housekeeping and home care aide services under a program authorized by this Section unless that person has been issued a certificate of pre-service to do so by his or her employing agency. Information gathered to effect such certification shall include (i) the person's name, (ii) the date the person was hired by his or her current employer, and (iii) the training, including dates and levels. Persons engaged in the program authorized by this Section before the effective date of this amendatory Act of 1991 shall be issued a certificate of all pre- and in-service training from his or her employer upon submitting the necessary information. The employing agency shall be required to retain records of all staff pre- and in-service training, and shall provide such records to the Department upon request and upon termination of the employer's contract with the Department. In addition, the employing agency is responsible for the issuance of certifications of in-service training completed to their employees.

The Department is required to develop a system to ensure that persons working as home care aides and personal assistants receive increases in their wages when the federal minimum wage is increased by requiring vendors to certify that they are meeting the federal minimum wage statute for home care aides and personal assistants. An employer that cannot ensure that the minimum wage increase is being given to home care aides and personal assistants shall be denied any increase in reimbursement costs.

The Community Care Program Advisory Committee is created in the Department on Aging. The Director shall appoint individuals to serve in the Committee, who shall serve at their own expense. Members of the Committee must abide by all applicable ethics laws. The Committee shall advise the Department on issues related to the Department's program of services to prevent unnecessary institutionalization. The Committee shall meet on a bi-monthly basis and shall serve to identify and advise

the Department on present and potential issues affecting the service delivery network, the program's clients, and the Department and to recommend solution strategies. Persons appointed to the Committee shall be appointed on, but not limited to, their own and their agency's experience with the program, geographic representation, and willingness to serve. The Director shall appoint members to the Committee to represent provider, advocacy, policy research, and other constituencies committed to the delivery of high quality home and community-based services to older adults. Representatives shall be appointed to ensure representation from community care providers including, but not limited to, adult day service providers, homemaker providers, case coordination and case management units, emergency home response providers, statewide trade or labor unions that represent home care aides and direct care staff, area agencies on aging, adults over age 60, membership organizations representing older adults, and other organizational entities, providers of care, or individuals with demonstrated interest and expertise in the field of home and community care as determined by the Director.

Nominations may be presented from any agency or State association with interest in the program. The Director, or his or her designee, shall serve as the permanent co-chair of the advisory committee. One other co-chair shall be nominated and approved by the members of the committee on an annual basis. Committee members' terms of appointment shall be for 4 years with one-quarter of the appointees' terms expiring each year. A member shall continue to serve until his or her replacement is named. The Department shall fill vacancies that have a remaining term of over one year, and this replacement shall occur through the annual replacement of expiring terms. The Director shall designate Department staff to provide technical assistance and staff support to the committee. Department representation shall not constitute membership of the committee. All Committee papers, issues, recommendations, reports, and meeting memoranda are advisory only. The Director, or his or her designee, shall make a written report, as requested by the Committee, regarding issues before the Committee.

The Department on Aging and the Department of Human Services shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before September 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

Those persons previously found eligible for receiving non-institutional services whose services were discontinued under the Emergency Budget Act of Fiscal Year 1992, and who do not meet the eligibility standards in effect on or after July 1, 1992, shall remain ineligible on and after July 1, 1992. Those persons previously not required to cost-share and who were required to cost-share effective March 1, 1992, shall continue to meet cost-share requirements on and after July 1, 1992. Beginning July 1, 1992, all clients will be required to meet eligibility, cost-share, and other requirements and will have services discontinued or altered when they fail to meet these requirements.

For the purposes of this Section, "flexible senior services" refers to services that require one-time or periodic expenditures including, but not limited to, respite care, home modification, assistive technology, housing assistance, and transportation.

The Department shall implement an electronic service verification based on global positioning systems or other cost-effective technology for the Community Care Program no later than January 1, 2014.

The Department shall require, as a condition of eligibility, enrollment in the medical assistance program under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall delay Community Care Program services until an applicant is determined eligible for medical assistance under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall implement co-payments for the Community Care Program at the federally allowable maximum level (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State

Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall provide a bi-monthly report on the progress of the Community Care Program reforms set forth in this amendatory Act of the 98th General Assembly to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate.

The Department shall conduct a quarterly review of Care Coordination Unit performance and adherence to service guidelines. The quarterly review shall be reported to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. The Department shall collect and report longitudinal data on the performance of each care coordination unit. Nothing in this paragraph shall be construed to require the Department to identify specific care coordination units.

In regard to community care providers, failure to comply with Department on Aging policies shall be cause for disciplinary action, including, but not limited to, disqualification from serving Community Care Program clients. Each provider, upon submission of any bill or invoice to the Department for payment for services rendered, shall include a notarized statement, under penalty of perjury pursuant to Section 1-109 of the Code of Civil Procedure, that the provider has complied with all Department policies.

The Director of the Department on Aging shall make information available to the State Board of Elections as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.

(Source: P.A. 98-8, eff. 5-3-13; 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)

(20 ILCS 105/4.14)

Sec. 4.14. Rural Senior Citizen Program.

(a) The General Assembly finds that it is in the best interest of the citizens of Illinois to identify and address the special challenges and needs faced by older rural residents. The General Assembly further finds that rural areas are often under-served and unserved to the detriment of older residents and their families, which may require the allocation of additional resources.

(b) (Blank). The Department shall identify the special needs and problems of older rural residents and evaluate the adequacy and accessibility of existing programs and information for older rural residents. The scope of the Department's work shall encompass both Older American Act services, Community Care services, and all other services targeted in whole or in part at residents 60 years of age and older, regardless of the setting in which the service is provided.

(c) (Blank). The Older Rural Adults Task Force is established to gather information and make recommendations in collaboration with the Department on Aging and the Older Adult Services Committee. The Task Force shall be comprised of 12 voting members and 7 non-voting members. The President and Minority Leader of the Illinois Senate and the Speaker and Minority Leader of the Illinois House of Representatives shall each appoint 2 members of the General Assembly and one citizen member to the Task Force. Citizen members may seek reimbursement for actual travel expenses. Representatives of the Department on Aging and the Departments of Healthcare and Family Services, Human Services, Public Health, and Commerce and Economic Opportunity, the Rural Affairs Council, and the Illinois Housing Development Authority shall serve as non-voting members. The Department on Aging shall provide staff support to the Task Force.

Co-chairs shall be selected by the Task Force at its first meeting. Both shall be appointed voting members of the Task Force. One co-chair shall be a member of the General Assembly and one shall be a citizen member. A simple majority of those appointed shall constitute a quorum. The Task Force may hold regional hearings and fact finding meetings and shall submit a report to the General Assembly no later than January 1, 2009. The Task Force is dissolved upon submission of the report.

(Source: P.A. 95-89, eff. 8-13-07.)

(20 ILCS 605/605-312 rep.) (20 ILCS 605/605-817 rep.) (20 ILCS 605/605-855 rep.)

Section 10-20. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by repealing Sections 605-312, 605-817, and 605-855.

(20 ILCS 627/Act rep.)

Section 10-25. The Electric Vehicle Act is repealed.

Section 10-30. The Illinois Emergency Employment Development Act is amended by changing Section 3 as follows:

(20 ILCS 630/3) (from Ch. 48, par. 2403)

Sec. 3. Illinois Emergency Employment Development Coordinator.

[April 27, 2017]

(a) The governor shall appoint an Illinois Emergency Employment Development Coordinator to administer the provisions of this Act. The coordinator shall be within the Department of Commerce and Economic Opportunity, but shall be responsible directly to the governor. The coordinator shall have the powers necessary to carry out the purpose of the program.

(b) The coordinator shall:

(1) recommend one or more Employment Administrators for each service delivery area for approval by the Advisory Committee, with recommendations based on the demonstrated ability of the Employment Administrator to identify and address local needs;

(2) enter into a contract with one or more Employment Administrators in each service delivery area;

(3) assist the Employment Administrator in developing a satisfactory plan if an Employment Administrator submits one that does not conform to program requirements;

(4) convene and provide staff support to the Advisory Committee;

(5) coordinate the program with other State agencies and services including public benefits and workforce programs for unemployed individuals; and

(6) perform general program marketing and monitoring functions.

(c) ~~(Blank). The coordinator shall administer the program within the Department of Commerce and Economic Opportunity. The Director of Commerce and Economic Opportunity shall provide administrative support services to the coordinator for the purposes of the program.~~

(d) The coordinator shall report to the Governor, the Advisory Committee, and the General Assembly on a quarterly basis concerning (1) the number of persons employed under the program; (2) the number and type of employers under the program; (3) the amount of money spent in each service delivery area for wages for each type of employment and each type of other expenses; (4) the number of persons who have completed participation in the program and their current employment, educational or training status; (5) any information requested by the General Assembly, the Advisory Committee, or governor or deemed pertinent by the coordinator; and (6) any identified violations of this Act and actions taken. Each report shall include cumulative information, as well as information for each quarter.

(e) Rules. The Director of Commerce and Economic Opportunity, with the advice of the coordinator and the Advisory Committee, shall adopt rules for the administration and enforcement of this Act.

(Source: P.A. 96-995, eff. 1-1-11; 97-581, eff. 8-26-11.)

(20 ILCS 630/17 rep.)

Section 10-35. The Illinois Emergency Employment Development Act is amended by repealing Section 17.

(20 ILCS 685/Act rep.)

Section 10-40. The Particle Accelerator Land Acquisition Act is repealed.

Section 10-45. The Illinois Geographic Information Council Act is amended by changing Section 5-5 as follows:

(20 ILCS 1128/5-5)

Sec. 5-5. Council. The Illinois Geographic Information Council, hereinafter called the "Council", is created within the Department of Natural Resources.

The Council shall consist of ~~15~~ 17 voting members, as follows: the Illinois Secretary of State, the Illinois Secretary of Transportation, the Directors of the Illinois Departments of Agriculture, Central Management Services, ~~Commerce and Economic Opportunity, Nuclear Safety,~~ Public Health, Natural Resources, and Revenue, the Directors of the Illinois Emergency Management Agency and the Illinois Environmental Protection Agency, the President of the University of Illinois, the Chairman of the Illinois Commerce Commission, plus 4 members of the General Assembly, one each appointed by the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate. An ex officio voting member may designate another person to carry out his or her duties on the Council.

In addition to the above members, the Governor may appoint up to 10 additional voting members, representing local, regional, and federal agencies, professional organizations, academic institutions, public utilities, and the private sector.

Members appointed by the Governor shall serve at the pleasure of the Governor.

(Source: P.A. 94-793, eff. 5-19-06; 94-961, eff. 6-27-06.)

Section 10-50. The Capital Spending Accountability Law is amended by changing Section 805 as follows:

(20 ILCS 3020/805)

Sec. 805. Reports on capital spending. On the ~~45th first~~ day following the end of each quarterly period in each fiscal year, the Governor's Office of Management and Budget shall provide to the Comptroller, the Treasurer, the President and the Minority Leader of the Senate, and the Speaker and the Minority Leader of the House of Representatives a report on the status of all capital projects in the State. The report may be provided in both written and electronic format. The report must include all of the following:

- (1) A brief description or stated purpose of each capital project where applicable (as referred to in this Section, "project").
 - (2) The amount and source of funds (whether from bond funds or other revenues) appropriated for each project, organized into categories including roads, mass transit, schools, environment, civic centers and other categories as applicable (as referred to in this Section, "category or categories"), with subtotals for each category.
 - (3) The date the appropriation bill relating to each project was signed by the Governor, organized into categories.
 - (4) The date the written release of the Governor for each project was submitted to the Comptroller or is projected to be submitted and, if a release for any project has not been submitted within 6 months after its appropriation became law, an explanation why the project has not yet been released, all organized into categories.
 - (5) The amount of expenditures to date by the State relating to each project and estimated amount of total State expenditures and proposed schedule of future State expenditures relating to each project, all organized into categories.
 - (6) A timeline for completion of each project, including the dates, if applicable, of execution by the State of any grant agreement, any required engineering or design work or environmental approvals, and the estimated or actual dates of the start and completion of construction, all organized into categories. Any substantial variances on any project from this reported timeline must be explained in the next quarterly report.
 - (7) A summary report of the status of all projects, including the amount of undisbursed funds intended to be held or used in the next quarter.
- (Source: P.A. 98-692, eff. 7-1-14.)

Section 10-55. The Illinois Criminal Justice Information Act is amended by changing Section 7 as follows:

(20 ILCS 3930/7) (from Ch. 38, par. 210-7)

Sec. 7. Powers and Duties. The Authority shall have the following powers, duties and responsibilities:

- (a) To develop and operate comprehensive information systems for the improvement and coordination of all aspects of law enforcement, prosecution and corrections;
- (b) To define, develop, evaluate and correlate State and local programs and projects associated with the improvement of law enforcement and the administration of criminal justice;
- (c) To act as a central repository and clearing house for federal, state and local research studies, plans, projects, proposals and other information relating to all aspects of criminal justice system improvement and to encourage educational programs for citizen support of State and local efforts to make such improvements;
- (d) To undertake research studies to aid in accomplishing its purposes;
- (e) To monitor the operation of existing criminal justice information systems in order to protect the constitutional rights and privacy of individuals about whom criminal history record information has been collected;
- (f) To provide an effective administrative forum for the protection of the rights of individuals concerning criminal history record information;
- (g) To issue regulations, guidelines and procedures which ensure the privacy and security of criminal history record information consistent with State and federal laws;
- (h) To act as the sole administrative appeal body in the State of Illinois to conduct hearings and make final determinations concerning individual challenges to the completeness and accuracy of criminal history record information;
- (i) To act as the sole, official, criminal justice body in the State of Illinois to conduct annual and periodic audits of the procedures, policies, and practices of the State central repositories for criminal history record information to verify compliance with federal and state laws and regulations governing such information;
- (j) To advise the Authority's Statistical Analysis Center;
- (k) To apply for, receive, establish priorities for, allocate, disburse and spend grants

of funds that are made available by and received on or after January 1, 1983 from private sources or from the United States pursuant to the federal Crime Control Act of 1973, as amended, and similar federal legislation, and to enter into agreements with the United States government to further the purposes of this Act, or as may be required as a condition of obtaining federal funds;

(l) To receive, expend and account for such funds of the State of Illinois as may be made available to further the purposes of this Act;

(m) To enter into contracts and to cooperate with units of general local government or combinations of such units, State agencies, and criminal justice system agencies of other states for the purpose of carrying out the duties of the Authority imposed by this Act or by the federal Crime Control Act of 1973, as amended;

(n) To enter into contracts and cooperate with units of general local government outside of Illinois, other states' agencies, and private organizations outside of Illinois to provide computer software or design that has been developed for the Illinois criminal justice system, or to participate in the cooperative development or design of new software or systems to be used by the Illinois criminal justice system. ~~Revenues received as a result of such arrangements shall be deposited in the Criminal Justice Information Systems Trust Fund.~~

(o) To establish general policies concerning criminal justice information systems and to promulgate such rules, regulations and procedures as are necessary to the operation of the Authority and to the uniform consideration of appeals and audits;

(p) To advise and to make recommendations to the Governor and the General Assembly on policies relating to criminal justice information systems;

(q) To direct all other agencies under the jurisdiction of the Governor to provide whatever assistance and information the Authority may lawfully require to carry out its functions;

(r) To exercise any other powers that are reasonable and necessary to fulfill the responsibilities of the Authority under this Act and to comply with the requirements of applicable federal law or regulation;

(s) To exercise the rights, powers and duties which have been vested in the Authority by the "Illinois Uniform Conviction Information Act", enacted by the 85th General Assembly, as hereafter amended;

(t) To exercise the rights, powers and duties which have been vested in the Authority by the Illinois Motor Vehicle Theft Prevention Act;

(u) To exercise the rights, powers, and duties vested in the Authority by the Illinois Public Safety Agency Network Act; and

(v) To provide technical assistance in the form of training to local governmental entities within Illinois requesting such assistance for the purposes of procuring grants for gang intervention and gang prevention programs or other criminal justice programs from the United States Department of Justice.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of "An Act to revise the law in relation to the General Assembly", approved February 25, 1874, as amended, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

(Source: P.A. 97-435, eff. 1-1-12.)

(20 ILCS 3965/Act rep.)

Section 10-60. The Illinois Economic Development Board Act is repealed.

(20 ILCS 4065/Act rep.)

Section 10-65. The Illinois Children's Savings Accounts Act is repealed.

(20 ILCS 5000/Act rep.)

Section 10-70. The Task Force on Inventorying Employment Restrictions Act is repealed.

(30 ILCS 375/Act rep.)

Section 10-75. The Local Government Debt Offering Act is repealed.

(30 ILCS 577/35-20 rep.)

Section 10-80. The State Construction Minority and Female Building Trades Act is amended by repealing Section 35-20.

(30 ILCS 750/9-4.5 rep.) (30 ILCS 750/11-4 rep.)

Section 10-85. The Build Illinois Act is amended by repealing Sections 9-4.5 and 11-4.

Section 10-90. The Illinois Income Tax Act is amended by changing Section 901 as follows:

[April 27, 2017]

(35 ILCS 5/901) (from Ch. 120, par. 9-901)

Sec. 901. Collection authority.

(a) In general.

The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650). Except as provided in subsections (c), (e), (f), (g), and (h) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law (20 ILCS 2505/2505-650) shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services.

(b) Local Government Distributive Fund.

Beginning August 1, 1969, and continuing through June 30, 1994, the Treasurer shall transfer each month from the General Revenue Fund to a special fund in the State treasury, to be known as the "Local Government Distributive Fund", an amount equal to 1/12 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1994, and continuing through June 30, 1995, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/11 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act during the preceding month. Beginning July 1, 1995 and continuing through January 31, 2011, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the net of (i) 1/10 of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of the Illinois Income Tax Act during the preceding month (ii) minus, beginning July 1, 2003 and ending June 30, 2004, \$6,666,666, and beginning July 1, 2004, zero. Beginning February 1, 2011, and continuing through January 31, 2015, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 6% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 5% individual income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 6.86% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 7% corporate income tax rate after 2010) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2015 and continuing through January 31, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 8% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.75% individual income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 9.14% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 5.25% corporate income tax rate after 2014) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Beginning February 1, 2025, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of (i) 9.23% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 3.25% individual income tax rate after 2024) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month and (ii) 10% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited in the General Revenue Fund, the Education Assistance Fund, the Income Tax Surcharge Local Government Distributive Fund, the Fund for the Advancement of Education, and the Commitment to Human Services Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

Beginning on August 26, 2014 (the effective date of Public Act 98-1052), the Comptroller shall perform the transfers required by this subsection (b) no later than 60 days after he or she receives the certification from the Treasurer as provided in Section 1 of the State Revenue Sharing Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a

percentage of the amounts collected pursuant to subsections (a) and (b)(1), (2), and (3), of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 6% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999 through 2001, the Annual Percentage shall be 7.1%. For fiscal year 2003, the Annual Percentage shall be 8%. For fiscal year 2004, the Annual Percentage shall be 11.7%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 10% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 9.75%. For fiscal year 2007, the Annual Percentage shall be 9.75%. For fiscal year 2008, the Annual Percentage shall be 7.75%. For fiscal year 2009, the Annual Percentage shall be 9.75%. For fiscal year 2010, the Annual Percentage shall be 9.75%. For fiscal year 2011, the Annual Percentage shall be 8.75%. For fiscal year 2012, the Annual Percentage shall be 8.75%. For fiscal year 2013, the Annual Percentage shall be 9.75%. For fiscal year 2014, the Annual Percentage shall be 9.5%. For fiscal year 2015, the Annual Percentage shall be 10%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, minus the amounts transferred into the Income Tax Refund Fund from the Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. The Department shall deposit 18% of such amounts during the period beginning January 1, 1989 and ending on June 30, 1989. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal years 1999, 2000, and 2001, the Annual Percentage shall be 19%. For fiscal year 2003, the Annual Percentage shall be 27%. For fiscal year 2004, the Annual Percentage shall be 32%. Upon the effective date of this amendatory Act of the 93rd General Assembly, the Annual Percentage shall be 24% for fiscal year 2005. For fiscal year 2006, the Annual Percentage shall be 20%. For fiscal year 2007, the Annual Percentage shall be 17.5%. For fiscal year 2008, the Annual Percentage shall be 15.5%. For fiscal year 2009, the Annual Percentage shall be 17.5%. For fiscal year 2010, the Annual Percentage shall be 17.5%. For fiscal year 2011, the Annual Percentage shall be 17.5%. For fiscal year 2012, the Annual Percentage shall be 17.5%. For fiscal year 2013, the Annual Percentage shall be 14%. For fiscal year 2014, the Annual Percentage shall be 13.4%. For fiscal year 2015, the Annual Percentage shall be 14%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(3) The Comptroller shall order transferred and the Treasurer shall transfer from the Tobacco Settlement Recovery Fund to the Income Tax Refund Fund (i) \$35,000,000 in January, 2001, (ii) \$35,000,000 in January, 2002, and (iii) \$35,000,000 in January, 2003.
(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act, ~~for paying rebates under Section 208.1 in the event that the amounts in the Homeowners' Tax Relief Fund are insufficient for that purpose,~~ and for making transfers pursuant to this subsection (d).

(2) The Director shall order payment of refunds resulting from overpayment of tax

liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purpose of paying refunds upon the order of the Director in accordance with the provisions of this Section.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund.

On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1, 1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

(f) Deposits into the Fund for the Advancement of Education. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Fund for the Advancement of Education:

- (1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
- (2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (f) on or after the effective date of the reduction.

(g) Deposits into the Commitment to Human Services Fund. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act during the preceding month, minus deposits into the Income Tax Refund Fund, into the Commitment to Human Services Fund:

- (1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and
- (2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (g) on or after the effective date of the reduction.

(h) Deposits into the Tax Compliance and Administration Fund. Beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department, an amount equal to 1/12 of 5% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department from the tax imposed by subsections (a), (b), (c), and (d) of Section 201 of this Act, net of deposits into the Income Tax Refund Fund made from those cash receipts. (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14; 98-1052, eff. 8-26-14; 98-1098, eff. 8-26-14; 99-78, eff. 7-20-15.)

Section 10-95. The Property Tax Code is amended by changing Section 20-15 as follows:
(35 ILCS 200/20-15)

Sec. 20-15. Information on bill or separate statement. There shall be printed on each bill, or on a separate slip which shall be mailed with the bill:

(a) a statement itemizing the rate at which taxes have been extended for each of the taxing districts in the county in whose district the property is located, and in those counties utilizing electronic data processing equipment the dollar amount of tax due from the person assessed allocable to each of those taxing districts, including a separate statement of the dollar amount of tax due which is allocable to a tax levied under the Illinois Local Library Act or to any other tax levied by a municipality or township for public library purposes,

(b) a separate statement for each of the taxing districts of the dollar amount of tax due which is allocable to a tax levied under the Illinois Pension Code or to any other tax levied by a municipality or township for public pension or retirement purposes,

(c) the total tax rate,

(d) the total amount of tax due, and

(e) the amount by which the total tax and the tax allocable to each taxing district differs from the taxpayer's last prior tax bill.

The county treasurer shall ensure that only those taxing districts in which a parcel of property is located shall be listed on the bill for that property.

In all counties the statement shall also provide:

(1) the property index number or other suitable description,

(2) the assessment of the property,

(3) the statutory amount of each homestead exemption applied to the property,

(4) the assessed value of the property after application of all homestead exemptions,

(5) the equalization factors imposed by the county and by the Department, and

(6) the equalized assessment resulting from the application of the equalization factors to the basic assessment.

In all counties which do not classify property for purposes of taxation, for property on which a single family residence is situated the statement shall also include a statement to reflect the fair cash value determined for the property. In all counties which classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution, for parcels of residential property in the lowest assessment classification the statement shall also include a statement to reflect the fair cash value determined for the property.

In all counties, the statement must include information that certain taxpayers may be eligible for tax exemptions, abatements, and other assistance programs and that, for more information, taxpayers should consult with the office of their township or county assessor and with the Illinois Department of Revenue.

~~In all counties, the statement shall include information that certain taxpayers may be eligible for the Senior Citizens and Persons with Disabilities Property Tax Relief Act and that applications are available from the Illinois Department on Aging.~~

In counties which use the estimated or accelerated billing methods, these statements shall only be provided with the final installment of taxes due. The provisions of this Section create a mandatory statutory duty. They are not merely directory or discretionary. The failure or neglect of the collector to mail the bill, or the failure of the taxpayer to receive the bill, shall not affect the validity of any tax, or the liability for the payment of any tax.

(Source: P.A. 98-93, eff. 7-16-13; 99-143, eff. 7-27-15.)

Section 10-100. The Illinois Public Safety Agency Network Act is amended by changing Section 5 as follows:

(50 ILCS 752/5)

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Sec. 5. Definitions. As used in this Act, unless the context requires otherwise:

"ALECS" means the Automated Law Enforcement Communications System.

"ALERTS" means the Area-wide Law Enforcement Radio Terminal System.

"Authority" means the Illinois Criminal Justice Information Authority.

"Board" means the Board of Directors of Illinois Public Safety Agency Network, Inc.

"IPSAN" or "Partnership" means Illinois Public Safety Agency Network, Inc., the not-for-profit entity incorporated as provided in this Act.

"PIMS" means the Police Information Management System.

~~"Trust Fund" means the Criminal Justice Information Systems Trust Fund.~~

(Source: P.A. 94-896, eff. 7-1-06.)

(70 ILCS 210/22.1 rep.)

Section 10-105. The Metropolitan Pier and Exposition Authority Act is amended by repealing Section 22.1.

(235 ILCS 5/Art. XII rep.)

Section 10-110. The Liquor Control Act of 1934 is amended by repealing Article XII.

(310 ILCS 5/42 rep.) (310 ILCS 5/43 rep.) (310 ILCS 5/44 rep.)

Section 10-115. The State Housing Act is amended by repealing Sections 42, 43, and 44.

(310 ILCS 20/3b rep.)

Section 10-120. The Housing Development and Construction Act is amended by repealing Section 3b.

(310 ILCS 30/2 rep.)

Section 10-125. The Redevelopment Project Rehousing and Capital Improvements Act is amended by repealing Section 2.

(310 ILCS 55/Act rep.)

Section 10-130. The Home Ownership Made Easy Act is repealed.

(310 ILCS 65/16 rep.)

Section 10-135. The Illinois Affordable Housing Act is amended by repealing Section 16.

(315 ILCS 5/Act rep.)

Section 10-140. The Blighted Areas Redevelopment Act of 1947 is repealed.

Section 10-145. The Blighted Vacant Areas Development Act of 1949 is amended by changing Section 6 as follows:

(315 ILCS 10/6) (from Ch. 67 1/2, par. 91.6)

Sec. 6. Sale of land. After title to the site is vested in the State of Illinois, the State of Illinois, acting through the Governor and the Secretary of State, shall sign, seal, and deliver a deed conveying the site to the developer or his heirs, legatees, successors or assigns, in consideration of the offer of the developer, provided that:

(a) The plans of development have been approved by the corporate authorities of the municipality in which the site is located, or by the corporate authorities of the county where the site is located in an unincorporated area.

(b) ~~(Blank). The developer has satisfied the Department that the completion of development will be accomplished within a reasonable time after title to the site has been acquired from the State of Illinois by depositing bond with surety to be approved by the Department, or making a cash deposit, in either case in such amount as shall be deemed adequate by the Department. Such bonds shall designate the People of the State of Illinois as obligee thereunder and the developer as obligor thereon, and shall be conditioned upon completion of development by the developer in accordance with the plans of development, or such revisions therein as may be approved by the Department, within a period to be specified by the Department or any subsequent extension of this period by the Department.~~

Such bond shall be in substantially the following form: "We, A.B., C.D., and E.F., of the County of and State of Illinois, as principals, and as surety, are obligated to the People of the State of Illinois in the penal sum of \$..... lawful money of the United States, for the payment of which we and each of us obligate ourselves and our heirs, executors, administrators and assigns jointly.

~~The condition of this bond is such that if the above stated A.B., C.D., and E.F., shall complete development of a site located at in accordance with plans of development submitted to the Department on (insert date), or in accordance with such revisions of such plans of development as may hereafter be approved by the Department, such completion of development to be within a period of years, or any subsequent extension of this period by the Department, then this obligation is void; otherwise it remains in full force and effect.~~

~~Dated (insert date):~~

~~Signature of A.B. _____~~

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Signature of C.D. _____
 Signature of E.F. _____"

The bond shall be signed by the principals and sureties and after approval by the Department shall be filed and recorded by the Department.

(Source: P.A. 91-357, eff. 7-29-99.)

(315 ILCS 10/4 rep.)

Section 10-150. The Blighted Vacant Areas Development Act of 1949 is amended by repealing Section 4.

(315 ILCS 25/Act rep.)

Section 10-155. The Urban Community Conservation Act is repealed.

(315 ILCS 30/Act rep.)

Section 10-160. The Urban Renewal Consolidation Act of 1961 is repealed.

(315 ILCS 35/Act rep.)

Section 10-165. The Urban Flooding Awareness Act is repealed.

Section 10-170. The Older Adult Services Act is amended by changing Section 35 as follows:
 (320 ILCS 42/35)

Sec. 35. Older Adult Services Advisory Committee.

(a) The Older Adult Services Advisory Committee is created to advise the directors of Aging, Healthcare and Family Services, the Department of Insurance, and Public Health on all matters related to this Act and the delivery of services to older adults in general.

(b) The Advisory Committee shall be comprised of the following:

(1) The Director of Aging or his or her designee, who shall serve as chair and shall be an ex officio and nonvoting member.

(2) The Director of Healthcare and Family Services and the Director of Public Health or their designees, who shall serve as vice-chairs and shall be ex officio and nonvoting members.

(3) One representative each of the Governor's Office, the Department of Healthcare and Family Services, the Department of Public Health, the Department of Veterans' Affairs, the Department of Human Services, the Department of Insurance, ~~the Department of Commerce and Economic Opportunity~~, the Department on Aging, the Department on Aging's State Long Term Care Ombudsman, the Illinois Housing Finance Authority, and the Illinois Housing Development Authority, each of whom shall be selected by his or her respective director and shall be an ex officio and nonvoting member.

(4) Thirty members appointed by the Director of Aging in collaboration with the directors of Public Health and Healthcare and Family Services, and selected from the recommendations of statewide associations and organizations, as follows:

(A) One member representing the Area Agencies on Aging;

(B) Four members representing nursing homes or licensed assisted living establishments;

(C) One member representing home health agencies;

(D) One member representing case management services;

(E) One member representing statewide senior center associations;

(F) One member representing Community Care Program homemaker services;

(G) One member representing Community Care Program adult day services;

(H) One member representing nutrition project directors;

(I) One member representing hospice programs;

(J) One member representing individuals with Alzheimer's disease and related dementias;

(K) Two members representing statewide trade or labor unions;

(L) One advanced practice nurse with experience in gerontological nursing;

(M) One physician specializing in gerontology;

(N) One member representing regional long-term care ombudsmen;

(O) One member representing municipal, township, or county officials;

(P) (Blank);

(Q) (Blank);

(R) One member representing the parish nurse movement;

(S) One member representing pharmacists;

(T) Two members representing statewide organizations engaging in advocacy or legal representation on behalf of the senior population;

- (U) Two family caregivers;
- (V) Two citizen members over the age of 60;
- (W) One citizen with knowledge in the area of gerontology research or health care law;
- (X) One representative of health care facilities licensed under the Hospital Licensing Act; and
- (Y) One representative of primary care service providers.

The Director of Aging, in collaboration with the Directors of Public Health and Healthcare and Family Services, may appoint additional citizen members to the Older Adult Services Advisory Committee. Each such additional member must be either an individual age 60 or older or an uncompensated caregiver for a family member or friend who is age 60 or older.

(c) Voting members of the Advisory Committee shall serve for a term of 3 years or until a replacement is named. All members shall be appointed no later than January 1, 2005. Of the initial appointees, as determined by lot, 10 members shall serve a term of one year; 10 shall serve for a term of 2 years; and 12 shall serve for a term of 3 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of that term. The Advisory Committee shall meet at least quarterly and may meet more frequently at the call of the Chair. A simple majority of those appointed shall constitute a quorum. The affirmative vote of a majority of those present and voting shall be necessary for Advisory Committee action. Members of the Advisory Committee shall receive no compensation for their services.

(d) The Advisory Committee shall have an Executive Committee comprised of the Chair, the Vice Chairs, and up to 15 members of the Advisory Committee appointed by the Chair who have demonstrated expertise in developing, implementing, or coordinating the system restructuring initiatives defined in Section 25. The Executive Committee shall have responsibility to oversee and structure the operations of the Advisory Committee and to create and appoint necessary subcommittees and subcommittee members.

(e) The Advisory Committee shall study and make recommendations related to the implementation of this Act, including but not limited to system restructuring initiatives as defined in Section 25 or otherwise related to this Act.

(Source: P.A. 95-331, eff. 8-21-07; 96-916, eff. 6-9-10.)

(325 ILCS 25/Act rep.)

Section 10-175. The High Risk Youth Career Development Act is repealed.

(410 ILCS 48/25 rep.) (410 ILCS 48/30 rep.)

Section 10-180. The Brominated Fire Retardant Prevention Act is amended by repealing Sections 25 and 30.

Section 10-185. The Environmental Protection Act is amended by changing Sections 21.6, 22.15, 22.23, 22.28, 22.29, 55, and 55.6 as follows:

(415 ILCS 5/21.6) (from Ch. 111 1/2, par. 1021.6)

Sec. 21.6. Materials disposal ban.

(a) Beginning July 1, 1996, no person may knowingly mix liquid used oil with any municipal waste that is intended for collection and disposal at a landfill.

(b) Beginning July 1, 1996, no owner or operator of a sanitary landfill shall accept for final disposal liquid used oil that is discernible in the course of prudent business operation.

(c) For purposes of this Section, "liquid used oil" does not include used oil filters, rags, absorbent material used to collect spilled oil or other materials incidentally contaminated with used oil, or empty containers which previously contained virgin oil, re-refined oil, or used oil.

(d) ~~(Blank). The Agency and the Department of Commerce and Economic Opportunity shall investigate the manner in which liquid used oil is currently being utilized and potential prospects for future use.~~

(Source: P.A. 94-793, eff. 5-19-06.)

(415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

Sec. 22.15. Solid Waste Management Fund; fees.

(a) There is hereby created within the State Treasury a special fund to be known as the "Solid Waste Management Fund", to be constituted from the fees collected by the State pursuant to this Section and from repayments of loans made from the Fund for solid waste projects. Moneys received by the Department of Commerce and Economic Opportunity in repayment of loans made pursuant to the Illinois Solid Waste Management Act shall be deposited into the General Revenue Fund.

(b) The Agency shall assess and collect a fee in the amount set forth herein from the owner or operator of each sanitary landfill permitted or required to be permitted by the Agency to dispose of solid waste if the sanitary landfill is located off the site where such waste was produced and if such sanitary landfill is

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owned, controlled, and operated by a person other than the generator of such waste. The Agency shall deposit all fees collected into the Solid Waste Management Fund. If a site is contiguous to one or more landfills owned or operated by the same person, the volumes permanently disposed of by each landfill shall be combined for purposes of determining the fee under this subsection.

(1) If more than 150,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall either pay a fee of 95 cents per cubic yard or, alternatively, the owner or operator may weigh the quantity of the solid waste permanently disposed of with a device for which certification has been obtained under the Weights and Measures Act and pay a fee of \$2.00 per ton of solid waste permanently disposed of. In no case shall the fee collected or paid by the owner or operator under this paragraph exceed \$1.55 per cubic yard or \$3.27 per ton.

(2) If more than 100,000 cubic yards but not more than 150,000 cubic yards of non-hazardous waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$52,630.

(3) If more than 50,000 cubic yards but not more than 100,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$23,790.

(4) If more than 10,000 cubic yards but not more than 50,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$7,260.

(5) If not more than 10,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$1050.

(c) (Blank).

(d) The Agency shall establish rules relating to the collection of the fees authorized by this Section. Such rules shall include, but not be limited to:

(1) necessary records identifying the quantities of solid waste received or disposed;

(2) the form and submission of reports to accompany the payment of fees to the Agency;

(3) the time and manner of payment of fees to the Agency, which payments shall not be more often than quarterly; and

(4) procedures setting forth criteria establishing when an owner or operator may measure by weight or volume during any given quarter or other fee payment period.

(e) Pursuant to appropriation, all monies in the Solid Waste Management Fund shall be used by the Agency and the Department of Commerce and Economic Opportunity for the purposes set forth in this Section and in the Illinois Solid Waste Management Act, including for the costs of fee collection and administration.

(f) The Agency is authorized to enter into such agreements and to promulgate such rules as are necessary to carry out its duties under this Section and the Illinois Solid Waste Management Act.

(g) On the first day of January, April, July, and October of each year, beginning on July 1, 1996, the State Comptroller and Treasurer shall transfer \$500,000 from the Solid Waste Management Fund to the Hazardous Waste Fund. Moneys transferred under this subsection (g) shall be used only for the purposes set forth in item (1) of subsection (d) of Section 22.2.

(h) The Agency is authorized to provide financial assistance to units of local government for the performance of inspecting, investigating and enforcement activities pursuant to Section 4(r) at nonhazardous solid waste disposal sites.

(i) The Agency is authorized to support the operations of an industrial materials exchange service, and to conduct household waste collection and disposal programs.

(j) A unit of local government, as defined in the Local Solid Waste Disposal Act, in which a solid waste disposal facility is located may establish a fee, tax, or surcharge with regard to the permanent disposal of solid waste. All fees, taxes, and surcharges collected under this subsection shall be utilized for solid waste management purposes, including long-term monitoring and maintenance of landfills, planning, implementation, inspection, enforcement and other activities consistent with the Solid Waste Management Act and the Local Solid Waste Disposal Act, or for any other environment-related purpose, including but not limited to an environment-related public works project, but not for the construction of a new pollution control facility other than a household hazardous waste facility. However, the total fee, tax or surcharge imposed by all units of local government under this subsection (j) upon the solid waste disposal facility shall not exceed:

(1) 60¢ per cubic yard if more than 150,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year, unless the owner or operator weighs the quantity of the solid waste received with a device for which certification has been obtained under the Weights

and Measures Act, in which case the fee shall not exceed \$1.27 per ton of solid waste permanently disposed of.

(2) \$33,350 if more than 100,000 cubic yards, but not more than 150,000 cubic yards, of non-hazardous waste is permanently disposed of at the site in a calendar year.

(3) \$15,500 if more than 50,000 cubic yards, but not more than 100,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(4) \$4,650 if more than 10,000 cubic yards, but not more than 50,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(5) \$650 if not more than 10,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

The corporate authorities of the unit of local government may use proceeds from the fee, tax, or surcharge to reimburse a highway commissioner whose road district lies wholly or partially within the corporate limits of the unit of local government for expenses incurred in the removal of nonhazardous, nonfluid municipal waste that has been dumped on public property in violation of a State law or local ordinance.

A county or Municipal Joint Action Agency that imposes a fee, tax, or surcharge under this subsection may use the proceeds thereof to reimburse a municipality that lies wholly or partially within its boundaries for expenses incurred in the removal of nonhazardous, nonfluid municipal waste that has been dumped on public property in violation of a State law or local ordinance.

If the fees are to be used to conduct a local sanitary landfill inspection or enforcement program, the unit of local government must enter into a written delegation agreement with the Agency pursuant to subsection (r) of Section 4. The unit of local government and the Agency shall enter into such a written delegation agreement within 60 days after the establishment of such fees. At least annually, the Agency shall conduct an audit of the expenditures made by units of local government from the funds granted by the Agency to the units of local government for purposes of local sanitary landfill inspection and enforcement programs, to ensure that the funds have been expended for the prescribed purposes under the grant.

The fees, taxes or surcharges collected under this subsection (j) shall be placed by the unit of local government in a separate fund, and the interest received on the moneys in the fund shall be credited to the fund. The monies in the fund may be accumulated over a period of years to be expended in accordance with this subsection.

A unit of local government, as defined in the Local Solid Waste Disposal Act, shall prepare and distribute to the Agency, in April of each year, a report that details spending plans for monies collected in accordance with this subsection. The report will at a minimum include the following:

(1) The total monies collected pursuant to this subsection.

(2) The most current balance of monies collected pursuant to this subsection.

(3) An itemized accounting of all monies expended for the previous year pursuant to this subsection.

(4) An estimation of monies to be collected for the following 3 years pursuant to this subsection.

(5) A narrative detailing the general direction and scope of future expenditures for one, 2 and 3 years.

The exemptions granted under Sections 22.16 and 22.16a, and under subsection (k) of this Section, shall be applicable to any fee, tax or surcharge imposed under this subsection (j); except that the fee, tax or surcharge authorized to be imposed under this subsection (j) may be made applicable by a unit of local government to the permanent disposal of solid waste after December 31, 1986, under any contract lawfully executed before June 1, 1986 under which more than 150,000 cubic yards (or 50,000 tons) of solid waste is to be permanently disposed of, even though the waste is exempt from the fee imposed by the State under subsection (b) of this Section pursuant to an exemption granted under Section 22.16.

(k) In accordance with the findings and purposes of the Illinois Solid Waste Management Act, beginning January 1, 1989 the fee under subsection (b) and the fee, tax or surcharge under subsection (j) shall not apply to:

(1) Waste which is hazardous waste; or

(2) Waste which is pollution control waste; or

(3) Waste from recycling, reclamation or reuse processes which have been approved by the Agency as being designed to remove any contaminant from wastes so as to render such wastes reusable, provided that the process renders at least 50% of the waste reusable; or

(4) Non-hazardous solid waste that is received at a sanitary landfill and composted or recycled through a process permitted by the Agency; or

(5) Any landfill which is permitted by the Agency to receive only demolition or

construction debris or landscape waste.

(Source: P.A. 97-333, eff. 8-12-11.)

(415 ILCS 5/22.23) (from Ch. 111 1/2, par. 1022.23)

Sec. 22.23. Batteries.

(a) Beginning September 1, 1990, any person selling lead-acid batteries at retail or offering lead-acid batteries for retail sale in this State shall:

(1) accept for recycling used lead-acid batteries from customers, at the point of transfer, in a quantity equal to the number of new batteries purchased; and

(2) post in a conspicuous place a written notice at least 8.5 by 11 inches in size that includes the universal recycling symbol and the following statements: "DO NOT put motor vehicle batteries in the trash."; "Recycle your used batteries."; and "State law requires us to accept motor vehicle batteries for recycling, in exchange for new batteries purchased.".

(b) Any person selling lead-acid batteries at retail in this State may either charge a recycling fee on each new lead-acid battery sold for which the customer does not return a used battery to the retailer, or provide a recycling credit to each customer who returns a used battery for recycling at the time of purchasing a new one.

(c) Beginning September 1, 1990, no lead-acid battery retailer may dispose of a used lead-acid battery except by delivering it (1) to a battery wholesaler or its agent, (2) to a battery manufacturer, (3) to a collection or recycling facility, or (4) to a secondary lead smelter permitted by either a state or federal environmental agency.

(d) Any person selling lead-acid batteries at wholesale or offering lead-acid batteries for sale at wholesale shall accept for recycling used lead-acid batteries from customers, at the point of transfer, in a quantity equal to the number of new batteries purchased. Such used batteries shall be disposed of as provided in subsection (c).

(e) A person who accepts used lead-acid batteries for recycling pursuant to subsection (a) or (d) shall not allow such batteries to accumulate for periods of more than 90 days.

(f) Beginning September 1, 1990, no person may knowingly cause or allow:

(1) the placing of a lead-acid battery into any container intended for collection and disposal at a municipal waste sanitary landfill; or

(2) the disposal of any lead-acid battery in any municipal waste sanitary landfill or incinerator.

(g) ~~(Blank). The Department of Commerce and Economic Opportunity shall identify and assist in developing alternative processing and recycling options for used batteries.~~

(h) For the purpose of this Section:

"Lead-acid battery" means a battery containing lead and sulfuric acid that has a nominal voltage of at least 6 volts and is intended for use in motor vehicles.

"Motor vehicle" includes automobiles, vans, trucks, tractors, motorcycles and motorboats.

(i) (Blank).

(j) Knowing violation of this Section shall be a petty offense punishable by a fine of \$100.

(Source: P.A. 94-793, eff. 5-19-06.)

(415 ILCS 5/22.28) (from Ch. 111 1/2, par. 1022.28)

Sec. 22.28. White goods.

~~(a) No Beginning July 1, 1994, no person shall knowingly offer for collection or collect white goods for the purpose of disposal by landfilling unless the white good components have been removed.~~

~~(b) No Beginning July 1, 1994, no owner or operator of a landfill shall accept any white goods for final disposal, except that white goods may be accepted if:~~

~~(1) (blank); the landfill participates in the Industrial Materials Exchange Service by communicating the availability of white goods;~~

~~(2) prior to final disposal, any white good components have been removed from the white goods; and~~

~~(3) if white good components are removed from the white goods at the landfill, a site operating plan satisfying this Act has been approved under the landfill's site operating permit and the conditions of the such operating plan are met.~~

~~(c) For the purposes of this Section:~~

~~(1) "White goods" shall include all discarded refrigerators, ranges, water heaters, freezers, air conditioners, humidifiers and other similar domestic and commercial large appliances.~~

~~(2) "White good components" shall include:~~

~~(i) any chlorofluorocarbon refrigerant gas;~~

~~(ii) any electrical switch containing mercury;~~

(iii) any device that contains or may contain PCBs in a closed system, such as a dielectric fluid for a capacitor, ballast or other component; and

(iv) any fluorescent lamp that contains mercury.

(d) The Agency is authorized to provide financial assistance to units of local government from the Solid Waste Management Fund to plan for and implement programs to collect, transport and manage white goods. Units of local government may apply jointly for financial assistance under this Section.

Applications for such financial assistance shall be submitted to the Agency and must provide a description of:

(A) the area to be served by the program;

(B) the white goods intended to be included in the program;

(C) the methods intended to be used for collecting and receiving materials;

(D) the property, buildings, equipment and personnel included in the program;

(E) the public education systems to be used as part of the program;

(F) the safety and security systems that will be used;

(G) the intended processing methods for each white goods type;

(H) the intended destination for final material handling location; and

(I) any staging sites used to handle collected materials, the activities to be performed at such sites and the procedures for assuring removal of collected materials from such sites.

The application may be amended to reflect changes in operating procedures, destinations for collected materials, or other factors.

Financial assistance shall be awarded for a State fiscal year, and may be renewed, upon application, if the Agency approves the operation of the program.

(e) All materials collected or received under a program operated with financial assistance under this Section shall be recycled whenever possible. Treatment or disposal of collected materials are not eligible for financial assistance unless the applicant shows and the Agency approves which materials may be treated or disposed of under various conditions.

Any revenue from the sale of materials collected under such a program shall be retained by the unit of local government and may be used only for the same purposes as the financial assistance under this Section.

(f) The Agency is authorized to adopt rules necessary or appropriate to the administration of this Section.

(g) (Blank).

(Source: P.A. 91-798, eff. 7-9-00; revised 10-6-16.)

(415 ILCS 5/22.29) (from Ch. 111 1/2, par. 1022.29)

Sec. 22.29. (a) Except as provided in subsection (c), any waste material generated by processing recyclable metals by shredding shall be managed as a special waste unless (1) a site operating plan has been approved by the Agency and the conditions of such operating plan are met; and (2) the facility participates in the Industrial Materials Exchange Service by communicating availability to process recyclable metals.

(b) An operating plan submitted to the Agency under this Section shall include the following concerning recyclable metals processing and components which may contaminate waste from shredding recyclable metals (such as lead acid batteries, fuel tanks, or components that contain or may contain PCB's in a closed system such as a capacitor or ballast):

(1) procedures for inspecting recyclable metals when received to assure that such components are identified;

(2) a list of equipment and removal procedures to be used to assure proper removal of such components;

(3) procedures for safe storage of such components after removal and any waste materials;

(4) procedures to assure that such components and waste materials will only be stored for a period long enough to accumulate the proper quantities for off-site transportation;

(5) identification of how such components and waste materials will be managed after removal from the site to assure proper handling and disposal;

(6) procedures for sampling and analyzing waste intended for disposal or off-site handling as a waste;

(7) a demonstration, including analytical reports, that any waste generated is not a hazardous waste and will not pose a present or potential threat to human health or the environment.

(c) Any waste generated as a result of processing recyclable metals by shredding which is determined to be hazardous waste shall be managed as a hazardous waste.

(d) The Agency is authorized to adopt rules necessary or appropriate to the administration of this Section.

(Source: P.A. 87-806; 87-895.)

(415 ILCS 5/55) (from Ch. 111 1/2, par. 1055)

Sec. 55. Prohibited activities.

(a) No person shall:

- (1) Cause or allow the open dumping of any used or waste tire.
- (2) Cause or allow the open burning of any used or waste tire.
- (3) Except at a tire storage site which contains more than 50 used tires, cause or allow the storage of any used tire unless the tire is altered, reprocessed, converted, covered, or otherwise prevented from accumulating water.

(4) Cause or allow the operation of a tire storage site except in compliance with Board regulations.

(5) Abandon, dump or dispose of any used or waste tire on private or public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.

(6) Fail to submit required reports, tire removal agreements, or Board regulations.

(b) (Blank.)

(b-1) ~~No Beginning January 1, 1995, no person shall knowingly mix any used or waste tire, either whole or cut, with municipal waste, and no owner or operator of a sanitary landfill shall accept any used or waste tire for final disposal; except that used or waste tires, when separated from other waste, may be accepted if: (1) the sanitary landfill provides and maintains a means for shredding, slitting, or chopping whole tires and so treats whole tires and, if approved by the Agency in a permit issued under this Act, uses the used or waste tires for alternative uses, which may include on-site practices such as lining of roadways with tire scraps, alternative daily cover, or use in a leachate collection system or (2) the sanitary landfill, by its notification to the Illinois Industrial Materials Exchange Service, makes available the used or waste tire to an appropriate facility for reuse, reprocessing, or converting, including use as an alternate energy fuel. If, within 30 days after notification to the Illinois Industrial Materials Exchange Service of the availability of waste tires, no specific request for the used or waste tires is received by the sanitary landfill, and the sanitary landfill determines it has no alternative use for those used or waste tires, the sanitary landfill may dispose of slit, chopped, or shredded used or waste tires in the sanitary landfill. In the event the physical condition of a used or waste tire makes shredding, slitting, chopping, reuse, reprocessing, or other alternative use of the used or waste tire impractical or infeasible, then the sanitary landfill, after authorization by the Agency, may accept the used or waste tire for disposal.~~

~~Sanitary landfills and facilities for reuse, reprocessing, or converting, including use as alternative fuel, shall (i) notify the Illinois Industrial Materials Exchange Service of the availability of and demand for used or waste tires and (ii) consult with the Department of Commerce and Economic Opportunity regarding the status of marketing of waste tires to facilities for reuse.~~

(c) Any person who sells new or used tires at retail or operates a tire storage site or a tire disposal site which contains more than 50 used or waste tires shall give notice of such activity to the Agency. Any person engaging in such activity for the first time after January 1, 1990, shall give notice to the Agency within 30 days after the date of commencement of the activity. The form of such notice shall be specified by the Agency and shall be limited to information regarding the following:

- (1) the name and address of the owner and operator;
- (2) the name, address and location of the operation;
- (3) the type of operations involving used and waste tires (storage, disposal, conversion or processing); and
- (4) the number of used and waste tires present at the location.

(d) Beginning January 1, 1992, no person shall cause or allow the operation of:

(1) a tire storage site which contains more than 50 used tires, unless the owner or operator, by January 1, 1992 (or the January 1 following commencement of operation, whichever is later) and January 1 of each year thereafter, (i) registers the site with the Agency, except that the registration requirement in this item (i) does not apply in the case of a tire storage site required to be permitted under subsection (d-5), (ii) certifies to the Agency that the site complies with any applicable standards adopted by the Board pursuant to Section 55.2, (iii) reports to the Agency the number of tires accumulated, the status of vector controls, and the actions taken to handle and process the tires, and (iv) pays the fee required under subsection (b) of Section 55.6; or

(2) a tire disposal site, unless the owner or operator (i) has received approval from the Agency after filing a tire removal agreement pursuant to Section 55.4, or (ii) has entered into a written agreement to participate in a consensual removal action under Section 55.3.

The Agency shall provide written forms for the annual registration and certification required under this subsection (d).

(d-4) On or before January 1, 2015, the owner or operator of each tire storage site that contains used tires totaling more than 10,000 passenger tire equivalents, or at which more than 500 tons of used tires are processed in a calendar year, shall submit documentation demonstrating its compliance with Board rules adopted under this Title. This documentation must be submitted on forms and in a format prescribed by the Agency.

(d-5) Beginning July 1, 2016, no person shall cause or allow the operation of a tire storage site that contains used tires totaling more than 10,000 passenger tire equivalents, or at which more than 500 tons of used tires are processed in a calendar year, without a permit granted by the Agency or in violation of any conditions imposed by that permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to ensure compliance with this Act and with regulations and standards adopted under this Act.

(d-6) No person shall cause or allow the operation of a tire storage site in violation of the financial assurance rules established by the Board under subsection (b) of Section 55.2 of this Act. In addition to the remedies otherwise provided under this Act, the State's Attorney of the county in which the violation occurred, or the Attorney General, may, at the request of the Agency or on his or her own motion, institute a civil action for an immediate injunction, prohibitory or mandatory, to restrain any violation of this subsection (d-6) or to require any other action as may be necessary to abate or mitigate any immediate danger or threat to public health or the environment at the site. Injunctions to restrain a violation of this subsection (d-6) may include, but are not limited to, the required removal of all tires for which financial assurance is not maintained and a prohibition against the acceptance of tires in excess of the amount for which financial assurance is maintained.

(e) No person shall cause or allow the storage, disposal, treatment or processing of any used or waste tire in violation of any regulation or standard adopted by the Board.

(f) No person shall arrange for the transportation of used or waste tires away from the site of generation with a person known to openly dump such tires.

(g) No person shall engage in any operation as a used or waste tire transporter except in compliance with Board regulations.

(h) No person shall cause or allow the combustion of any used or waste tire in an enclosed device unless a permit has been issued by the Agency authorizing such combustion pursuant to regulations adopted by the Board for the control of air pollution and consistent with the provisions of Section 9.4 of this Act.

(i) No person shall cause or allow the use of pesticides to treat tires except as prescribed by Board regulations.

(j) No person shall fail to comply with the terms of a tire removal agreement approved by the Agency pursuant to Section 55.4.

(k) No person shall:

(1) Cause or allow water to accumulate in used or waste tires. The prohibition set forth in this paragraph (1) of subsection (k) shall not apply to used or waste tires located at a residential household, as long as not more than 12 used or waste tires are located at the site.

(2) Fail to collect a fee required under Section 55.8 of this Title.

(3) Fail to file a return required under Section 55.10 of this Title.

(4) Transport used or waste tires in violation of the registration and vehicle placarding requirements adopted by the Board.

(Source: P.A. 98-656, eff. 6-19-14.)

(415 ILCS 5/55.6) (from Ch. 111 1/2, par. 1055.6)
Sec. 55.6. Used Tire Management Fund.

(a) There is hereby created in the State Treasury a special fund to be known as the Used Tire Management Fund. There shall be deposited into the Fund all monies received as (1) recovered costs or proceeds from the sale of used tires under Section 55.3 of this Act, (2) repayment of loans from the Used Tire Management Fund, or (3) penalties or punitive damages for violations of this Title, except as provided by subdivision (b)(4) or (b)(4-5) of Section 42.

(b) Beginning January 1, 1992, in addition to any other fees required by law, the owner or operator of each site required to be registered or permitted under subsection (d) or (d-5) of Section 55 shall pay to the Agency an annual fee of \$100. Fees collected under this subsection shall be deposited into the Environmental Protection Permit and Inspection Fund.

(c) Pursuant to appropriation, monies up to an amount of \$2 million per fiscal year from the Used Tire Management Fund shall be allocated as follows:

(1) 38% shall be available to the Agency for the following purposes, provided that

priority shall be given to item (i):

(i) To undertake preventive, corrective or removal action as authorized by and in accordance with Section 55.3, and to recover costs in accordance with Section 55.3.

(ii) For the performance of inspection and enforcement activities for used and waste tire sites.

(iii) ~~(Blank). To assist with marketing of used tires by augmenting the operations of an industrial materials exchange service.~~

(iv) To provide financial assistance to units of local government for the performance of inspecting, investigating and enforcement activities pursuant to subsection (r) of Section 4 at used and waste tire sites.

(v) To provide financial assistance for used and waste tire collection projects sponsored by local government or not-for-profit corporations.

(vi) For the costs of fee collection and administration relating to used and waste tires, and to accomplish such other purposes as are authorized by this Act and regulations thereunder.

(vii) To provide financial assistance to units of local government and private industry for the purposes of:

(A) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

(B) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

(C) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(2) For fiscal years beginning prior to July 1, 2004, 23% shall be available to the Department of Commerce and Economic Opportunity for the following purposes, provided that priority shall be given to item (A):

(A) To provide grants or loans for the purposes of:

(i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize used and waste tires and tire derived materials;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing and utilizing used and waste tires and tire derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(B) To develop educational material for use by officials and the public to better understand and respond to the problems posed by used tires and associated insects.

(C) (Blank).

(D) To perform such research as the Director deems appropriate to help meet the purposes of this Act.

(E) To pay the costs of administration of its activities authorized under this Act.

(2.1) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 23% shall be deposited into the General Revenue Fund.

(3) 25% shall be available to the Illinois Department of Public Health for the following purposes:

(A) To investigate threats or potential threats to the public health related to mosquitoes and other vectors of disease associated with the improper storage, handling and disposal of tires, improper waste disposal, or natural conditions.

(B) To conduct surveillance and monitoring activities for mosquitoes and other arthropod vectors of disease, and surveillance of animals which provide a reservoir for disease-producing organisms.

(C) To conduct training activities to promote vector control programs and integrated pest management as defined in the Vector Control Act.

(D) To respond to inquiries, investigate complaints, conduct evaluations and provide technical consultation to help reduce or eliminate public health hazards and nuisance conditions associated with mosquitoes and other vectors.

(E) To provide financial assistance to units of local government for training, investigation and response to public nuisances associated with mosquitoes and other vectors of disease.

(4) 2% shall be available to the Department of Agriculture for its activities under the Illinois Pesticide Act relating to used and waste tires.

(5) 2% shall be available to the Pollution Control Board for administration of its activities relating to used and waste tires.

(6) 10% shall be available to the Department of Natural Resources for the Illinois Natural History Survey to perform research to study the biology, distribution, population ecology, and biosystematics of tire-breeding arthropods, especially mosquitoes, and the diseases they spread.

(d) By January 1, 1998, and biennially thereafter, each State agency receiving an appropriation from the Used Tire Management Fund shall report to the Governor and the General Assembly on its activities relating to the Fund.

(e) Any monies appropriated from the Used Tire Management Fund, but not obligated, shall revert to the Fund.

(f) In administering the provisions of subdivisions (1), (2) and (3) of subsection (c) of this Section, the Agency, the Department of Commerce and Economic Opportunity, and the Illinois Department of Public Health shall ensure that appropriate funding assistance is provided to any municipality with a population over 1,000,000 or to any sanitary district which serves a population over 1,000,000.

(g) Pursuant to appropriation, monies in excess of \$2 million per fiscal year from the Used Tire Management Fund shall be used as follows:

(1) 55% shall be available to the Agency for the following purposes, provided that priority shall be given to subparagraph (A):

(A) To undertake preventive, corrective or renewed action as authorized by and in accordance with Section 55.3 and to recover costs in accordance with Section 55.3.

(B) To provide financial assistance to units of local government and private industry for the purposes of:

(i) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(2) For fiscal years beginning prior to July 1, 2004, 45% shall be available to the Department of Commerce and Economic Opportunity to provide grants or loans for the purposes of:

(i) assisting units of local government and private industry in the establishment of facilities and programs to collect, process and utilize waste tires and tire derived material;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire derived materials.

(3) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 45% shall be deposited into the General Revenue Fund.

(Source: P.A. 98-656, eff. 6-19-14.)

(415 ILCS 5/17.6 rep.)

Section 10-190. The Environmental Protection Act is amended by repealing Section 17.6.

(415 ILCS 15/8 rep.) (415 ILCS 15/8.5 rep.)

Section 10-195. The Solid Waste Planning and Recycling Act is amended by repealing Sections 8 and 8.5.

Section 10-200. The Illinois Solid Waste Management Act is amended by changing Section 6 as follows: (415 ILCS 20/6) (from Ch. 111 1/2, par. 7056)

Sec. 6. The Department of Commerce and Economic Opportunity shall be the lead agency for implementation of this Act and shall have the following powers:

(a) To provide technical and educational assistance for applications of technologies and practices which will minimize the land disposal of non-hazardous solid waste; economic feasibility of implementation of solid waste management alternatives; analysis of markets for recyclable materials and energy products; application of the Geographic Information System to provide analysis of natural resource, land use, and environmental impacts; evaluation of financing and ownership options; and evaluation of plans prepared by units of local government pursuant to Section 22.15 of the Environmental Protection Act.

(b) ~~(Blank). To provide technical assistance in siting pollution control facilities, defined as any waste storage site, sanitary landfill, waste disposal site, waste transfer station or waste incinerator.~~

(c) To provide loans or recycling and composting grants to businesses and not-for-profit and governmental organizations for the purposes of increasing the quantity of materials recycled or composted

in Illinois; developing and implementing innovative recycling methods and technologies; developing and expanding markets for recyclable materials; and increasing the self-sufficiency of the recycling industry in Illinois. The Department shall work with and coordinate its activities with existing for-profit and not-for-profit collection and recycling systems to encourage orderly growth in the supply of and markets for recycled materials and to assist existing collection and recycling efforts.

The Department shall develop a public education program concerning the importance of both composting and recycling in order to preserve landfill space in Illinois.

(d) To establish guidelines and funding criteria for the solicitation of projects under this Act, and to receive and evaluate applications for loans or grants for solid waste management projects based upon such guidelines and criteria. Funds may be loaned with or without interest.

(e) To support and coordinate solid waste research in Illinois, and to approve the annual solid waste research agenda prepared by the University of Illinois.

(f) To provide loans or grants for research, development and demonstration of innovative technologies and practices, including but not limited to pilot programs for collection and disposal of household wastes.

(g) To promulgate such rules and regulations as are necessary to carry out the purposes of subsections (c), (d) and (f) of this Section.

(h) To cooperate with the Environmental Protection Agency for the purposes specified herein.

The Department is authorized to accept any and all grants, repayments of interest and principal on loans, matching funds, reimbursements, appropriations, income derived from investments, or other things of value from the federal or state governments or from any institution, person, partnership, joint venture, corporation, public or private.

The Department is authorized to use moneys available for that purpose, subject to appropriation, expressly for the purpose of implementing a loan program according to procedures established pursuant to this Act. Those moneys shall be used by the Department for the purpose of financing additional projects and for the Department's administrative expenses related thereto.

(Source: P.A. 94-91, eff. 7-1-05.)

(415 ILCS 20/5 rep.) (415 ILCS 20/7.1 rep.) (415 ILCS 20/7.3 rep.) (415 ILCS 20/8 rep.)

Section 10-205. The Illinois Solid Waste Management Act is amended by repealing Sections 5, 7.1, 7.3, and 8.

(415 ILCS 56/Act rep.)

Section 10-210. The Green Infrastructure for Clean Water Act is repealed.

Section 10-215. The Environmental Toxicology Act is amended by changing Sections 3 and 5 as follows:

(415 ILCS 75/3) (from Ch. 111 1/2, par. 983)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires;

(a) "Department" means the Illinois Department of Public Health;

(b) "Director" means the Director of the Illinois Department of Public Health;

(c) "Program" means the Environmental Toxicology program as established by this Act;

(d) "Exposure" means contact with a hazardous substance;

(e) "Hazardous Substance" means chemical compounds, elements, or combinations of chemicals which, because of quantity concentration, physical characteristics or toxicological characteristics may pose a substantial present or potential hazard to human health and includes, but is not limited to, any substance defined as a hazardous substance in Section 3.215 of the "Environmental Protection Act", approved June 29, 1970, as amended;

(f) "Initial Assessment" means a review and evaluation of site history and hazardous substances involved, potential for population exposure, the nature of any health related complaints and any known patterns in disease occurrence;

(g) "Comprehensive Health Study" means a detailed analysis which may include: a review of available environmental, morbidity and mortality data; environmental and biological sampling; detailed review of scientific literature; exposure analysis; population surveys; or any other scientific or epidemiologic methods deemed necessary to adequately evaluate the health status of the population at risk and any potential relationship to environmental factors;

(h) "Superfund Site" means any hazardous waste site designated for cleanup on the National Priorities List as mandated by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510), as amended;

(i) ~~(Blank). "State Remedial Action Priority List" means a list compiled by the Illinois Environmental Protection Agency which identifies sites that appear to present significant risk to the public health, welfare or environment.~~

(Source: P.A. 92-574, eff. 6-26-02.)

(415 ILCS 75/5) (from Ch. 111 1/2, par. 985)

Sec. 5. (a) Upon request by the Illinois Environmental Protection Agency, the Department shall conduct an initial assessment for any location designated as a Superfund Site ~~or on the State Remedial Action Priority List~~. Such assessment shall be initiated within 60 days of the request.

(b) ~~(Blank). For sites designated as Superfund Sites or sites on the State Remedial Action Priority List on the effective date of this Act, the Department and the Illinois Environmental Protection Agency shall jointly determine which sites warrant initial assessment. If warranted, initial assessment shall be initiated by January 1, 1986.~~

(c) If, as a result of the initial assessment, the Department determines that a public health problem related to exposure to hazardous substances may exist in a community located near a designated site, the Department shall conduct a comprehensive health study to assess the full relationship, if any, between such threat or potential threat and possible exposure to hazardous substances at the designated site.

(Source: P.A. 84-987.)

(415 ILCS 80/3 rep.) (415 ILCS 80/4 rep.)

Section 10-220. The Degradable Plastic Act is amended by repealing Sections 3 and 4.

(415 ILCS 110/Act rep.)

Section 10-225. The Recycled Newsprint Use Act is repealed.

(415 ILCS 120/25 rep.)

Section 10-230. The Alternate Fuels Act is amended by repealing Section 25.

Section 10-235. The Interstate Ozone Transport Oversight Act is amended by changing Section 20 as follows:

(415 ILCS 130/20)

Sec. 20. Legislative referral and public hearings.

(a) Not later than 10 days after the development of any proposed memorandum of understanding by the Ozone Transport Assessment Group potentially requiring the State of Illinois to undertake emission reductions in addition to those specified by the Clean Air Act Amendments of 1990, or subsequent to the issuance of a request made by the United States Environmental Protection Agency on or after June 1, 1997 for submission of a State Implementation Plan for Illinois relating to ozone attainment and before submission of the Plan, the Director shall submit the proposed memorandum of understanding or State Implementation Plan to the House Committee and the Senate Committee for their consideration. At that time, the Director shall also submit information detailing any alternate strategies.

(b) ~~(Blank). To assist the legislative review required by this Act, the Department of Commerce and Economic Opportunity shall conduct a joint study of the impacts on the State's economy which may result from implementation of the emission reduction strategies contained within any proposed memorandum of understanding or State Implementation Plan relating to ozone and from implementation of any alternate strategies. The study shall include, but not be limited to, the impacts on economic development, employment, utility costs and rates, personal income, and industrial competitiveness which may result from implementation of the emission reduction strategies contained within any proposed memorandum of agreement or State Implementation Plan relating to ozone and from implementation of any alternate strategies. The study shall be submitted to the House Committee and Senate Committee not less than 10 days prior to any scheduled hearing conducted pursuant to subsection (c) of this Section.~~

(c) Upon receipt of the information required by subsections (a) and (b) of this Section, the House Committee and Senate Committee shall each convene one or more public hearings to receive comments from agencies of government and other interested parties on the memorandum of understanding's or State Implementation Plan's prospective economic and environmental impacts, including its impacts on energy use, economic development, utility costs and rates, and competitiveness. Additionally, comments shall be received on the prospective economic and environmental impacts, including impacts on energy use, economic development, utility costs and rates, and competitiveness, which may result from implementation of any alternate strategies.

(Source: P.A. 97-916, eff. 8-9-12.)

(505 ILCS 84/Act rep.)

Section 10-240. The Illinois Food, Farms, and Jobs Act is repealed.

ARTICLE 99. EXEMPTIONS; SEVERABILITY; EFFECTIVE DATE

Section 99-90. The State Mandates Act is amended by adding Section 8.41 as follows:
(30 ILCS 805/8.41 new)

[April 27, 2017]

Sec. 8.41. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 100th General Assembly.

Section 99-97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Althoff, **Senate Bill No. 1936** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Schimpf
Anderson	Harmon	McConnaughay	Silverstein
Aquino	Harris	McGuire	Stadelman
Barickman	Holmes	Mulroe	Steans
Bennett	Hunter	Muñoz	Syverson
Biss	Hutchinson	Nybo	Tracy
Bivins	Jones, E.	Oberweis	Trotter
Brady	Koehler	Radogno	Van Pelt
Bush	Landek	Raoul	Weaver
Castro	Lightford	Rezin	Mr. President
Clayborne	Link	Righter	
Collins	Manar	Rooney	
Connelly	McCann	Rose	
Cunningham	McCarter	Sandoval	

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

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

On motion of Senator Koehler, **Senate Bill No. 1943** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rose
Anderson	Harmon	McConchie	Sandoval
Aquino	Harris	McConnaughay	Schimpf

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Barickman	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Biss	Hutchinson	Muñoz	Steans
Bivins	Jones, E.	Murphy	Syverson
Brady	Koehler	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Collins	Link	Rezin	Weaver
Connelly	Martinez	Righter	Mr. President
Cunningham	McCann	Rooney	

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

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

On motion of Senator Nybo, **Senate Bill No. 1944** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConchie	Sandoval
Anderson	Harris	McConnaughay	Silverstein
Aquino	Holmes	McGuire	Stadelman
Barickman	Hunter	Mulroe	Steans
Bennett	Hutchinson	Muñoz	Syverson
Bivins	Jones, E.	Murphy	Tracy
Brady	Koehler	Nybo	Trotter
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Collins	Link	Raoul	Mr. President
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	
Cunningham	McCann	Rooney	
Fowler	McCarter	Rose	

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

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

On motion of Senator Mulroe, **Senate Bill No. 1946** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rose
Anderson	Harmon	McConchie	Sandoval
Aquino	Harris	McConnaughay	Schimpf

[April 27, 2017]

Barickman	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Koehler	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	
Cunningham	McCann	Rooney	

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

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

On motion of Senator Collins, **Senate Bill No. 1947** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCann	Rose
Anderson	Harmon	McCarter	Sandoval
Aquino	Harris	McConchie	Schimpf
Barickman	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Nybo	Syverson
Bush	Koehler	Oberweis	Tracy
Castro	Landek	Radogno	Trotter
Clayborne	Lightford	Raoul	Van Pelt
Collins	Link	Rezin	Weaver
Cullerton, T.	Manar	Righter	
Cunningham	Martinez	Rooney	

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

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

On motion of Senator Rooney, **Senate Bill No. 1968** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Sandoval
Anderson	Harmon	McConnaughay	Schimpf
Aquino	Harris	McGuire	Silverstein

[April 27, 2017]

Barickman	Holmes	Mulroe	Stadelman
Bennett	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	

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

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

On motion of Senator Bennett, **Senate Bill No. 1969** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 40; NAYS 11.

The following voted in the affirmative:

Althoff	Fowler	McCann	Sandoval
Anderson	Harmon	McConnaughay	Schimpf
Aquino	Harris	McGuire	Silverstein
Bennett	Holmes	Mulroe	Stadelman
Brady	Hunter	Muñoz	Steans
Bush	Jones, E.	Murphy	Trotter
Castro	Landek	Nybo	Mr. President
Clayborne	Lightford	Radogno	
Collins	Link	Raoul	
Cullerton, T.	Manar	Rezin	
Cunningham	Martinez	Rooney	

The following voted in the negative:

Barickman	McCarter	Righter	Tracy
Bivins	McConchie	Rose	Weaver
Connelly	Oberweis	Syverson	

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

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

On motion of Senator Althoff, **Senate Bill No. 1975** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

[April 27, 2017]

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

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

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

On motion of Senator Cunningham, **Senate Bill No. 1978** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 42; NAYS 9.

The following voted in the affirmative:

Althoff	Harmon	McCann	Sandoval
Anderson	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Brady	Hunter	Mulroe	Stadelman
Bush	Hutchinson	Muñoz	Steans
Castro	Jones, E.	Murphy	Trotter
Clayborne	Landek	Nybo	Van Pelt
Collins	Lightford	Radogno	Weaver
Cullerton, T.	Link	Raoul	Mr. President
Cunningham	Manar	Rooney	
Fowler	Martinez	Rose	

The following voted in the negative:

Barickman	McCarter	Righter
Bivins	McConchie	Syverson
Connelly	Oberweis	Tracy

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

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

On motion of Senator Cunningham, **Senate Bill No. 1979** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

[April 27, 2017]

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConnaughay	Schimpf
Anderson	Harmon	McGuire	Silverstein
Aquino	Holmes	Mulroe	Stadelman
Barickman	Hunter	Muñoz	Stears
Bennett	Hutchinson	Murphy	Syverson
Bivins	Jones, E.	Nybo	Tracy
Brady	Landek	Oberweis	Trotter
Bush	Lightford	Radogno	Van Pelt
Castro	Link	Raoul	Weaver
Clayborne	Manar	Rezin	Mr. President
Collins	Martinez	Righter	
Connelly	McCann	Rooney	
Cullerton, T.	McCarter	Rose	
Cunningham	McConchie	Sandoval	

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

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

On motion of Senator Harmon, **Senate Bill No. 1987** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConnaughay	Rose
Anderson	Holmes	McGuire	Sandoval
Aquino	Hunter	Mulroe	Schimpf
Bivins	Hutchinson	Muñoz	Silverstein
Bush	Jones, E.	Murphy	Stadelman
Castro	Landek	Nybo	Stears
Clayborne	Lightford	Oberweis	Tracy
Collins	Link	Radogno	Trotter
Connelly	Manar	Raoul	Van Pelt
Cullerton, T.	Martinez	Rezin	Weaver
Cunningham	McCann	Righter	Mr. President
Fowler	McConchie	Rooney	

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

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

On motion of Senator McConchie, **Senate Bill No. 2022** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

[April 27, 2017]

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rooney
Anderson	Harmon	McConchie	Rose
Aquino	Harris	McConnaughay	Sandoval
Barickman	Holmes	McGuire	Schimpf
Bennett	Hunter	Mulroe	Silverstein
Bivins	Hutchinson	Muñoz	Stadelman
Brady	Jones, E.	Murphy	Steans
Bush	Landek	Nybo	Syverson
Castro	Lightford	Oberweis	Trotter
Clayborne	Link	Radogno	Van Pelt
Collins	Manar	Raoul	Weaver
Connelly	Martinez	Rezin	Mr. President
Cunningham	McCann	Righter	

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

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

On motion of Senator Fowler, **Senate Bill No. 2023** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS 2.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Sandoval
Anderson	Fowler	McCarter	Schimpf
Aquino	Harmon	McConchie	Silverstein
Barickman	Harris	McConnaughay	Stadelman
Bennett	Holmes	McGuire	Steans
Bivins	Hunter	Muñoz	Syverson
Brady	Hutchinson	Murphy	Tracy
Bush	Jones, E.	Nybo	Trotter
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Rezin	Mr. President
Collins	Link	Righter	
Connelly	Manar	Rooney	
Cullerton, T.	Martinez	Rose	

The following voted in the negative:

Mulroe
Raoul

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

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

On motion of Senator T. Cullerton, **Senate Bill No. 2028** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[April 27, 2017]

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

YEAS 51; NAY 1.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Silverstein
Bennett	Holmes	McGuire	Stadelman
Bivins	Hunter	Mulroe	Steans
Brady	Hutchinson	Muñoz	Syverson
Bush	Jones, E.	Murphy	Tracy
Castro	Landek	Nybo	Trotter
Clayborne	Lightford	Oberweis	Van Pelt
Collins	Link	Radogno	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

The following voted in the negative:

Raoul

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

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

On motion of Senator Silverstein, **Senate Bill No. 2034** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConnaughay	Sandoval
Anderson	Harris	McGuire	Schimpf
Aquino	Holmes	Mulroe	Silverstein
Barickman	Hunter	Muñoz	Stadelman
Bennett	Hutchinson	Murphy	Steans
Brady	Jones, E.	Nybo	Syverson
Bush	Landek	Oberweis	Tracy
Castro	Lightford	Radogno	Trotter
Clayborne	Link	Raoul	Van Pelt
Collins	Manar	Rezin	Weaver
Connelly	Martinez	Righter	Mr. President
Cullerton, T.	McCann	Rooney	
Cunningham	McConchie	Rose	

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

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

[April 27, 2017]

On motion of Senator Steans, **Senate Bill No. 2046** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConnaughay	Schimpf
Anderson	Harris	McGuire	Silverstein
Aquino	Holmes	Mulroe	Stadelman
Barickman	Hunter	Muñoz	Steans
Bennett	Hutchinson	Murphy	Syversen
Brady	Jones, E.	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	
Fowler	McConchie	Sandoval	

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

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

On motion of Senator Weaver, **Senate Bill No. 2048** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConnaughay	Schimpf
Anderson	Harris	McGuire	Silverstein
Aquino	Holmes	Mulroe	Stadelman
Barickman	Hunter	Muñoz	Steans
Bennett	Hutchinson	Murphy	Syversen
Brady	Jones, E.	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	
Fowler	McConchie	Sandoval	

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

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

[April 27, 2017]

On motion of Senator Rose, **Senate Bill No. 2057** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Sandoval
Anderson	Harmon	McConaughay	Schimpf
Aquino	Harris	McGuire	Silverstein
Barickman	Holmes	Mulroe	Stadelman
Bennett	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Tracy
Brady	Jones, E.	Nybo	Trotter
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	Link	Raoul	Mr. President
Collins	Manar	Rezin	
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	

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

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

On motion of Senator Rose, **Senate Bill No. 2060** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rooney
Anderson	Harmon	McConchie	Rose
Aquino	Harris	McConaughay	Sandoval
Barickman	Holmes	McGuire	Schimpf
Bennett	Hunter	Mulroe	Silverstein
Bivins	Hutchinson	Muñoz	Stadelman
Brady	Jones, E.	Murphy	Steans
Bush	Landek	Nybo	Tracy
Castro	Lightford	Oberweis	Trotter
Clayborne	Link	Radogno	Van Pelt
Collins	Manar	Raoul	Weaver
Connelly	Martinez	Rezin	Mr. President
Cullerton, T.	McCann	Righter	

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

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

[April 27, 2017]

On motion of Senator Righter, **Senate Bill No. 2066** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Righter
Anderson	Fowler	McCarter	Rooney
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Holmes	McGuire	Silverstein
Bivins	Hunter	Mulroe	Stadelman
Brady	Hutchinson	Muñoz	Steans
Bush	Jones, E.	Murphy	Tracy
Castro	Landek	Nybo	Trotter
Clayborne	Lightford	Oberweis	Van Pelt
Collins	Link	Radogno	Weaver
Connelly	Manar	Raoul	Mr. President
Cullerton, T.	Martinez	Rezin	

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

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

On motion of Senator McGuire, **Senate Bill No. 2068** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConnaughay	Schimpf
Anderson	Harmon	McGuire	Silverstein
Aquino	Harris	Mulroe	Stadelman
Barickman	Holmes	Muñoz	Steans
Bennett	Hunter	Murphy	Syverson
Bivins	Hutchinson	Nybo	Tracy
Brady	Jones, E.	Oberweis	Trotter
Bush	Landek	Radogno	Van Pelt
Castro	Lightford	Raoul	Weaver
Clayborne	Link	Rezin	Mr. President
Collins	Manar	Righter	
Connelly	Martinez	Rooney	
Cullerton, T.	McCann	Rose	
Cunningham	McConchie	Sandoval	

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

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

[April 27, 2017]

On motion of Senator Anderson, **Senate Bill No. 2070** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Stadelman, **Senate Bill No. 57** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Righter
Anderson	Fowler	McCarter	Rooney
Aquino	Harmon	McConchie	Rose
Barickman	Harris	McConnaughay	Sandoval
Bennett	Holmes	McGuire	Schimpf
Bivins	Hunter	Mulroe	Silverstein
Brady	Hutchinson	Muñoz	Stadelman
Bush	Jones, E.	Murphy	Steans
Castro	Landek	Nybo	Trotter
Clayborne	Lightford	Oberweis	Van Pelt
Collins	Link	Radogno	Weaver
Connelly	Manar	Raoul	Mr. President
Cullerton, T.	Martinez	Rezin	

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

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

[April 27, 2017]

On motion of Senator Clayborne, **Senate Bill No. 60** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Sandoval
Anderson	Harmon	McConnaughay	Schimpf
Aquino	Harris	McGuire	Silverstein
Barickman	Holmes	Mulroe	Stadelman
Bennett	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	

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

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

On motion of Senator Clayborne, **Senate Bill No. 81** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConchie	Silverstein
Anderson	Harris	McConnaughay	Stadelman
Aquino	Holmes	McGuire	Steans
Barickman	Hunter	Mulroe	Syverson
Bivins	Hutchinson	Muñoz	Tracy
Brady	Jones, E.	Nybo	Trotter
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	Link	Rezin	Mr. President
Collins	Manar	Rooney	
Cullerton, T.	Martinez	Rose	
Cunningham	McCann	Sandoval	
Fowler	McCarter	Schimpf	

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

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

[April 27, 2017]

On motion of Senator Link, **Senate Bill No. 87** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	McConaughay	Schimpf
Aquino	Harris	McGuire	Silverstein
Barickman	Holmes	Mulroe	Stadelman
Bennett	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Collins	Manar	Rezin	Mr. President
Connelly	Martinez	Righter	
Cullerton, T.	McCann	Rooney	
Cunningham	McCarter	Rose	
Fowler	McConchie	Sandoval	

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

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

On motion of Senator Connelly, **Senate Bill No. 190** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAY 1.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Schimpf
Anderson	Harmon	McConaughay	Silverstein
Aquino	Harris	McGuire	Stadelman
Barickman	Holmes	Mulroe	Steans
Bennett	Hunter	Muñoz	Syverson
Bivins	Hutchinson	Murphy	Tracy
Brady	Jones, E.	Nybo	Trotter
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	Link	Raoul	Mr. President
Collins	Manar	Rezin	
Connelly	Martinez	Rooney	
Cullerton, T.	McCann	Rose	
Cunningham	McCarter	Sandoval	

The following voted in the negative:

Righter

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

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

Senator Righter asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 190**.

On motion of Senator Silverstein, **Senate Bill No. 191** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConaughay	Schimpf
Barickman	Harris	McGuire	Silverstein
Bennett	Holmes	Mulroe	Stadelman
Bivins	Hunter	Muñoz	Steans
Brady	Hutchinson	Murphy	Syverson
Bush	Jones, E.	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Rooney	

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

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

On motion of Senator Link, **Senate Bill No. 193** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Harris	McGuire	Schimpf
Anderson	Holmes	Mulroe	Silverstein
Aquino	Hunter	Muñoz	Stadelman
Barickman	Hutchinson	Murphy	Steans
Bivins	Jones, E.	Nybo	Syverson
Brady	Landek	Oberweis	Tracy
Bush	Lightford	Radogno	Trotter
Castro	Link	Raoul	Van Pelt
Clayborne	Manar	Rezin	Weaver
Collins	Martinez	Righter	Mr. President
Cullerton, T.	McCann	Rooney	
Cunningham	McConchie	Rose	

[April 27, 2017]

Harmon McConnaughay Sandoval

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

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

Senator Fowler asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 193**.

On motion of Senator Muñoz, **Senate Bill No. 207** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McConchie	Rose
Anderson	Fowler	McConnaughay	Sandoval
Aquino	Harmon	McGuire	Schimpf
Barickman	Harris	Mulroe	Silverstein
Bennett	Holmes	Muñoz	Stadelman
Bivins	Hunter	Murphy	Steans
Brady	Hutchinson	Nybo	Syverson
Bush	Jones, E.	Oberweis	Tracy
Castro	Landek	Radogno	Trotter
Clayborne	Lightford	Raoul	Van Pelt
Collins	Link	Rezin	Weaver
Connelly	Manar	Righter	Mr. President
Cullerton, T.	McCann	Rooney	

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

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

SENATE BILL RECALLED

On motion of Senator Clayborne, **Senate Bill No. 263** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Committee on State Government.

Floor Amendment No. 2 was held in the Committee on State Government.

Senator Clayborne offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 263

AMENDMENT NO. 3. Amend Senate Bill 263 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Section 2705-595 and by adding Section 2705-607 as follows:

(20 ILCS 2705/2705-595)

Sec. 2705-595. Prequalification of minority-owned and women-owned contractors.

(a) The Department shall, within 30 days after the effective date of this amendatory Act of the 96th General Assembly, establish a committee to review the rules for prequalification of contractors adopted by the Department at 44 Illinois Administrative Code 650. The purpose of the review is to determine whether the rules for prequalification operate as a barrier to minority-owned and women-owned

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contractors becoming prequalified to bid on or make proposals for Department contracts. The committee shall, in addition to Department staff, be constituted with membership representing the construction industry and minority-owned and women-owned contractors. The committee shall complete its work and make recommendations for any changes to the rules for prequalification to the Secretary of Transportation within 180 days after the effective date of this amendatory Act of the 96th General Assembly.

(b) The Department, in conjunction with the Capital Development Board, shall hold 2 public hearings to determine whether a more effective, efficient, and less burdensome method exists to prequalify an architect, engineer, or contractor. The hearings shall also specifically determine how the Department can obtain greater participation in the bidding process of small contractors and minority, female, disabled, and veteran architects, engineers, and contractors. The Department and the Capital Development Board shall collect data to review at the hearings, which shall include, but is not limited to, percentages and the number of minority, female, disabled, and veteran employees who are hired for each trade necessary for each project. The Department and the Capital Development Board shall issue their joint findings and recommendations to the Governor and the General Assembly no later than January 1, 2018.

(Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the effective date of P.A. 96-795).)

(20 ILCS 2705/2705-607 new)

Sec. 2705-607. Performance evaluation; contractor.

(a) For purposes of this Section, "Performance Factor" means a numerical value determined by the contractor's performance evaluation in a work category during the previous year.

(b) At the close of each construction season, the Department, other State agencies or authorities using contractors based on the prequalification standards of the Department, and officials of a unit of local government administering a contract approved for award by the Department, shall evaluate each contractor who performed work for them during the previous year as either a prime contractor or a subcontractor. The information shall be submitted on the Contractor's Annual Performance Report and shall be subject to disclosure under the Freedom of Information Act. The performance evaluation shall be based upon:

(1) the quality of work performed for each work category under 44 Ill. Admin. Code 650; and

(2) the overall execution of work measured by:

(A) organization and prosecution of work;

(B) cooperation with public agency personnel responsible for contract administration and inspection;

(C) traffic control and site protection under contract requirements;

(D) compliance with the Equal Employment Opportunity program and labor requirements;

(E) erosion control; and

(F) the contractor's ability to meet the Quality Control plan and Quality Assurance plan under contract requirements for materials production and construction quality control.

(c) The performance evaluation scale is a rating from 0 to 8 in accordance with the following definitions:

(1) "8" means excellent;

(2) "7" means good;

(3) "6" means satisfactory;

(4) "3" means marginal; and

(5) "0" means poor.

(d) The quality and evaluating categories under execution of work are rated as follows:

(1) to determine the contractor's quality of performance, the Department shall consider the project's durability and appearance, knowledge of supervisory personnel, and compliance with contract requirements and shall evaluate the performance based on the following scale:

(A) if the contractor exceeded project requirements in all areas considered, he or she shall receive an 8;

(B) if the contractor exceeded project requirements in a majority of areas considered, he or she shall receive a 7;

(C) if the contractor met project requirements in all areas considered, he or she shall receive a 6;

(D) if the contractor did not meet project requirements in one area considered, he or she shall receive a 3; and

(E) if the contractor did not meet project requirements in 2 or more areas considered, he or she shall receive a 0;

(2) to determine the contractor's organization and prosecution, the Department shall consider the contractor's ability to diligently prosecute work by planning and scheduling labor, materials, and the work of subcontractors on the project site and shall evaluate the organization and prosecution based on the following scale:

(A) if the contractor exceeded project requirements in all areas considered and completed the project well ahead of schedule, he or she shall receive an 8;

(B) if the contractor exceeded project requirements in a majority of areas considered and the project was completed slightly ahead of schedule, he or she shall receive a 7;

(C) if the contractor met project requirements in all areas considered and the scheduled completion date was met, he or she shall receive a 6;

(D) if the contractor did not meet project requirements in one area considered and occasionally did not work when conditions permitted and the scheduled completion date was met, he or she shall receive a 3; and

(E) if the contractor did not meet project requirements in 2 or more areas considered and the scheduled completion date was not met, he or she shall receive a 0;

(3) to determine the contractor's cooperation, the Department shall consider the contractor's willingness to negotiate contract disputes, to respond to reasonable requests by the resident engineer, and to respond to various correspondence from the Department and shall evaluate the cooperation based on the following scale:

(A) if the contractor exceeded project requirements in all areas considered, he or she shall receive an 8;

(B) if the contractor exceeded project requirements in a majority of areas considered, he or she shall receive a 7;

(C) if the contractor met project requirements in all areas considered, he or she shall receive a 6;

(D) if the contractor did not meet project requirements in one area considered, he or she shall receive a 3; and

(E) if the contractor did not meet project requirements in 2 or more areas considered, he or she shall receive a 0;

(4) to determine the project's traffic control and site protection, the Department shall consider the appearance of traffic control devices, the response to repair deficient devices, and the contractor's willingness to comply with the Traffic Control Plan and shall evaluate based on the following scale:

(A) if the contractor exceeded project requirements in all areas considered, he or she shall receive an 8;

(B) if the contractor exceeded project requirements in a majority of areas considered, he or she shall receive a 7;

(C) if the contractor met project requirements in all areas considered, he or she shall receive a 6;

(D) if the contractor did not meet project requirements in one area considered, he or she shall receive a 3; and

(E) if the contractor did not meet project requirements in 2 or more areas considered or the contractor committed an act or omission which seriously compromised the safety of the public, he or she shall receive a 0;

(5) to determine the contractor's compliance with the Equal Employment Opportunity program and labor requirements, the Department shall evaluate the compliance based on the following scale:

(A) if the contractor exceeded project requirements, he or she shall receive an 8;

(B) if the contractor met project requirements through extraordinary effort and initiative, he or she shall receive a 7;

(C) if the contractor met project requirements with minimum effort and initiative, he or she shall receive a 6;

(D) if the contractor met project requirements, but had to be motivated by Department personnel, he or she shall receive a 3; and

(E) if the contractor did not meet project requirements, he or she shall receive a 0;

(6) to determine the project's erosion control, the Department shall consider the contractor's compliance with the project's erosion control plan and all pertinent federal and State laws, permits, rules, and regulations and shall evaluate based on the following scale:

(A) if the contractor exceeded project requirements, he or she shall receive an 8;

(B) if the contractor exceeded project requirements in a majority of the areas, he or she shall receive a 7;

(C) if the contractor met project requirements in all areas, he or she shall receive a 6;

(D) if the contractor did not meet the project requirements in one area considered, he or she shall receive a 3; and

(E) if the contractor did not meet the contract requirements in 2 or more areas, he or she shall receive a 0;

(7) to determine the contractor's ability to meet the Quality Control plan and Quality Assurance plan, the Department shall consider the contractor's ability to meet a Quality Control plan and Quality Assurance plan inspection, testing, and documentation requirements, to take control of the product, to take corrective action, and to communicate production and construction issued to Department personnel and shall evaluate based on the following scale:

(A) if the contractor exceeded Quality Control plan and Quality Assurance plan requirements in all areas considered, he or she shall receive an 8;

(B) if the contractor exceeded Quality Control plan and Quality Assurance plan requirements in a majority of areas considered, he or she shall receive a 7;

(C) if the contractor met Quality Control plan and Quality Assurance plan requirements in all areas considered, he or she shall receive a 6;

(D) if the contractor did not meet Quality Control plan and Quality Assurance plan requirements in one area considered, he or she shall receive a 3; and

(E) if the contractor did not meet Quality Control plan and Quality Assurance plan requirements in 2 or more areas considered, he or she shall receive a 0.

(e) The Department shall calculate the Performance Factor by first determining the Project Cost Ratio for the relevant work category. The Project Cost Ratio is the ratio of the value of all contracts being evaluated to the value of all contracts performed. The Department shall establish a weighted performance evaluation value for each performance evaluation completed by determining the product of the Project Cost Ratio, the rating for quality given on the relevant performance evaluation, and the averaged ratings for the execution given on the relevant performance evaluation divided by 6. Finally, the Department shall divide the summation of all weighted performance evaluation values by 6 to arrive at the Performance Factor.

(f) A work rating shall be subject to denial or revocation if the summation of all weighted performance evaluation values for a work rating category is less than 6 for 2 successive years. A work rating shall be subject to denial or revocation if the summation of all weighted performance evaluation values for a work rating category is less than 3 for one year.

(g) The Department shall evaluate performance on any individual contract or group of contracts for purposes of determining the current responsibility of a contractor when the Engineer of Construction has determined that performance on any contract or contracts may not be acceptable and that an immediate evaluation is necessary to assess the responsibility of a contractor in order to protect the interests of the State in sound procurement practices. If the evaluation ordered by the Engineer of Construction results in the quality of work or the average overall execution of work ratings being rated at less than 3, the work ratings shall be revoked.

(h) If a contractor receives a Quality of Work Rating of 0 for any work category being evaluated on any one contract, the work rating shall be revoked.

(i) The Department shall notify the contractor of the performance evaluation in writing within 14 days of completion of the evaluation with a detailed explanation of any substandard items. If a performance evaluation results in a denied, reduced, or revoked work rating, the contractor may proceed with the review procedures under 44 Ill. Admin. Code 650.150.

(j) If an applicant did not have a contract with the Department in the previous year, the last evaluation issued within a 5-year period shall be used. If an applicant has not had an evaluation in the last 5 years or is applying for an initial rating in a category and lists no public agencies or private customers as references, a Performance Factor of "1" shall be used until an actual evaluation is made.

(k) As a component of the Auditor's General biennial compliance examination of the Department, the Auditor General shall review the Department's compliance with the requirements under this Section. Upon completion of the examination and release of the results to the Department, the Auditor General shall publish the results on its website.

Section 10. The Criminal Code of 2012 is amended by adding Section 33E-15.5 as follows:

(720 ILCS 5/33E-15.5 new)

Sec. 33E-15.5. Manipulation of work ratings.

(a) Any person who knowingly manipulates a work rating factor for a contractor or subcontractor under Section 2705-907 of the Department of Transportation Law of the Civil Administrative Code of Illinois that results in a rating disqualifying or qualifying a contractor or subcontractor who would have been otherwise qualified or disqualified commits manipulation of work ratings. A charge of manipulation of work ratings under this Section shall be investigated by the Department of Transportation Division of Internal Investigation.

(b) Sentence. Manipulation of work ratings is a Class 4 felony.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Clayborne, **Senate Bill No. 263** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Silverstein
Bennett	Holmes	Mulroe	Stadelman
Bivins	Hunter	Muñoz	Steans
Brady	Hutchinson	Murphy	Syverson
Bush	Jones, E.	Nybo	Tracy
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Rooney	

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

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

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 265** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 265

AMENDMENT NO. 1. Amend Senate Bill 265 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Notary Public Act is amended by changing Sections 3-101, 3-103, 6-103, and 6-104 as follows:

(5 ILCS 312/3-101) (from Ch. 102, par. 203-101)

Sec. 3-101. Official Seal ~~and Signature~~.

(a) Each notary public shall, upon receiving the commission from the county clerk, obtain an official rubber stamp seal with which the notary shall authenticate his official acts. The rubber stamp seal shall contain the following information:

- (1) the words "Official Seal";
- (2) the notary's official name;

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(3) the words "Notary Public", "State of Illinois", and "My commission expires _____ (commission expiration date)"; and

(4) a serrated or milled edge border in a rectangular form not more than one inch in height by two and one-half inches in length surrounding the information.

~~(b)(Blank). At the time of the notarial act, a notary public shall officially sign every notary certificate and affix the rubber stamp seal clearly and legibly using black ink, so that it is capable of photographic reproduction. The illegibility of any of the information required by this Section does not affect the validity of a transaction.~~

~~This subsection does not apply on or after July 1, 2013.~~

(Source: P.A. 95-988, eff. 6-1-09.)

(5 ILCS 312/3-103) (from Ch. 102, par. 203-103)

Sec. 3-103. Notice.

(a) Every notary public who is not an attorney or an accredited immigration representative who advertises the services of a notary public in a language other than English, whether by radio, television, signs, pamphlets, newspapers, electronic communications, or other written communication, with the exception of a single desk plaque, shall include in the document, advertisement, stationery, letterhead, business card, or other comparable written or electronic material the following: notice in English and the language in which the written or electronic communication appears. This notice shall be of a conspicuous size, if in writing or electronic communication, and shall state: "I AM NOT AN ATTORNEY LICENSED TO PRACTICE LAW IN ILLINOIS AND MAY NOT GIVE LEGAL ADVICE OR ACCEPT FEES FOR LEGAL ADVICE". If such advertisement is by radio or television, the statement may be modified but must include substantially the same message.

A notary public shall not, in any document, advertisement, stationery, letterhead, business card, electronic communication, or other comparable written material describing the role of the notary public, literally translate from English into another language terms or titles including, but not limited to, notary public, notary, licensed, attorney, lawyer, or any other term that implies the person is an attorney. To illustrate, the word "notario" is prohibited under this provision.

Failure to follow the procedures in this Section shall result in a fine of \$1,000 for each written violation. The second violation shall result in suspension of notary authorization. The third violation shall result in permanent revocation of the commission of notary public. Violations shall not preempt or preclude additional appropriate civil or criminal penalties.

(b) All notaries public required to comply with the provisions of subsection (a) shall prominently post at their place of business as recorded with the Secretary of State pursuant to Section 2-102 of this Act a schedule of fees established by law which a notary public may charge. The fee schedule shall be written in English and in the non-English language in which notary services were solicited and shall contain the disavowal of legal representation required above in subsection (a), unless such notice of disavowal is already prominently posted.

(c) No notary public, agency or any other person who is not an attorney shall represent, hold themselves out or advertise that they are experts on immigration matters or provide any other assistance that requires legal analysis, legal judgment, or interpretation of the law unless they are a designated entity as defined pursuant to Section 245a.1 of Part 245a of the Code of Federal Regulations (8 CFR 245a.1) or an entity accredited by the Board of Immigration Appeals.

(d) Any person who aids, abets or otherwise induces another person to give false information concerning immigration status shall be guilty of a Class A misdemeanor for a first offense and a Class 3 felony for a second or subsequent offense committed within 5 years of a previous conviction for the same offense.

Any notary public who violates the provisions of this Section shall be guilty of official misconduct and subject to fine or imprisonment.

Nothing in this Section shall preclude any consumer of notary public services from pursuing other civil remedies available under the law.

(e) No notary public who is not an attorney or an accredited representative shall accept payment in exchange for providing legal advice or any other assistance that requires legal analysis, legal judgment, or interpretation of the law.

(f) Violation of subsection (e) is a business offense punishable by a fine of 3 times the amount received for services, or \$1,001 minimum, and restitution of the amount paid to the consumer. Nothing in this Section shall be construed to preempt nor preclude additional appropriate civil remedies or criminal charges available under law.

(g) If a notary public of this State is convicted of 2 or more business offenses involving a violation of this Act within a 12-month period while commissioned, or of 3 or more business offenses involving a violation of this Act within a 5-year period regardless of being commissioned, the Secretary shall

automatically revoke the notary public commission of that person on the date that the person's most recent business offense conviction is entered as a final judgment.

(Source: P.A. 93-1001, eff. 8-23-04.)

(5 ILCS 312/6-103) (from Ch. 102, par. 206-103)

Sec. 6-103. Certificate of Notarial Acts.

(a) A notarial act must be evidenced by a certificate signed and dated by the notary public. The certificate must include identification of the jurisdiction in which the notarial act is performed and the official seal of office.

(b) A certificate of a notarial act is sufficient if it meets the requirements of subsection (a) and it:

- (1) is in the short form set forth in Section 6-105;
- (2) is in a form otherwise prescribed by the law of this State; or
- (3) sets forth the actions of the notary public and those are sufficient to meet the requirements of the designated notarial act.

(c) At the time of a notarial act, a notary public shall officially sign every notary certificate and affix the rubber stamp seal clearly and legibly using black ink, so that it is capable of photographic reproduction. The illegibility of any of the information required under this Section does not affect the validity of a transaction.

(Source: P.A. 84-322.)

(5 ILCS 312/6-104) (from Ch. 102, par. 206-104)

Sec. 6-104. Acts Prohibited.

(a) A notary public shall not use any name or initial in signing certificates other than that by which the notary was commissioned.

(b) A notary public shall not acknowledge any instrument in which the notary's name appears as a party to the transaction.

(c) A notary public shall not affix his signature to a blank form of affidavit or certificate of acknowledgment and ~~deliver that form to another person with intent that it be used as an affidavit or acknowledgment.~~

(d) A notary public shall not take the acknowledgment of or administer an oath to any person whom the notary actually knows to have been adjudged mentally ill by a court of competent jurisdiction and who has not been restored to mental health as a matter of record.

(e) A notary public shall not take the acknowledgment of any person who is blind until the notary has read the instrument to such person.

(f) A notary public shall not take the acknowledgment of any person who does not speak or understand the English language, unless the nature and effect of the instrument to be notarized is translated into a language which the person does understand.

(g) A notary public shall not change anything in a written instrument after it has been signed by anyone.

(h) No notary public shall be authorized to prepare any legal instrument, or fill in the blanks of an instrument, other than a notary certificate; however, this prohibition shall not prohibit an attorney, who is also a notary public, from performing notarial acts for any document prepared by that attorney.

(i) If a notary public accepts or receives any money from any one to whom an oath has been administered or on behalf of whom an acknowledgment has been taken for the purpose of transmitting or forwarding such money to another and willfully fails to transmit or forward such money promptly, the notary is personally liable for any loss sustained because of such failure. The person or persons damaged by such failure may bring an action to recover damages, together with interest and reasonable attorney fees, against such notary public or his bondsmen.

(Source: P.A. 85-421.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 265** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

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YEAS 51; NAYS None; Present 1.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rooney
Anderson	Harmon	McConchie	Rose
Aquino	Harris	McConnaughay	Sandoval
Barickman	Holmes	McGuire	Silverstein
Bennett	Hunter	Mulroe	Stadelman
Bivins	Hutchinson	Muñoz	Steans
Brady	Jones, E.	Murphy	Syverson
Bush	Landek	Nybo	Tracy
Castro	Lightford	Oberweis	Trotter
Clayborne	Link	Radogno	Van Pelt
Connelly	Manar	Raoul	Weaver
Cullerton, T.	Martinez	Rezin	Mr. President
Cunningham	McCann	Righter	

The following voted present:

Schimpf

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

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

SENATE BILL RECALLED

On motion of Senator Mulroe, **Senate Bill No. 266** was recalled from the order of third reading to the order of second reading.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 266

AMENDMENT NO. 1. Amend Senate Bill 266 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Veterans Affairs Act is amended by changing Sections 2.01 and 2.04 and by adding Section 2.01b as follows:

(20 ILCS 2805/2.01) (from Ch. 126 1/2, par. 67.01)

Sec. 2.01. Veterans Home admissions.

(a) Any honorably discharged veteran is entitled to admission to an Illinois Veterans Home if the applicant meets the requirements of this Section.

(b) The veteran must:

(1) have served in the armed forces of the United States at least 1 day in World War II, the Korean Conflict, the Viet Nam Campaign, or the Persian Gulf Conflict between the dates recognized by the U.S. Department of Veterans Affairs or between any other present or future dates recognized by the U.S. Department of Veterans Affairs as a war period, or have served in a hostile fire environment and has been awarded a campaign or expeditionary medal signifying his or her service, for purposes of eligibility for domiciliary or nursing home care;

(2) have served and been honorably discharged or retired from the armed forces of the United States for a service connected disability or injury, for purposes of eligibility for domiciliary or nursing home care;

(3) have served as an enlisted person at least 90 days on active duty in the armed forces of the United States, excluding service on active duty for training purposes only, and entered active duty before September 8, 1980, for purposes of eligibility for domiciliary or nursing home care;

(4) have served as an officer at least 90 days on active duty in the armed forces of the

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United States, excluding service on active duty for training purposes only, and entered active duty before October 17, 1981, for purposes of eligibility for domiciliary or nursing home care;

(5) have served on active duty in the armed forces of the United States for 24 months of continuous service or more, excluding active duty for training purposes only, and enlisted after September 7, 1980, for purposes of eligibility for domiciliary or nursing home care;

(6) have served as a reservist in the armed forces of the United States or the National Guard and the service included being called to federal active duty, excluding service on active duty for training purposes only, and who completed the term, for purposes of eligibility for domiciliary or nursing home care;

(7) have been discharged for reasons of hardship or released from active duty due to a reduction in the United States armed forces prior to the completion of the required period of service, regardless of the actual time served, for purposes of eligibility for domiciliary or nursing home care; or

(8) have served in the National Guard or Reserve Forces of the United States and completed 20 years of satisfactory service, be otherwise eligible to receive reserve or active duty retirement benefits, and have been an Illinois resident for at least one year before applying for admission for purposes of eligibility for domiciliary care only.

(c) The veteran must have service accredited to the State of Illinois or have been a resident of this State for one year immediately preceding the date of application.

(d) For admission to the Illinois Veterans Homes at Anna and Quincy, the veteran must have developed a disability by disease, wounds, or otherwise and because of the disability be incapable of earning a living.

(e) For admission to the Illinois Veterans Homes at Chicago, LaSalle, and Manteno, the veteran must have developed a disability by disease, wounds, or otherwise and, for purposes of eligibility for nursing home care, require nursing care because of the disability.

(f) An individual who served during a time of conflict as set forth in paragraph (1) of subsection (b) of this Section has preference over all other qualifying candidates, for purposes of eligibility for domiciliary or nursing home care at any Illinois Veterans Home.

(g) A veteran or spouse, once admitted to an Illinois Veterans Home facility, is considered a resident for interfacility purposes.

(Source: P.A. 99-143, eff. 7-27-15; 99-314, eff. 8-7-15; 99-642, eff. 7-28-16.)

(20 ILCS 2805/2.01b new)

Sec. 2.01b. Illinois Veterans Home at Chicago. The Illinois Veterans Home at Chicago is established. The Department shall operate and maintain the Illinois Veterans Home at Chicago.

(20 ILCS 2805/2.04) (from Ch. 126 1/2, par. 67.04)

Sec. 2.04. There shall be established in the State Treasury special funds known as (i) the LaSalle Veterans Home Fund, (ii) the Anna Veterans Home Fund, (iii) the Manteno Veterans Home Fund, and (iv) the Quincy Veterans Home Fund, and (v) the Chicago Veterans Home Fund. All moneys received by an Illinois Veterans Home from Medicare and from maintenance charges to veterans, spouses, and surviving spouses residing at that Home shall be paid into that Home's Fund. All moneys received from the U.S. Department of Veterans Affairs for patient care shall be transmitted to the Treasurer of the State for deposit in the Veterans Home Fund for the Home in which the veteran resides. Appropriations shall be made from a Fund only for the needs of the Home, including capital improvements, building rehabilitation, and repairs. The Chicago Veterans Home Fund shall be the Veterans Home Fund for the Illinois Veterans Home at Chicago.

The administrator of each Veterans Home shall establish a locally-held member's benefits fund. The Director may authorize the Veterans Home to conduct limited fundraising in accordance with applicable laws and regulations for which the sole purpose is to benefit the Veterans Home's member's benefits fund. Revenues accruing to an Illinois Veterans Home, including any donations, grants for the operation of the Home, profits from commissary stores, and funds received from any individual or other source, including limited fundraising, shall be deposited into that Home's benefits fund. Expenditures from the benefits funds shall be solely for the special comfort, pleasure, and amusement of residents. Contributors of unsolicited private donations may specify the purpose for which the private donations are to be used.

Upon request of the Department, the State's Attorney of the county in which a resident or living former resident of an Illinois Veterans Home who is liable under this Act for payment of sums representing maintenance charges resides shall file an action in a court of competent jurisdiction against any such person who fails or refuses to pay such sums. The court may order the payment of sums due to maintenance charges for such period or periods of time as the circumstances require.

Upon the death of a person who is or has been a resident of an Illinois Veterans Home who is liable for maintenance charges and who is possessed of property, the Department may present a claim for such sum

or for the balance due in case less than the rate prescribed under this Act has been paid. The claim shall be allowed and paid as other lawful claims against the estate.

The administrator of each Veterans Home shall establish a locally-held trust fund to maintain moneys held for residents. Whenever the Department finds it necessary to preserve order, preserve health, or enforce discipline, the resident shall deposit in a trust account at the Home such monies from any source of income as may be determined necessary, and disbursement of these funds to the resident shall be made only by direction of the administrator.

If a resident of an Illinois Veterans Home has a dependent child, spouse, or parent the administrator may require that all monies received be deposited in a trust account with dependency contributions being made at the direction of the administrator. The balance retained in the trust account shall be disbursed to the resident at the time of discharge from the Home or to his or her heirs or legal representative at the time of the resident's death, subject to Department regulations or order of the court.

The Director of Central Management Services, with the consent of the Director of Veterans' Affairs, is authorized and empowered to lease or let any real property held by the Department of Veterans' Affairs for an Illinois Veterans Home to entities or persons upon terms and conditions which are considered to be in the best interest of that Home. The real property must not be needed for any direct or immediate purpose of the Home. In any leasing or letting, primary consideration shall be given to the use of real property for agricultural purposes, and all moneys received shall be transmitted to the Treasurer of the State for deposit in the appropriate Veterans Home Fund.

(Source: P.A. 99-314, eff. 8-7-15.)

Section 10. The State Finance Act is amended by adding Section 5.878 as follows:
(30 ILCS 105/5.878 new)

Sec. 5.878. The Chicago Veterans Home Fund.

Section 15. The Illinois Library System Act is amended by changing Section 8.6 as follows:
(75 ILCS 10/8.6)

Sec. 8.6. Illinois Veteran's Home Libraries. The State Librarian shall distribute annual grants for initiatives of library development and services within Illinois Veteran's Home libraries located in Quincy, Manteno, LaSalle, Chicago, and Anna upon the approval by the State Librarian of application from libraries. Grants made under this Section shall be made only from the Secretary of State Special License Plate Fund. The State Librarian shall establish the criteria for awarding the grants by rule.

(Source: P.A. 89-697, eff. 1-6-97.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Mulroe, **Senate Bill No. 266** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConaughay	Schimpf
Anderson	Harmon	McGuire	Silverstein
Aquino	Harris	Mulroe	Stadelman
Barickman	Holmes	Muñoz	Steans
Bennett	Hunter	Murphy	Syverson
Bivins	Hutchinson	Nybo	Tracy

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Brady	Jones, E.	Oberweis	Trotter
Bush	Landek	Radogno	Van Pelt
Castro	Lightford	Raoul	Weaver
Clayborne	Link	Rezin	Mr. President
Collins	Manar	Righter	
Connelly	Martinez	Rooney	
Cullerton, T.	McCann	Rose	
Cunningham	McConchie	Sandoval	

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

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

SENATE BILL RECALLED

On motion of Senator Hunter, **Senate Bill No. 282** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 282

AMENDMENT NO. 1. Amend Senate Bill 282 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by adding Section 67 as follows:
(5 ILCS 490/67 new)

Sec. 67. Esther Golar Day. April 16 of each year is designated as Esther Golar Day, to be observed throughout the State as a day to remember the accomplishments of State Representative Esther Golar, and to honor her legacy of public service."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Hunter, **Senate Bill No. 282** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McConchie	Sandoval
Anderson	Harmon	McConnaughay	Schimpf
Aquino	Harris	McGuire	Silverstein
Barickman	Holmes	Mulroe	Stadelman
Bennett	Hunter	Muñoz	Steans
Bivins	Hutchinson	Murphy	Syverson
Brady	Jones, E.	Nybo	Tracy
Bush	Landek	Radogno	Trotter
Castro	Lightford	Raoul	Van Pelt
Collins	Link	Rezin	Weaver
Connelly	Manar	Righter	Mr. President

[April 27, 2017]

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

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

On motion of Senator Martinez, **Senate Bill No. 308** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 40; NAYS 3.

The following voted in the affirmative:

Althoff	Harris	McConnaughay	Stadelman
Aquino	Holmes	Mulroe	Steans
Barickman	Hunter	Muñoz	Syverson
Bennett	Hutchinson	Murphy	Trotter
Bush	Jones, E.	Nybo	Van Pelt
Castro	Landek	Radogno	Weaver
Clayborne	Lightford	Raoul	Mr. President
Collins	Link	Rooney	
Cullerton, T.	Manar	Sandoval	
Cunningham	Martinez	Schimpf	
Harmon	McCann	Silverstein	

The following voted in the negative:

Oberweis
Righter
Rose

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

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

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Hunter moved that **Senate Joint Resolution No. 10**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hunter moved that Senate Joint Resolution No. 10 be adopted.

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

YEAS 45; NAYS None.

The following voted in the affirmative:

Anderson	Harmon	McConnaughay	Sandoval
Aquino	Harris	McGuire	Schimpf
Barickman	Holmes	Mulroe	Silverstein
Brady	Hunter	Muñoz	Stadelman
Bush	Hutchinson	Murphy	Steans

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Castro	Jones, E.	Nybo	Trotter
Clayborne	Landek	Oberweis	Van Pelt
Collins	Lightford	Radogno	Weaver
Connelly	Link	Raoul	Mr. President
Cullerton, T.	Manar	Rezin	
Cunningham	Martinez	Righter	
Fowler	McCann	Rose	

The motion prevailed.

And the resolution was adopted.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Clayborne, **Senate Bill No. 652** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAY 1.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McConchie	Rose
Aquino	Harmon	McConnaughay	Sandoval
Barickman	Harris	McGuire	Schimpf
Bennett	Holmes	Mulroe	Silverstein
Bivins	Hunter	Muñoz	Stadelman
Brady	Hutchinson	Murphy	Steans
Bush	Jones, E.	Nybo	Syverson
Castro	Landek	Oberweis	Trotter
Clayborne	Lightford	Radogno	Van Pelt
Collins	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President
Cullerton, T.	Martinez	Righter	

The following voted in the negative:

Tracy

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

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

Senator Tracy asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 652**.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

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

[April 27, 2017]

HOUSE JOINT RESOLUTION NO. 55

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Friday, April 28, 2017, it stands adjourned until Tuesday, May 09, 2017 at 12:00 o'clock noon, or until the call of the Speaker; and when the Senate adjourns on Thursday, April 27, 2017, it stands adjourned until Tuesday, May 02, 2017, and when it adjourns on that day, it stands adjourned until Wednesday, May 03, 2017, and when it adjourns on that day, it stands adjourned until Thursday, May 04, 2017, and when it adjourns on that day, it stands adjourned until Friday, May 05, 2017, and when it adjourns on that day, it stands adjourned until Tuesday, May 09, 2017, or until the call of the President.

Adopted by the House, April 27, 2017.

TIMOTHY D. MAPES, Clerk of the House

By unanimous consent, on motion of Senator Clayborne, the foregoing message reporting House Joint Resolution No. 55 was taken up for immediate consideration.

Senator Clayborne moved that the Senate concur with the House in the adoption of the resolution. The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

RESOLUTIONS CONSENT CALENDAR**SENATE RESOLUTION NO. 401**

Offered by Senator Anderson and all Senators:
Mourns the death of Bruce Gilbert Dobbins of Erie.

SENATE RESOLUTION NO. 402

Offered by Senator Anderson and all Senators:
Mourns the death of E. Vergene "Sam" Samuelson of Milan.

SENATE RESOLUTION NO. 403

Offered by Senator Anderson and all Senators:
Mourns the death of Eugene B. Hutchinson of East Moline.

SENATE RESOLUTION NO. 405

Offered by Senator Bertino-Tarrant and all Senators:
Mourns the death of Edward A. Drysch of Shorewood.

SENATE RESOLUTION NO. 406

Offered by Senator Oberweis and all Senators:
Mourns the death of Gary R. Paris of Maple Park.

SENATE RESOLUTION NO. 407

Offered by Senator Murphy and all Senators:
Mourns the death of Timothy J. Murphy of Mount Prospect.

SENATE RESOLUTION NO. 409

Offered by Senator Rose and all Senators:
Mourns the death of Joe Rittenhouse of Bement.

SENATE RESOLUTION NO. 410

Offered by Senator Anderson and all Senators:
Mourns the death of Charles F. "Bud" Kurtz of Moline.

[April 27, 2017]

SENATE RESOLUTION NO. 411

Offered by Senator Anderson and all Senators:
Mourns the death of Roy Martin, Jr., of Coal Valley.

SENATE RESOLUTION NO. 413

Offered by Senator T. Cullerton and all Senators:
Mourns the death of T. L. Arends of Bartlett.

SENATE RESOLUTION NO. 415

Offered by Senator Link and all Senators:
Mourns the death of the Reverend Robert Baxter “Bobby” Evans, Sr., of Waukegan.

SENATE RESOLUTION NO. 416

Offered by Senator Link and all Senators:
Mourns the death of Pamela Jean Christian of North Chicago.

SENATE RESOLUTION NO. 417

Offered by Senator Link and all Senators:
Mourns the death of Jeanne R. Bengtson of Gurnee.

SENATE RESOLUTION NO. 418

Offered by Senator Link and all Senators:
Mourns the death of Tom Deram of North Chicago.

SENATE RESOLUTION NO. 419

Offered by Senator Link and all Senators:
Mourns the death of Judge Robert K. McQueen of Lindenhurst.

SENATE RESOLUTION NO. 420

Offered by Senator Haine and all Senators:
Mourns the death of Ronald “Ron” L. Selph of Granite City.

SENATE RESOLUTION NO. 421

Offered by Senator Haine and all Senators:
Mourns the death of Frank E. Pope of Godfrey.

SENATE RESOLUTION NO. 422

Offered by Senator Haine and all Senators:
Mourns the death of Ann M. Perolio of Alton.

SENATE RESOLUTION NO. 423

Offered by Senator Haine and all Senators:
Mourns the death of Nancy M. Godar of Godfrey.

SENATE RESOLUTION NO. 424

Offered by Senator Harris and all Senators:
Mourns the death of Armand King Harris.

SENATE RESOLUTION NO. 425

Offered by Senator Link and all Senators:
Mourns the death of Anthony “Tony” Lesnak of Waukegan.

SENATE RESOLUTION NO. 426

Offered by Senator McConchie and all Senators:
Mourns the death of William Grant Sisson of Wadsworth.

SENATE RESOLUTION NO. 428

Offered by Senator Barickman and all Senators:
Mourns the death of Richard D. Steigmann of Champaign.

SENATE RESOLUTION NO. 429

Offered by Senator Harmon and all Senators:
Mourns the death of Kathleen Mary Panschar of Oak Park.

SENATE RESOLUTION NO. 430

Offered by Senator Althoff and all Senators:
Mourns the death of Fred Becker of Crystal Lake.

SENATE RESOLUTION NO. 431

Offered by Senator Althoff and all Senators:
Mourns the death of Joan R. Black of Crystal Lake.

SENATE RESOLUTION NO. 432

Offered by Senator Althoff and all Senators:
Mourns the death of Richard Charles "Dick" Day of Crystal Lake.

SENATE RESOLUTION NO. 433

Offered by Senator Althoff and all Senators:
Mourns the death of Susan Jane Grossman of Woodstock.

SENATE RESOLUTION NO. 434

Offered by Senator Althoff and all Senators:
Mourns the death of Lenny William Jensen III of McHenry.

SENATE RESOLUTION NO. 435

Offered by Senator Althoff and all Senators:
Mourns the death of Jeannette M. McCullough of Harvard.

SENATE RESOLUTION NO. 436

Offered by Senator Koehler and all Senators:
Mourns the death of Dennis Gordon Bailey of Princeville.

SENATE RESOLUTION NO. 437

Offered by Senator Anderson and all Senators:
Mourns the death of Fred L. "Scotty" Scott of Moline.

SENATE RESOLUTION NO. 438

Offered by Senator Anderson and all Senators:
Mourns the death of Donald D. "Scorchy" Smith of Colona.

SENATE RESOLUTION NO. 439

Offered by Senator Anderson and all Senators:
Mourns the death of Robert "Bob" Gsell of Moline.

SENATE RESOLUTION NO. 440

Offered by Senator Anderson and all Senators:
Mourns the death of Denton James "Red" Danielson of Port Byron.

SENATE RESOLUTION NO. 441

Offered by Senator Anderson and all Senators:
Mourns the death of Kenneth W. Wales of Milan.

SENATE RESOLUTION NO. 442

Offered by Senator Anderson and all Senators:
Mourns the death of Orville R. Tschopp of Coal Valley.

SENATE RESOLUTION NO. 443

Offered by Senator Anderson and all Senators:

Mourns the death of Eugene Fowler of Moline.

SENATE RESOLUTION NO. 444

Offered by Senator Anderson and all Senators:
Mourns the death of Theodore L. Huberts, Sr., of East Moline

SENATE RESOLUTION NO. 445

Offered by Senator Anderson and all Senators:
Mourns the death of Robert L. "Bob" Wendell of East Moline.

SENATE RESOLUTION NO. 446

Offered by Senator Anderson and all Senators:
Mourns the death of Donald E. Swanson, Jr., of East Moline.

SENATE RESOLUTION NO. 447

Offered by Senator Anderson and all Senators:
Mourns the death of Philip N. "Phil" Mosley of East Moline.

SENATE RESOLUTION NO. 448

Offered by Senator Haine and all Senators:
Mourns the death of Edward Victor "Peck" Seibert, Jr., of Godfrey.

SENATE RESOLUTION NO. 449

Offered by Senator Haine and all Senators:
Mourns the death of Raymond E. "Ray" Butcher of Godfrey.

SENATE RESOLUTION NO. 450

Offered by Senator Haine and all Senators:
Mourns the death of Mark Stephen DeVer of Alton.

SENATE RESOLUTION NO. 451

Offered by Senator Haine and all Senators:
Mourns the death of Patrice A. "Pat" Meyers of Edwardsville.

SENATE RESOLUTION NO. 452

Offered by Senator Althoff and all Senators:
Mourns the death of Jeanne Marie Warner of Wonder Lake.

SENATE RESOLUTION NO. 453

Offered by Senator Althoff and all Senators:
Mourns the death of Richard F. Budzynski, Sr., of Johnsburg.

SENATE RESOLUTION NO. 455

Offered by Senator Haine and all Senators:
Mourns the death of Glen A. "Pete" Borman, Jr., of Alton.

SENATE RESOLUTION NO. 456

Offered by Senator Koehler and all Senators:
Mourns the death of Jesse Charles Flores, Sr., of Peoria.

SENATE RESOLUTION NO. 457

Offered by Senator Castro and all Senators:
Mourns the death of Anthony Pedote of Elgin.

SENATE RESOLUTION NO. 458

Offered by Senator Castro and all Senators:
Mourns the death of Kathleen Ann Turnquist of Elgin.

SENATE RESOLUTION NO. 459

Offered by Senator Bennett and all Senators:
Mourns the death of Chloe Arloine Trautman of Champaign.

SENATE RESOLUTION NO. 460

Offered by Senator Morrison and all Senators:
Mourns the death of Dr. Daniel J. Burke of Lake Forest.

SENATE RESOLUTION NO. 461

Offered by Senator Morrison and all Senators:
Mourns the death of Charles Albert Ault III of Bannockburn.

SENATE RESOLUTION NO. 462

Offered by Senator Rose and all Senators:
Mourns the death of JoAnn Walker Wyatt of Chrisman.

SENATE RESOLUTION NO. 463

Offered by Senator McGuire and all Senators:
Mourns the death of Jo Ann Marie Robinson of Bolingbrook.

SENATE RESOLUTION NO. 464

Offered by Senator Haine and all Senators:
Mourns the death of Shirley Sue Cloninger of Alton.

SENATE RESOLUTION NO. 465

Offered by Senator Haine and all Senators:
Mourns the death of James M. Velloff of Alton.

SENATE RESOLUTION NO. 466

Offered by Senator Connelly and all Senators:
Mourns the death of Arthur Earl Keegan, Jr., formerly of LaGrange and Chicago.

SENATE RESOLUTION NO. 467

Offered by Senator Morrison and all Senators:
Mourns the death of Sharon Robbins.

SENATE RESOLUTION NO. 468

Offered by Senator Link and all Senators:
Mourns the death of Chester M. Iwan of Winthrop Harbor.

SENATE RESOLUTION NO. 469

Offered by Senator Link and all Senators:
Mourns the death of Daniel R. Patch, Sr., of Lindenhurst.

SENATE RESOLUTION NO. 471

Offered by Senator Anderson and all Senators:
Mourns the death of Robert Earl Downing of Taylor Ridge.

SENATE RESOLUTION NO. 472

Offered by Senator Anderson and all Senators:
Mourns the death of James E. "Ed" Lawson of Rock Island.

SENATE RESOLUTION NO. 473

Offered by Senator Manar and all Senators:
Mourns the death of Donald Anthony Boeckenstedt of Staunton.

SENATE RESOLUTION NO. 474

Offered by Senator Harmon and all Senators:
Mourns the death of Frank H. "Bud" Paschen of Jupiter, Florida.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

At the hour of 6:48 o'clock p.m., pursuant to **House Joint Resolution No. 55**, the Chair announced the Senate stand adjourned until Tuesday, May 2, 2017, at 12:00 o'clock noon, or until the call of the President.