



SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

40TH LEGISLATIVE DAY

FRIDAY, MAY 5, 2017

9:39 O'CLOCK A.M.

SENATE
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40th Legislative Day

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The Senate met pursuant to adjournment.
Senator Terry Link, Waukegan, Illinois, presiding.
Prayer by Father Jim Swarthout, Community Clergy Relations, Rockford, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, May 4, 2017, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Illinois Film Office Quarterly Reports, FY2017 Q3 January 1, 2017 – March 31, 2017, submitted by the Illinois Film Office.

The foregoing report was ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Joint Resolution 3

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

Amendment No. 1 to House Bill 2538
Amendment No. 1 to House Bill 2545
Amendment No. 1 to House Bill 2699
Amendment No. 1 to House Bill 2771
Amendment No. 1 to House Bill 2812
Amendment No. 1 to House Bill 3092
Amendment No. 1 to House Bill 3215

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

Amendment No. 2 to House Bill 534

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

Amendment No. 1 to Senate Bill 322
Amendment No. 1 to Senate Bill 474
Amendment No. 3 to Senate Bill 1415
Amendment No. 3 to Senate Bill 1821

PRESENTATION OF RESOLUTION

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

SENATE RESOLUTION NO. 488

[May 5, 2017]

WHEREAS, 125,000 children are abused or neglected each year in Illinois, and one in five children will be abused before they become 18 years old; and

WHEREAS, The Illinois Department of Children and Family Services estimates as many as 100,000 cases of abused and neglected children go unreported each year; and

WHEREAS, Children will tell an average of seven adults that they are being abused or neglected before a report is made; and

WHEREAS, Every delay in reporting suspected abuse or neglect increases the likelihood that abuse will become more serious, or even deadly, and that the perpetrator will likely abuse additional children; and

WHEREAS, There are numerous professions that are required by law to be mandated reporters of abuse or neglect of a child, such as medical professionals, teachers, social workers, and ministers; and

WHEREAS, Such mandated reporters are required to sign a statement prior to the start of their employment that states that the employee has knowledge and understanding of being a mandated reporter; and

WHEREAS, Some professional organizations have taken it upon themselves to create training programs for their employees who are mandated reporters so that they better understand their responsibilities and can better recognize signs of child abuse and neglect; and

WHEREAS, The Illinois Department of Children and Family Services offers free online training to help all mandated reporters understand their role in protecting children by recognizing and reporting child abuse and neglect; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Department of Children and Family Services to develop a plan to raise awareness of its free online training in recognizing and reporting child abuse and neglect; and be it further

RESOLVED, That the Department shall draft a report no later than December 31, 2017 with its recommendations to the General Assembly on how this plan should be developed and implemented.

COMMITTEE REPORT CORRECTION

The following correction was made on the report from the Senate Local Government Committee, which on May 3, 2017, reported House Bill 305 Do Pass and should have reported House Bill 305 as having been Postponed by the Committee.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 2439, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Bush, **Senate Bill No. 1607** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Licensed Activities and Pensions, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1607

[May 5, 2017]

AMENDMENT NO. 1. Amend Senate Bill 1607 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Controlled Substances Act is amended by changing Sections 314.5 and 316 as follows:

(720 ILCS 570/314.5)

Sec. 314.5. Medication shopping; pharmacy shopping.

(a) It shall be unlawful for any person knowingly or intentionally to fraudulently obtain or fraudulently seek to obtain any controlled substance or prescription for a controlled substance from a prescriber or dispenser while being supplied with any controlled substance or prescription for a controlled substance by another prescriber or dispenser, without disclosing the fact of the existing controlled substance or prescription for a controlled substance to the prescriber or dispenser from whom the subsequent controlled substance or prescription for a controlled substance is sought.

(a-5) Before issuing a prescription for a Schedule II, III, IV, or V controlled substance, a prescriber or his or her designee shall access the prescription monitoring program to determine compliance with this Section.

(b) It shall be unlawful for a person knowingly or intentionally to fraudulently obtain or fraudulently seek to obtain any controlled substance from a pharmacy while being supplied with any controlled substance by another pharmacy, without disclosing the fact of the existing controlled substance to the pharmacy from which the subsequent controlled substance is sought.

(c) A person may be in violation of Section 3.23 of the Illinois Food, Drug and Cosmetic Act or Section 406 of this Act when medication shopping or pharmacy shopping, or both.

(d) When a person has been identified as having 3 or more prescribers or 3 or more pharmacies, or both, that do not utilize a common electronic file as specified in Section 20 of the Pharmacy Practice Act for controlled substances within the course of a continuous 30-day period, the Prescription Monitoring Program ~~shall~~ may issue an unsolicited report to the prescribers, dispensers, and their designees informing them of the potential medication shopping. A prescriber who receives the report, either personally or through an agent at his or her place of practice, shall be prohibited from issuing a controlled substance to that same person unless the prescriber signs a statement on the prescription acknowledging receipt of the report. If a pharmacy or pharmacist receives a prescription for a person he or she knows or should know to be the subject of the report, and the prescriber fails to provide the required acknowledgement, the pharmacy or pharmacist must contact the prescriber and obtain a signature on the acknowledgement before filling the prescription.

(e) Nothing in this Section shall be construed to create a requirement that any prescriber, dispenser, or pharmacist request any patient medication disclosure, ~~report any patient activity, or prescribe or refuse to prescribe or dispense any medications.~~

(f) This Section shall not be construed to apply to inpatients or residents at hospitals or other institutions or to institutional pharmacies.

(g) Any patient feedback, including grades, ratings, or written or verbal statements, in opposition to a clinical decision that the prescription of a controlled substance is not medically necessary shall not be the basis of any adverse action, evaluation, or any other type of negative credentialing, contracting, licensure, or employment action taken against a prescriber or dispenser.

(Source: P.A. 99-480, eff. 9-9-15.)

(720 ILCS 570/316)

Sec. 316. Prescription monitoring program.

(a) The Department must provide for a prescription monitoring program for Schedule II, III, IV, and V controlled substances that includes the following components and requirements:

(1) The dispenser must transmit to the central repository, in a form and manner specified by the Department, the following information:

(A) The recipient's name and address.

(B) The recipient's date of birth and gender.

(C) The national drug code number of the controlled substance dispensed.

(D) The date the controlled substance is dispensed.

(E) The quantity of the controlled substance dispensed and days supply.

(F) The dispenser's United States Drug Enforcement Administration registration number.

(G) The prescriber's United States Drug Enforcement Administration registration number.

(H) The dates the controlled substance prescription is filled.

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(I) The payment type used to purchase the controlled substance (i.e. Medicaid, cash, third party insurance).

(J) The patient location code (i.e. home, nursing home, outpatient, etc.) for the controlled substances other than those filled at a retail pharmacy.

(K) Any additional information that may be required by the department by administrative rule, including but not limited to information required for compliance with the criteria for electronic reporting of the American Society for Automation and Pharmacy or its successor.

(2) The information required to be transmitted under this Section must be transmitted not later than the end of the next business day after the date on which a controlled substance is dispensed, or at such other time as may be required by the Department by administrative rule.

(3) A dispenser must transmit the information required under this Section by:

(A) an electronic device compatible with the receiving device of the central repository;

(B) a computer diskette;

(C) a magnetic tape; or

(D) a pharmacy universal claim form or Pharmacy Inventory Control form;

(4) The Department may impose a civil fine of up to \$100 per day for willful failure to report controlled substance dispensing to the Prescription Monitoring Program. The fine shall be calculated on no more than the number of days from the time the report was required to be made until the time the problem was resolved, and shall be payable to the Prescription Monitoring Program.

(b) The Department, by rule, may include in the monitoring program certain other select drugs that are not included in Schedule II, III, IV, or V. The prescription monitoring program does not apply to controlled substance prescriptions as exempted under Section 313.

(c) The collection of data on select drugs and scheduled substances by the Prescription Monitoring Program may be used as a tool for addressing oversight requirements of long-term care institutions as set forth by Public Act 96-1372. Long-term care pharmacies shall transmit patient medication profiles to the Prescription Monitoring Program monthly or more frequently as established by administrative rule.

(d) The Department of Human Services shall appoint a full-time Clinical Director of the Prescription Monitoring Program.

~~(e) (Blank). Within one year of the effective date of this amendatory Act of the 99th General Assembly, the Department shall adopt rules establishing pilot initiatives involving a cross-section of hospitals in this State to increase electronic integration of a hospital's electronic health record with the Prescription Monitoring Program on or before January 1, 2019 to ensure all providers have timely access to relevant prescription information during the treatment of their patients. These rules shall also establish pilots that enhance the electronic integration of outpatient pharmacy records with the Prescription Monitoring Program to allow for faster transmission of the information required under this Section. In collaboration with the Department of Human Services, the Prescription Monitoring Program Advisory Committee shall identify funding sources to support the pilot projects in this Section and distribution of funds shall be based on voluntary and incentive-based models. The rules adopted by the Department shall also ensure that the Department continues to monitor updates in Electronic Health Record Technology and how other states have integrated their prescription monitoring databases with Electronic Health Records.~~

(f) Within one year of the effective date of this amendatory Act of the 100th General Assembly, the Department shall adopt rules requiring all Electronic Health Records Systems to interface with the Prescription Monitoring Program application program on or before January 1, 2021 to ensure that all providers have access to specific patient records during the treatment of their patients. These rules shall also address the electronic integration of pharmacy records with the Prescription Monitoring Program to allow for faster transmission of the information required under this Section. The Department shall establish actions to be taken if a prescriber's Electronic Health Records System does not effectively interface with the Prescription Monitoring Program within the required timeline.

(g) The Department, in consultation with the Advisory Committee, shall adopt rules allowing licensed prescribers or pharmacists who have registered to access the Prescription Monitoring Program to authorize a designee to consult the Prescription Monitoring Program on their behalf. The rules shall include reasonable parameters concerning a practitioner's authority to authorize a designee, and the eligibility of a person to be selected as a designee.

(Source: P.A. 99-480, eff. 9-9-15.)"

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1607

[May 5, 2017]

AMENDMENT NO. 2. Amend Senate Bill 1607, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, line 21, by replacing "shall may" with "may".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Althoff, **Senate Bill No. 1285** 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	Cunningham	McCarter	Rose
Anderson	Fowler	McConchie	Sandoval
Barickman	Harmon	McConnaughay	Schimpf
Bennett	Hastings	Morrison	Stadelman
Bertino-Tarrant	Holmes	Mulroe	Stears
Biss	Hunter	Muñoz	Tracy
Bivins	Koehler	Murphy	Trotter
Brady	Landek	Oberweis	Van Pelt
Bush	Lightford	Radogno	Weaver
Castro	Link	Raoul	Mr. President
Clayborne	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 Bivins, **Senate Bill No. 1319** was recalled from the order of third reading to the order of second reading.

Senator Bivins offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1319

AMENDMENT NO. 3. Amend Senate Bill 1319, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Probate Act of 1975 is amended by changing Section 11a-10 and by adding Section 11a-11.5 as follows:

(755 ILCS 5/11a-10) (from Ch. 110 1/2, par. 11a-10)

Sec. 11a-10. Procedures preliminary to hearing.

(a) Upon the filing of a petition pursuant to Section 11a-8, the court shall set a date and place for hearing to take place within 30 days. The court shall appoint a guardian ad litem to report to the court concerning the respondent's best interests consistent with the provisions of this Section, except that the appointment of a guardian ad litem shall not be required when the court determines that such appointment is not necessary for the protection of the respondent or a reasonably informed decision on the petition. If the

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guardian ad litem is not a licensed attorney, he or she shall be qualified, by training or experience, to work with or advocate for persons with developmental disabilities, the mentally ill, persons with physical disabilities, the elderly, or persons with a disability due to mental deterioration, depending on the type of disability that is alleged in the petition. The court may allow the guardian ad litem reasonable compensation. The guardian ad litem may consult with a person who by training or experience is qualified to work with persons with a developmental disability, persons with mental illness, persons with physical disabilities, or persons with a disability due to mental deterioration, depending on the type of disability that is alleged. The guardian ad litem shall personally observe the respondent prior to the hearing and shall inform him orally and in writing of the contents of the petition and of his rights under Section 11a-11. The guardian ad litem shall also attempt to elicit the respondent's position concerning the adjudication of disability, the proposed guardian, a proposed change in residential placement, changes in care that might result from the guardianship, and other areas of inquiry deemed appropriate by the court. Notwithstanding any provision in the Mental Health and Developmental Disabilities Confidentiality Act or any other law, a guardian ad litem shall have the right to inspect and copy any medical or mental health record of the respondent which the guardian ad litem deems necessary, provided that the information so disclosed shall not be utilized for any other purpose nor be redisclosed except in connection with the proceedings. At or before the hearing, the guardian ad litem shall file a written report detailing his or her observations of the respondent, the responses of the respondent to any of the inquiries detailed in this Section, the opinion of the guardian ad litem or other professionals with whom the guardian ad litem consulted concerning the appropriateness of guardianship, and any other material issue discovered by the guardian ad litem. The guardian ad litem shall appear at the hearing and testify as to any issues presented in his or her report.

(b) The court (1) may appoint counsel for the respondent, if the court finds that the interests of the respondent will be best served by the appointment, and (2) shall appoint counsel upon respondent's request or if the respondent takes a position adverse to that of the guardian ad litem. The respondent shall be permitted to obtain the appointment of counsel either at the hearing or by any written or oral request communicated to the court prior to the hearing. The summons shall inform the respondent of this right to obtain appointed counsel. The court may allow counsel for the respondent reasonable compensation.

(c) If the respondent is unable to pay the fee of the guardian ad litem or appointed counsel, or both, the court may enter an order for the petitioner to pay all such fees or such amounts as the respondent or the respondent's estate may be unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, where the public guardian is the petitioner, consistent with Section 13-5 of this Act, where an adult protective services agency is the petitioner, pursuant to Section 9 of the Adult Protective Services Act, or where the Department of Children and Family Services is the petitioner under subparagraph (d) of subsection (1) of Section 2-27 of the Juvenile Court Act of 1987, no guardian ad litem or legal fees shall be assessed against the Office of State Guardian, the public guardian, the adult protective services agency, or the Department of Children and Family Services.

(d) The hearing may be held at such convenient place as the court directs, including at a facility in which the respondent resides.

(e) Unless he is the petitioner, the respondent shall be personally served with a copy of the petition and a summons not less than 14 days before the hearing. The summons shall be printed in large, bold type and shall include the following notice:

NOTICE OF RIGHTS OF RESPONDENT

You have been named as a respondent in a guardianship petition asking that you be declared a person with a disability. If the court grants the petition, a guardian will be appointed for you. A copy of the guardianship petition is attached for your convenience.

The date and time of the hearing are:

The place where the hearing will occur is:

The Judge's name and phone number is:

If a guardian is appointed for you, the guardian may be given the right to make all important personal decisions for you, such as where you may live, what medical treatment you may receive, what places you may visit, and who may visit you. A guardian may also be given the right to control and manage your money and other property, including your home, if you own one. You may lose the right to make these decisions for yourself.

You have the following legal rights:

- (1) You have the right to be present at the court hearing.
- (2) You have the right to be represented by a lawyer, either one that you retain, or one appointed by the Judge.
- (3) You have the right to ask for a jury of six persons to hear your case.

(4) You have the right to present evidence to the court and to confront and cross-examine witnesses.

(5) You have the right to ask the Judge to appoint an independent expert to examine you and give an opinion about your need for a guardian.

(6) You have the right to ask that the court hearing be closed to the public.

(7) You have the right to tell the court whom you prefer to have for your guardian.

You do not have to attend the court hearing if you do not want to be there. If you do not attend, the Judge may appoint a guardian if the Judge finds that a guardian would be of benefit to you. The hearing will not be postponed or canceled if you do not attend. If you are unable to attend the hearing in person or you will suffer harm if you attend, the Judge can decide to hold the hearing at a place that is convenient. The Judge can also follow the rule of the Supreme Court of this State, or its local equivalent, and decide if a video conference is appropriate.

IT IS VERY IMPORTANT THAT YOU ATTEND THE HEARING IF YOU DO NOT WANT A GUARDIAN OR IF YOU WANT SOMEONE OTHER THAN THE PERSON NAMED IN THE GUARDIANSHIP PETITION TO BE YOUR GUARDIAN. IF YOU DO NOT WANT A GUARDIAN ~~OR~~ IF YOU HAVE ANY OTHER PROBLEMS, YOU SHOULD CONTACT AN ATTORNEY OR COME TO COURT AND TELL THE JUDGE.

Service of summons and the petition may be made by a private person 18 years of age or over who is not a party to the action.

(f) Notice of the time and place of the hearing shall be given by the petitioner by mail or in person to those persons, including the proposed guardian, whose names and addresses appear in the petition and who do not waive notice, not less than 14 days before the hearing.

(Source: P.A. 98-49, eff. 7-1-13; 98-89, eff. 7-15-13; 98-756, eff. 7-16-14; 99-143, eff. 7-27-15; 99-642, eff. 7-28-16; revised 10-27-16.)

(755 ILCS 5/11a-11.5 new)

Sec. 11a-11.5. Video conferencing. Any circuit court of this State may adopt rules consistent with the rules of the Supreme Court of this State permitting the use of video conferencing equipment in any hearing under Section 11a-11. No rule shall preclude a party from seeking the presentation of testimony in accordance with Supreme Court Rule 241.

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 Bivins, **Senate Bill No. 1319** 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	Rooney
Anderson	Fowler	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Hastings	McConnaughay	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Koehler	Murphy	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	Link	Raoul	Weaver
Connelly	Manar	Rezin	Mr. President

[May 5, 2017]

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.

SENATE BILL RECALLED

On motion of Senator Morrison, **Senate Bill No. 1289** was recalled from the order of third reading to the order of second reading.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1289

AMENDMENT NO. 1. Amend Senate Bill 1289 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Governmental Ethics Act is amended by changing Sections 1-110, 4A-102, 4A-103, and 4A-108 and by adding Sections 1-102.5, 1-104.3, 1-104.4, 1-104.5, 1-105.2, 1-105.3, 1-105.4, 1-105.5, 1-105.6, 1-105.7, 1-112.5, 1-113.6, and 1-113.7 as follows:

(5 ILCS 420/1-102.5 new)

Sec. 1-102.5. Asset. "Asset" means, for the purposes of Sections 4A-102 and 4A-103, an item that is owned and has monetary value. For the purposes of Sections 4A-102 and 4A-103, assets include, but are not limited to: stocks, bonds (except those issued by the federal, state, or local governments), sector mutual funds, sector exchange traded funds, commodity futures, investment real estate, and partnership interests. For the purposes of Sections 4A-102 and 4A-103, assets do not include: personal residences; personal vehicles; savings or checking accounts; bonds, notes, or securities issued by any branch of federal, state, or local government; Medicare benefits; inheritances or bequests; diversified mutual funds; annuities; pensions (including government pensions); retirement accounts; college savings plans that are qualified tuition plans; qualified tax-advantaged savings programs that allow individuals to save for disability-related expenses; non-income producing trust holdings; or tangible personal property.

(5 ILCS 420/1-104.3 new)

Sec. 1-104.3. Creditor. "Creditor" means, for the purposes of Sections 4A-102 and 4A-103, an individual, organization, or other business entity to whom money or its equivalent is owed, no matter whether that obligation is secured or unsecured, except that if a filer makes a loan to members of his or her family, or a political committee registered with the Illinois State Board of Election, or a political committee, principal campaign committee, or authorized committee registered with the Federal Election Commission, then that filer does not, by making such a loan, become a creditor of that individual or entity for the purposes of Sections 4A-102 and 4A-103 of this Act.

(5 ILCS 420/1-104.4 new)

Sec. 1-104.4. Debt. "Debt" means, for the purposes of Sections 4A-102 and 4A-103, any money or monetary obligation owed at any time during the preceding calendar year to an individual, company, or other organization, other than a loan that is from a financial institution, government agency, or business entity and that is granted on terms made available to the general public. For the purposes of Sections 4A-102 and 4A-103, "debt" includes, but is not limited to: personal loans from friends or business associates, business loans made outside the lender's regular course of business, and loans made at below market rates. For the purposes of Sections 4A-102 and 4A-103, "debt" does not include: (i) debts to or from financial institutions or government entities, such as mortgages, student loans, credit card debts, or loans secured by automobiles, household furniture, or appliances, as long as those loans were made on terms available to the general public and do not exceed the purchase price of the items securing them; or (ii) debts to or from a political committee registered with the Illinois State Board of Elections or political committees, principal campaign committees, or authorized committees registered with the Federal Election Commission.

(5 ILCS 420/1-104.5 new)

Sec. 1-104.5. Diversified funds. "Diversified funds" means investment products, such as mutual funds, exchange traded funds, or unit investment trusts, that invest in a wide variety of securities.

(5 ILCS 420/1-105.2 new)

Sec. 1-105.2. Economic relationship. "Economic relationship" means, for the purposes of Sections 4A-102 and 4A-103, any joint or shared ownership interests in businesses and creditor-debtor relationships with third parties, other than commercial lending institutions, where: (a) the filer is entitled to receive (i) more than 7.5% of the total distributable income, or (ii) an amount in excess of the salary of the Governor; or (b) the filer together with his or her spouse or minor children is entitled to receive (i) more than 15%, in the aggregate, of the total distributable income, or (ii) an amount in excess of 2 times the salary of the Governor.

(5 ILCS 420/1-105.3 new)

Sec. 1-105.3. Family. "Family" means, for the purposes of Sections 4A-102 and 4A-103, a filer's spouse, children, step-children, parents, step-parents, siblings, step-siblings, half-siblings, sons-in-law, daughters-in-law, grandfathers, grandmothers, grandsons, and granddaughters, as well as the father, mother, grandfather, and grandmother of the filer's spouse.

(5 ILCS 420/1-105.4 new)

Sec. 1-105.4. Immediate family. "Immediate family" means, for the purposes of Sections 4A-102 and 4A-103, family of the filer living in the filer's residence.

(5 ILCS 420/1-105.5 new)

Sec. 1-105.5. Filer. "Filer" means, for the purposes of Section 4A-102 and 4A-103, a person required to file a statement of economic interests pursuant to this Act.

(5 ILCS 420/1-105.6 new)

Sec. 1-105.6. Income. "Income" means, for the purposes of Sections 4A-102 and 4A-103, income from whatever source derived, required to be reported on the filer's federal income tax return, including, but not limited to: compensation received for services rendered or to be rendered (as reported on any Internal Revenue Service forms, including, but not limited to, W-2, 1099, or K-1); earnings or capital gains from the sale of assets; profit; interest or dividend income from all assets; revenue from leases and rentals, royalties, prizes, awards, or barter; forgiveness of debt; and earnings derived from annuities or trusts other than testamentary trusts. "Income" does not include compensation earned for service in the position that necessitates the filing of the statement of economic interests or income from the sale of a personal residence or personal vehicle.

(5 ILCS 420/1-105.7 new)

Sec. 1-105.7. Investment real estate. "Investment real estate" means any real property, other than a filer's personal residences, purchased to produce a profit, whether from income or resale. Investment real estate may be described by the city and state where the real estate is located.

(5 ILCS 420/1-110) (from Ch. 127, par. 601-110)

Sec. 1-110. "Lobbyist" means an individual who is required to be registered to engage in lobbying activities pursuant to any statute, regulation, or ordinance adopted by a unit of government in the State of Illinois any person required to be registered under "An Act concerning lobbying and providing a penalty for violation thereof", approved July 10, 1957, as amended.

(Source: Laws 1967, p. 3401.)

(5 ILCS 420/1-112.5 new)

Sec. 1-112.5. Personal residence. "Personal residence" means, for the purposes of Sections 4A-102 and 4A-103, a filer's primary home residence and any residential real property held by the filer and used by the filer for residential rather than commercial or income generating purposes.

(5 ILCS 420/1-113.6 new)

Sec. 1-113.6. Sector funds. "Sector funds" means mutual funds or exchange traded funds invested in a particular industry or business.

(5 ILCS 420/1-113.7 new)

Sec. 1-113.7. Spouse. "Spouse" means a party to a marriage, a party to a civil union, or a registered domestic partner.

(5 ILCS 420/4A-102) (from Ch. 127, par. 604A-102)

Sec. 4A-102. The statement of economic interests required by this Article shall include the economic interests of the person making the statement as provided in this Section. The following interests shall be listed by all persons required to file:

(1) each asset that has a value of more than \$25,000 as of the end of the preceding calendar year and is: (i) held in the filer's name, (ii) held jointly by the filer with his or her spouse, or (iii) held jointly by the filer with his or her minor child or children;

(2) excluding the income from the position that requires the filing of a statement of economic interests under this Act, each source of income that generated in excess of \$10,000 in income during the preceding calendar year (as reported on the filer's federal income tax return covering the preceding calendar year)

and, if the sale or transfer of an asset produced more than \$10,000 in capital gains during the preceding calendar year, the transaction date on which that asset was sold or transferred:

(3) each creditor of a debt in excess of \$25,000 that, during the preceding calendar year, was: (i) owed by the filer, (ii) owed jointly by the filer with his or her spouse or (iii) owed jointly by the filer with his or her minor child or children;

(4) each debtor of a debt in excess of \$25,000 that, during the preceding calendar year, was: (i) owed to the filer, (ii) owed jointly to the filer with his or her spouse, or (iii) owed jointly to the filer with his or her minor child or children;

(5) each lobbyist known to the filer to be registered with any unit of government in the State of Illinois: (i) with whom the filer maintains an economic relationship, or (ii) who is a member of the filer's immediate family; and

(6) each source and type of gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$1,000 that was received during the preceding calendar year.

For the purposes of this Section, the unit of local government in relation to which a person is required to file under item (o) of Section 4A-101 shall be the unit of local government that contributes to the pension fund of which such person is a member of the board.

The interest (if constructively controlled by the person making the statement) of a spouse or any other party, shall be considered to be the same as the interest of the person making the statement. Campaign receipts shall not be included in this statement.

(a) The following interests shall be listed by all persons required to file:

(1) The name, address and type of practice of any professional organization or individual professional practice in which the person making the statement was an officer, director, associate, partner or proprietor, or served in any advisory capacity, from which income in excess of \$1200 was derived during the preceding calendar year;

(2) The nature of professional services (other than services rendered to the unit or units of government in relation to which the person is required to file) and the nature of the entity to which they were rendered if fees exceeding \$5,000 were received during the preceding calendar year from the entity for professional services rendered by the person making the statement.

(3) The identity (including the address or legal description of real estate) of any capital asset from which a capital gain of \$5,000 or more was realized in the preceding calendar year.

(4) The name of any unit of government which has employed the person making the statement during the preceding calendar year other than the unit or units of government in relation to which the person is required to file.

(5) The name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$500, was received during the preceding calendar year.

(b) The following interests shall also be listed by persons listed in items (a) through (f), item (l), item (n), and item (p) of Section 4A-101:

(1) The name and instrument of ownership in any entity doing business in the State of Illinois, in which an ownership interest held by the person at the date of filing is in excess of \$5,000 fair market value or from which dividends of in excess of \$1,200 were derived during the preceding calendar year. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description). No time or demand deposit in a financial institution, nor any debt instrument need be listed;

(2) Except for professional service entities, the name of any entity and any position held therein from which income of in excess of \$1,200 was derived during the preceding calendar year, if the entity does business in the State of Illinois. No time or demand deposit in a financial institution, nor any debt instrument need be listed.

(3) The identity of any compensated lobbyist with whom the person making the statement maintains a close economic association, including the name of the lobbyist and specifying the legislative matter or matters which are the object of the lobbying activity, and describing the general type of economic activity of the client or principal on whose behalf that person is lobbying.

(c) The following interests shall also be listed by persons listed in items (g), (h), (i), and (o) of Section 4A-101:

(1) The name and instrument of ownership in any entity doing business with a unit of local government in relation to which the person is required to file if the ownership interest of the person filing is greater than \$5,000 fair market value as of the date of filing or if dividends in excess of \$1,200 were received from the entity during the preceding calendar year. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description). No time or demand deposit in a financial institution, nor any debt instrument need be listed.

(2) Except for professional service entities, the name of any entity and any position held therein from which income in excess of \$1,200 was derived during the preceding calendar year if the entity does business with a unit of local government in relation to which the person is required to file. No time or demand deposit in a financial institution, nor any debt instrument need be listed.

(3) The name of any entity and the nature of the governmental action requested by any entity which has applied to a unit of local government in relation to which the person must file for any license, franchise or permit for annexation, zoning or rezoning of real estate during the preceding calendar year if the ownership interest of the person filing is in excess of \$5,000 fair market value at the time of filing or if income or dividends in excess of \$1,200 were received by the person filing from the entity during the preceding calendar year.

For the purposes of this Section, the unit of local government in relation to which a person required to file under item (c) of Section 4A-101 shall be the unit of local government that contributes to the pension fund of which such person is a member of the board.

(Source: P.A. 96-6, eff. 4-3-09; 97-754, eff. 7-6-12.)

(5 ILCS 420/4A-103) (from Ch. 127, par. 604A-103)

Sec. 4A-103. The statement of economic interests required by this Article to be filed with the Secretary of State or county clerk shall be filled in by typewriting or hand printing, shall be verified, dated, and signed by the person making the statement and shall contain substantially the following:

STATEMENT OF ECONOMIC INTERESTS

INSTRUCTIONS:

You may find the following documents helpful to you in completing this form:

- (1) federal income tax returns, including any related schedules, attachments, and forms; and
- (2) investment and brokerage statements.

To complete this form, you do not need to disclose specific amounts or values or report interests relating either to political committees registered with the Illinois State Board of Elections or to political committees, principal campaign committees, or authorized committees registered with the Federal Election Commission.

The information you disclose will be available to the public.

You must answer all 6 questions. Certain questions will ask you to report any applicable assets or debts held in your name; held jointly with your spouse; or held jointly by you with your minor child. If you have any concerns about whether an interest should be reported, please consult your department's ethics officer, if applicable.

Please ensure that the information you provide is complete and accurate. If you need more space than the form allows, please attach additional pages for your response. If you are subject to the State Officials and Employees Ethics Act, your ethics officer must review your statement of economic interests before you file it. Failure to complete the statement in good faith and within the prescribed deadline may subject you to fines, imprisonment, or both.

BASIC INFORMATION:

Name:

Job title:.....

Office, department, or agency that requires you to file this form:.

Other offices, departments, or agencies that require you to file a Statement of Economic Interests form: .

Full mailing address:

Preferred e-mail address (optional)

QUESTIONS:

1. If you have any single asset that was worth more than \$25,000 as of the end of the preceding calendar year and is held in your name, held jointly by you with your spouse, or held jointly by you with your minor child, list such assets below. In the case of investment real estate, list the city and state where the investment real estate is located. If you do not have any such assets, list "none" below.

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.....

2. Excluding the position for which you are required to file this form, list the source of any income in excess of \$10,000 in income as reported on your federal income tax return covering the preceding calendar

year. If you sold an asset that produced more than \$10,000 in capital gains in the preceding calendar year, list the name of the asset and the transaction date on which the sale or transfer took place. If you had no other sources of income exceeding \$10,000, list "none" below.

<u>Source of Income / Name of Asset</u>	<u>Date Sold (if applicable)</u>
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3. Excluding debts incurred on terms available to the general public, such as mortgages, student loans, and credit card debts, if you owed any single debt in the preceding calendar year exceeding \$25,000, list the creditor of the debt below. If you had no such debts, list "none" below.

List the creditor for all applicable debts owed by you, owed jointly by you with your spouse, or owed jointly by you with your minor child. In addition to the types of debts listed above, you do not need to report any debts to or from financial institutions or government agencies, such as debts secured by automobiles, household furniture or appliances, as long as the debt was made on terms available to the general public, debts to members of your family, or debts to or from a political committee registered with the Illinois State Board of Elections or any political committee, principal campaign committee, or authorized committee registered with the Federal Election Commission.

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4. Excluding debts owed to you by members of your family or by a political committee, if there is any entity or person who owed any debt to you in the preceding calendar year exceeding \$25,000, list the debtor below. If no such debts were owed to you, list "none" below.

List the debtor for all applicable debts owed to you, owed jointly to you with your spouse, or owed jointly to you with your minor child. You do not need to report loans made to members of your family or to a political committee registered with the Illinois State Board of Elections or any political committee, principal campaign committee, or authorized committee registered with the Federal Election Commission.

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5. If you maintain an economic relationship with a lobbyist or if a member of your immediate family is known to you to be a lobbyist registered with any unit of government in the State of Illinois, list the name of the lobbyist below and identify the nature of your relationship with the lobbyist. If you do not have an economic relationship with a lobbyist, list "none" below.

<u>Name of Lobbyist</u>	<u>Relationship to Filer</u>
.....
.....
.....

6. List the name of any person, organization, or entity that was the source of a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$1,000 received during the preceding calendar year.

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VERIFICATION:

"I declare that this statement of economic interests (including any attachments) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of my economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement is a fine not to exceed \$2,500 or imprisonment in a penal institution other than the penitentiary not to exceed one year, or both fine and imprisonment."

Printed Name of Filer.....

Date.....

Signature.....

If this statement of economic interests requires ethics officer review prior to filing, the applicable ethics officer must complete the following:

CERTIFICATION OF ETHICS OFFICER REVIEW:

"In accordance with law, as Ethics Officer, I reviewed this statement of economic interests prior to its filing."

Printed Name of Ethics Officer.....
Date.....
Signature.....
Preferred e-mail address (optional)

STATEMENT OF ECONOMIC INTEREST
(TYPE OR HAND PRINT)

(name)

(each office or position of employment for which this statement is filed)

(full mailing address)

GENERAL DIRECTIONS:

The interest (if constructively controlled by the person making the statement) of a spouse or any other party, shall be considered to be the same as the interest of the person making the statement.

Campaign receipts shall not be included in this statement.

If additional space is needed, please attach supplemental listing.

1. List the name and instrument of ownership in any entity doing business in the State of Illinois, in which the ownership interest held by the person at the date of filing is in excess of \$5,000 fair market value or from which dividends in excess of \$1,200 were derived during the preceding calendar year. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description.) No time or demand deposit in a financial institution, nor any debt instrument need be listed.

Table with 2 columns: Business Entity, Instrument of Ownership

2. List the name, address and type of practice of any professional organization in which the person making the statement was an officer, director, associate, partner or proprietor or served in any advisory capacity, from which income in excess of \$1,200 was derived during the preceding calendar year.

Table with 3 columns: Name, Address, Type of Practice

3. List the nature of professional services rendered (other than to the State of Illinois) to each entity from which income exceeding \$5,000 was received for professional services rendered during the preceding calendar year by the person making the statement.

4. List the identity (including the address or legal description of real estate) of any capital asset from which a capital gain of \$5,000 or more was realized during the preceding calendar year.

5. List the identity of any compensated lobbyist with whom the person making the statement maintains a close economic association, including the name of the lobbyist and specifying the legislative matter or matters which are the object of the lobbying activity, and describing the general type of economic activity of the client or principal on whose behalf that person is lobbying.

Table with 3 columns: Lobbyist, Legislative Matter, Client or Principal

6. List the name of any entity doing business in the State of Illinois from which income in excess of \$1,200 was derived during the preceding calendar year other than for professional services and the title or

description of any position held in that entity. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description). No time or demand deposit in a financial institution nor any debt instrument need be listed.

Entity	Position Held
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7. List the name of any unit of government which employed the person making the statement during the preceding calendar year other than the unit or units of government in relation to which the person is required to file.

.....

8. List the name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$500, was received during the preceding calendar year.

VERIFICATION:

"I declare that this statement of economic interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of my economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed \$1,000 or imprisonment in a penal institution other than the penitentiary not to exceed one year, or both fine and imprisonment."

.....

(date of filing) (signature of person making the statement)

(Source: P.A. 95-173, eff. 1-1-08.)

(5 ILCS 420/4A-108)

Sec. 4A-108. Internet-based systems of filing.

(a) Notwithstanding any other provision of this Act or any other law, the Secretary of State and county clerks are authorized to institute an Internet-based system for the filing of statements of economic interests in their offices. With respect to county clerk systems, the determination to institute such a system shall be in the sole discretion of the county clerk and shall meet the requirements set out in this Section. With respect to a Secretary of State system, the determination to institute such a system shall be in the sole discretion of the Secretary of State and shall meet the requirements set out in this Section and those Sections of the State Officials and Employees Ethics Act requiring ethics officer review prior to filing. The system shall be capable of allowing an ethics officer to approve a statement of economic interests and shall include a means to amend a statement of economic interests. When this Section does not modify or remove the requirements set forth elsewhere in this Article, those requirements shall apply to any system of Internet-based filing authorized by this Section. When this Section does modify or remove the requirements set forth elsewhere in this Article, the provisions of this Section shall apply to any system of Internet-based filing authorized by this Section.

(b) In any system of Internet-based filing of statements of economic interests instituted by the Secretary of State or a county clerk:

(1) Any filing of an Internet-based statement of economic interests shall be the equivalent of the filing of a verified, written statement of economic interests as required by Section 4A-101 and the equivalent of the filing of a verified, dated, and signed statement of economic interests as required by Section ~~4A-103~~ 4A-104.

(2) The Secretary of State and county clerks who institute a system of Internet-based filing of statements of economic interests shall establish a password-protected website to receive the filings of such statements. A website established under this Section shall set forth and provide a means of responding to the items set forth in Section ~~4A-103~~ 4A-102 that are required of a person who files a statement of economic interests with that officer. A website established under this Section shall set forth and provide a means of generating a printable receipt page acknowledging filing.

(3) The times for the filing of statements of economic interests set forth in Section 4A-105 shall be followed in any system of Internet-based filing of statements of economic interests; provided that a candidate for elective office who is required to file a statement of economic interests in relation to his or her candidacy pursuant to Section 4A-105(a) ~~shall not use the Internet to file his or her statement of economic interests but shall file his or her statement of economic interests in a written or printed form and~~ shall receive a written or printed receipt for his or her filing.

A candidate filing for Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, Comptroller, State Senate, State House of Representatives, Supreme Court Judge, appellate court judge, or circuit court judge shall not use the Internet to file his or her statement of economic interests, but shall file his or her statement of economic interests in a written or printed form and shall receive a written or printed receipt for his or her filing. Annually, the duly appointed ethics officer for each legislative caucus shall certify to the Secretary of State whether his or her caucus members will file their statements of economic interests electronically or in a written or printed format for that year. If the ethics officer for a caucus certifies that the statements of economic interests shall be written or printed, then members of the General Assembly of that caucus shall not use the Internet to file his or her statement of economic interests, but shall file his or her statement of economic interests in a written or printed form and shall receive a written or printed receipt for his or her filing. If no certification is made by an ethics officer for a legislative caucus, or if a member of the General Assembly is not affiliated with a legislative caucus, then the affected member or members of the General Assembly may file their statements of economic interests using the Internet.

(4) In the first year of the implementation of a system of Internet-based filing of statements of economic interests, each person required to file such a statement is to be notified in writing of his or her obligation to file his or her statement of economic interests by way of the Internet-based system. If access to the web site requires a code or password, this information shall be included in the notice prescribed by this paragraph.

(5) When a person required to file a statement of economic interests has supplied the Secretary of State or a county clerk, as applicable, with an email address for the purpose of receiving notices under this Article by email, a notice sent by email to the supplied email address shall be the equivalent of a notice sent by first class mail, as set forth in Section 4A-106. A person who has supplied such an email address shall notify the Secretary of State or county clerk, as applicable, when his or her email address changes or if he or she no longer wishes to receive notices by email.

(6) If any person who is required to file a statement of economic interests and who has chosen to receive notices by email fails to file his or her statement by May 10, then the Secretary of State or county clerk, as applicable, shall send an additional email notice on that date, informing the person that he or she has not filed and describing the penalties for late filing and failing to file. This notice shall be in addition to other notices provided for in this Article.

(7) The Secretary of State and each county clerk who institutes a system of Internet-based filing of statements of economic interests may also institute an Internet-based process for the filing of the list of names and addresses of persons required to file statements of economic interests by the chief administrative officers that must file such information with the Secretary of State or county clerk, as applicable, pursuant to Section 4A-106. Whenever the Secretary of State or a county clerk institutes such a system under this paragraph, every chief administrative officer must use the system to file this information.

(8) The Secretary of State and any county clerk who institutes a system of Internet-based filing of statements of economic interests shall post the contents of such statements filed with him or her available for inspection and copying on a publicly accessible website. Such postings shall not include the addresses or signatures of the filers.

(Source: P.A. 99-108, eff. 7-22-15.)

(5 ILCS 420/4A-104 rep.)

Section 10. The Illinois Governmental Ethics Act is amended by repealing Section 4A-104.

Section 15. The Lobbyist Registration Act is amended by changing Section 6 as follows:
(25 ILCS 170/6) (from Ch. 63, par. 176)

Sec. 6. Reports.

(a) Lobbyist reports. Except as otherwise provided in this Section, every lobbyist registered under this Act who is solely employed by a lobbying entity shall file an affirmation, verified under oath pursuant to Section 1-109 of the Code of Civil Procedure, with the Secretary of State attesting to the accuracy of any reports filed pursuant to subsection (b) as those reports pertain to work performed by the lobbyist. Any lobbyist registered under this Act who is not solely employed by a lobbying entity shall personally file reports required of lobbying entities pursuant to subsection (b). A lobbyist may, if authorized so to do by a lobbying entity by whom he or she is employed or retained, file lobbying entity reports pursuant to subsection (b) provided that the lobbying entity may delegate the filing of the lobbying entity report to only one lobbyist in any reporting period.

(b) Lobbying entity reports. Every lobbying entity registered under this Act shall report expenditures related to lobbying. The report shall itemize each individual expenditure or transaction and shall include

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the name of the official on whose behalf the expenditure was made, the name of the client if the expenditure was made on behalf of a client, the total amount of the expenditure, a description of the expenditure, the vendor or purveyor to whom the expenditure was made (including the address or location of the expenditure), the date on which the expenditure occurred and the subject matter of the lobbying activity, if any. For those expenditures made on behalf of a client, if the client is a client registrant, the report shall also include the name and address of the client or clients of the client registrant or the official or officials on whose behalf the expenditure ultimately was made. Each expenditure required to be reported shall include all expenses made for or on behalf of an official or his or her immediate family member living with the official.

(b-1) The report shall include any change or addition to the client list information, required in Section 5 for registration, since the last report, including the names and addresses of all clients who retained the lobbying entity together with an itemized description for each client of the following: (1) lobbying regarding executive action, including the name of any executive agency lobbied and the subject matter; (2) lobbying regarding legislative action, including the General Assembly and any other agencies lobbied and the subject matter; and (3) lobbying regarding administrative action, including the agency lobbied and the subject matter. Registrants who made no reportable expenditures during a reporting period shall file a report stating that no expenditures were incurred.

(b-2) Expenditures attributable to lobbying officials shall be listed and reported according to the following categories:

(1) Travel and lodging on behalf of others, including, but not limited to, all travel and living accommodations made for or on behalf of State officials during sessions of the General Assembly.

(2) Meals, beverages and other entertainment.

(3) Gifts (indicating which, if any, are on the basis of personal friendship).

(4) Honoraria.

(5) Any other thing or service of value not listed under categories (1) through (4), setting forth a description of the expenditure. The category travel and lodging includes, but is not limited to, all travel and living accommodations made for or on behalf of State officials in the State capital during sessions of the General Assembly.

(b-3) If expenditures are Expenditures incurred for hosting receptions, benefits, and other large gatherings held for purposes of goodwill or otherwise to influence executive, legislative, or administrative action and if the total number of State officials invited to such an event is equal to or greater than the number of State legislators in the smaller minority caucus of either the House of Representatives or the Senate, as defined in the rules of those chambers, then to which there are 25 or more State officials invited shall be reported listing only the total amount of the expenditure, the date of the event, and the estimated number of officials in attendance shall be reported.

(b-7) Matters excluded from reports. The following items need not be included in the report:

(1) Reasonable and bona fide expenditures made by the registrant who is a member of a legislative or State study commission or committee while attending and participating in meetings and hearings of such commission or committee.

(2) Reasonable and bona fide expenditures made by the registrant for personal sustenance, lodging, travel, office expenses and clerical or support staff.

(3) Salaries, fees, and other compensation paid to the registrant for the purposes of lobbying.

(4) Any contributions required to be reported under Article 9 of the Election Code.

(5) Expenditures made by a registrant on behalf of an official that are returned or reimbursed prior to the deadline for submission of the report.

(c) A registrant who terminates employment or duties which required him or her to register under this Act shall give the Secretary of State, within 30 days after the date of such termination, written notice of such termination and shall include therewith a report of the expenditures described herein, covering the period of time since the filing of his or her last report to the date of termination of employment. Such notice and report shall be final and relieve such registrant of further reporting under this Act, unless and until he or she later takes employment or assumes duties requiring him or her to again register under this Act.

(d) Failure to file any such report within the time designated or the reporting of incomplete information shall constitute a violation of this Act.

A registrant shall preserve for a period of 2 years all receipts and records used in preparing reports under this Act.

(e) Within 30 days after a filing deadline or as provided by rule, the lobbyist shall notify each official on whose behalf an expenditure has been reported. Notification shall include the name of the registrant, the total amount of the expenditure, a description of the expenditure, the date on which the expenditure occurred, and the subject matter of the lobbying activity.

(f) A report for the period beginning January 1, 2010 and ending on June 30, 2010 shall be filed no later than July 15, 2010, and a report for the period beginning July 1, 2010 and ending on December 31, 2010 shall be filed no later than January 15, 2011. Beginning January 1, 2011, reports shall be filed semi-monthly as follows: (i) for the period beginning the first day of the month through the 15th day of the month, the report shall be filed no later than the 20th day of the month and (ii) for the period beginning on the 16th day of the month through the last day of the month, the report shall be filed no later than the 5th day of the following month. A report filed under this Act is due in the Office of the Secretary of State no later than the close of business on the date on which it is required to be filed.

(g) All reports filed under this Act shall be filed in a format or on forms prescribed by the Secretary of State.

(Source: P.A. 98-459, eff. 1-1-14.)

Section 98. Applicability. The provisions of this amendatory Act of the 100th General Assembly concerning statements of economic interests shall apply to statements of economic interests filed in 2019 and for each year thereafter. Any statement of economic interest filed prior to 2019 shall apply the law in effect before the effective date of this amendatory Act of the 100th General Assembly.

Section 99. Effective date. This Act takes effect January 1, 2018, except that Section 15 and this Section take 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 Morrison, **Senate Bill No. 1289** 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	Rooney
Anderson	Fowler	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Hastings	McConnaughay	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Stears
Bivins	Hutchinson	Muñoz	Syverson
Brady	Koehler	Murphy	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	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.

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READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Sandoval, **Senate Bill No. 789** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 1320** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 1429** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 1681** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 1695** having been printed, was taken up, read by title a second time and ordered to a third reading.

SENATE BILL RECALLED

On motion of Senator Biss, **Senate Bill No. 1761** was recalled from the order of third reading to the order of second reading.

Senator Biss offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1761

AMENDMENT NO. 2. Amend Senate Bill 1761 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 2012 is amended by changing Sections 9-1 and 9-2 as follows:

(720 ILCS 5/9-1) (from Ch. 38, par. 9-1)

Sec. 9-1. First degree Murder - Death penalties - Exceptions - Separate Hearings - Proof - Findings - Appellate procedures - Reversals.

(a) A person who kills an individual without lawful justification commits first degree murder if, in performing the acts which cause the death:

(1) he either intends to kill or do great bodily harm to that individual or another, or knows that such acts will cause death to that individual or another; or

(2) he knows that such acts create a strong probability of death or great bodily harm to that individual or another; or

(3) he is attempting or committing a forcible felony other than second degree murder.

(b) Aggravating Factors. A defendant who at the time of the commission of the offense has attained the age of 18 or more and who has been found guilty of first degree murder may be sentenced to death if:

(1) the murdered individual was a peace officer or fireman killed in the course of performing his official duties, to prevent the performance of his official duties, or in retaliation for performing his official duties, and the defendant knew or should have known that the murdered individual was a peace officer or fireman; or

(2) the murdered individual was an employee of an institution or facility of the Department of Corrections, or any similar local correctional agency, killed in the course of performing his official duties, to prevent the performance of his official duties, or in retaliation for performing his official duties, or the murdered individual was an inmate at such institution or facility and was killed on the grounds thereof, or the murdered individual was otherwise present in such institution or facility with the knowledge and approval of the chief administrative officer thereof; or

(3) the defendant has been convicted of murdering two or more individuals under subsection (a) of this Section or under any law of the United States or of any state which is substantially similar to subsection (a) of this Section regardless of whether the deaths occurred as the result of the same act or of several related or unrelated acts so long as the deaths were the result of either an intent to kill more than one person or of separate acts which the defendant knew would cause death or create a strong probability of death or great bodily harm to the murdered individual or another; or

(4) the murdered individual was killed as a result of the hijacking of an airplane, train, ship, bus or other public conveyance; or

(5) the defendant committed the murder pursuant to a contract, agreement or understanding by which he was to receive money or anything of value in return for committing the murder or procured another to commit the murder for money or anything of value; or

(6) the murdered individual was killed in the course of another felony if:

(a) the murdered individual:

(i) was actually killed by the defendant, or

(ii) received physical injuries personally inflicted by the defendant substantially contemporaneously with physical injuries caused by one or more persons for whose conduct the defendant is legally accountable under Section 5-2 of this Code, and the physical injuries inflicted by either the defendant or the other person or persons for whose conduct he is legally accountable caused the death of the murdered individual; and

(b) in performing the acts which caused the death of the murdered individual or which resulted in physical injuries personally inflicted by the defendant on the murdered individual under the circumstances of subdivision (ii) of subparagraph (a) of paragraph (6) of subsection (b) of this Section, the defendant acted with the intent to kill the murdered individual or with the knowledge that his acts created a strong probability of death or great bodily harm to the murdered individual or another; and

(c) the other felony was an inherently violent crime or the attempt to commit an inherently violent crime. In this subparagraph (c), "inherently violent crime" includes, but is not limited to, armed robbery, robbery, predatory criminal sexual assault of a child, aggravated criminal sexual assault, aggravated kidnapping, aggravated vehicular hijacking, aggravated arson, aggravated stalking, residential burglary, and home invasion; or

(7) the murdered individual was under 12 years of age and the death resulted from exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(8) the defendant committed the murder with intent to prevent the murdered individual from testifying or participating in any criminal investigation or prosecution or giving material assistance to the State in any investigation or prosecution, either against the defendant or another; or the defendant committed the murder because the murdered individual was a witness in any prosecution or gave material assistance to the State in any investigation or prosecution, either against the defendant or another; for purposes of this paragraph (8), "participating in any criminal investigation or prosecution" is intended to include those appearing in the proceedings in any capacity such as trial judges, prosecutors, defense attorneys, investigators, witnesses, or jurors; or

(9) the defendant, while committing an offense punishable under Sections 401, 401.1, 401.2, 405, 405.2, 407 or 407.1 or subsection (b) of Section 404 of the Illinois Controlled Substances Act, or while engaged in a conspiracy or solicitation to commit such offense, intentionally killed an individual or counseled, commanded, induced, procured or caused the intentional killing of the murdered individual; or

(10) the defendant was incarcerated in an institution or facility of the Department of Corrections at the time of the murder, and while committing an offense punishable as a felony under Illinois law, or while engaged in a conspiracy or solicitation to commit such offense, intentionally killed an individual or counseled, commanded, induced, procured or caused the intentional killing of the murdered individual; or

(11) the murder was committed in a cold, calculated and premeditated manner pursuant to a preconceived plan, scheme or design to take a human life by unlawful means, and the conduct of the defendant created a reasonable expectation that the death of a human being would result therefrom; or

(12) the murdered individual was an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistance or first aid personnel, employed by a municipality or other governmental unit, killed in the course of performing his official duties, to prevent the performance of his official duties, or in retaliation for performing his official duties, and the defendant knew or should have known that the murdered individual was an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistance or first aid personnel; or

(13) the defendant was a principal administrator, organizer, or leader of a calculated criminal drug conspiracy consisting of a hierarchical position of authority superior to that of all other members of the conspiracy, and the defendant counseled, commanded, induced, procured, or caused the intentional killing of the murdered person; or

(14) the murder was intentional and involved the infliction of torture. For the purpose of this Section torture means the infliction of or subjection to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering or agony of the victim; or

(15) the murder was committed as a result of the intentional discharge of a firearm by the defendant from a motor vehicle and the victim was not present within the motor vehicle; or

(16) the murdered individual was 60 years of age or older and the death resulted from exceptionally brutal or heinous behavior indicative of wanton cruelty; or

(17) the murdered individual was a person with a disability and the defendant knew or should have known that the murdered individual was a person with a disability. For purposes of this paragraph (17), "person with a disability" means a person who suffers from a permanent physical or mental impairment resulting from disease, an injury, a functional disorder, or a congenital condition that renders the person incapable of adequately providing for his or her own health or personal care; or

(18) the murder was committed by reason of any person's activity as a community policing volunteer or to prevent any person from engaging in activity as a community policing volunteer; or

(19) the murdered individual was subject to an order of protection and the murder was committed by a person against whom the same order of protection was issued under the Illinois Domestic Violence Act of 1986; or

(20) the murdered individual was known by the defendant to be a teacher or other person employed in any school and the teacher or other employee is upon the grounds of a school or grounds adjacent to a school, or is in any part of a building used for school purposes; or

(21) the murder was committed by the defendant in connection with or as a result of the offense of terrorism as defined in Section 29D-14.9 of this Code.

(b-5) Aggravating Factor; Natural Life Imprisonment. A defendant who has been found guilty of first degree murder and who at the time of the commission of the offense had attained the age of 18 years or more may be sentenced to natural life imprisonment if (i) the murdered individual was a physician, physician assistant, psychologist, nurse, or advanced practice nurse, (ii) the defendant knew or should have known that the murdered individual was a physician, physician assistant, psychologist, nurse, or advanced practice nurse, and (iii) the murdered individual was killed in the course of acting in his or her capacity as a physician, physician assistant, psychologist, nurse, or advanced practice nurse, or to prevent him or her from acting in that capacity, or in retaliation for his or her acting in that capacity.

(c) Consideration of factors in Aggravation and Mitigation.

The court shall consider, or shall instruct the jury to consider any aggravating and any mitigating factors which are relevant to the imposition of the death penalty. Aggravating factors may include but need not be limited to those factors set forth in subsection (b). Mitigating factors may include but need not be limited to the following:

(1) the defendant has no significant history of prior criminal activity;

(2) the murder was committed while the defendant was under the influence of extreme mental or emotional disturbance, although not such as to constitute a defense to prosecution;

(3) the murdered individual was a participant in the defendant's homicidal conduct or consented to the homicidal act;

(4) the defendant acted under the compulsion of threat or menace of the imminent infliction of death or great bodily harm;

(5) the defendant was not personally present during commission of the act or acts causing death;

(6) the defendant's background includes a history of extreme emotional or physical abuse;

(7) the defendant suffers from a reduced mental capacity.

Provided, however, that an action that does not otherwise mitigate first degree murder cannot qualify as a mitigating factor for first degree murder because of the discovery, knowledge, or disclosure of the victim's sexual orientation as defined in Section 1-103 of the Illinois Human Rights Act.

(d) Separate sentencing hearing.

Where requested by the State, the court shall conduct a separate sentencing proceeding to determine the existence of factors set forth in subsection (b) and to consider any aggravating or mitigating factors as indicated in subsection (c). The proceeding shall be conducted:

(1) before the jury that determined the defendant's guilt; or

(2) before a jury impanelled for the purpose of the proceeding if:

A. the defendant was convicted upon a plea of guilty; or

B. the defendant was convicted after a trial before the court sitting without a jury; or

C. the court for good cause shown discharges the jury that determined the defendant's guilt; or

(3) before the court alone if the defendant waives a jury for the separate proceeding.

(e) Evidence and Argument.

During the proceeding any information relevant to any of the factors set forth in subsection (b) may be presented by either the State or the defendant under the rules governing the admission of evidence at criminal trials. Any information relevant to any additional aggravating factors or any mitigating factors indicated in subsection (c) may be presented by the State or defendant regardless of its admissibility under the rules governing the admission of evidence at criminal trials. The State and the defendant shall be given fair opportunity to rebut any information received at the hearing.

(f) Proof.

The burden of proof of establishing the existence of any of the factors set forth in subsection (b) is on the State and shall not be satisfied unless established beyond a reasonable doubt.

(g) Procedure - Jury.

If at the separate sentencing proceeding the jury finds that none of the factors set forth in subsection (b) exists, the court shall sentence the defendant to a term of imprisonment under Chapter V of the Unified Code of Corrections. If there is a unanimous finding by the jury that one or more of the factors set forth in subsection (b) exist, the jury shall consider aggravating and mitigating factors as instructed by the court and shall determine whether the sentence of death shall be imposed. If the jury determines unanimously, after weighing the factors in aggravation and mitigation, that death is the appropriate sentence, the court shall sentence the defendant to death. If the court does not concur with the jury determination that death is the appropriate sentence, the court shall set forth reasons in writing including what facts or circumstances the court relied upon, along with any relevant documents, that compelled the court to non-concur with the sentence. This document and any attachments shall be part of the record for appellate review. The court shall be bound by the jury's sentencing determination.

If after weighing the factors in aggravation and mitigation, one or more jurors determines that death is not the appropriate sentence, the court shall sentence the defendant to a term of imprisonment under Chapter V of the Unified Code of Corrections.

(h) Procedure - No Jury.

In a proceeding before the court alone, if the court finds that none of the factors found in subsection (b) exists, the court shall sentence the defendant to a term of imprisonment under Chapter V of the Unified Code of Corrections.

If the Court determines that one or more of the factors set forth in subsection (b) exists, the Court shall consider any aggravating and mitigating factors as indicated in subsection (c). If the Court determines, after weighing the factors in aggravation and mitigation, that death is the appropriate sentence, the Court shall sentence the defendant to death.

If the court finds that death is not the appropriate sentence, the court shall sentence the defendant to a term of imprisonment under Chapter V of the Unified Code of Corrections.

(h-5) Decertification as a capital case.

In a case in which the defendant has been found guilty of first degree murder by a judge or jury, or a case on remand for resentencing, and the State seeks the death penalty as an appropriate sentence, on the court's own motion or the written motion of the defendant, the court may decertify the case as a death penalty case if the court finds that the only evidence supporting the defendant's conviction is the uncorroborated testimony of an informant witness, as defined in Section 115-21 of the Code of Criminal Procedure of 1963, concerning the confession or admission of the defendant or that the sole evidence against the defendant is a single eyewitness or single accomplice without any other corroborating evidence. If the court decertifies the case as a capital case under either of the grounds set forth above, the court shall issue a written finding. The State may pursue its right to appeal the decertification pursuant to Supreme Court Rule 604(a)(1). If the court does not decertify the case as a capital case, the matter shall proceed to the eligibility phase of the sentencing hearing.

(i) Appellate Procedure.

The conviction and sentence of death shall be subject to automatic review by the Supreme Court. Such review shall be in accordance with rules promulgated by the Supreme Court. The Illinois Supreme Court may overturn the death sentence, and order the imposition of imprisonment under Chapter V of the Unified Code of Corrections if the court finds that the death sentence is fundamentally unjust as applied to the particular case. If the Illinois Supreme Court finds that the death sentence is fundamentally unjust as applied to the particular case, independent of any procedural grounds for relief, the Illinois Supreme Court shall issue a written opinion explaining this finding.

(j) Disposition of reversed death sentence.

In the event that the death penalty in this Act is held to be unconstitutional by the Supreme Court of the United States or of the State of Illinois, any person convicted of first degree murder shall be sentenced by the court to a term of imprisonment under Chapter V of the Unified Code of Corrections.

In the event that any death sentence pursuant to the sentencing provisions of this Section is declared unconstitutional by the Supreme Court of the United States or of the State of Illinois, the court having jurisdiction over a person previously sentenced to death shall cause the defendant to be brought before the court, and the court shall sentence the defendant to a term of imprisonment under Chapter V of the Unified Code of Corrections.

(k) Guidelines for seeking the death penalty.

The Attorney General and State's Attorneys Association shall consult on voluntary guidelines for procedures governing whether or not to seek the death penalty. The guidelines do not have the force of law and are only advisory in nature.

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

(720 ILCS 5/9-2) (from Ch. 38, par. 9-2)

Sec. 9-2. Second degree murder.

(A) A person commits the offense of second degree murder when he or she commits the offense of first degree murder as defined in paragraph (1) or (2) of subsection (a) of Section 9-1 of this Code and either of the following mitigating factors are present:

(1) at the time of the killing he or she is acting under a sudden and intense passion resulting from serious provocation by the individual killed or another whom the offender endeavors to kill, but he or she negligently or accidentally causes the death of the individual killed; or

(2) at the time of the killing he or she believes the circumstances to be such that, if they existed, would justify or exonerate the killing under the principles stated in Article 7 of this Code, but his or her belief is unreasonable.

(b) Serious provocation is conduct sufficient to excite an intense passion in a reasonable person provided, however, that an action that does not otherwise constitute serious provocation cannot qualify as serious provocation because of the discovery, knowledge, or disclosure of the victim's sexual orientation as defined in Section 1-103 of the Illinois Human Rights Act.

(c) When evidence of either of the mitigating factors defined in subsection (a) of this Section has been presented, the burden of proof is on the defendant to prove either mitigating factor by a preponderance of the evidence before the defendant can be found guilty of second degree murder. The burden of proof, however, remains on the State to prove beyond a reasonable doubt each of the elements of first degree murder and, when appropriately raised, the absence of circumstances at the time of the killing that would justify or exonerate the killing under the principles stated in Article 7 of this Code.

(d) Sentence. Second degree murder is a Class 1 felony.

(Source: P.A. 96-710, eff. 1-1-10)."

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

On motion of Senator Biss, **Senate Bill No. 1761** 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 None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Sandoval
Anderson	Fowler	McConaughay	Schimpf
Bennett	Harmon	Morrison	Stadelman
Bertino-Tarrant	Hastings	Mulroe	Steans
Biss	Holmes	Muñoz	Tracy

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Brady	Hunter	Murphy	Trotter
Bush	Koehler	Oberweis	Weaver
Castro	Landek	Radogno	Mr. President
Clayborne	Lightford	Rezin	
Connelly	Link	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.

Senator Barickman asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1761**.

SENATE BILL RECALLED

On motion of Senator Stadelman, **Senate Bill No. 1783** was recalled from the order of third reading to the order of second reading.

Senator Stadelman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1783

AMENDMENT NO. 1. Amend Senate Bill 1783 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 221 as follows:
(35 ILCS 5/221)

Sec. 221. Rehabilitation costs; qualified historic properties; River Edge Redevelopment Zone.

(a) For taxable years beginning on or after January 1, 2012 and ending prior to ~~January 1, 2022~~ ~~January 1, 2018~~, there shall be allowed a tax credit against the tax imposed by subsections (a) and (b) of Section 201 in an amount equal to 25% of qualified expenditures incurred by a qualified taxpayer during the taxable year in the restoration and preservation of a qualified historic structure located in a River Edge Redevelopment Zone pursuant to a qualified rehabilitation plan, provided that the total amount of such expenditures (i) must equal \$5,000 or more and (ii) must exceed 50% of the purchase price of the property.

(b) To obtain a tax credit pursuant to this Section, the taxpayer must apply with the Department of Commerce and Economic Opportunity. The Department of Commerce and Economic Opportunity, in consultation with the Historic Preservation Agency, shall determine the amount of eligible rehabilitation costs and expenses. The Historic Preservation Agency shall determine whether the rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation. Upon completion and review of the project, the Department of Commerce and Economic Opportunity shall issue a certificate in the amount of the eligible credits. At the time the certificate is issued, an issuance fee up to the maximum amount of 2% of the amount of the credits issued by the certificate may be collected from the applicant to administer the provisions of this Section. If collected, this issuance fee shall be deposited into the Historic Property Administrative Fund, a special fund created in the State treasury. Subject to appropriation, moneys in the Historic Property Administrative Fund shall be evenly divided between the Department of Commerce and Economic Opportunity and the Historic Preservation Agency to reimburse the Department of Commerce and Economic Opportunity and the Historic Preservation Agency for the costs associated with administering this Section. The taxpayer must attach the certificate to the tax return on which the credits are to be claimed. The Department of Commerce and Economic Opportunity may adopt rules to implement this Section.

(c) The tax credit under this Section may not reduce the taxpayer's liability to less than zero.

(d) As used in this Section, the following terms have the following meanings.

"Qualified expenditure" means all the costs and expenses defined as qualified rehabilitation expenditures under Section 47 of the federal Internal Revenue Code that were incurred in connection with a qualified historic structure.

"Qualified historic structure" means a certified historic structure as defined under Section 47 (c)(3) of the federal Internal Revenue Code.

"Qualified rehabilitation plan" means a project that is approved by the Historic Preservation Agency as being consistent with the standards in effect on the effective date of this amendatory Act of the 97th General Assembly for rehabilitation as adopted by the federal Secretary of the Interior.

"Qualified taxpayer" means the owner of the qualified historic structure or any other person who qualifies for the federal rehabilitation credit allowed by Section 47 of the federal Internal Revenue Code with respect to that qualified historic structure. Partners, shareholders of subchapter S corporations, and owners of limited liability companies (if the limited liability company is treated as a partnership for purposes of federal and State income taxation) are entitled to a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 703 and subchapter S of the Internal Revenue Code, provided that credits granted to a partnership, a limited liability company taxed as a partnership, or other multiple owners of property shall be passed through to the partners, members, or owners respectively on a pro rata basis or pursuant to an executed agreement among the partners, members, or owners documenting any alternate distribution method. (Source: P.A. 99-914, eff. 12-20-16.)

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 Stadelman, **Senate Bill No. 1783** 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	Cunningham	McCann	Rose
Anderson	Fowler	McConchie	Sandoval
Barickman	Harmon	McConnaughay	Schimpf
Bennett	Hastings	Morrison	Stadelman
Bertino-Tarrant	Holmes	Mulroe	Steans
Biss	Hunter	Muñoz	Syverson
Bivins	Hutchinson	Murphy	Tracy
Brady	Koehler	Oberweis	Trotter
Bush	Landek	Radogno	Van Pelt
Castro	Lightford	Raoul	Weaver
Clayborne	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 Hastings, **Senate Bill No. 1796** 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.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Hastings	McConnaughay	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Koehler	Murphy	Tracy
Bush	Landek	Oberweis	Trotter
Castro	Lightford	Radogno	Van Pelt
Clayborne	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.

SENATE BILL RECALLED

On motion of Senator Hastings, **Senate Bill No. 1798** was recalled from the order of third reading to the order of second reading.

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1798

AMENDMENT NO. 1. Amend Senate Bill 1798 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by adding Sections 1-15.120 and 50-17 as follows:

(30 ILCS 500/1-15.120 new)

Sec. 1-15.120. Expatriated entity. "Expatriated entity" means a foreign incorporated entity which is treated as an inverted domestic corporation under subsection (b) of Section 835 of the Homeland Security Act of 2002, 6 U.S.C. 395(b), or any subsidiary of such an entity. The federal regulations found at 26 CFR 1.7874-3 may be used to determine when 6 U.S.C. 395(b)(3) applies.

(30 ILCS 500/50-17 new)

Sec. 50-17. Expatriated entities.

(a) Except as provided in subsection (b) of this Section, no business or member of a unitary business group, as defined in the Illinois Income Tax Act, shall submit a bid for or enter into a contract with a State agency under this Code if that business or any member of the unitary business group is an expatriated entity.

(b) An expatriated entity or a member of a unitary business group with an expatriated entity as a member may submit a bid for or enter into a contract with a State agency under this Code if the appropriate chief procurement officer determines that either of the following apply:

(1) the contract is awarded as a sole source procurement under Section 20-25 of this Code, provided that the appropriate chief procurement officer (i) includes in the notice of intent to enter into a sole source contract a prominent statement that the intended sole source contractor is an expatriated entity and (ii) holds a public hearing at which the chief procurement officer and purchasing agency present written justification for the use of a sole source contract with an expatriated entity and any member of the public may present testimony; or

(2) the purchase is of pharmaceutical products, drugs, biologics, vaccines, medical supplies, or devices used to provide medical and health care or treat disease or used in medical or research diagnostic

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tests, and medical nutritionals regulated by the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act.

Section 10. The Illinois Pension Code is amended by changing Section 1-110.16 as follows:

(40 ILCS 5/1-110.16)

Sec. 1-110.16. Transactions prohibited by retirement systems; companies that boycott Israel, Iran-restricted companies, ~~and~~ Sudan-restricted companies, and expatriated entities.

(a) As used in this Section:

"Boycott Israel" means engaging in actions that are politically motivated and are intended to penalize, inflict economic harm on, or otherwise limit commercial relations with the State of Israel or companies based in the State of Israel or in territories controlled by the State of Israel.

"Company" means any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those entities or business associations, that exist for the purpose of making profit.

"Illinois Investment Policy Board" means the board established under subsection (b) of this Section.

"Direct holdings" in a company means all publicly traded securities of that company that are held directly by the retirement system in an actively managed account or fund in which the retirement system owns all shares or interests.

"Expatriated entity" has the meaning ascribed to it in Section 1-15.120 of the Illinois Procurement Code.

"Indirect holdings" in a company means all securities of that company that are held in an account or fund, such as a mutual fund, managed by one or more persons not employed by the retirement system, in which the retirement system owns shares or interests together with other investors not subject to the provisions of this Section or that are held in an index fund.

"Iran-restricted company" means a company that meets the qualifications under Section 1-110.15 of this Code.

"Private market fund" means any private equity fund, private equity funds of funds, venture capital fund, hedge fund, hedge fund of funds, real estate fund, or other investment vehicle that is not publicly traded.

"Restricted companies" means companies that boycott Israel, Iran-restricted companies, ~~and~~ Sudan-restricted companies, and expatriated entities.

"Retirement system" means a retirement system established under Article 2, 14, 15, 16, or 18 of this Code or the Illinois State Board of Investment.

"Sudan-restricted company" means a company that meets the qualifications under Section 1-110.6 of this Code.

(b) There shall be established an Illinois Investment Policy Board. The Illinois Investment Policy Board shall consist of 7 members. Each board of a pension fund or investment board created under Article 15, 16, or 22A of this Code shall appoint one member, and the Governor shall appoint 4 members.

(c) Notwithstanding any provision of law to the contrary, beginning January 1, 2016, Sections 110.15 and 1-110.6 of this Code shall be administered in accordance with this Section.

(d) By April 1, 2016, the Illinois Investment Policy Board shall make its best efforts to identify all Iran-restricted companies, Sudan-restricted companies, and companies that boycott Israel and assemble those identified companies into a list of restricted companies, to be distributed to each retirement system.

These efforts shall include the following, as appropriate in the Illinois Investment Policy Board's judgment:

(1) reviewing and relying on publicly available information regarding Iran-restricted companies, Sudan-restricted companies, and companies that boycott Israel, including information provided by nonprofit organizations, research firms, and government entities;

(2) contacting asset managers contracted by the retirement systems that invest in Iran-restricted companies, Sudan-restricted companies, and companies that boycott Israel;

(3) contacting other institutional investors that have divested from or engaged with Iran-restricted companies, Sudan-restricted companies, and companies that boycott Israel; and

(4) retaining an independent research firm to identify Iran-restricted companies, Sudan-restricted companies, and companies that boycott Israel.

The Illinois Investment Policy Board shall review the list of restricted companies on a quarterly basis based on evolving information from, among other sources, those listed in this subsection (d) and distribute any updates to the list of restricted companies to the retirement systems and the State Treasurer.

By April 1, 2018, the Illinois Investment Policy Board shall make its best efforts to identify all expatriated entities and include those companies in the list of restricted companies distributed to each retirement system and the State Treasurer. These efforts shall include the following, as appropriate in the Illinois Investment Policy Board's judgment:

(1) reviewing and relying on publicly available information regarding expatriated entities, including information provided by nonprofit organizations, research firms, and government entities;

(2) contacting asset managers contracted by the retirement systems that invest in expatriated entities;

(3) contacting other institutional investors that have divested from or engaged with expatriated entities; and

(4) retaining an independent research firm to identify expatriated entities.

(e) The Illinois Investment Policy Board shall adhere to the following procedures for companies on the list of restricted companies:

(1) For each company newly identified in subsection (d), the Illinois Investment Policy

Board shall send a written notice informing the company of its status and that it may become subject to divestment or shareholder activism by the retirement systems.

(2) If, following the Illinois Investment Policy Board's engagement pursuant to this subsection (e) with a restricted company, that company ceases activity that designates the company to be an Iran-restricted company, a Sudan-restricted company, ~~or~~ a company that boycotts Israel, or an expatriated entity, the company shall be removed from the list of restricted companies and the provisions of this Section shall cease to apply to it unless it resumes such activities.

(f) Except as provided in subsection (f-1) of this Section the The retirement system shall adhere to the following procedures for companies on the list of restricted companies:

(1) The retirement system shall identify those companies on the list of restricted companies in which the retirement system owns direct holdings and indirect holdings.

(2) The retirement system shall instruct its investment advisors to sell, redeem, divest, or withdraw all direct holdings of restricted companies from the retirement system's assets under management in an orderly and fiduciarily responsible manner within 12 months after the company's most recent appearance on the list of restricted companies.

(3) The retirement system may not acquire securities of restricted companies.

(4) The provisions of this subsection (f) do not apply to the retirement system's indirect holdings or private market funds. The Illinois Investment Policy Board shall submit letters to the managers of those investment funds containing restricted companies requesting that they consider removing the companies from the fund or create a similar actively managed fund having indirect holdings devoid of the companies. If the manager creates a similar fund, the retirement system shall replace all applicable investments with investments in the similar fund in an expedited timeframe consistent with prudent investing standards.

(f-1) The retirement system shall adhere to the following procedures for restricted companies that are expatriated entities:

(1) To the extent that the retirement system believes that shareholder activism would be more impactful than divestment, the retirement system shall have the authority to engage with a restricted company prior to divesting.

(2) Subject to any applicable State or federal laws, methods of shareholder activism utilized by the retirement system may include, but are not limited to, bringing shareholder resolutions and proxy voting on shareholder resolutions.

(3) The retirement system shall report on its shareholder activism and the outcome of such efforts to the Illinois Investment Policy Board by April 1 of each year.

(4) If the engagement efforts of the retirement system are unsuccessful, then it shall adhere to the procedures under subsection (f) of this Section.

(g) Upon request, and by April 1 of each year at least annually, each retirement system shall provide the Illinois Investment Policy Board with information regarding investments sold, redeemed, divested, or withdrawn in compliance with this Section.

(h) Notwithstanding any provision of this Section to the contrary, a retirement system may cease divesting from companies pursuant to subsection (f) if clear and convincing evidence shows that the value of investments in such companies becomes equal to or less than 0.5% of the market value of all assets under management by the retirement system. For any cessation of divestment authorized by this subsection (h), the retirement system shall provide a written notice to the Illinois Investment Policy Board in advance

of the cessation of divestment, setting forth the reasons and justification, supported by clear and convincing evidence, for its decision to cease divestment under subsection (f).

(i) The cost associated with the activities of the Illinois Investment Policy Board shall be borne by the boards of each pension fund or investment board created under Article 15, 16, or 22A of this Code.

(j) With respect to actions taken in compliance with this Section, including all good-faith determinations regarding companies as required by this Section, the retirement system and Illinois Investment Policy Board are exempt from any conflicting statutory or common law obligations, including any fiduciary duties under this Article and any obligations with respect to choice of asset managers, investment funds, or investments for the retirement system's securities portfolios.

(k) It is not the intent of the General Assembly in enacting this amendatory Act of the 99th General Assembly to cause divestiture from any company based in the United States of America. The Illinois Investment Policy Board shall consider this intent when developing or reviewing the list of restricted companies.

(l) If any provision of this amendatory Act of the 99th General Assembly or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this amendatory Act of the 99th General Assembly that can be given effect without the invalid provision or application.

(m) If any provision of this amendatory Act of the 100th General Assembly or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this amendatory Act of the 100th General Assembly that can be given effect without the invalid provision or application.

(Source: P.A. 99-128, eff. 7-23-15.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1798

AMENDMENT NO. 2. Amend Senate Bill 1798, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 9, by replacing lines 16 and 17 as follows:

"(4) If the retirement system determines that its engagement efforts are unsuccessful, then it shall adhere to the procedures".

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 OF BILLS OF THE SENATE A THIRD TIME

On motion of Senator Hastings, **Senate Bill No. 1798**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Pending roll call, on motion of Senator Hastings, further consideration of **Senate Bill No. 1798** was postponed.

On motion of Senator Clayborne, **Senate Bill No. 419** 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 None.

The following voted in the affirmative:

Althoff	Fowler	McCann	Rose
Anderson	Harmon	McCarter	Sandoval
Bennett	Hastings	McConnaughay	Schimpf

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Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Brady	Hutchinson	Murphy	Syverson
Bush	Koehler	Oberweis	Tracy
Castro	Landek	Radogno	Van Pelt
Clayborne	Lightford	Raoul	Weaver
Connelly	Link	Rezin	Mr. President
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 Hastings, **Senate Bill No. 1830** 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	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Barickman	Harmon	McConchie	Schimpf
Bennett	Hastings	McConnaughay	Stadelman
Bertino-Tarrant	Holmes	Morrison	Steans
Biss	Hunter	Mulroe	Syverson
Bivins	Hutchinson	Murphy	Tracy
Brady	Koehler	Oberweis	Van Pelt
Bush	Landek	Radogno	Weaver
Castro	Lightford	Raoul	Mr. President
Clayborne	Link	Rezin	
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.

SENATE BILL RECALLED

On motion of Senator Raoul, **Senate Bill No. 1843** 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. 2 TO SENATE BILL 1843

AMENDMENT NO. 2. Amend Senate Bill 1843, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 3-9008 as follows:

(55 ILCS 5/3-9008) (from Ch. 34, par. 3-9008)

Sec. 3-9008. Appointment of attorney to perform duties.

(a) (Blank).

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(a-5) The court on its own motion, or an interested person in a cause or proceeding, civil or criminal, may file a petition alleging that the State's Attorney is sick, absent, or unable to fulfill his or her duties. The court shall consider the petition, any documents filed in response, and if necessary, grant a hearing to determine whether the State's Attorney is sick, absent, or otherwise unable to fulfill his or her duties. If the court finds that the State's Attorney is sick, absent, or otherwise unable to fulfill his or her duties, the court may appoint some competent attorney to prosecute or defend the cause or proceeding.

(a-10) The court on its own motion, or an interested person in a cause or proceeding, civil or criminal, may file a petition alleging that the State's Attorney has an actual conflict of interest in the cause or proceeding. The court shall consider the petition, any documents filed in response, and if necessary, grant a hearing to determine whether the State's Attorney has an actual conflict of interest in the cause or proceeding. If the court finds that the petitioner has proven by sufficient facts and evidence that the State's Attorney has an actual conflict of interest in a specific case, the court may appoint some competent attorney to prosecute or defend the cause or proceeding.

(a-15) Notwithstanding subsections (a-5) and (a-10) of this Section, the State's Attorney may file a petition to recuse himself or herself from a cause or proceeding for any other reason he or she deems appropriate and the court shall appoint a special prosecutor as provided in this Section.

(a-17) In a county exceeding a population of 3,000,000, if the court determines that the appointment of a special prosecutor is required under subsection (a-10) or (a-15), the court shall request the Office of the State's Attorneys Appellate Prosecutor to serve as the special prosecutor where the cause or proceeding is an officer-involved death, as that term is defined in Section 1-5 of the Police and Community Relations Improvement Act. If the Office of the State's Attorneys Appellate Prosecutor accepts the request, the State's Attorneys Appellate Prosecutor shall be appointed by the court and shall have the same power and authority in relation to the cause or proceeding as the State's Attorney would have had if present and attending to the cause or proceedings.

(a-20) Except as provided in subsection (a-17), prior ~~Prior~~ to appointing a private attorney under this Section, the court shall contact public agencies, including, but not limited to, the Office of Attorney General, Office of the State's Attorneys Appellate Prosecutor, or local State's Attorney's Offices throughout the State, to determine a public prosecutor's availability to serve as a special prosecutor at no cost to the county and shall appoint a public agency if they are able and willing to accept the appointment. An attorney so appointed shall have the same power and authority in relation to the cause or proceeding as the State's Attorney would have if present and attending to the cause or proceedings.

(b) In case of a vacancy of more than one year occurring in any county in the office of State's attorney, by death, resignation or otherwise, and it becomes necessary for the transaction of the public business, that some competent attorney act as State's attorney in and for such county during the period between the time of the occurrence of such vacancy and the election and qualification of a State's attorney, as provided by law, the vacancy shall be filled upon the written request of a majority of the circuit judges of the circuit in which is located the county where such vacancy exists, by appointment as provided in The Election Code of some competent attorney to perform and discharge all the duties of a State's attorney in the said county, such appointment and all authority thereunder to cease upon the election and qualification of a State's attorney, as provided by law. Any attorney appointed for any reason under this Section shall possess all the powers and discharge all the duties of a regularly elected State's attorney under the laws of the State to the extent necessary to fulfill the purpose of such appointment, and shall be paid by the county he serves not to exceed in any one period of 12 months, for the reasonable amount of time actually expended in carrying out the purpose of such appointment, the same compensation as provided by law for the State's attorney of the county, apportioned, in the case of lesser amounts of compensation, as to the time of service reasonably and actually expended. The county shall participate in all agreements on the rate of compensation of a special prosecutor.

(c) An order granting authority to a special prosecutor must be construed strictly and narrowly by the court. The power and authority of a special prosecutor shall not be expanded without prior notice to the county. In the case of the proposed expansion of a special prosecutor's power and authority, a county may provide the court with information on the financial impact of an expansion on the county. Prior to the signing of an order requiring a county to pay for attorney's fees or litigation expenses, the county shall be provided with a detailed copy of the invoice describing the fees, and the invoice shall include all activities performed in relation to the case and the amount of time spent on each activity.

(Source: P.A. 99-352, eff. 1-1-16.)

Section 10. The State's Attorneys Appellate Prosecutor's Act is amended by changing Section 4.01 as follows:

(725 ILCS 210/4.01) (from Ch. 14, par. 204.01)

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Sec. 4.01. (a) The Office and all attorneys employed thereby may represent the People of the State of Illinois on appeal in all cases which emanate from a county containing less than 3,000,000 inhabitants, when requested to do so and at the direction of the State's Attorney, otherwise responsible for prosecuting the appeal, and may, with the advice and consent of the State's Attorney prepare, file and argue such appellate briefs in the Illinois Appellate Court and, when requested and authorized to do so by the Attorney General, in the Illinois Supreme Court.

(b) Notwithstanding the population restriction contained in subsection (a), the Office may also assist County State's Attorneys in the discharge of their duties under the Illinois Controlled Substances Act, the Cannabis Control Act, the Methamphetamine Control and Community Protection Act, the Drug Asset Forfeiture Procedure Act, the Narcotics Profit Forfeiture Act, and the Illinois Public Labor Relations Act, including negotiations conducted on behalf of a county or pursuant to an intergovernmental agreement as well as in the trial and appeal of said cases and of tax objections, and the counties which use services relating to labor relations shall reimburse the Office on pro-rated shares as determined by the board based upon the population and number of labor relations cases of the participating counties. In addition, the Office and all attorneys employed by the Office may also assist State's Attorneys in the discharge of their duties in the prosecution, trial, or hearing on post-conviction of other cases when requested to do so by, and at the direction of, the State's Attorney otherwise responsible for the case. In addition, the Office and all attorneys employed by the Office may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction. Except when the appointment of a Special Prosecutor is made pursuant to subsection (a-17) of Section 3-9008 of the Counties Code, to be effective, the order appointing the Office or its attorneys as Special Prosecutor must (i) identify the case and its subject matter and (ii) state that the Special Prosecutor serves at the pleasure of the Attorney General, who may substitute himself or herself as the Special Prosecutor when, in his or her judgment, the interest of the people of the State so requires. Within 5 days after receiving a copy of an order from the court appointing the Office or any of its attorneys as a Special Prosecutor, the Office must forward a copy of the order to the Springfield office of the Attorney General.

(Source: P.A. 97-1012, eff. 8-17-12.)".

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

On motion of Senator Raoul, **Senate Bill No. 1843** 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 None.

The following voted in the affirmative:

Althoff	Fowler	McCann	Rooney
Anderson	Harmon	McCarter	Sandoval
Bennett	Hastings	McConchie	Schimpf
Bertino-Tarrant	Holmes	McConnaughay	Stadelman
Biss	Hunter	Morrison	Steans
Bivins	Hutchinson	Mulroe	Syverson
Brady	Koehler	Murphy	Tracy
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	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.

SENATE BILL RECALLED

On motion of Senator McCann, **Senate Bill No. 1895** was recalled from the order of third reading to the order of second reading.

Senator McCann offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1895

AMENDMENT NO. 1. Amend Senate Bill 1895 by replacing everything after the enacting clause with the following:

"Section 5. The Volunteer Emergency Worker Job Protection Act is amended by changing Section 5 as follows:

(50 ILCS 748/5)

Sec. 5. Volunteer emergency worker; when termination of employment prohibited.

(a) No public or private employer may terminate an employee who is a volunteer emergency worker because the employee, when acting as a volunteer emergency worker, is absent from or late to his or her employment in order to respond to an emergency prior to the time the employee is to report to his or her place of employment. A public or private employer shall not discipline an employee who is a volunteer emergency worker if the employee, in the scope of acting as a volunteer emergency worker, responds to an emergency phone call or text message during work hours that requests the person's volunteer emergency services unless the person is employed by a public or private vehicle service provider and is in the course of performing services as Emergency Medical Services personnel as defined in Section 3.5 of the Emergency Medical Services (EMS) Systems Act.

(b) An employer may charge, against the employee's regular pay, any time that an employee who is a volunteer emergency worker loses from employment because of the employee's response to an emergency in the course of performing his or her duties as a volunteer emergency worker.

(c) In the case of an employee who is a volunteer emergency worker and who loses time from his or her employment in order to respond to an emergency in the course of performing his or her duties as a volunteer emergency worker, the employer has the right to request the employee to provide the employer with a written statement from the supervisor or acting supervisor of the volunteer fire department or governmental entity that the volunteer emergency worker serves stating that the employee responded to an emergency and stating the time and date of the emergency.

(d) An employee who is a volunteer emergency worker and who may be absent from or late to his or her employment in order to respond to an emergency in the course of performing his or her duties as a volunteer emergency worker must make a reasonable effort to notify his or her employer that he or she may be absent or late.

(Source: P.A. 93-1027, eff. 8-25-04; 94-599, eff. 1-1-06)."

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 McCann, **Senate Bill No. 1895** 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.

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The following voted in the affirmative:

Anderson	Cunningham	McCann	Rooney
Barickman	Fowler	McCarter	Rose
Bennett	Hastings	McConchie	Sandoval
Bertino-Tarrant	Holmes	McConnaughay	Schimpf
Biss	Hunter	Morrison	Stadelman
Bivins	Hutchinson	Mulroe	Stears
Brady	Koehler	Murphy	Syverson
Bush	Landek	Oberweis	Tracy
Castro	Lightford	Radogno	Van Pelt
Clayborne	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 Harmon, **Senate Bill No. 1773** 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 None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rose
Anderson	Fowler	McCann	Sandoval
Barickman	Harmon	McConchie	Schimpf
Bennett	Hastings	McConnaughay	Stadelman
Biss	Holmes	Morrison	Stears
Bivins	Hunter	Mulroe	Syverson
Brady	Hutchinson	Murphy	Tracy
Bush	Koehler	Oberweis	Van Pelt
Castro	Landek	Radogno	Weaver
Clayborne	Lightford	Raoul	Mr. President
Connelly	Link	Righter	
Cullerton, T.	Manar	Rooney	

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

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

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 1775** 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 1775

AMENDMENT NO. 4. Amend Senate Bill 1775, on page 3, by replacing lines 1 through 21 with the following:

"The Task Force shall consist of the following 14 members:

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- (1) the Director of the Environmental Protection Agency or his or her representative;
(2) four persons appointed by the Director of the Environmental Protection Agency to represent municipalities, one of whom must reside in a municipality with a population of more than 1,000,000;
(3) two persons appointed by the Director of the Environmental Protection Agency to represent environmental organizations;
(4) four persons appointed by the Director of the Environmental Protection Agency to represent recyclers and composters;
(5) one person appointed by the Director of the Environmental Protection Agency to support administrative planning and to draft the findings and recommendations of the Task Force;
(6) one person appointed by the Director of the Environmental Protection Agency to represent a national waste and recycling organization; and
(7) one person appointed by the Director of the Environmental Protection Agency to represent a statewide manufacturing trade association.

The Director of the Environmental Protection Agency, or his or her representative, shall chair and facilitate the Task Force."; and

on page 4, line 2, by replacing "Department of Commerce and Economic Opportunity" with "Environmental Protection Agency".

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.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 1775** 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	Cunningham	Martinez	Righter
Anderson	Fowler	McCann	Rooney
Barickman	Harmon	McCarter	Rose
Bennett	Hastings	McConchie	Sandoval
Bertino-Tarrant	Holmes	McConnaughay	Schimpf
Biss	Hunter	Morrison	Stadelman
Brady	Hutchinson	Mulroe	Stears
Bush	Koehler	Murphy	Tracy
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Connelly	Link	Raoul	Mr. President
Cullerton, T.	Manar	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 Biss, **Senate Bill No. 654** 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:

[May 5, 2017]

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Righter
Anderson	Fowler	McCann	Rooney
Barickman	Harmon	McCarter	Sandoval
Bennett	Hastings	McConchie	Schimpf
Bertino-Tarrant	Holmes	McConnaughay	Stadelman
Biss	Hunter	Morrison	Steans
Brady	Hutchinson	Mulroe	Syverson
Bush	Koehler	Murphy	Tracy
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Connelly	Link	Raoul	Mr. President
Cullerton, T.	Manar	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.

Senator Harmon asked and obtained unanimous consent for the Journal to reflect his intention to have voted present on **Senate Bill No. 654**.

SENATE BILL RECALLED

On motion of Senator Manar, **Senate Bill No. 1933** was recalled from the order of third reading to the order of second reading.

Senator Manar offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1933

AMENDMENT NO. 2. Amend Senate Bill 1933, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Freedom of Information Act is amended by changing Section 7.5 as follows:
(5 ILCS 140/7.5)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and

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Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(q) Information prohibited from being disclosed by the Personnel Records Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) All identified or deidentified health information in the form of health data or medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under Brian's Law.

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

(~~ee~~) Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.

(ff) Records that are exempt from disclosure under Section 1A-16.6 of the Election Code.

(Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756, eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14; 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff. 8-19-16; revised 9-1-16.)

Section 10. The Election Code is amended by changing Sections 1A-16.6 and 1A-16.8 and by adding Sections 1-16, 1A-16.1, 1A-16.2, and 1A-16.9 as follows:

(10 ILCS 5/1-16 new)

Sec. 1-16. Election authorities; notices by electronic mail. If an election authority is required by law to send an election-related notice to an individual, that election authority may send that notice solely by electronic mail if the individual provides a current e-mail address to the election authority and authorizes the election authority to send notices by electronic mail. For the purposes of this Section, the term "notice" does not include a ballot or any notice required under Sections 16.5 or 16.6 of this Code.

(10 ILCS 5/1A-16.1 new)

Sec. 1A-16.1. Automatic voter registration; Secretary of State.

(a) The Office of the Secretary of State and the State Board of Elections, pursuant to an interagency contract and jointly-adopted rules, shall establish an automatic voter registration program that satisfies the requirements of this Section and other applicable law.

(b) If an application for a driver's license, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State meets the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls;

(3) provide the applicant with an opportunity to affirmatively decline to register to vote or to change his or her registered residence address or name by providing a check box on the application form without requiring the applicant to state the reason; and

(4) unless the applicant declines to register to vote or change his or her registered residence address or name, require the applicant to attest, by signature under penalty of perjury as described in subsection (e) of this Section, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her driver's license or identification card dual-purpose application.

(b-5) If an application for a driver's license, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State does not meet the requirements of the federal REAL ID Act of 2005, then that application shall serve as a dual-purpose application. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls; and

(3) require the applicant to attest, by a separate signature under penalty of perjury, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her dual-purpose application.

(b-10) The Office of the Secretary of State shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois, (ii) of the penalties provided by law for submission of a false voter registration application, (iii) that, unless the applicant declines to register to vote or update his or her voter registration, his or her dual-purpose application shall also serve as both an application to register to vote and his or her attestation that he or she meets the eligibility requirements for voter registration, and that his or her application to register to vote or update his or her registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on his or her driver's license or identification card, and (iv) that declining to register

to vote is confidential and will not affect any services the person may be seeking from the Office of the Secretary of State.

(c) The Office of the Secretary of State shall review information provided to the Office of the Secretary of State by the State Board of Elections to inform each applicant for a driver's license or permit, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State whether the applicant is currently registered to vote in Illinois and, if registered, at what address.

(d) The Office of the Secretary of State shall not require an applicant for a driver's license or State identification card to provide duplicate identification or information in order to complete an application to register to vote or change his or her registered residence address or name. Before transmitting any personal information about an applicant to the State Board of Elections, the Office of the Secretary of State shall review its records of the identification documents the applicant provided in order to complete the application for a driver's license or State identification card, to confirm that the Office of the Secretary of State is not in possession of any information that indicates that the applicant does not satisfy the qualifications to register to vote in Illinois at his or her residence address.

(e) A completed, signed application for a driver's license or permit, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State that meets the requirements of the federal REAL ID Act of 2005, shall constitute a signed application to register to vote in Illinois at the residence address indicated in the application unless the person affirmatively declined in the application to register to vote or to change his or her registered residence address or name. If records of the Office of the Secretary of State regarding the applicant indicate that he or she does not satisfy the qualifications to register to vote in Illinois at his or her residence address, the application shall be marked as incomplete and the Office of the Secretary of State shall transmit all such records to the State Board of Elections.

(f) For each completed and signed application that constitutes an application to register to vote in Illinois or provides for a change in the applicant's registered residence address or name, the Office of the Secretary of State shall electronically transmit to the State Board of Elections personal information needed to complete the person's registration to vote in Illinois at his or her residence address. The application to register to vote shall be processed in accordance with Section 1A-16.6.

(g) If the federal REAL ID Act of 2005 is repealed, abrogated, superseded, or otherwise no longer in effect, then the State Board of Elections shall establish criteria for determining reliable personal information indicating citizenship status and shall adopt rules as necessary for the Secretary of State to continue processing dual-purpose applications under this Section.

(h) As used in this Section, "dual-purpose application" means an application for driver's license or permit, other than a temporary visitor's driver's license, or a State identification card offered by the Secretary of State that also serves as an application to register to vote in Illinois.

(10 ILCS 5/1A-16.2 new)

Sec. 1A-16.2. Automatic voter registration; designated automatic voter registration agencies.

(a) Each designated automatic voter registration agency may, pursuant to an interagency contract and jointly-adopted rules with the State Board of Elections, agree to participate in an automatic voter registration program established by the State Board of Elections that satisfies the requirements of this Section and other applicable law.

(b) As provided in subsection (a), each designated automatic voter registration agency that collects or cross-references reliable personal information indicating citizenship status may provide that an application for a license, permit, program, or service offered by that agency shall serve as a dual-purpose application. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change his or her registered residence address or name as it appears on the voter registration rolls;

(3) provide the applicant with an opportunity to affirmatively decline to register to vote or change his or her registered residence address or name by providing a check box on the application form without requiring the applicant to state the reason; and

(4) unless the applicant declines to register to vote or to change his or her registered residence address or name, require the applicant to attest, by signature under penalty of perjury, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her dual-purpose application.

(c) As provided in subsection (a) of this Section, each designated automatic voter registration agency that does not collect or cross-reference records containing reliable personal information indicating citizenship status may provide that an application for a license, permit, program, or service offered by that agency shall serve as a dual-purpose application. The dual-purpose application shall:

(1) also serve as an application to register to vote in Illinois;

(2) allow an applicant to change his or her registered residence address; and

(3) require the applicant to attest, by a separate signature under penalty of perjury, to meeting the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her dual-purpose application.

(c-5) The designated automatic voter registration agency shall clearly and conspicuously inform each applicant in writing: (i) of the qualifications to register to vote in Illinois, (ii) of the penalties provided by law for submission of a false voter registration application, (iii) that, unless the applicant declines to register to vote or update his or her voter registration, his or her application shall also serve as both an application to register to vote and his or her attestation that he or she meets the eligibility requirements for voter registration, and that his or her application to register to vote or update his or her registration will be transmitted to the State Board of Elections for the purpose of registering the person to vote at the residence address to be indicated on the dual-purpose application, (iv) that information identifying the agency at which he or she applied to register to vote is confidential, (v) that declining to register to vote is confidential and will not affect any services the person may be seeking from the agency, and (vi) any additional information needed in order to comply with Section 7 of the federal National Voter Registration Act of 1993.

(d) The designated automatic voter registration agency shall review information provided to the agency by the State Board of Elections to inform each applicant whether the applicant is currently registered to vote in Illinois and, if registered, at what address.

(e) The designated automatic voter registration agency shall not require an applicant for a dual-purpose application to provide duplicate identification or information in order to complete an application to register to vote or change his or her registered residence address or name. Before transmitting any personal information about an applicant to the State Board of Elections, the agency shall review its records of the identification documents the applicant provided or that the agency cross-references in order to complete the dual-purpose application, to confirm that the agency is not in possession of any information that indicates that the applicant does not satisfy the qualifications to register to vote in Illinois at his or her residence address. A completed and signed dual-purpose application, including a completed application under subsection (c) of this Section with a separate signature attesting that the applicant meets the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her application, shall constitute an application to register to vote in Illinois at the residence address indicated in the application unless the person affirmatively declined in the application to register to vote or to change his or her registered residence address or name. If the agency's records regarding the applicant indicate that he or she does not satisfy the qualifications to register to vote in Illinois at his or her residence address, the application shall be marked as incomplete and the agency shall transmit all such records to the State Board of Elections.

(f) For each completed and signed dual-purpose application that constitutes an application to register to vote in Illinois or provides for a change in the applicant's registered residence address or name, the designated automatic voter registration agency shall electronically transmit to the State Board of Elections personal information needed to complete the person's registration to vote in Illinois at his or her residence address. The application to register to vote shall be processed in accordance with Section 1A-16.6.

(g) As used in this Section:

"Designated automatic voter registration agency" or "agency" means the Department of Human Services, the Department of Healthcare and Family Services, the Department of Employment Security, the Department on Aging, or an agency of the State or federal government that has been determined by the State Board of Elections to have access to reliable personal information and has entered into an interagency contract with the State Board of Elections to participate in the automatic voter registration program under this Section.

"Dual-purpose application" means an application for a license, permit, program, or service offered by a designated automatic voter registration agency that also serves as an application to register to vote in Illinois.

"Reliable personal information" means information about individuals obtained from government sources that may be used to verify whether an individual is eligible to register to vote.

(10 ILCS 5/1A-16.6)

Sec. 1A-16.6. ~~Automatic Government agency~~ voter registration.

(a) The State Board of Elections shall establish and maintain a portal for automatic government agency voter registration that permits an eligible person to electronically apply to register to vote or to update his or her existing voter registration as provided in Section 1A-16.1 or Section 1A-16.2. The portal shall interface with the online voter registration system established in Section 1A-16.5 of this Code and shall

be capable of receiving and processing voter registration application information, including electronic signatures, from the Office of the Secretary of State and each designated automatic voter registration agency, as defined in Section 1A-16.2. The State Board of Elections may cross-reference voter registration information from any designated automatic voter registration agency, as defined under Section 1A-16.2 of this Code, with information contained in the database of the Secretary of State as provided under subsection (c) of Section 1A-16.5 of this Code. The State Board of Elections shall modify the online voter registration system as necessary to implement this Section. By April 1, 2016, the State Board of Elections shall establish and maintain a portal for government agency registration that permits an eligible person to electronically apply to register to vote or to update his or her existing voter registration whenever he or she conducts business, either online or in person, with a designated government agency. The portal shall interface with the online voter registration system established in Section 1A-16.5 of this Code and shall be capable of receiving and processing voter registration application information, including electronic signatures, from a designated government agency. The State Board of Elections shall modify the online voter registration system as necessary to implement this Section.

Voter registration data received from a designated government agency through the online registration system shall be processed as provided for in Section 1A-16.5 of this Code.

Whenever the registration interface is accessible to the general public, including, but not limited to, online transactions, the interface shall allow the applicant to complete the process as provided for in Section 1A-16.5 of this Code. The online interface shall be capable of providing the applicant with the applicant's voter registration status with the State Board of Elections and, if registered, the applicant's current registration address. The applicant shall not be required to re-enter any registration data, such as name, address, and birth date, if the designated government agency already has that information on file. The applicant shall be informed that by choosing to register to vote or to update his or her existing voter registration, the applicant consents to the transfer of the applicant's personal information to the State Board of Elections.

Whenever a government employee is accessing the registration system while servicing the applicant, the government employee shall notify the applicant of the applicant's registration status with the State Board of Elections and, if registered, the applicant's current registration address. If the applicant elects to register to vote or to update his or her existing voter registration, the government employee shall collect the needed information and assist the applicant with his or her registration. The applicant shall be informed that by choosing to register to vote or to update his or her existing voter registration, the applicant consents to the transfer of the applicant's personal information to the State Board of Elections.

In accordance with technical specifications provided by the State Board of Elections, each designated government agency shall maintain a data transfer mechanism capable of transmitting voter registration application information, including electronic signatures where available, to the online voter registration system established in Section 1A-16.5 of this Code. Each designated government agency shall establish and operate a voter registration system capable of transmitting voter registration application information to the portal as described in this Section by July 1, 2016.

(b) Voter registration data received from the Office of the Secretary of State or a designated automatic voter registration agency through the online registration application system shall be processed as provided in Section 1A-16.5 of this Code. Whenever an applicant's data is transferred from a designated government agency, the agency must transmit a signature image if available. If no signature image was provided by the agency or if no signature image is available in the Secretary of State's database or the statewide voter registration database, the applicant must be notified that their registration will remain in a pending status and the applicant will be required to provide identification and a signature to the election authority on Election Day in the polling place or during early voting.

(c) The State Board of Elections shall establish technical specifications applicable to each automatic government registration program. The Office of the Secretary of State and each designated automatic voter registration agency shall maintain a data transfer mechanism capable of transmitting voter registration application information, including electronic signatures where available, to the online voter registration system established in Section 1A-16.5 of this Code. The State Board of Elections shall track registration data received through the online registration system that originated from a designated government agency for the purposes of maintaining statistics required by the federal National Voter Registration Act of 1993, as amended.

(d) The State Board of Elections shall, by rule, establish criteria and procedures for determining whether an agency of the State or federal government seeking to become a designated automatic voter registration agency has access to reliable personal information, as defined under this subsection (d) and subsection (f) of Section 1A-16.2 of this Code, and otherwise meets the requirements to enter into an interagency contract and to operate as a designated automatic voter registration agency. The State Board of Elections shall

[May 5, 2017]

approve each interagency contract upon affirmative vote of a majority of its members. The State Board of Elections shall submit a report to the General Assembly and the Governor by December 1, 2015 detailing the progress made to implement the government agency voter registration portal described in this Section.

As used in this subsection (d), "reliable personal information" means information about individuals obtained from government sources that may be used to verify whether an individual is eligible to register to vote.

(e) Whenever an applicant's data is transferred from the Office of the Secretary of State or a designated automatic voter registration agency, the agency must transmit a signature image if available. If no signature image was provided by the agency, or if no signature image is available in the Office of the Secretary of State's database or the statewide voter registration database, the applicant must be notified that his or her registration will remain in a pending status, and the applicant will be required to provide identification that complies with the federal Help America Vote Act of 2002 and a signature to the election authority on election day in the polling place or during early voting. The Board shall adopt rules, in consultation with the impacted agencies.

(f) Upon receipt of personal information collected and transferred by the Office of the Secretary of State or a designated automatic voter registration agency, the State Board of Elections shall check the information against the statewide voter registration database. The State Board of Elections shall create and electronically transmit to the appropriate election authority a voter registration application for any individual who is not registered to vote in Illinois and is not disqualified as provided in this Section or whose information reliably indicates a more recent update to the name or address of a person already included in the statewide voter database. The election authority shall process the application accordingly. As used in this Section, a "designated government agency" means the Secretary of State's Driver Services and Vehicle Services Departments, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Employment Security, and the Department on Aging.

(g) The appropriate election authority shall ensure that any applicant who is registered to vote or whose existing voter registration is updated under this Section is promptly sent written notice of the change. The notice required by this subsection (g) may be sent or combined with other notices required or permitted by law, including, but not limited to, any notices sent pursuant to Section 1A-16.5 of this Code. Any notice required by this subsection (g) shall contain, at a minimum: (i) the applicant's name and residential address as reflected on the voter registration list; (ii) a statement notifying the applicant to contact the appropriate election authority if his or her voter registration has been updated in error; (iii) the qualifications to register to vote in Illinois; (iv) a statement notifying the applicant that he or she may opt out of voter registration or request a change to his or her registration information at any time by contacting an election official; and (v) contact information for the appropriate election authority, including a phone number, address, electronic mail address, and website address.

(h) The appropriate election authority shall ensure that any applicant whose voter registration application is not accepted or deemed incomplete is promptly sent written notice of the application's status. The notice required by this subsection may be sent or combined with other notices required or permitted by law, including, but not limited to, any notices sent pursuant to Section 1A-16.5 of this Code. Any notice required by this subsection (h) shall contain, at a minimum, the reason the application was not accepted or deemed incomplete and contact information for the appropriate election authority, including a phone number, address, electronic mail address, and website address.

(i) If the Office of the Secretary of State or a designated automatic voter registration agency transfers information, or if the State Board of Elections creates and transmits a voter registration application, for a person who does not qualify as an eligible voter, then it shall not constitute a completed voter registration form, and the person shall not be considered to have registered to vote.

(j) If the registration is processed by any election authority, then it shall be presumed to have been effected and officially authorized by the State, and that person shall not be found on that basis to have made a false claim to citizenship or to have committed an act of moral turpitude, nor shall that person be subject to penalty under any relevant laws, including, but not limited to, Sections 29-10 and 29-19 of this Code. This subsection (j) does not apply to a person who knows that he or she is not entitled to register to vote and who willfully votes, registers to vote, or attests under penalty of perjury that he or she is eligible to register to vote or willfully attempts to vote or to register to vote.

(k) The State Board of Elections, the Office of the Secretary of State, and each designated automatic voter registration agency shall implement policies and procedures to protect the privacy and security of voter information as it is acquired, stored, and transmitted among agencies, including policies for the retention and preservation of voter information. Information designated as confidential under this Section may be recorded and shared among the State Board of Elections, election authorities, the Office of the Secretary of State, and designated automatic voter registration agencies, but shall be used only for voter

registration purposes, shall not be disclosed to the public except in the aggregate as required by subsection (m) of this Section, and shall not be subject to the Freedom of Information Act. The following information shall be designated as confidential:

- (1) any portion of an applicant's Social Security number;
- (2) any portion of an applicant's driver's license number or State identification number;
- (3) an applicant's decision to decline voter registration;
- (4) the identity of the person providing information relating to a specific applicant; and
- (5) the personal residence and contact information of any applicant for whom local, State, or federal law requires confidentiality, including, but not limited to, a victim of domestic violence pursuant to the Address Confidentiality for Victims of Domestic Violence Act or a victim of stalking pursuant to the Stalking No Contact Order Act.

This subsection (k) shall not apply to information the State Board of Elections is required to share with the Electronic Registration Information Center.

(l) The voter registration procedures implemented under this Section shall comport with the federal National Voter Registration Act of 1993, as amended, and shall specifically require that the State Board of Elections track registration data received through the online registration system that originated from a designated automatic voter registration agency for the purposes of maintaining statistics.

(m) The State Board of Elections, each election authority that maintains a website, the Office of the Secretary of State, and each designated automatic voter registration agency that maintains a website shall provide information on their websites informing the public about the new registration procedures described in this Section. The Office of the Secretary of State and each designated automatic voter registration agency shall display signage or provide literature for the public containing information about the new registration procedures described in this Section.

(n) No later than 6 months after the effective date of this amendatory Act of the 100th General Assembly, the State Board of Elections shall hold at least one public hearing on implementing this amendatory Act of the 100th General Assembly at which the public may provide input.

(o) The State Board of Elections shall submit an annual public report to the General Assembly and the Governor detailing the progress made to implement this Section. The report shall include all of the following: the number of records transferred under this Section by agency, the number of voters newly added to the statewide voter registration list because of records transferred under this Section by agency, the number of updated registrations under this Section by agency, the number of persons who opted out of voter registration, and the number of voters who submitted voter registration forms using the online procedure described in Section 1A-16.5 of this Code. Any report produced under this subsection shall exclude any information that identifies any individual personally.

(p) The State Board of Elections, in consultation with election authorities, the Office of the Secretary of State, designated automatic voter registration agencies, and community organizations, shall adopt rules as necessary to implement the provisions of this Section.

(Source: P.A. 98-1171, eff. 6-1-15.)

(10 ILCS 5/1A-16.8)

Sec. 1A-16.8. Automatic transfer of registration based upon information from the National Change of Address database and designated automatic voter registration agencies.

(a) The State Board of Elections shall cross-reference the statewide voter registration database against the United States Postal Service's National Change of Address database twice each calendar year, April 15 and October 1 in odd-numbered years and April 15 and December 1 in even-numbered years, and shall share the findings with the election authorities.

(b) In addition, beginning no later than September 1, 2017, the State Board of Elections shall utilize data provided as part of its membership in the Electronic Registration Information Center in order to cross-reference the statewide voter registration database against databases of relevant personal information kept by designated automatic voter registration agencies, including, but not limited to, driver's license information kept by the Secretary of State, at least 6 times each calendar year and shall share the findings with election authorities.

This subsection (b) shall no longer apply once Sections 1A-16.1 and 1A-16.2 of this Code are fully implemented as determined by the State Board of Elections. Upon a determination by the State Board of Elections of full implementation of Sections 1A-16.1 and 1A-16.2 of this Code, the State Board of Elections shall file notice of full implementation and the inapplicability of this subsection (b) with the Index Department of the Office of the Secretary of State, the Governor, the General Assembly, and the Legislative Reference Bureau.

(c) An election authority shall automatically register any voter who has moved into its jurisdiction from another jurisdiction in Illinois or has moved within its jurisdiction provided that:

(1) the election authority whose jurisdiction includes the new registration address provides the voter an opportunity to reject the change in registration address through a mailing, sent by non-forwardable mail, to the new registration address, and

(2) when the election authority whose jurisdiction includes the previous registration address is a different election authority, then that election authority provides the same opportunity through a mailing, sent by forwardable mail, to the previous registration address.

This change in registration shall trigger the same inter-jurisdictional or intra-jurisdictional workflows as if the voter completed a new registration card, including the cancellation of the voter's previous registration. Should the registration of a voter be changed from one address to another within the State and should the voter appear at the polls and offer to vote from the prior registration address, attesting that the prior registration address is the true current address, the voter, if confirmed by the election authority as having been registered at the prior registration address and canceled only by the process authorized by this Section, shall be issued a regular ballot, and the change of registration address shall be canceled. If the election authority is unable to immediately confirm the registration, the voter shall be permitted to register and vote a regular ballot, provided that he or she meets the documentary requirements for same-day registration. If the election authority is unable to confirm the registration and the voter does not meet the requirements for same-day registration, the voter shall be issued a provisional ballot.

(d) No voter shall be disqualified from voting due to an error relating to an update of registration under this Section.

(Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

(10 ILCS 5/1A-16.9 new)

Sec. 1A-16.9. Implementation. The changes made by this amendatory Act of the 100th General Assembly shall be implemented no later than July 1, 2018.

Section 15. The Illinois Vehicle Code is amended by changing Section 2-105 as follows:

(625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

Sec. 2-105. Offices of Secretary of State.

(a) The Secretary of State shall maintain offices in the State capital and in such other places in the State as he may deem necessary to properly carry out the powers and duties vested in him.

(b) The Secretary of State may construct and equip one or more buildings in the State of Illinois outside of the County of Sangamon as he deems necessary to properly carry out the powers and duties vested in him. The Secretary of State may, on behalf of the State of Illinois, acquire public or private property needed therefor by lease, purchase or eminent domain. The care, custody and control of such sites and buildings constructed thereon shall be vested in the Secretary of State. Expenditures for the construction and equipping of any of such buildings upon premises owned by another public entity shall not be subject to the provisions of any State law requiring that the State be vested with absolute fee title to the premises. The exercise of the authority vested in the Secretary of State by this Section is subject to the appropriation of the necessary funds.

(c) Pursuant to Sections 1A-16.1, 1A-16.6, and ~~Section~~ 1A-25 of the Election Code, the Secretary of State shall make driver services facilities available for use as places of accepting applications for voter registration.

(d) (Blank).

(e) Each person applying at a driver services facility for a driver's license or permit, a corrected driver's license or permit, an Illinois identification card or a corrected Illinois identification card shall be notified, under the procedures set forth in Sections 1A-16.1 and 1A-16.6 of the Election Code, that unless he or she affirmatively declines, his or her personal information shall be transferred to the State Board of Elections for the purpose of creating an electronic voter registration application that the person may apply to register to vote at such station and may also apply to transfer his or her voter registration at such station to a different address in the State. Such notification may be made in writing or verbally issued by an employee or the Secretary of State.

The Secretary of State shall promulgate such rules as may be necessary for the efficient execution of his duties and the duties of his employees under this Section.

(f) Any person applying at a driver services facility for issuance or renewal of a driver's license or Illinois Identification Card shall be provided, without charge, with a brochure warning the person of the dangers of financial identity theft. The Department of Financial and Professional Regulation shall prepare these brochures and provide them to the Secretary of State for distribution. The brochures shall (i) identify signs warning the reader that he or she might be an intended victim of the crime of financial identity theft, (ii) instruct the reader in how to proceed if the reader believes that he or she is the victim of the crime of

identity theft, and (iii) provide the reader with names and telephone numbers of law enforcement and other governmental agencies that provide assistance to victims of financial identity theft.

(g) The changes made by this amendatory Act of the 100th General Assembly shall be implemented no later than July 1, 2018.

(Source: P.A. 97-81, eff. 7-5-11.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Manar offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1933

AMENDMENT NO. 3. Amend Senate Bill 1933, AS AMENDED, with respect to page and line numbers of Senate Amendment No. 2, as follows:

on page 9, line 10, after "(3)", by inserting "if the applicant chooses to register to vote or to change his or her registered residence address or name, then"; and

on page 10, by replacing lines 23 through 25 with "driver's license or State identification card, to confirm that nothing in those documents indicates that the applicant does not"; and

on page 11, by replacing lines 2 through 6 with the following:

"(e) A completed, signed application for (i) a driver's license or permit, other than a temporary visitor's driver's license, or a State identification card issued by the Office of the Secretary of State, that meets the requirements of the federal REAL ID Act of 2005; or (ii) a completed application under subsection (b-5) of this Section with a separate signature attesting the applicant meets the qualifications to register to vote in Illinois at his or her residence address as indicated on his or her application shall constitute a signed application to"; and

on page 11, by replacing lines 10 and 11 with "registered residence address or name. If the identification documents provided to complete the dual-purpose application indicate that"; and

on page 14, line 5, after "(3)", by inserting "if the applicant chooses to register to vote or to change his or her registered residence address or name, then"; and

on page 15, by replacing lines 19 and 20 with "application, to confirm that nothing in those documents indicates that the applicant does not"; and

on page 16, line 6, by replacing "agency's records regarding the applicant" with "identification documents provided to complete the dual-purpose application, or that the agency cross-references"; and

on page 16, line 25, after "Agging", by inserting "the Department of Financial and Professional Regulation, the Department of Natural Resources".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Manar, **Senate Bill No. 1933** 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:

[May 5, 2017]

YEAS 48; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Barickman	Harmon	McConchie	Schimpf
Bennett	Hastings	McConnaughay	Stadelman
Bertino-Tarrant	Holmes	Morrison	Steans
Biss	Hunter	Mulroe	Tracy
Bivins	Hutchinson	Murphy	Van Pelt
Brady	Koehler	Oberweis	Weaver
Bush	Landek	Radogno	Mr. President
Castro	Lightford	Raoul	
Clayborne	Link	Rezin	
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 Cunningham, **Senate Bill No. 1980** 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 None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Righter
Anderson	Fowler	McCann	Rooney
Bennett	Harmon	McCarter	Rose
Bertino-Tarrant	Hastings	McConchie	Sandoval
Biss	Holmes	McConnaughay	Stadelman
Bivins	Hunter	Morrison	Steans
Brady	Hutchinson	Mulroe	Syverson
Bush	Koehler	Murphy	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Connelly	Link	Raoul	
Cullerton, T.	Manar	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.

SENATE BILL RECALLED

On motion of Senator Bennett, **Senate Bill No. 1991** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was withdrawn by the sponsor.

Senator Bennett offered the following amendment and moved its adoption:

[May 5, 2017]

AMENDMENT NO. 3 TO SENATE BILL 1991

AMENDMENT NO. 3. Amend Senate Bill 1991, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 2-3.80c as follows:
(105 ILCS 5/2-3.80c new)

Sec. 2-3.80c. Agriculture Education Shortage Task Force.

(a) The General Assembly recognizes that agriculture is the most basic and singularly important industry in the State, that agriculture is of central importance to the welfare and economic stability of the State, and that the maintenance of this vital industry requires a continued source of trained and qualified agriculture educators to train future generations of agriculturalists.

In 2016, to respond to the ongoing teacher shortage in agriculture education in Illinois, the General Assembly passed Public Act 99-826, which deemed agriculture education as an area of critical need in Illinois.

(b) There is created the Agriculture Education Shortage Task Force consisting of the following members:

(1) one member of the Senate appointed by the President of the Senate;

(2) one member of the Senate appointed by the Minority Leader of the Senate;

(3) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

(4) one member of the House of Representatives appointed by the Minority Leader of the House of Representatives; and

(5) the following members, who shall be appointed by the State Superintendent of Education within 30 days after the effective date of this amendatory Act of the 100th General Assembly:

(A) one representative of the State Board of Education;

(B) one member representing a statewide professional teachers' association appointed with the advice of the Committee established under subsection (d) of Section 2-3.80 of this Code;

(C) one member representing a different statewide professional teachers' association appointed with the advice of the Committee established under subsection (d) of Section 2-3.80 of this Code;

(D) one member representing a different professional teachers' association in a city having a population of over 500,000 appointed with the advice of the Committee established under subsection (d) of Section 2-3.80 of this Code;

(E) one member who is a community college agriculture education teacher appointed with the advice of the Committee established under subsection (d) of Section 2-3.80 of this Code;

(F) one member who is a university agriculture education teacher appointed with the advice of the Committee established under subsection (d) of Section 2-3.80 of this Code;

(G) one member representing a statewide association representing superintendents;

(H) one member representing a statewide association representing principals;

(I) one member representing a statewide association representing school board members;

(J) one representative of a school district in a city having a populations exceeding 500,000;

(K) one member representing an education advocacy group that works with parents; and

(L) one representative of an education public policy organization.

(c) The Agriculture Education Shortage Task Force shall first meet at the call of the State Superintendent of Education within 60 days after the effective date of this amendatory Act of the 100th General Assembly, and following meetings shall be at the call of the Chairperson, who shall be elected by a majority of appointed members at the first meeting of the Task Force. The State Board of Education shall provide administrative support for the Task Force.

(d) Members of the Task Force shall serve without compensation, but may be reimbursed for travel and related expenses from funds appropriated for that purpose.

(e) The Task Force shall meet at least 3 times and shall review the following:

(1) the number of agriculture education teachers in this State and the type of license held;

(2) the number of graduates who have graduated from an approved agriculture education program of a public university in this State in each of the past 4 years;

(3) the number of agriculture education position openings at secondary education programs in this State in each of the past 4 years; and

(4) licensure standards, including national licensure standards, for the agricultural education endorsement on a professional educator license or an educator license with stipulations.

(f) The Task Force shall issue a report to the Governor and the General Assembly, which must be approved by a majority vote of appointed members and must include recommendations regarding:

(1) recruitment and retention of agriculture education teachers, including recommendations on funding for existing incentive programs;

(2) participation in federal programs that may assist in the recruitment and retention of agriculture teachers; and

(3) other subjects determined by the members of the Task Force.

(g) The Task Force shall report its findings to the Governor and General Assembly on or before January 1, 2019, and, upon filing its report, the Task Force is dissolved.

(h) This Section is repealed on February 1, 2019.

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 BILLS OF THE SENATE A THIRD TIME

On motion of Senator Bennett, **Senate Bill No. 1991** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Manar	Rezin
Anderson	Cunningham	Martinez	Righter
Barickman	Fowler	McCann	Rooney
Bennett	Harmon	McCarter	Rose
Bertino-Tarrant	Hastings	McConchie	Sandoval
Biss	Holmes	McConaughay	Schimpf
Bivins	Hunter	Morrison	Stadelman
Brady	Hutchinson	Mulroe	Steans
Bush	Koehler	Murphy	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Connelly	Link	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 Brady, **Senate Bill No. 1902** 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 None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rooney
Anderson	Fowler	McCann	Rose
Barickman	Harmon	McConchie	Sandoval

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Bennett	Hastings	McConnaughay	Schimpf
Biss	Holmes	Morrison	Stadelman
Bivins	Hunter	Mulroe	Steans
Brady	Hutchinson	Murphy	Tracy
Bush	Koehler	Oberweis	Van Pelt
Castro	Landek	Radogno	Weaver
Clayborne	Lightford	Raoul	Mr. President
Connelly	Link	Rezin	
Cullerton, T.	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.

On motion of Senator Weaver, **Senate Bill No. 2012** 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	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Hastings	McConnaughay	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Koehler	Murphy	Tracy
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	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 Hutchinson, **Senate Bill No. 2084** 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	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Hastings	McConnaughay	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman

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Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Koehler	Murphy	Tracy
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	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 Mulroe, as chief co-sponsor pursuant to Senate Rule 5-1(b)(i), **Senate Bill No. 1667** 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; Present 1.

The following voted in the affirmative:

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

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.

CONSIDERATION OF RESOLUTIONS ON SECRETARY’S DESK

Senator Castro moved that **Senate Resolution No. 118**, on the Secretary’s Desk, be taken up for immediate consideration.

The motion prevailed.

The following amendment was offered in the Committee on Public Health:

AMENDMENT NO. 1 TO SENATE RESOLUTION 118

AMENDMENT NO. 1. Amend Senate Resolution 118 as follows:

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on page 5, by deleting lines 3 through 18 and replacing it with the following:

"RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the State of Illinois to monitor and, to the extent feasible, cooperate with the federal agencies that are studying the long-term effects of crumb rubber exposure on human health; and be it further

RESOLVED, That we urge the owners and operators of any indoor or outdoor facility that has artificial turf containing crumb rubber infill and that is used by children between the ages of 18 months and 12 years to post at the facility a notice which (i) states that the facility uses an artificial turf with crumb rubber infill, (ii) informs users of the facility about the 2016 multi-agency federal crumb rubber study and about the possible chemical exposure to children playing on crumb rubber infill, and (iii) describes a location where additional information about the 2016 multi-agency federal crumb rubber study can be obtained."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Castro moved that Senate Resolution No. 118, as amended, be adopted.

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

YEAS 46; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCann	Rose
Barickman	Harmon	McCarter	Sandoval
Bennett	Hastings	McConnaughay	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Stears
Brady	Hutchinson	Muñoz	Syverson
Bush	Koehler	Murphy	Tracy
Castro	Landek	Oberweis	Van Pelt
Clayborne	Lightford	Radogno	Weaver
Connelly	Link	Raoul	Mr. President
Cullerton, T.	Manar	Rezin	
Cunningham	Martinez	Rooney	

The motion prevailed.

And the resolution, as amended, was adopted.

Senator Hastings moved that **Senate Resolution No. 155**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hastings moved that Senate Resolution No. 155 be adopted.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Barickman	Harmon	McConnaughay	Schimpf
Bennett	Hastings	Morrison	Stadelman
Bertino-Tarrant	Holmes	Mulroe	Stears
Biss	Hunter	Muñoz	Syverson
Bivins	Hutchinson	Murphy	Tracy
Brady	Koehler	Oberweis	Van Pelt
Bush	Landek	Radogno	Weaver

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Castro	Lightford	Raoul	Mr. President
Clayborne	Link	Rezin	
Connelly	Manar	Righter	
Cullerton, T.	Martinez	Rooney	

The motion prevailed.
And the resolution was adopted.

Senator Bush moved that **Senate Resolution No. 241**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senator Bush moved that Senate Resolution No. 241 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Barickman moved that **Senate Resolution No. 284**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senator Barickman moved that Senate Resolution No. 284 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Koehler moved that **Senate Resolution No. 377**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senator Koehler moved that Senate Resolution No. 377 be adopted.
The motion prevailed.
And the resolution was adopted.

Senator Bush moved that **Senate Joint Resolution No. 16**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senator Bush moved that Senate Joint Resolution No. 16 be adopted.
The motion prevailed.
And the resolution was adopted.

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

PRESENTATION OF RESOLUTION

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

SENATE RESOLUTION NO. 489

WHEREAS, There have been recent significant advances in neuroscience with increased understanding of how emotional neglect and exposure to serious trauma affect the way children perceive and interact with their world both during childhood and into adulthood; and

WHEREAS, Post-traumatic stress disorder and other trauma-related disorders in children and adults can be caused both by exposure to a single severe traumatic incident or by exposure to a cumulative series of serious traumatic events; and

WHEREAS, Such traumatic incidents and events include emotional and physical abuse and neglect, sexual abuse, separation from or loss of a parent due to divorce or other reasons, serious injury or death of a parent, exposure to family discord, domestic violence, parental mental illness, substance abuse, criminal activity in the home, and other traumatic and non-nurturing experiences and environments; and

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WHEREAS, Abuse, neglect, and traumatic events compose part of what has been described in the medical literature as "adverse childhood experiences" or "ACEs", and the cumulative potential impact to a child who has a significant history of exposure to neglect and trauma can be calculated using what is called an ACE score; and

WHEREAS, It is now understood that significant exposure to severe traumatic events as outlined above can negatively affect the neurobiology and anatomy of a person's developing brain and result in a substantially impaired ability to absorb new information, develop healthy coping skills, and adapt to life's challenges as the child becomes locked into a "fight-flight-or-freeze" mode that becomes the child's and future adult's default approach when interacting with the world around them; and

WHEREAS, Children and adults whose brains have been negatively affected by exposure to severe or repeated serious trauma, often experience persistent and sometimes overwhelming dysfunctional emotions of fear, anxiety, depression, hopelessness, and anger, and may exhibit socially inappropriate lable and aggressive behaviors, or may exhibit socially inappropriate emotional detachment and avoidance behaviors; and

WHEREAS, These negative coping behaviors and dysfunctional emotions limit a person's capacity to form healthy stable relationships, foster social capital, learn from experiences and mistakes, set and achieve short and long-term goals, and succeed in educational and vocational pursuits; and

WHEREAS, In addition to the above negative outcomes, children and adults are more likely to attempt to self medicate trauma-related "fight-flight-or-freeze" anxiety and emotional dysfunction by using available substances such as tobacco, alcohol, prescription medications, and street drugs, including heroin, methamphetamine, cocaine, and cannabis; and

WHEREAS, Because of the cumulative adverse effects of the above negative outcomes on their physical health and emotional and cognitive capabilities, children and adults affected by severe traumatic events, despite their sincere and best efforts to succeed in life, are more likely to: (1) perform poorly in school and other academic pursuits; (2) struggle with work performance and sustainable employment; (3) become chronically unemployed as adults, resulting in financial stress, reduced quality of life, and increased risk of experiencing long-term disability, homelessness, and other personal and family traumatic experiences; (4) become dependent on and addicted to tobacco, alcohol, prescription medications, illicit drugs, and other substances; (5) become directly engaged with law enforcement and the criminal justice system; (6) suffer from significant mental illness including depression, psychosis, and severe anxiety leading to suicides and attempted suicides that otherwise would not have occurred; (7) suffer from serious physical health problems with poor long-term outcomes that otherwise would not have occurred; (8) engage in high-risk sexual behaviors as adolescents and adults, including onset of sexual activity at an early age and multiple sexual partners, resulting in increased risks of adolescent pregnancy and paternity, other unintended pregnancies, and sexually transmitted diseases; (9) experience significant problems and failures in marriage and other intimate partner relationships; (10) become victims or perpetrators of intimate partner violence as adults; (11) struggle, despite their sincere efforts, to provide a stable and nurturing environment for their current and future children, resulting in increased likelihood of intergenerational trauma and intergenerational poverty; and (12) face a life expectancy shortened by as many as 20 years when compared to average life expectancy for adults who did not experience severe trauma as children; and

WHEREAS, With an increase in understanding about the impacts of trauma has come the development of evidence-based questionnaires that identify behaviors and health-related disorders in children and adults that can be indicative of possible trauma-related exposures; and

WHEREAS, Using these questionnaires can provide the opportunity to identify and refer a child or adult for appropriate additional evaluation and treatment; and

WHEREAS, The mental health profession can effectively diagnose and treat trauma-related disorders following evidence-based approaches that have been proven to be successful; and

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WHEREAS, One example of a well-studied, highly effective and widely available therapy is trauma-focused cognitive behavior therapy; and

WHEREAS, Early childhood offers an important window of elevated opportunity to prevent, treat, and heal the impacts of adverse childhood experiences and toxic stress on a child's brain and body; and

WHEREAS, A critical factor in buffering a child from the negative effects of toxic stress and adverse childhood experiences is the existence of at least one stable, supportive relationship between the child and a nurturing adult; and

WHEREAS, With the increase in scientific understanding and ability to identify, prevent, and treat trauma-related disorders, there is great hope for children and adults to begin healing from the negative effects of adverse childhood experiences, develop resiliency, and have brighter, more productive futures than was previously possible; and

WHEREAS, In order to maximize the potential for positive outcomes of evidence-based interventions in the treatment of severe trauma, it is imperative that employees of the State of Illinois and other people who interface directly with vulnerable children and adults become informed regarding the effects of trauma on the human brain and available screening and assessment tools and treatment interventions that lead to increased resiliency in children and adults who struggle in life as the result of trauma-related disorders; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we encourage all officers and employees of the Illinois State Board of Education, the Illinois Department of Human Services, the Administrative Office of the Courts, and the Illinois Department of Corrections to become informed regarding well-documented detrimental short-term and long-term impacts to children and adults from serious traumatic childhood experiences as outlined above and implement evidence-based interventions and practices that are proven to be successful in developing resiliency in children and adults currently suffering from trauma-related disorders to help them recover from their trauma and function at their full capacity and potential in school, the workplace, and community, family, and interpersonal relationships; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Illinois State Board of Education, the Illinois Department of Human Services, the Administrative Office of the Courts, the Illinois Department of Corrections, and all nonprofit agencies and other entities that contract with the State of Illinois to provide services to vulnerable children and adults.

INTRODUCTION OF BILL

SENATE BILL NO. 2209. Introduced by Senator Radogno, 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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator McConaughay, **Senate Bill No. 1593** 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 None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rooney
Anderson	Fowler	Martinez	Sandoval

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Barickman	Harmon	McCann	Schimpf
Bennett	Hastings	McCarter	Stadelman
Biss	Holmes	McConnaughay	Steans
Bivins	Hunter	Morrison	Syverson
Brady	Hutchinson	Muñoz	Tracy
Bush	Koehler	Oberweis	Van Pelt
Castro	Landek	Radogno	Weaver
Clayborne	Lightford	Rezin	Mr. President
Connelly	Link	Righter	

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

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

SENATE BILL RECALLED

On motion of Senator McConnaughay, **Senate Bill No. 1122** was recalled from the order of third reading to the order of second reading.

Senator McConnaughay offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1122

AMENDMENT NO. 1. Amend Senate Bill 1122 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.60 and 34-18.53 as follows:

(105 ILCS 5/10-20.60 new)

Sec. 10-20.60. Booking stations on school grounds.

(a) There shall be no student booking station established or maintained on the grounds of any school.

(b) This prohibition shall be applied to student booking stations only, as defined in this Section. The prohibition does not prohibit or affect the establishment or maintenance of any place operated by or under the control of law enforcement personnel, school resource officers, or other security personnel that does not also qualify as a student booking station as defined in paragraph (2) of subsection (d) of this Section. The prohibition does not affect or limit the powers afforded law enforcement officers to perform their duties within schools as otherwise prescribed by law.

(c) When the underlying suspected or alleged criminal act is an act of violence, and isolation of a student or students is deemed necessary to the interest of public safety, and no other location is adequate for secure isolation of the student or students, offices as described in paragraph (1) of subsection (d) of this Section may be employed to detain students for a period no longer than that required to alleviate that threat to public safety.

(d) As used in this Section, "student booking station" means a building, office, room, or any indefinitely established space or site, mobile or fixed, which operates concurrently as:

(1) predominantly or regularly a place of operation for a municipal police department, county sheriff department, or other law enforcement agency, or under the primary control thereof; and

(2) a site at which students are detained in connection with criminal charges or allegations against those students, taken into custody, or engaged with law enforcement personnel in any process that creates a law enforcement record of that contact with law enforcement personnel or processes.

(105 ILCS 5/34-18.53 new)

Sec. 34-18.53. Booking stations on school grounds.

(a) There shall be no student booking station established or maintained on the grounds of any school.

(b) This prohibition shall be applied to student booking stations only, as defined in this Section. The prohibition does not prohibit or affect the establishment or maintenance of any place operated by or under the control of law enforcement personnel, school resource officers, or other security personnel that does not also qualify as a student booking station as defined in paragraph (2) of subsection (d) of this Section. The prohibition does not affect or limit the powers afforded law enforcement officers to perform their duties within schools as otherwise prescribed by law.

(c) When the underlying suspected or alleged criminal act is an act of violence, and isolation of a student or students is deemed necessary to the interest of public safety, and no other location is adequate for secure

isolation of the student or students, offices as described in paragraph (1) of subsection (d) of this Section may be employed to detain students for a period no longer than that required to alleviate that threat to public safety.

(d) As used in this Section, "student booking station" means a building, office, room, or any indefinitely established space or site, mobile or fixed, which operates concurrently as:

(1) predominantly or regularly a place of operation for a municipal police department, county sheriff department, or other law enforcement agency, or under the primary control thereof; and

(2) a site at which students are detained in connection with criminal charges or allegations against those students, taken into custody, or engaged with law enforcement personnel in any process that creates a law enforcement record of that contact with law enforcement personnel or processes.

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 McConaughay, **Senate Bill No. 1122** 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; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

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 Hutchinson, **Senate Bill No. 852** was recalled from the order of third reading to the order of second reading.

Senator Hutchinson offered the following amendment and moved its adoption:

[May 5, 2017]

AMENDMENT NO. 1 TO SENATE BILL 852

AMENDMENT NO. 1. Amend Senate Bill 852 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 222 as follows:
(35 ILCS 5/222)

Sec. 222. Live theater production credit.

(a) For tax years beginning on or after January 1, 2012 and beginning prior to January 1, 2027, a taxpayer who has received a tax credit award under the Live Theater Production Tax Credit Act is entitled to a credit against the taxes imposed under subsections (a) and (b) of Section 201 of this Act in an amount determined under that Act by the Department of Commerce and Economic Opportunity.

(b) If the taxpayer is a partnership, limited liability partnership, limited liability company, or Subchapter S corporation, the tax credit award is allowed to the partners, unit holders, or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

(c) A sale, assignment, or transfer of the tax credit award may be made by the taxpayer earning the credit within one year after the credit is awarded in accordance with rules adopted by the Department of Commerce and Economic Opportunity.

(d) The Department of Revenue, in cooperation with the Department of Commerce and Economic Opportunity, shall adopt rules to enforce and administer the provisions of this Section.

(e) The tax credit award may not be carried back. If the amount of the credit exceeds the tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 tax years following the excess credit year. The tax credit award shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one tax year that are available to offset liability, the earlier credit shall be applied first. In no event may a credit under this Section reduce the taxpayer's liability to less than zero. (Source: P.A. 97-636, eff. 6-1-12.)

Section 10. The Film Production Services Tax Credit Act of 2008 is amended by changing Section 42 as follows:

(35 ILCS 16/42)

Sec. 42. Sunset of credits. The application of credits awarded pursuant to this Act shall be limited by a reasonable and appropriate sunset date. A taxpayer shall not be entitled to take a credit awarded pursuant to this Act for tax years beginning on or after January 1, 2027 ~~40 years after the effective date of this amendatory Act of the 97th General Assembly. After the initial 10-year sunset, the General Assembly may extend the sunset date by 5-year intervals.~~

(Source: P.A. 97-2, eff. 5-6-11; 97-3, eff. 5-6-11.)

Section 15. The Live Theater Production Tax Credit Act is amended by changing Section 10-20 as follows:

(35 ILCS 17/10-20)

Sec. 10-20. Tax credit award. Subject to the conditions set forth in this Act, an applicant is entitled to a tax credit award as approved by the Department for qualifying Illinois labor expenditures and Illinois production spending for each tax year in which the applicant is awarded an accredited theater production certificate issued by the Department. The amount of tax credits awarded pursuant to this Act shall not exceed (i) \$2,000,000 in any fiscal year prior to fiscal year 2017 and (ii) \$4,000,000 in fiscal year 2017 and each fiscal year thereafter. Credits shall be awarded on a first-come, first-served basis. Notwithstanding the foregoing, if the amount of credits applied for in any fiscal year exceeds the amount authorized to be awarded under this Section, the excess credit amount shall be awarded in the next fiscal year in which credits remain available for award and shall be treated as having been applied for on the first day of that fiscal year.

(Source: P.A. 97-636, eff. 6-1-12.)".

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

[May 5, 2017]

On motion of Senator Hutchinson, **Senate Bill No. 852** 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 4.

The following voted in the affirmative:

Althoff	Fowler	McCann	Rooney
Anderson	Hastings	McConchie	Sandoval
Barickman	Holmes	McConnaughay	Stadelman
Bennett	Hunter	Morrison	Steans
Bertino-Tarrant	Hutchinson	Mulroe	Syverson
Brady	Koehler	Muñoz	Tracy
Bush	Landek	Murphy	Van Pelt
Castro	Lightford	Oberweis	Weaver
Clayborne	Link	Radogno	Mr. President
Cullerton, T.	Manar	Raoul	
Cunningham	Martinez	Rezin	

The following voted in the negative:

McCarter	Rose
Righter	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.

On motion of Senator J. Cullerton, **Senate Bill No. 870** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Martinez	Rezin
Anderson	Fowler	McCann	Righter
Barickman	Harmon	McCarter	Rooney
Bennett	Hastings	McConchie	Schimpf
Bertino-Tarrant	Holmes	McConnaughay	Stadelman
Biss	Hunter	Morrison	Steans
Bivins	Hutchinson	Mulroe	Syverson
Brady	Koehler	Muñoz	Tracy
Bush	Landek	Murphy	Van Pelt
Castro	Lightford	Oberweis	Weaver
Clayborne	Link	Radogno	Mr. President
Connelly	Manar	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.

[May 5, 2017]

On motion of Senator J. Cullerton, **Senate Bill No. 1439** 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	Fowler	McCarter	Rose
Anderson	Harmon	McConchie	Sandoval
Barickman	Hastings	McConnaughay	Schimpf
Bennett	Holmes	Morrison	Stadelman
Bertino-Tarrant	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Koehler	Murphy	Tracy
Bush	Landek	Oberweis	Van Pelt
Castro	Lightford	Radogno	Weaver
Clayborne	Link	Raoul	Mr. President
Connelly	Manar	Rezin	
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.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2017 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **HOUSE BILLS 470, 3090, 3272 and 3273.**

Commerce and Economic Development: **HOUSE BILLS 1560, 2698 and 3032.**

Criminal Law: **HOUSE BILLS 649, 2373, 2390, 2559, 2829, 3251, 3712 and 3803.**

Education: **Floor Amendment No. 4 to Senate Bill 1; Floor Amendment No. 1 to Senate Bill 449; HOUSE BILLS 261, 2461, 2545, 2898, 2950, 3298, 3368, 3437, 3745, 3820 and 3903.**

Environment and Conservation: **Floor Amendment No. 2 to Senate Bill 1774; HOUSE BILL 1914.**

Executive: **Floor Amendment No. 1 to Senate Bill 100; Committee Amendment No. 1 to House Bill 791; Floor Amendment No. 1 to Senate Bill 1095; HOUSE BILLS 539, 2878, 3164, 3419 and 3519.**

Gaming: **Floor Amendment No. 2 to Senate Bill 620.**

Government Reform: **Committee Amendment No. 1 to House Joint Resolution 25.**

Higher Education: **Floor Amendment No. 2 to Senate Bill 518.**

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Human Services: **Committee Amendment No. 1 to House Bill 3161; HOUSE BILLS 2388, 2474, 2589, 3168, 3502 and 3709.**

Insurance: **HOUSE BILLS 1954, 1955, 3072 and 3223.**

Judiciary: **Floor Amendment No. 1 to Senate Bill 444; Floor Amendment No. 2 to Senate Bill 568; Floor Amendment No. 2 to House Bill 2516; Committee Amendment No. 1 to House Bill 2537; Committee Amendment No. 1 to House Bill 2713; HOUSE BILLS 188, 1273, 2572, 2626, 2702, 2810, 2937, 3001 and 3755.**

Labor : **HOUSE BILLS 690, 2771, 3216 and 3539.**

Licensed Activities and Pensions: **Floor Amendment No. 2 to Senate Bill 309; Committee Amendment No. 1 to House Bill 350; Floor Amendment No. 1 to Senate Bill 364; HOUSE BILLS 313, 418, 656, 688, 2577, 2630, 3462, 3464, 3528, 3897 and 3908.**

Local Government: **HOUSE BILLS 659, 1896, 2756, 2778 and 3400.**

Public Health: **Committee Amendment No. 1 to House Bill 763; HOUSE BILLS 173, 1952, 3157, 3488 and 3773.**

Revenue: **Floor Amendment No. 2 to House Bill 155; HOUSE BILLS 159, 2831 and 3036.**

Special Committee on Oversight of Medicaid Managed Care: **Floor Amendment No. 1 to Senate Bill 321; HOUSE BILL 2907.**

State Government: **Floor Amendment No. 4 to Senate Bill 262; Floor Amendment No. 1 to Senate Bill 267; Floor Amendment No. 2 to Senate Bill 1606; Committee Amendment No. 1 to House Bill 2482; Committee Amendment No. 1 to House Bill 3737; HOUSE BILLS 123, 140, 2664, 2987, 3514, 3649 and 3855.**

Transportation: **Floor Amendment No. 3 to Senate Bill 1687; HOUSE BILLS 607, 2953, 3004 and 3045.**

Veterans Affairs: **HOUSE BILLS 3095 and 3261.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2017 meeting, reported that the Committee recommends that **Senate Bill No. 643** be re-referred from the Executive Subcommittee on Governmental Operations to the Committee on Executive.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2017 meeting, reported that the Committee recommends that **Senate Bill No. 82** be re-referred from the Executive Subcommittee on Special Issues to the Committee on Executive.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2017 meeting, reported that the Committee recommends that **Senate Bills numbered 1272 and 1273** be re-referred from the Committee on Environment and Conservation to the Committee on Agriculture.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2017 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 4 to Senate Bill 1351
Floor Amendment No. 4 to Senate Bill 1592

The foregoing floor amendments were placed on the Secretary's Desk.

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Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2017 meeting, to which was referred **House Bills numbered 737, 2465, 2685, 2732, 2820, 3033, 3044, 3188 and 3631**, reported the same back with the recommendation that the bill be placed on the order of second reading without recommendation to committee.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2017 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Local Government: **Senate Resolution No. 482.**

Special Committee on Oversight of Medicaid Managed Care: **Senate Resolution No. 480.**

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 441, Floor Amendment No. 1 to Senate Bill 543, Floor Amendment No. 1 to Senate Bill 1091, Floor Amendment No. 3 to Senate Bill 1754**

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Hastings, **Senate Bill No. 1882** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Licensed Activities and Pensions, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 1882

AMENDMENT NO. 1. Amend Senate Bill 1882 on page 1, immediately above line 4, by inserting the following:

"Section 1. Short title. This Act may be referred to as the Best Practices and Uniform Standards to Ensure Consumer Protection and Safe Pets Act."; and

on page 1, line 22, after "microchipped", by inserting "and the microchip has been enrolled with a searchable national database"; and

by replacing line 21 on page 7 through line 8 on page 10 with the following:

"(225 ILCS 605/3.8 new)

Sec. 3.8. Sourcing of dogs and cats sold by pet shops, dog dealers, or cattery operators.

(a) A pet shop operator, dog dealer, or cattery operator may not obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from a person who is required to be licensed by the pet dealer regulations of the United States Department of Agriculture under the federal Animal Welfare Act (7 U.S.C. 2131 et seq.) if any of the following applies:

(1) The person is not currently licensed by the United States Department of Agriculture under the federal Animal Welfare Act.

(2) On the last inspection report, before obtaining the dog or cat, the person commits a critical violation of any of the pet dealer regulations of the United States Department of Agriculture under the federal Animal Welfare Act.

(3) The person commits a direct violation of the pet dealer regulations of the United States Department of Agriculture under the federal Animal Welfare Act (7 U.S.C. 2131 et seq.) on the last inspection before obtaining the dog or cat, for violations relating to the health or welfare of the animal and the violations were not administrative in nature.

(b) A pet shop operator, dog dealer, or cattery operator is presumed to have acted in good faith and to have satisfied its obligation to ascertain whether a person meets the criteria described in subsection (a) of this Section if the pet shop operator, dog dealer, or cattery operator obtains the latest inspection reports

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that are readily available from the licensed breeder or the Animal and Plant Health Inspection Service (APHIS) online search tool maintained by the United States Department of Agriculture at the time of sale. A pet shop operator, dog dealer, or cattery operator is in compliance with this Section if the most recent inspection report is unavailable through no fault of the licensed breeder or the APHIS online search tool is unavailable; however, the pet shop operator, dog dealer, or cattery operator shall obtain the most current inspection report as soon as it becomes available. A pet shop operator, dog dealer, or cattery operator is presumed to have acted in good faith and to have satisfied its obligation if it is determined that the licensed breeder altered or falsified the inspection report provided at the time of sale.

(c) Notwithstanding subsections (a) and (b) of this Section, a pet shop operator, dog dealer, or cattery operator may obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from: (1) a person that sells dogs only he or she has produced and raised, (2) a publicly operated pound or a private non-profit humane society or rescue, or (3) an animal adoption event conducted by a pound or humane society.

(d) A pet shop operator, dog dealer, or cattery operator shall maintain records verifying its compliance with this Section for 2 years after obtaining the dog or cat to be sold or offered for sale. Records maintained pursuant to this subsection (d) shall be open to inspection on request by a Department of Agriculture inspector.

(e) It is recognized that the sourcing of dogs and cats into Illinois is a matter of statewide interest to protect the health and safety of both the animals and the citizens of Illinois. A home rule unit may not regulate the sourcing of dogs and cats sold by pet shop operators, dog dealers, or cattery operators. 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."

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1882

AMENDMENT NO. 2. Amend Senate Bill 1882 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be referred to as the Best Practices and Uniform Standards to Ensure Consumer Protection and Safe Pets Act.

Section 5. The Animal Welfare Act is amended by changing Sections 3.1, 3.6, and 3.15 and by adding Section 3.8 as follows:

(225 ILCS 605/3.1) (from Ch. 8, par. 303.1)

Sec. 3.1. Information on dogs and cats for sale by a dog dealer or cattery operator. Every dog dealer and cattery operator shall provide the following information for every dog or cat available for sale:

- (a) The age, sex, and weight of the animal.
- (b) The breed of the animal.
- (c) A record of vaccinations and veterinary care and treatment.
- (d) A record of surgical sterilization or lack of surgical sterilization.
- (e) The name and address of the breeder of the animal.
- (f) The name and address of any other person who owned or harbored the animal between its birth and the point of sale.

(g) Documentation that indicates that the dog or cat has been microchipped and the microchip has been enrolled in a nationally searchable database.

(Source: P.A. 96-1470, eff. 1-1-11.)

(225 ILCS 605/3.6)

Sec. 3.6. Acceptance of stray dogs and cats.

(a) No animal shelter may accept a stray dog or cat unless the animal is reported by the shelter to the animal control or law enforcement of the county in which the animal is found by the next business day. An animal shelter may accept animals from: (1) the owner of the animal where the owner signs a relinquishment form which states he or she is the owner of the animal; (2) an animal shelter licensed under this Act; or (3) an out-of-state animal control facility, rescue group, or animal shelter that is duly licensed in their state or is a not-for-profit organization.

(b) When stray dogs and cats are accepted by an animal shelter, they must be scanned for the presence of a microchip and examined for other currently-acceptable methods of identification, including, but not limited to, identification tags, tattoos, and rabies license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The animal shelter shall notify the owner and

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transfer any dog with an identified owner to the animal control or law enforcement agency in the jurisdiction in which it was found or the local animal control agency for redemption.

(c) If no transfer can occur, the animal shelter shall make every reasonable attempt to contact the owner, agent, or caretaker as soon as possible. The animal shelter shall give notice of not less than 7 business days to the owner, agent, or caretaker prior to disposal of the animal. The notice shall be mailed to the last known address of the owner, agent, or caretaker. Testimony of the animal shelter, or its authorized agent, who mails the notice shall be evidence of the receipt of the notice by the owner, agent, or caretaker of the animal. A mailed notice shall remain the primary means of owner, agent, or caretaker contact; however, the animal shelter shall also attempt to contact the owner, agent, or caretaker by any other contact information, such as by telephone or email address, provided by the microchip or other method of identification found on the dog or cat. If the dog or cat has been microchipped and the primary contact listed by the chip manufacturer cannot be located or refuses to reclaim the dog or cat, an attempt shall be made to contact any secondary contacts listed by the chip manufacturer prior to adoption, transfer, or euthanasia. Prior to transferring any stray dog or cat to another humane shelter, pet store, ~~or~~ rescue group, or euthanasia, the dog or cat shall be scanned again for the presence of a microchip and examined for other means of identification. If a second scan provides the same identifying information as the initial intake scan and the owner, agent, or caretaker has not been located or refuses to reclaim the dog or cat, the animal shelter may proceed with adoption, transfer, or euthanasia.

(d) When stray dogs and cats are accepted by an animal shelter and no owner can be identified, the shelter shall hold the animal for the period specified in local ordinance prior to adoption, transfer, or euthanasia. The animal shelter shall allow access to the public to view the animals housed there. If a dog is identified by an owner who desires to make redemption of it, the dog shall be transferred to the local animal control for redemption. If no transfer can occur, the animal shelter shall proceed pursuant to Section 3.7. Upon lapse of the hold period specified in local ordinance and no owner can be identified, ownership of the animal, by operation of law, transfers to the shelter that has custody of the animal.

(e) No representative of an animal shelter may enter private property and remove an animal without permission from the property owner and animal owner, nor can any representative of an animal shelter direct another individual to enter private property and remove an animal unless that individual is an approved humane investigator (approved by the Department) operating pursuant to the provisions of the Humane Care for Animals Act.

(f) Nothing in this Section limits an animal shelter and an animal control facility who, through mutual agreement, wish to enter into an agreement for animal control, boarding, holding, or other services provided that the agreement requires parties adhere to the provisions of the Animal Control Act, the Humane Euthanasia in Animal Shelters Act, and the Humane Care for Animals Act.

(Source: P.A. 99-310, eff. 1-1-16.)

(225 ILCS 605/3.8 new)

Sec. 3.8. Sourcing of dogs and cats sold by pet shops.

(a) A pet shop operator may not obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from a person who is required to be licensed by the pet dealer regulations of the United States Department of Agriculture under the federal Animal Welfare Act (7 U.S.C. 2131 et seq.) if any of the following applies to the original breeder:

(1) The person is not currently licensed by the United States Department of Agriculture under the federal Animal Welfare Act.

(2) During the 2-year period before the day the dog or cat is received by the pet shop, the person received a direct or critical non-compliant citation on a final inspection report from the United States Department of Agriculture under the federal Animal Welfare Act.

(3) During the 2-year period before the day the dog or cat is received by the pet shop, the person received 3 or more non-compliant citations on a final inspection report from the United States Department of Agriculture for violations relating to the health or welfare of the animal and the violations were not administrative in nature.

(4) The person received a no-access violation on each of the 3 most recent final inspection reports from the United States Department of Agriculture.

(b) A pet shop operator is presumed to have acted in good faith and to have satisfied its obligation to ascertain whether a person meets the criteria described in subsection (a) of this Section if, when placing an order to obtain a dog or cat for sale or resale, the pet shop operator conducts a search for inspection reports that are readily available of the breeder on the Animal Care Information System online search tool maintained by the United States Department of Agriculture. If inspection reports are not readily available on the United States Department of Agriculture website, the pet shop operator must obtain the inspection reports from the person or persons required to meet the criteria described in subsection (a) of this Section.

(c) Notwithstanding subsections (a) and (b) of this Section, a pet shop operator may obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from: (1) a person that sells dogs only he or she has produced and raised and who is not required to be licensed by the United States Department of Agriculture, (2) a publicly operated pound or a private non-profit humane society or rescue, or (3) an animal adoption event conducted by a pound or humane society.

(d) A pet shop operator shall maintain records verifying its compliance with this Section for 2 years after obtaining the dog or cat to be sold or offered for sale. Records maintained pursuant to this subsection (d) shall be open to inspection on request by a Department of Agriculture inspector.

(225 ILCS 605/3.15)

Sec. 3.15. Disclosures for dogs and cats being sold by pet shops.

(a) Prior to the time of sale, every pet shop operator must, to the best of his or her knowledge, provide to the consumer the following information on any dog or cat being offered for sale:

(1) The retail price of the dog or cat, including any additional fees or charges.

(2) The breed, age, date of birth, sex, and color of the dog or cat.

(3) The date and description of any inoculation or medical treatment that the dog or cat received while under the possession of the pet shop operator.

(4) The name and business address of both the dog or cat breeder and the facility where the dog or cat was born. If the dog or cat breeder is located in the State, then the breeder's license number. If the dog or cat breeder also holds a license issued by the United States Department of Agriculture, the breeder's federal license number.

(5) (Blank).

(6) If eligible for registration with a pedigree registry, then the name and registration numbers of the sire and dam and the address of the pedigree registry where the sire and dam are registered.

(7) If the dog or cat was returned by a customer, then the date and reason for the return.

(8) A copy of the pet shop's policy regarding warranties, refunds, or returns and an explanation of the remedy under subsections (f) through (m) of this Section in addition to any other remedies available at law.

(9) The pet shop operator's license number issued by the Illinois Department of Agriculture.

(10) Disclosure that the dog or cat has been microchipped and the microchip has been enrolled in a nationally searchable database. Pet stores must also disclose that the purchaser has the option to list the pet store as a secondary contact on the microchip.

(a-5) All dogs and cats shall be microchipped by a pet shop operator prior to sale.

(b) The information required in subsection (a) shall be provided to the customer in written form by the pet shop operator and shall have an acknowledgement of disclosures form, which must be signed by the customer and the pet shop operator at the time of sale. The acknowledgement of disclosures form shall include the following:

(1) A blank space for the dated signature and printed name of the pet shop operator, which shall be immediately beneath the following statement: "I hereby attest that all of the above information is true and correct to the best of my knowledge."

(2) A blank space for the customer to sign and print his or her name and the date, which shall be immediately beneath the following statement: "I hereby attest that this disclosure was posted on or near the cage of the dog or cat for sale and that I have read all of the disclosures. I further understand that I am entitled to keep a signed copy of this disclosure."

(c) A copy of the disclosures and the signed acknowledgement of disclosures form shall be provided to the customer at the time of sale and the original copy shall be maintained by the pet shop operator for a period of 2 years from the date of sale. A copy of the pet store operator's policy regarding warranties, refunds, or returns shall be provided to the customer.

(d) A pet shop operator shall post in a conspicuous place in writing on or near the cage of any dog or cat available for sale the information required by subsection (a) of this Section 3.15.

(e) If there is an outbreak of distemper, parvovirus, or any other contagious and potentially life-threatening disease, the pet shop operator shall notify the Department immediately upon becoming aware of the disease. If the Department issues a quarantine, the pet shop operator shall notify, in writing and within 2 business days of the quarantine, each customer who purchased a dog or cat during the 2-week period prior to the outbreak and quarantine.

(f) A customer who purchased a dog or cat from a pet shop is entitled to a remedy under this Section if:

(1) within 21 days after the date of sale, a licensed veterinarian states in writing

that at the time of sale (A) the dog or cat was unfit for purchase due to illness or disease, the presence of symptoms of a contagious or infectious disease, or obvious signs of severe parasitism that are extreme enough to influence the general health of the animal, excluding fleas or ticks, or (B) the dog or cat has died from a disease that existed in the dog or cat on or before the date of delivery to the customer; or

(2) within one year after the date of sale, a licensed veterinarian states in writing that the dog or cat possesses a congenital or hereditary condition that adversely affects the health of the dog or cat or requires either hospitalization or a non-elective surgical procedure or has died of a congenital or hereditary condition. Internal or external parasites may not be considered to adversely affect the health of the dog unless the presence of the parasites makes the dog or cat clinically ill. The veterinarian's statement shall include:

(A) the customer's name and address;

(B) a statement that the veterinarian examined the dog or cat;

(C) the date or dates that the dog or cat was examined;

(D) the breed and age of the dog or cat, if known;

(E) a statement that the dog or cat has or had a disease, illness, or congenital or hereditary condition that is subject to remedy; and

(F) the findings of the examination or necropsy, including any lab results or copies of the results.

(g) A customer entitled to a remedy under subsection (f) of this Section may:

(1) return the dog or cat to the pet shop for a full refund of the purchase price;

(2) exchange the dog or cat for another dog or cat of comparable value chosen by the customer;

(3) retain the dog or cat and be reimbursed for reasonable veterinary fees for diagnosis and treatment of the dog or cat, not to exceed the purchase price of the dog or cat; or

(4) if the dog or cat is deceased, be reimbursed for the full purchase price of the dog or cat plus reasonable veterinary fees associated with the diagnosis and treatment of the dog or cat, not to exceed one times the purchase price of the dog or cat.

For the purposes of this subsection (g), veterinary fees shall be considered reasonable if (i) the services provided are appropriate for the diagnosis and treatment of the disease, illness, or congenital or hereditary condition and (ii) the cost of the services is comparable to that charged for similar services by other licensed veterinarians located in close proximity to the treating veterinarian.

(h) Unless the pet shop contests a reimbursement required under subsection (g) of this Section, the reimbursement shall be made to the customer no later than 10 business days after the pet shop operator receives the veterinarian's statement under subsection (f) of this Section.

(i) To obtain a remedy under this Section, a customer shall:

(1) notify the pet shop as soon as reasonably possible and not to exceed 3 business days after a diagnosis by a licensed veterinarian of a disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy;

(2) provide to the pet shop a written statement provided for under subsection (f) of this Section by a licensed veterinarian within 5 business days after a diagnosis by the veterinarian;

(3) upon request of the pet shop, take the dog or cat for an examination by a second licensed veterinarian; the customer may either choose the second licensed veterinarian or allow the pet shop to choose the second veterinarian, if the pet shop agrees to do so. The party choosing the second veterinarian shall assume the cost of the resulting examination; and

(4) if the customer requests a reimbursement of veterinary fees, provide to the pet shop an itemized bill for the disease, illness, or congenital or hereditary condition of the dog or cat for which the customer is seeking a remedy.

(j) A customer is not entitled to a remedy under this Section if:

(1) the illness or death resulted from: (A) maltreatment or neglect by the customer; (B) an injury sustained after the delivery of the dog or cat to the customer; or (C) an illness or disease contracted after the delivery of the dog or cat to the customer;

(2) the customer does not carry out the recommended treatment prescribed by the veterinarian who made the diagnosis; or

(3) the customer does not return to the pet shop all documents provided to register the dog or cat, unless the documents have already been sent to the registry organization.

(k) A pet shop may contest a remedy under this Section by having the dog or cat examined by a second licensed veterinarian pursuant to paragraph (3) of subsection (i) of this Section if the dog or cat is still living. If the dog or cat is deceased, the pet shop may choose to have the second veterinarian review any

records provided by the veterinarian who examined or treated the dog or cat for the customer before its death.

If the customer and the pet shop have not reached an agreement within 10 business days after the examination of the medical records and the dog or cat, if alive, or the dog's or cat's medical records, if deceased, by the second veterinarian, then:

- (1) the customer may bring suit in a court of competent jurisdiction to resolve the dispute; or
- (2) if the customer and the pet shop agree in writing, the parties may submit the dispute to binding arbitration.

If the court or arbiter finds that either party acted in bad faith in seeking or denying the requested remedy, then the offending party may be required to pay reasonable attorney's fees and court costs of the adverse party.

(l) This Section shall not apply to any adoption of dogs or cats, including those in which a pet shop or other organization rents or donates space to facilitate the adoption.

(m) If a pet shop offers its own warranty on a pet, a customer may choose to waive the remedies provided under subsection (f) of this Section in favor of choosing the warranty provided by the pet shop. If a customer waives the rights provided by subsection (f), the only remedies available to the customer are those provided by the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), the pet shop must provide, in writing, a statement of the remedy under subsection (f) that the customer is waiving as well as a written copy of the pet shop's warranty. For the statement to be an effective waiver of the customer's right to refund or exchange the animal under subsection (f), it shall be substantially similar to the following language:

"I have agreed to accept the warranty provided by the pet shop in lieu of the remedies under subsection (f) of Section 3.15 of the Animal Welfare Act. I have received a copy of the pet shop's warranty and a statement of the remedies provided under subsection (f) of Section 3.15 of the Animal Welfare Act. This is a waiver pursuant to subsection (m) of Section 3.15 of the Animal Welfare Act whereby I, the customer, relinquish any and all right to return the animal for congenital and hereditary disorders provided by subsection (f) of Section 3.15 of the Animal Welfare Act. I agree that my exclusive remedy is the warranty provided by the pet shop at the time of sale.".

(Source: P.A. 98-509, eff. 1-1-14; 98-593, eff. 11-15-13.)

Section 10. The Animal Control Act is amended by changing Section 10 as follows:
(510 ILCS 5/10) (from Ch. 8, par. 360)

Sec. 10. Impoundment; redemption. When dogs or cats are apprehended and impounded, they must be scanned for the presence of a microchip and examined for other currently acceptable methods of identification, including, but not limited to, identification tags, tattoos, and rabies license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The Administrator shall make every reasonable attempt to contact the owner as defined by Section 2.16, agent, or caretaker as soon as possible. The Administrator shall give notice of not less than 7 business days to the owner, agent, or caretaker prior to disposal of the animal. Such notice shall be mailed to the last known address of the owner, agent, or caretaker. Testimony of the Administrator, or his or her authorized agent, who mails such notice shall be evidence of the receipt of such notice by the owner, agent, or caretaker of the animal. A mailed notice shall remain the primary means of owner, agent, or caretaker contact; however, the Administrator shall also attempt to contact the owner, agent, or caretaker by any other contact information, such as by telephone or email address, provided by the microchip or other method of identification found on the dog or cat. If the dog or cat has been microchipped and the primary contact listed by the chip manufacturer cannot be located or refuses to reclaim the dog or cat, an attempt shall be made to contact any secondary contacts listed by the chip manufacturer prior to adoption, transfer, or euthanization. Prior to transferring the dog or cat to another humane shelter, pet store, rescue group, or euthanization, the dog or cat shall be scanned again for the presence of a microchip and examined for other means of identification. If a second scan provides the same identifying information as the initial intake scan and the owner, agent, or caretaker has not been located or refuses to reclaim the dog or cat, the animal control facility may proceed with the adoption, transfer, or euthanization.

In case the owner, agent, or caretaker of any impounded dog or cat desires to make redemption thereof, he or she may do so by doing the following:

- a. Presenting proof of current rabies inoculation and registration, if applicable.
- b. Paying for the rabies inoculation of the dog or cat and registration, if applicable.
- c. Paying the pound for the board of the dog or cat for the period it was impounded.
- d. Paying into the Animal Control Fund an additional impoundment fee as prescribed by

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the Board as a penalty for the first offense and for each subsequent offense.

e. Paying a \$25 public safety fine to be deposited into the Pet Population Control Fund; the fine shall be waived if it is the dog's or cat's first impoundment and the owner, agent, or caretaker has the animal spayed or neutered within 14 days.

f. Paying for microchipping and registration if not already done.

The payments required for redemption under this Section shall be in addition to any other penalties invoked under this Act and the Illinois Public Health and Safety Animal Population Control Act. An animal control agency shall assist and share information with the Director of Public Health in the collection of public safety fines.

(Source: P.A. 97-240, eff. 1-1-12.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 1592** 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. 3 TO SENATE BILL 1592

AMENDMENT NO. 3. Amend Senate Bill 1592, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Section 6-19.5 and by adding Article 6B as follows:

(10 ILCS 5/6-19.5)

Sec. 6-19.5. Rejection of Article by superseding county board of election commissioners. In addition to any other method of rejection provided in this Article, when a county board of election commissioners is established in accordance with subsection (c) of Section 6A-1, or when a county board of election commissioners within the office of the county clerk is established in accordance with Article 6B, in a county in which is located any portion of a municipality with a municipal board of election commissioners, the application of the provisions of this Article to the territory of that municipality located within that county is rejected.

(Source: P.A. 98-115, eff. 7-29-13.)

(10 ILCS 5/Art. 6B heading new)

ARTICLE 6B. COUNTY BOARD OF ELECTION COMMISSIONERS WITHIN THE OFFICE OF THE COUNTY CLERK

(10 ILCS 5/6B-1 new)

Sec. 6B-1. Adoption of this Article.

(a) Any county may adopt this Article and establish a county board of election commissioners within the office of the county clerk by (1) ordinance of the county board and with the approval of the county clerk, or (2) by vote of the electors of the county.

(b) When a county board of election commissioners within the office of the county clerk is established in accordance with this Section in a county in which is located any portion of a municipality with a municipal board of election commissioners, the application of the provisions of Article 6 of this Code to the territory of that municipality located within that county is rejected.

(c) When a county board of election commissioners within the office of the county clerk is established in accordance with this Section in a county that has previously adopted Article 6A of this Code, the application of the provisions of Article 6A to that county is rejected.

(d) The provisions of this Article 6B are not applicable to or available to a county if, prior to January 1, 2017, a city, village, or incorporated town located in whole or in part within the county has established a board of election commissioners pursuant to Article 6 of this Code and that board of election

commissioners of the city, village, or incorporated town has not been superseded by a county board of election commissioners in the portion of the city, village, or incorporated town located within the county under Article 6A of this Code.

(10 ILCS 5/6B-5 new)

Sec. 6B-5. County board of election commissioners within the office of the county clerk.

(a) There is created a county board of election commissioners within the office of the county clerk, which shall consist of 5 members, all of whom shall be residents of that county. The county clerk shall serve ex officio as an election commissioner, with vote, and as chairman of the county board of election commissioners.

(b) The chairman of the county board shall appoint the remaining 4 commissioners. Two of those commissioners shall be affiliated with the political party that received the highest statewide vote total in the last gubernatorial election. The remaining 2 commissioners shall be affiliated with the political party that received the second highest statewide vote total in the last gubernatorial general election. Commissioners appointed by the chairman of the county board shall be persons who have extensive knowledge of the election process of the State and county.

(c) When selecting commissioners from a political party other than his or her own, the chairman of the county board shall select the commissioners from a list of suggestions submitted to him or her by a group of 5 elected officials who are members of that other political party.

The group of elected officials who may submit suggestions to the chairman shall be comprised of the 5 longest serving members of the county board who belong to that other political party. If there are fewer than 5 county board members of that other political party, then the remaining officials shall be the longest serving members of the General Assembly who are members of that other political party and represent at least 20 precincts of that county.

If General Assembly members have served in the General Assembly for an equal amount of time, then the member who represents more precincts of the county shall be selected to the group submitting suggestions to the chairman.

Each of the 5 elected officials submitting suggestions to the chairman may submit 2 names per vacancy.

(d) For the initial appointments to a board of election commissioners within the office of the county clerk, 2 commissioners, one each from each political party, shall be appointed to serve a 2-year term, and 2 commissioners shall be appointed to serve a 4-year term. Successor members shall serve for terms of 4 years.

(e) The chairman of the county board shall provide public notice of a vacancy on the county board of election commissioners within the office of the county clerk before appointing a replacement.

(f) Appointments to fill vacancies on the county board of election commissioners within the office of the county clerk shall be consistent with the manner of the original appointment.

(g) No appointed election commissioner may hold, accept, or seek election or appointment to any other public or political office during the term to which he or she was appointed an election commissioner.

(h) Each appointed election commissioner, before taking his or her seat on the board, shall take an oath of office, which in substance shall be in the following form:

"I,, do solemnly swear (or affirm) that I am a citizen of the United States, that I am a legal voter and resident of the County of, that I will support the Constitution of the United States and of the State of Illinois, and the laws passed in pursuance thereof, to the best of my ability, and that I will faithfully and honestly discharge the duties of the office of election commissioner."

The oath, when subscribed and sworn to, shall be filed in the office of the county clerk of the county and be there preserved. Such appointed election commissioner shall also, before taking such oath, give an official bond in the sum of \$10,000.00 with two securities, to be approved by the county clerk, conditioned for the faithful and honest performance of his or her duties and the preservation of the property of his or her office.

(10 ILCS 5/6B-10 new)

Sec. 6B-10. Compensation of appointed election commissioners. The county board shall determine the compensation of the election commissioners other than the county clerk, who shall receive no additional compensation for his service as chairman or as a member of the board of election commissioners. The county board may, by ordinance, provide for an annual salary for the election commissioners other than the county clerk in an amount not to exceed 20% of the salary of any county board member or authorize payment on a per diem or per meeting basis. The county board shall not alter the manner or the amount of compensation of an election commissioner to take effect during an election commissioner's present term of office. The provisions of the Local Government Officer Compensation Act shall not apply to the compensation appointed election commissioners.

(10 ILCS 5/6B-15 new)

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Sec. 6B-15. Superseding effect. The fact that some territory in a county is within the corporate limits of a city, village, or incorporated town with a board of election commissioners does not prevent that county from establishing a county board of election commissioners in accordance with this Article. If such a county establishes a county board of election commissioners within the office of the county clerk pursuant to this Article, the county board of election commissioners within the office of the county clerk shall, with respect to the territory in the county within the corporate limits of the city, village, or incorporated town, supersede the board of election commissioners of that city, village, or incorporated town.

(10 ILCS 5/6B-20 new)

Sec. 6B-20. Transfer of records. Upon a county's adoption of this Article, an existing county board of election commissioners established under Article 6A of this Code and any municipal board of election commissioners in the county shall turn over to the new county board of election commissioners all registry books, registration record cards, poll books, tally sheets and ballot boxes, and all other books, forms, blanks, and stationery of every description in the former commissions' possession in any way relating to elections or the holding of elections in the county and any unused appropriations related to elections or the holding of elections in the county. Thereupon, all functions, powers, and duties of the county clerk, the county board, or board of election commissioners relating to elections in that county are transferred to the county board of election commissioners within the office of the county clerk.

(10 ILCS 5/6B-25 new)

Sec. 6B-25. County director of elections. The chairman of the board of election commissioners within the office of the county clerk shall have the right to employ a county director of elections who shall have charge of the office of said board and who shall be present and in attendance at all proper business hours. The director shall take an oath of office to the effect that he or she will honestly and faithfully perform all the duties of the office, under the direction of the chairman of the board, which shall be preserved in the same way, and he shall be under the direction of the chairman of board, and he or she shall have the right to administer all oaths required under this Code to be administered by the commissioners.

(10 ILCS 5/6B-30 new)

Sec. 6B-30. Procurement of election supplies, equipment, and services.

(a) A county board of election commissioners within the office of the county clerk shall procure all election supplies, equipment, and services, other than professional services, necessary to perform the election-related duties imposed on it under Articles 6, 14, and 18 of this Code in accordance with the centralized purchasing procedures established by the county board of the county. Any procurements shall be authorized by the board of election commissioners within the office of the county clerk, rather than by the county board, subject to appropriation, and in the manner Section 5-1022 of the Counties Code authorizes county boards to make these purchases.

(b) A county board of election commissioners within the office of the county clerk may determine the method by which it procures election-related professional services subject to appropriation consistent with the requirements of law and county ordinance.

(c) The provisions of the Local Government Prompt Payment Act apply to all procurements of election supplies, equipment, and services as set forth in this Section.

(10 ILCS 5/6B-35 new)

Sec. 6B-35. Applicability of Articles 6, 14, and 18. The provisions of Articles 6, 14, and 18 of this Act, other than Section 6-70, relating to boards of election commissioners in cities, villages, and incorporated towns shall, insofar as they can be made applicable, apply to and govern county boards of election commissioners within the office of the county clerk established pursuant to this Article. Whenever Article 6 requires an act of the commissioners to be accompanied by the advice, consent, or approval of the circuit court, the act by a county board of election commissioners within the office of the county clerk shall be accompanied by the advice, consent, or approval of the county clerk.

A deputy registrar serving as such by virtue of his or her status as a municipal clerk, or a duly authorized deputy of a municipal clerk, of a municipality the territory of which lies in more than one county, where one such county is governed by a county board of election commissioners within the office of the county clerk established pursuant to this Article, may accept the registration of any qualified resident of the municipality, regardless of which county the resident, municipal clerk or the duly authorized deputy of the municipal clerk lives in.

(10 ILCS 5/6B-40 new)

Sec. 6B-40. References to county clerk. Any references in this Code to the county clerk, other than as described in this Article, or the county board with respect to the registration of voters, filing of petitions, certification of candidates, preparation of ballots, establishment of election precincts, designation of polling places, or any other matter pertaining to the conduct of elections, shall, as applied to any county

having a county board of election commissioners within the office of the county clerk, be construed as referring to the county board of election commissioners within the office of the county clerk.

(10 ILCS 5/6B-45 new)

Sec. 6B-45. Personnel. The chairman of the board of election commissioners shall hire all personnel necessary for the commission to perform the duties enjoined upon it by statute and determine their compensation. All personnel hired by the chairman of the board of election commissioners shall be employees of the county clerk and subject to all employment policies as the clerk may from time to time promulgate. All personnel hired under this Section shall also be deemed employees of the respective county for payroll, taxation, and employee benefit purposes.

(10 ILCS 5/6B-50 new)

Sec. 6B-50. Legal representation. The State's Attorney of the county shall be the exclusive legal representative of the county board of election commissioners within the office of the county clerk.

(10 ILCS 5/6B-55 new)

Sec. 6B-55. Meetings of the election commissioners. A county board of election commissioners within the office of the county clerk is a public body, as the Open Meetings Act defines the term, and shall be subject to all of the requirements of that Act. The election commissioners shall meet as frequently as their duties may require, but no less frequently than 10 times annually, whether sitting as the county board of election commissioners or as an electoral board for the purpose of hearing and passing on objector's petitions as set forth in Section 10-9 of this Code, and may meet in any location in their county that is convenient and accessible to the public.

(10 ILCS 5/6B-60 new)

Sec. 6B-60. County officers electoral board. The county board of election commissioners within the office of the county clerk shall have the same powers and duties as a county board of election commissioners for the purpose of the hearing and passing on objector's petitions as set forth in Section 10-9 of this Code and shall constitute the county officers electoral board in such county. Whenever the chairman of a county board of election commissioners is a candidate for an office with relation to which an objector's petition is filed, he shall not be eligible to serve on that board and shall not act as a member of the board and his or her place shall be filled as set forth in Section 10-9 of the Code with respect to all proceedings involving such an objection.

(10 ILCS 5/6B-65 new)

Sec. 6B-65. Retention of records. The clerk shall retain all records of the county board of election commissioners within the office of the county clerk in the manner required by federal and State law. In the event of a conflict between multiple provisions of law, the clerk shall retain all records in accordance with the provision that requires the greatest period of retention.

(10 ILCS 5/6B-70 new)

Sec. 6B-70. Audit and payment. The county auditor or a person performing the duties of the county auditor shall audit the salaries and expenses of the county board of election commissioners within the office of the county clerk. All salaries and expenditures for an audit shall be paid by the county upon the warrant of the county clerk of any money in the county treasury not otherwise appropriated.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 1592

AMENDMENT NO. 4. Amend Senate Bill 1592, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 3, line 21, after "board", by inserting ", with the advice and consent of the county board,"; and

on page 4, line 24, by replacing "may" with "shall".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 3 and 4 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. 1592** 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	Cunningham	Martinez	Rezin
Anderson	Fowler	McCann	Rooney
Bennett	Harmon	McCarter	Rose
Bertino-Tarrant	Hastings	McConchie	Sandoval
Biss	Holmes	McConnaughay	Schimpf
Bivins	Hunter	Morrison	Stadelman
Brady	Hutchinson	Mulroe	Steans
Bush	Koehler	Muñoz	Syverson
Castro	Landek	Murphy	Tracy
Clayborne	Lightford	Oberweis	Van Pelt
Connelly	Link	Radogno	Mr. President
Cullerton, T.	Manar	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.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 475

Offered by Senator Anderson and all Senators:

Mourns the death of Robert L. "Beef" Freund of McHenry.

SENATE RESOLUTION NO. 476

Offered by Senator Anderson and all Senators:

Mourns the death of David Grant Brasmer of Rock Island.

SENATE RESOLUTION NO. 477

Offered by Senator Haine and all Senators:

Mourns the death of Jud Ray Admire of Alton.

SENATE RESOLUTION NO. 478

Offered by Senator Castro and all Senators:

Mourns the death of Cipriano "Cip" Siete of Elgin.

SENATE RESOLUTION NO. 479

Offered by Senators Link – Bush – Morrison and all Senators:

Mourns the death of Audrey Helen Nixon of North Chicago.

SENATE RESOLUTION NO. 481

Offered by Senator Haine and all Senators:

Mourns the death of James "Jim" A. Sohn of Bethalto.

SENATE RESOLUTION NO. 484

Offered by Senator Anderson and all Senators:

Mourns the death of the Reverend Paul D. Bendit of Moline.

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SENATE RESOLUTION NO. 485

Offered by Senator Manar and all Senators:
Mourns the death of Robert J. "Bobby" Swiney of Taylorville.

SENATE RESOLUTION NO. 486

Offered by Senator Rose and all Senators:
Mourns the death of Dale Eugene "Gene" Trimble of Newman.

SENATE RESOLUTION NO. 487

Offered by Senator McCarter and all Senators:
Mourns the death of Sandra Hotz of Salem.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

At the hour of 12:25 o'clock p.m., the Chair announced the Senate stand adjourned until Tuesday, May 9, 2017, at 12:00 o'clock noon, or until the call of the President.