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ONE HUNDREDTH GENERAL ASSEMBLY

56TH LEGISLATIVE DAY

TUESDAY, MAY 30, 2017

10:25 O'CLOCK A.M.

NO. 56
[May 30, 2017]

SENATE
Daily Journal Index
56th Legislative Day

The Senate met pursuant to adjournment.
Senator Donne Trotter, Chicago, Illinois, presiding.
Prayer by the Reverend Claude Shelby, Salem Baptist Church, Champaign, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Monday, May 29, 2017, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 3519

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

Amendment No. 2 to Senate Bill 209
Amendment No. 2 to Senate Bill 484

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment 3 to Senate Bill 31

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 563
Offered by Senator Collins and all Senators:
Mourns the death of Robert C. Barksdale of Chicago.

SENATE RESOLUTION NO. 564
Offered by Senator Koehler and all Senators:
Mourns the death of Everett Wayne "Rawhide" Madson of Ipava.

SENATE RESOLUTION NO. 565
Offered by Senator Althoff and all Senators:
Mourns the death of Hans Chrestian Petersen of McHenry.

SENATE RESOLUTION NO. 566
Offered by Senator Althoff and all Senators:
Mourns the death of Lily "Lil" Visconti of Ringwood.

SENATE RESOLUTION NO. 567
Offered by Senator Althoff and all Senators:
Mourns the death of Rudolph H. Reymann of Elgin.

SENATE RESOLUTION NO. 568
Offered by Senator Althoff and all Senators:
Mourns the death of Ceal C. Ehlenburg of Woodstock.

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

REPORT FROM STANDING COMMITTEE

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

Senate Amendment No. 1 to Senate Bill 208
Senate Amendment No. 1 to Senate Bill 209

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

MESSAGES FROM THE HOUSE

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

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

SENATE BILL NO. 1446

A bill for AN ACT concerning State government.

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

House Amendment No. 2 to SENATE BILL NO. 1446
Passed the House, as amended, May 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1446

AMENDMENT NO. 2. Amend Senate Bill 1446 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing Section 1-10 as follows:
(30 ILCS 500/1-10)
Sec. 1-10. Application.

(a) This Code applies only to procurements for which bidders, offerors, potential contractors, or contractors were first solicited on or after July 1, 1998. This Code shall not be construed to affect or impair any contract, or any provision of a contract, entered into based on a solicitation prior to the implementation date of this Code as described in Article 99, including but not limited to any covenant entered into with respect to any revenue bonds or similar instruments. All procurements for which contracts are solicited between the effective date of Articles 50 and 99 and July 1, 1998 shall be substantially in accordance with this Code and its intent.

(b) This Code shall apply regardless of the source of the funds with which the contracts are paid, including federal assistance moneys. This Code shall not apply to:

(1) Contracts between the State and its political subdivisions or other governments, or between State governmental bodies except as specifically provided in this Code.

(2) Grants, except for the filing requirements of Section 20-80.

(3) Purchase of care, except as provided in Section 5-30.1 of the Illinois Public Aid Code and this Section.

(4) Hiring of an individual as employee and not as an independent contractor, whether pursuant to an employment code or policy or by contract directly with that individual.

(5) Collective bargaining contracts.

(6) Purchase of real estate, except that notice of this type of contract with a value of more than $25,000 must be published in the Procurement Bulletin within 10 calendar days after the deed is recorded in the county of jurisdiction. The notice shall identify the real estate purchased, the names of all parties to the contract, the value of the contract, and the effective date of the contract.

(7) Contracts necessary to prepare for anticipated litigation, enforcement actions, or

investigations, provided that the chief legal counsel to the Governor shall give his or her prior approval when the procuring agency is one subject to the jurisdiction of the Governor, and provided that the chief legal counsel of any other procuring entity subject to this Code shall give his or her prior approval when the procuring entity is not one subject to the jurisdiction of the Governor.

(8) Contracts for services to Northern Illinois University by a person, acting as an independent contractor, who is qualified by education, experience, and technical ability and is selected by negotiation for the purpose of providing non-credit educational service activities or products by means of specialized programs offered by the university.

(9) Procurement expenditures by the Illinois Conservation Foundation when only private funds are used.

(10) Procurement expenditures by the Illinois Health Information Exchange Authority involving private funds from the Health Information Exchange Fund. "Private funds" means gifts, donations, and private grants.

(11) Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

(12) Contracts for legal, financial, and other professional and artistic services entered into on or before December 31, 2018 by the Illinois Finance Authority in which the State of Illinois is not obligated. Such contracts shall be awarded through a competitive process authorized by the Board of the Illinois Finance Authority and are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code, as well as the final approval by the Board of the Illinois Finance Authority of the terms of the contract.

(13) The provisions of this paragraph (13), other than this sentence, are inoperative on and after January 1, 2019 or 2 years after the effective date of this amendatory Act of the 99th General Assembly, whichever is later. Contracts for services, commodities, and equipment to support the delivery of timely forensic science services in consultation with and subject to the approval of the Chief Procurement Officer as provided in subsection (d) of Section 5-4-3a of the Unified Code of Corrections, except for the requirements of Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of this Code; however, the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50 of this Code. For any contracts for services which are currently provided by members of a collective bargaining agreement, the applicable terms of the collective bargaining agreement concerning subcontracting shall be followed.

Notwithstanding any other provision of law, contracts entered into under item (12) of this subsection (b) shall be published in the Procurement Bulletin within 14 calendar days after contract execution. The chief procurement officer shall prescribe the form and content of the notice. The Illinois Finance Authority shall provide the chief procurement officer, on a monthly basis, in the form and content prescribed by the chief procurement officer, a report of contracts that are related to the procurement of goods and services identified in item (12) of this subsection (b). At a minimum, this report shall include the name of the contractor, a description of the supply or service provided, the total amount of the contract, the term of the contract, and the exception to the Code utilized. A copy of each of these contracts shall be made available to the chief procurement officer immediately upon request. The chief procurement officer shall submit a report to the Governor and General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer.

(c) This Code does not apply to the electric power procurement process provided for under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act.

(d) Except for Section 20-160 and Article 50 of this Code, and as expressly required by Section 9.1 of the Illinois Lottery Law, the provisions of this Code do not apply to the procurement process provided for under Section 9.1 of the Illinois Lottery Law.

(e) This Code does not apply to the process used by the Capital Development Board to retain a person or entity to assist the Capital Development Board with its duties related to the determination of costs of a clean coal SNG brownfield facility, as defined by Section 1-10 of the Illinois Power Agency Act, as required in subsection (h-3) of Section 9-220 of the Public Utilities Act, including calculating the range of capital costs, the range of operating and maintenance costs, or the sequestration costs or monitoring the construction of clean coal SNG brownfield facility for the full duration of construction.

(f) This Code does not apply to the process used by the Illinois Power Agency to retain a mediator to mediate sourcing agreement disputes between gas utilities and the clean coal SNG brownfield facility, as defined in Section 1-10 of the Illinois Power Agency Act, as required under subsection (h-1) of Section 9-220 of the Public Utilities Act.

(g) This Code does not apply to the processes used by the Illinois Power Agency to retain a mediator to mediate contract disputes between gas utilities and the clean coal SNG facility and to retain an expert to assist in the review of contracts under subsection (h) of Section 9-220 of the Public Utilities Act. This Code does not apply to the process used by the Illinois Commerce Commission to retain an expert to assist in determining the actual incurred costs of the clean coal SNG facility and the reasonableness of those costs as required under subsection (h) of Section 9-220 of the Public Utilities Act.

(h) This Code does not apply to the process to procure or contracts entered into in accordance with Sections 11-5.2 and 11-5.3 of the Illinois Public Aid Code.

(i) Each chief procurement officer may access records necessary to review whether a contract, purchase, or other expenditure is or is not subject to the provisions of this Code, unless such records would be subject to attorney-client privilege.

(j) This Code does not apply to the process used by the Capital Development Board to retain an artist or work or works of art as required in Section 14 of the Capital Development Board Act.

(k) This Code does not apply to the process to procure contracts, or contracts entered into, by the State Board of Elections or the State Electoral Board for hearing officers appointed pursuant to the Election Code.

(Source: P.A. 98-90, eff. 7-15-13; 98-463, eff. 8-16-13; 98-572, eff. 1-1-14; 98-756, eff. 7-16-14; 98-1076, eff. 1-1-15; 99-801, eff. 1-1-17.)

Section 10. The Illinois Public Aid Code is amended by adding Section 5-30.6 as follows:

(305 ILCS 5/5-30.6 new)

Sec. 5-30.6. Managed care organization contracts; procurement requirement. Beginning on the effective date of this amendatory Act of the 100th General Assembly, any contract executed by the Department with a managed care organization as defined in Section 5-30.1 shall be procured in accordance with the Illinois Procurement Code.

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

Under the rules, the foregoing **Senate Bill No. 1446**, with House Amendment No. 2, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 1267

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1567

A bill for AN ACT concerning revenue.

Passed the House, May 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

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

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

HOUSE BILL NO. 1316

A bill for AN ACT concerning education.

HOUSE BILL NO. 3259

A bill for AN ACT concerning appropriations.

Passed the House, May 29, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1316 and 3259** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1316, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3259, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Stadelman, **House Bill No. 270** was taken up, read by title a second.
Senate Amendment No. 1 was held in the Committee on Criminal Law.
There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Silverstein, **House Bill No. 2665** was taken up, read by title a second time.
Committee Amendment Nos. 1 and 2 and Floor Amendment No. 3 were held in the Committee on Assignments.
There being no further amendments, the bill was ordered to a third reading.

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

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

At the hour of 10:50 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 11:38 o'clock a.m., the Senate resumed consideration of business.
Senator Trotter, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported that **Appointment Messages numbered 990556, 1000116, 1000145, 1000161, 1000175, 1000195** and **1000196** have been re-referred from the Committee on Executive Appointments to the Committee on Assignments.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 2 to Senate Bill 209
Floor Amendment No. 2 to Senate Bill 484
Floor Amendment No. 3 to House Bill 2665
Floor Amendment No. 1 to House Bill 3519

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported that the following Legislative Measure has been approved for consideration:

Motion to Concur in House Amendment 3 to Senate Bill 31

The foregoing concurrence was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Joint Resolution 34

The foregoing resolution was placed on the Secretary's Desk.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, to which was referred **House Bill No. 2893**, 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 30, 2017 meeting, to which was referred **Appointment Messages Numbered 990556, 1000116, 1000145, 1000161, 1000175, 1000195 and 1000196**, on May 30, 2017, reported that the Committee recommends that the messages be approved for consideration.

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

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 569

Offered by Senator Harmon and all Senators:
Mourns the death of Maya-Gabrielle Francesca Gary of Oak Park.

SENATE RESOLUTION NO. 570

Offered by Senator Link and all Senators:
Mourns the death of Donald Edward Doerhoefer.

SENATE RESOLUTION NO. 571

Offered by Senator Link and all Senators:
Mourns the death of Don J. Kreul of Beach Park.

SENATE RESOLUTION NO. 572

Offered by Senator Link and all Senators:
Mourns the death of A. Malcolm Layson of Waukegan.

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

POSTING NOTICES WAIVED

Senator Holmes moved to waive the six-day posting requirement on **House Bill No. 3074** so that the measure may be heard in the Committee on Criminal Law later today.

The motion prevailed.

Senator Castro moved to waive the six-day posting requirement on **House Bill No. 3293** so that the measure may be heard in the Committee on State Government later today.

The motion prevailed.

Senator Castro moved to waive the six-day posting requirement on **House Joint Resolution No. 37** so that the measure may be heard in the Committee on State Government later today.

The motion prevailed.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Hutchinson, **House Bill No. 2771** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 31; NAYS 17.

The following voted in the affirmative:

Aquino	Cunningham	Link	Raoul
Bertino-Tarrant	Harmon	Manar	Sandoval
Biss	Holmes	Martinez	Silverstein
Bush	Hunter	McGuire	Steans
Castro	Hutchinson	Morrison	Trotter
Clayborne	Jones, E.	Mulroe	Van Pelt
Collins	Koehler	Muñoz	Mr. President
Cullerton, T.	Lightford	Murphy	

The following voted in the negative:

Barickman	McCarter	Righter	Tracy
Bivins	McConnaughay	Rooney	Weaver
Brady	Nybo	Rose	
Connelly	Oberweis	Schimpf	
McCann	Radogno	Syverson	

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Collins, **House Bill No. 302** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 36; NAYS 19.

The following voted in the affirmative:

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

The following voted in the negative:

Althoff	McCarter	Radogno	Schimpf
Barickman	McConchie	Rezin	Syverson
Bivins	McConnaughay	Righter	Tracy
Brady	Nybo	Rooney	Weaver
Connelly	Oberweis	Rose	

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

SENATE BILL RECALLED

On motion of Senator J. Cullerton, **Senate Bill No. 484** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 TO SENATE BILL 484

AMENDMENT NO. 1. Amend Senate Bill 484 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 18-185, 18-205, 18-213, and 18-214 as follows:

(35 ILCS 200/18-185)

(Text of Section before amendment by P.A. 99-521)

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

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

"Extension limitation", except as otherwise provided in this paragraph, means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018 only, for school districts other than the City of Chicago School District #299 and qualified school districts, "extension limitation" means 0% or the rate of increase approved by the voters under Section 18-205. For levy years 2017 and 2018, if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a school district's aggregate extension for the 2016 levy year, then the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018, for the City of Chicago School District #299 and qualified school districts that were subject to this Law in the 2016 levy year, "extension limitation" means (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

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

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213. For levy years 2017 and 2018, "taxing district" also includes each school district in the State, but does not include a qualified school district that was not subject to this Law in the 2016 levy year.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local

Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code. Notwithstanding the provisions of this amendatory Act of the 100th General Assembly, for the 2017 and 2018 levy years, this definition of "aggregate extension" applies to the City of Chicago School District #299 and each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension", except with respect to the City of Chicago School District #299 or a qualified school district, for levy years 2017 and 2018, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district; or (b) made for contributions to a pension fund created under the Illinois Pension Code. Notwithstanding the provisions of this definition of "aggregate extension", if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a taxing district's aggregate extension for the 2016 levy year, then that special purpose extension is also included in the taxing district's aggregate extension for levy years 2017 and 2018; provided that the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, or for those school districts that become subject to this Law as a result of this amendatory Act of the 100th General Assembly for the 2016 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park

district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

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

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

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

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

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

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the

redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

"Qualified school district" means, for levy years 2017 and 2018, a school district that has been granted a financial hardship exemption from this amendatory Act of the 100th General Assembly by the State Superintendent of Education; to be eligible for such an exemption, one or more of the following criteria must apply:

(1) the district meets the conditions described in subsection (a) of Section 1A-8 of the School Code or in paragraph (3) or (5) of subsection (b) of Section 1A-8 of the School Code; to determine if a school district meets this criteria, the State Superintendent of Education may require a school district, including any district subject to Article 34A of this Code, to share financial information relevant to a proper investigation of the district's financial condition;

(2) the equalized assessed valuation used in calculating the district's general State aid claim under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 10% or more compared to equalized assessed valuation used for such calculations in the previous school year;

(3) the average daily attendance used in calculating the district's general State aid claim, under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 5% or more compared to the average daily attendance used for such calculations in the previous school year;

(4) fifty percent or more of the pupils enrolled in the district qualify for free or reduced lunch;

(5) twenty percent or more of the pupils enrolled in the district have an individualized education plan (IEP); or

(6) the district is a Tier 1 district, as defined in subparagraph (A) of subsection (g) of Section 18-8.15 of the School Code.

After independently verifying that a district meets one or more of the criteria set forth in items (1) through (6), the State Superintendent shall notify the appropriate taxing authorities that the district is to be

exempt from the provisions of this amendatory Act of the 100th General Assembly for the next appropriate levy year. The exemption shall be for a period of one levy year. School districts may reapply on an annual basis to be exempt from the provisions of this amendatory Act of the 100th General Assembly.
(Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143, eff. 7-27-15.)

(Text of Section after amendment by P.A. 99-521)

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

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

"Extension limitation", except as otherwise provided in this paragraph, means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018 only, for school districts other than the City of Chicago School District #299 and qualified school districts, "extension limitation" means 0% or the rate of increase approved by the voters under Section 18-205. For levy years 2017 and 2018, if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a school district's aggregate extension for the 2016 levy year, then the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018, for the City of Chicago School District #299 and qualified school districts that were subject to this Law in the 2016 levy year, "extension limitation" means (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

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

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213. For levy years 2017 and 2018, "taxing district" also includes each school district in the State, but does not include a qualified school district that was not subject to this Law in the 2016 levy year.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for

payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code; and (r) made for the purpose of making employer contributions to the Public School Teachers' Pension and Retirement Fund of Chicago under Section 34-53 of the School Code. Notwithstanding the provisions of this amendatory Act of the 100th General Assembly, for levy years 2017 and 2018, this definition of

"aggregate extension" applies to the City of Chicago School District #299 and each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited

bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension", except with respect to the City of Chicago School District #299 or a qualified school district, for levy years 2017 and 2018, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district; or (b) made for contributions to a pension fund created under the Illinois Pension Code. Notwithstanding the provisions of this definition of "aggregate extension", if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a taxing district's aggregate extension for the 2016 levy year, then that special purpose extension is also included in the taxing district's aggregate extension for levy years 2017 and 2018; provided that the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, or for those taxing districts that become subject to this Law as a result of this amendatory Act of the 100th General Assembly for the 2016 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

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

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

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

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

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

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

"Qualified school district" means, for levy years 2017 and 2018, a school district that has been granted a financial hardship exemption from this amendatory Act of the 100th General Assembly by the State Superintendent of Education; to be eligible for such an exemption, one or more of the following criteria must apply:

(1) the district meets the conditions described in subsection (a) of Section 1A-8 of the School Code or in paragraph (3) or (5) of subsection (b) of Section 1A-8 of the School Code; to determine if a school district meets this criteria, the State Superintendent of Education may require a school district, including any district subject to Article 34A of this Code, to share financial information relevant to a proper investigation of the district's financial condition;

(2) the equalized assessed valuation used in calculating the district's general State aid claim under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 10% or more compared to equalized assessed valuation used for such calculations in the previous school year;

(3) the average daily attendance used in calculating the district's general State aid claim, under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 5% or more compared to the average daily attendance used for such calculations in the previous school year;

(4) fifty percent or more of the pupils enrolled in the district qualify for free or reduced lunch;

(5) twenty percent or more of the pupils enrolled in the district have an individualized education plan (IEP); or

(6) the district is a Tier 1 district, as defined in subparagraph (A) of subsection (g) of Section 18-8.15 of the School Code.

After independently verifying that a district meets one or more of the criteria set forth in items (1) through (6), the State Superintendent shall notify the appropriate taxing authorities that the district is to be exempt from the provisions of this amendatory Act of the 100th General Assembly for the next appropriate levy year. The exemption shall be for a period of one levy year. School districts may reapply on an annual basis to be exempt from the provisions of this amendatory Act of the 100th General Assembly.

(Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143, eff. 7-27-15; 99-521, eff. 6-1-17.)

(35 ILCS 200/18-205)

Sec. 18-205. Referendum to increase the extension limitation.

(a) A taxing district is limited to an extension limitation as defined in Section 18-185 ~~of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year, whichever is less~~. A taxing district may increase its extension limitation for one or more levy years if that taxing district holds a referendum before the levy date for the first levy year at which a majority of voters voting on the issue approves adoption of a higher extension limitation. Referenda shall be conducted at a regularly scheduled election in accordance with the Election Code.

(b) The question shall be presented in substantially the following manner ~~for all elections held after March 21, 2006~~:

Shall the extension limitation under the Property Tax Extension Limitation Law for (insert the legal name, number, if any, and county or counties of the taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased from (applicable extension limitation set forth in Section 18-185) ~~the lesser of 5% or the~~

~~percentage increase in the Consumer Price Index over the prior levy year~~ to (insert the percentage of the proposed increase)% per year for (insert each levy year for which the increased extension limitation will apply)?

(c) The votes must be recorded as "Yes" or "No".

If a majority of voters voting on the issue approves the adoption of the increase, the increase shall be applicable for each levy year specified.

(d) The ballot for any question submitted pursuant to this Section shall have printed thereon, but not as a part of the question submitted, only the following supplemental information (which shall be supplied to the election authority by the taxing district) in substantially the following form:

(1) For the (insert the first levy year for which the increased extension limitation will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of $100,000 is estimated to be $....

(2) Based upon an average annual percentage increase (or decrease) in the market value of such property of ...% (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the question is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be $... and for the ... levy year is estimated to be $....

Paragraph (2) shall be included only if the increased extension limitation will be applicable for more than one year and shall list each levy year for which the increased extension limitation will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the question is initiated by the taxing district. The approximate amount of the additional tax extendable shown in paragraphs (1) and (2) shall be calculated by multiplying $100,000 (the fair market value of the property without regard to any property tax exemptions) by (i) the percentage level of assessment prescribed for that property by statute, or by ordinance of the county board in counties that classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution; (ii) the most recent final equalization factor certified to the county clerk by the Department of Revenue at the time the taxing district initiates the submission of the proposition to the electors; (iii) the last known aggregate extension base of the taxing district at the time the submission of the question is initiated by the taxing district; and (iv) the difference between the percentage increase proposed in the question and the otherwise applicable extension limitation under Section 18-185 ~~the lesser of 5% or the percentage increase in the Consumer Price Index for the prior levy year (or an estimate of the percentage increase for the prior levy year if the increase is unavailable at the time the submission of the question is initiated by the taxing district)~~; and dividing the result by the last known equalized assessed value of the taxing district at the time the submission of the question is initiated by the taxing district. This amendatory Act of the 97th General Assembly is intended to clarify the existing requirements of this Section, and shall not be construed to validate any prior non-compliant referendum language. Any notice required to be published in connection with the submission of the question shall also contain this supplemental information and shall not contain any other supplemental information. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot or in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the question shall be initiated as provided by law.

(Source: P.A. 97-1087, eff. 8-24-12.)

(35 ILCS 200/18-213)

Sec. 18-213. Referenda on applicability of the Property Tax Extension Limitation Law.

(a) The provisions of this Section do not apply to a taxing district subject to this Law because a majority of its 1990 equalized assessed value is in a county or counties contiguous to a county of 3,000,000 or more inhabitants, or because a majority of its 1994 equalized assessed value is in an affected county and the taxing district was not subject to this Law before the 1995 levy year.

(b) The county board of a county that is not subject to this Law may, by ordinance or resolution, submit to the voters of the county the question of whether to make all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county subject to this Law in the manner set forth in this Section.

For purposes of this Section only:

"Taxing district" has the same meaning provided in Section 1-150.

"Equalized assessed valuation" means the equalized assessed valuation for a taxing district for the immediately preceding levy year.

(c) The ordinance or resolution shall request the submission of the proposition at any election, except a consolidated primary election, for the purpose of voting for or against making the Property Tax Extension Limitation Law applicable to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county.

The question shall be placed on a separate ballot and shall be in substantially the following form:

Shall the Property Tax Extension Limitation Law (35 ILCS 200/18-185 through 18-245), which limits annual property tax extension increases, apply to non-home rule taxing districts with all or a portion of their equalized assessed valuation located in (name of county)?

Votes on the question shall be recorded as "yes" or "no".

(d) The county clerk shall order the proposition submitted to the electors of the county at the election specified in the ordinance or resolution. If part of the county is under the jurisdiction of a board or boards of election commissioners, the county clerk shall submit a certified copy of the ordinance or resolution to each board of election commissioners, which shall order the proposition submitted to the electors of the taxing district within its jurisdiction at the election specified in the ordinance or resolution.

(e) (1) With respect to taxing districts having all of their equalized assessed valuation located in the county, if a majority of the votes cast on the proposition are in favor of the proposition, then this Law becomes applicable to the taxing district beginning on January 1 of the year following the date of the referendum.

(2) With respect to taxing districts that meet all the following conditions this Law shall become applicable to the taxing district beginning on January 1, 1997. The districts to which this paragraph (2) is applicable

(A) do not have all of their equalized assessed valuation located in a single county,

(B) have equalized assessed valuation in an affected county,

(C) meet the condition that each county, other than an affected county, in which any of the equalized assessed valuation of the taxing district is located has held a referendum under this Section at any election, except a consolidated primary election, held prior to the effective date of this amendatory Act of 1997, and

(D) have a majority of the district's equalized assessed valuation located in one or more counties in each of which the voters have approved a referendum under this Section prior to the effective date of this amendatory Act of 1997. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties in which the voters have approved a referendum under this Section, the equalized assessed valuation of the taxing district in any affected county shall be included with the equalized assessed value of the taxing district in counties in which the voters have approved the referendum.

(3) With respect to taxing districts that do not have all of their equalized assessed valuation located in a single county and to which paragraph (2) of subsection (e) is not applicable, if each county other than an affected county in which any of the equalized assessed valuation of the taxing district is located has held a referendum under this Section at any election, except a consolidated primary election, held in any year and if a majority of the equalized assessed valuation of the taxing district is located in one or more counties that have each approved a referendum under this Section, then this Law shall become applicable to the taxing district on January 1 of the year following the year in which the last referendum in a county in which the taxing district has any equalized assessed valuation is held. For the purposes of this Law, the last referendum shall be deemed to be the referendum making this Law applicable to the taxing district. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties that have approved a referendum under this Section, the equalized assessed valuation of the taxing district in any affected county shall be included with the equalized assessed value of the taxing district in counties that have approved the referendum.

(f) Immediately after a referendum is held under this Section, the county clerk of the county holding the referendum shall give notice of the referendum having been held and its results to all taxing districts that have all or a portion of their equalized assessed valuation located in the county, the county clerk of any other county in which any of the equalized assessed valuation of any taxing district is located, and the Department of Revenue. After the last referendum affecting a multi-county taxing district is held, the Department of Revenue shall determine whether the taxing district is subject to this Law and, if so, shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning the following January 1, the taxing

district is subject to this Law. For each taxing district subject to paragraph (2) of subsection (e) of this Section, the Department of Revenue shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning January 1, 1997, the taxing district is subject to this Law.

(g) Referenda held under this Section shall be conducted in accordance with the Election Code.

(h) Notwithstanding any other provision of law, no referenda may be held under this Section with respect to levy years 2017 and 2018.

(Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

(35 ILCS 200/18-214)

Sec. 18-214. Referenda on removal of the applicability of the Property Tax Extension Limitation Law to non-home rule taxing districts.

(a) The provisions of this Section do not apply to a taxing district that is subject to this Law because a majority of its 1990 equalized assessed value is in a county or counties contiguous to a county of 3,000,000 or more inhabitants, or because a majority of its 1994 equalized assessed value is in an affected county and the taxing district was not subject to this Law before the 1995 levy year.

(b) For purposes of this Section only:

"Taxing district" means any non-home rule taxing district that became subject to this Law under Section 18-213 of this Law.

"Equalized assessed valuation" means the equalized assessed valuation for a taxing district for the immediately preceding levy year.

(c) The county board of a county that became subject to this Law by a referendum approved by the voters of the county under Section 18-213 may, by ordinance or resolution, in the manner set forth in this Section, submit to the voters of the county the question of whether this Law applies to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county in the manner set forth in this Section.

(d) The ordinance or resolution shall request the submission of the proposition at any election, except a consolidated primary election, for the purpose of voting for or against the continued application of the Property Tax Extension Limitation Law to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county.

The question shall be placed on a separate ballot and shall be in substantially the following form:

Shall the Property Tax Extension Limitation Law (35 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits annual property tax extension increases, apply to non-home rule taxing districts with all or a portion of their equalized assessed valuation located in (name of county)?

Votes on the question shall be recorded as "yes" or "no".

(e) The county clerk shall order the proposition submitted to the electors of the county at the election specified in the ordinance or resolution. If part of the county is under the jurisdiction of a board or boards of election commissioners, the county clerk shall submit a certified copy of the ordinance or resolution to each board of election commissioners, which shall order the proposition submitted to the electors of the taxing district within its jurisdiction at the election specified in the ordinance or resolution.

(f) With respect to taxing districts having all of their equalized assessed valuation located in one county, if a majority of the votes cast on the proposition are against the proposition, then this Law shall not apply to the taxing district beginning on January 1 of the year following the date of the referendum.

(g) With respect to taxing districts that do not have all of their equalized assessed valuation located in a single county, if both of the following conditions are met, then this Law shall no longer apply to the taxing district beginning on January 1 of the year following the date of the referendum.

(1) Each county in which the district has any equalized assessed valuation must either, (i) have held a referendum under this Section, (ii) be an affected county, or (iii) have held a referendum under Section 18-213 at which the voters rejected the proposition at the most recent election at which the question was on the ballot in the county.

(2) The majority of the equalized assessed valuation of the taxing district, other than any equalized assessed valuation in an affected county, is in one or more counties in which the voters rejected the proposition. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties in which the voters have rejected the proposition under this Section, the equalized assessed valuation of any taxing district in a county which has held a referendum under Section 18-213 at which the voters rejected that proposition, at the most recent election at which the question was on the ballot in the county, will be included with the equalized assessed value of the taxing district in counties in which the voters have rejected the referendum held under this Section.

(h) Immediately after a referendum is held under this Section, the county clerk of the county holding the referendum shall give notice of the referendum having been held and its results to all taxing districts that have all or a portion of their equalized assessed valuation located in the county, the county clerk of any other county in which any of the equalized assessed valuation of any such taxing district is located, and the Department of Revenue. After the last referendum affecting a multi-county taxing district is held, the Department of Revenue shall determine whether the taxing district is no longer subject to this Law and, if the taxing district is no longer subject to this Law, the Department of Revenue shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning on January 1 of the year following the date of the last referendum, the taxing district is no longer subject to this Law.

(i) Notwithstanding any other provision of law, no referenda may be held under this Section with respect to levy years 2017 and 2018.

(Source: P.A. 89-718, eff. 3-7-97.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

AMENDMENT NO. 2 TO SENATE BILL 484

AMENDMENT NO. 2. Amend Senate Bill 484 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 18-185, 18-205, 18-213, and 18-214 as follows:

(35 ILCS 200/18-185)

(Text of Section before amendment by P.A. 99-521)

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

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

"Extension limitation", except as otherwise provided in this paragraph, means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018 only, for school districts other than the City of Chicago School District #299 and qualified school districts, "extension limitation" means 0% or the rate of increase approved by the voters under Section 18-205. For levy years 2017 and 2018, if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a school district's aggregate extension for the 2016 levy year, then the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018, for the City of Chicago School District #299 and qualified school districts that were subject to this Law in the 2016 levy year, "extension limitation" means (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

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

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year

and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213. For levy years 2017 and 2018, "taxing district" also includes each school district in the State, but does not include a qualified school district that was not subject to this Law in the 2016 levy year.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission

before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code. Notwithstanding the provisions of this amendatory Act of the 100th General Assembly, for the 2017 and 2018 levy years, this definition of "aggregate extension" applies to the City of Chicago School District #299 and each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made

for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension", except with respect to the City of Chicago School District #299 or a qualified school district, for levy years 2017 and 2018, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district; or (b) made for contributions to a pension fund created under the Illinois Pension Code. Notwithstanding the provisions of this definition of "aggregate extension", if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a taxing district's aggregate extension for the 2016 levy year, then that special purpose extension is also included in the taxing district's aggregate extension for levy years 2017 and 2018; provided that the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, or for those school districts that become subject to this Law as a result of this amendatory Act of the 100th

General Assembly for the 2016 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

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

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

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

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

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

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

"Qualified school district" means, for levy years 2017 and 2018, a school district that has been granted a financial hardship exemption from this amendatory Act of the 100th General Assembly by the State Superintendent of Education; to be eligible for such an exemption, one or more of the following criteria must apply:

(1) the district meets the conditions described in subsection (a) of Section 1A-8 of the School Code or in paragraph (3) or (5) of subsection (b) of Section 1A-8 of the School Code; to determine if a school district meets this criteria, the State Superintendent of Education may require a school district, including any district subject to Article 34A of this Code, to share financial information relevant to a proper investigation of the district's financial condition;

(2) the equalized assessed valuation used in calculating the district's general State aid claim under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 10% or more compared to equalized assessed valuation used for such calculations in the previous school year;

(3) the average daily attendance used in calculating the district's general State aid claim, under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 5% or more compared to the average daily attendance used for such calculations in the previous school year;

(4) fifty percent or more of the pupils enrolled in the district qualify for free or reduced lunch;

(5) twenty percent or more of the pupils enrolled in the district have an individualized education plan (IEP);

(6) the district is a Tier 1 district, as defined in subparagraph (A) of subsection (g) of Section 18-8.15 of the School Code; OR

(7) the district has been designated, through the State Board of Education's School District Financial Profile System, as on financial watch status for fiscal year 2016.

After independently verifying that a district meets one or more of the criteria set forth in items (1) through (7), the State Superintendent shall notify the appropriate taxing authorities that the district is to be exempt from the provisions of this amendatory Act of the 100th General Assembly for the next appropriate levy year. The exemption shall be for a period of one levy year. School districts may reapply on an annual basis to be exempt from the provisions of this amendatory Act of the 100th General Assembly.
(Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143, eff. 7-27-15.)

(Text of Section after amendment by P.A. 99-521)

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

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

"Extension limitation", except as otherwise provided in this paragraph, means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018 only, for school districts other than the City of Chicago School District #299 and qualified school districts, "extension limitation" means 0% or the rate of increase approved by the voters under Section 18-205. For levy years 2017 and 2018, if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a school district's aggregate extension for the 2016 levy year, then the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018, for the City of Chicago School District #299 and qualified school districts that were subject to this Law in the 2016 levy year, "extension limitation" means (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

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

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213. For levy years 2017 and 2018, "taxing district" also includes each school district in the State, but does not include a qualified school district that was not subject to this Law in the 2016 levy year.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local

government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District

Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code; and (r) made for the purpose of making employer contributions to the Public School Teachers' Pension and Retirement Fund of Chicago under Section 34-53 of the School Code. Notwithstanding the provisions of this amendatory Act of the 100th General Assembly, for levy years 2017 and 2018, this definition of "aggregate extension" applies to the City of Chicago School District #299 and each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or

principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each qualified school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension", except with respect to the City of Chicago School District #299 or a qualified school district, for levy years 2017 and 2018, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district; or (b) made for contributions to a pension fund created under the Illinois Pension Code. Notwithstanding the provisions of this definition of "aggregate extension", if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a taxing district's aggregate extension for the 2016 levy year, then that special purpose extension is also included in the taxing district's aggregate extension for levy years 2017 and 2018; provided that the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, or for those taxing districts that become subject to this Law as a result of this amendatory Act of the 100th General Assembly for the 2016 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform

Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

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

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

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

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

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

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot,

block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

"Qualified school district" means, for levy years 2017 and 2018, a school district that has been granted a financial hardship exemption from this amendatory Act of the 100th General Assembly by the State Superintendent of Education; to be eligible for such an exemption, one or more of the following criteria must apply:

(1) the district meets the conditions described in subsection (a) of Section 1A-8 of the School Code or in paragraph (3) or (5) of subsection (b) of Section 1A-8 of the School Code; to determine if a school district meets this criteria, the State Superintendent of Education may require a school district, including any district subject to Article 34A of this Code, to share financial information relevant to a proper investigation of the district's financial condition;

(2) the equalized assessed valuation used in calculating the district's general State aid claim under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 10% or more compared to equalized assessed valuation used for such calculations in the previous school year;

(3) the average daily attendance used in calculating the district's general State aid claim, under Section 18-8.05 of the School Code, or the district's evidence-based funding claim under Section 18-8.15 of the School Code, as applicable, for the year in which the district is applying has decreased by 5% or more compared to the average daily attendance used for such calculations in the previous school year;

(4) fifty percent or more of the pupils enrolled in the district qualify for free or reduced lunch;

(5) twenty percent or more of the pupils enrolled in the district have an individualized education plan (IEP);

(6) the district is a Tier 1 district, as defined in subparagraph (A) of subsection (g) of Section 18-8.15 of the School Code; or

(7) the district has been designated, through the State Board of Education's School District Financial Profile System, as on financial watch status for fiscal year 2016.

After independently verifying that a district meets one or more of the criteria set forth in items (1) through (7), the State Superintendent shall notify the appropriate taxing authorities that the district is to be exempt from the provisions of this amendatory Act of the 100th General Assembly for the next appropriate levy year. The exemption shall be for a period of one levy year. School districts may reapply on an annual basis to be exempt from the provisions of this amendatory Act of the 100th General Assembly.

(Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143, eff. 7-27-15; 99-521, eff. 6-1-17.)

(35 ILCS 200/18-205)

Sec. 18-205. Referendum to increase the extension limitation.

(a) A taxing district is limited to an extension limitation as defined in Section 18-185 ~~of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year, whichever is less~~. A taxing district may increase its extension limitation for one or more levy years

if that taxing district holds a referendum before the levy date for the first levy year at which a majority of voters voting on the issue approves adoption of a higher extension limitation. Referenda shall be conducted at a regularly scheduled election in accordance with the Election Code.

(b) The question shall be presented in substantially the following manner ~~for all elections held after March 21, 2006~~:

Shall the extension limitation under the Property Tax Extension Limitation Law for (insert the legal name, number, if any, and county or counties of the taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased from (applicable extension limitation set forth in Section 18-185) ~~the lesser of 5% or the percentage increase in the Consumer Price Index over the prior levy year~~ to (insert the percentage of the proposed increase)% per year for (insert each levy year for which the increased extension limitation will apply)?

(c) The votes must be recorded as "Yes" or "No".

If a majority of voters voting on the issue approves the adoption of the increase, the increase shall be applicable for each levy year specified.

(d) The ballot for any question submitted pursuant to this Section shall have printed thereon, but not as a part of the question submitted, only the following supplemental information (which shall be supplied to the election authority by the taxing district) in substantially the following form:

(1) For the (insert the first levy year for which the increased extension limitation will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of $100,000 is estimated to be $....

(2) Based upon an average annual percentage increase (or decrease) in the market value of such property of ...% (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the question is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be $... and for the ... levy year is estimated to be $....

Paragraph (2) shall be included only if the increased extension limitation will be applicable for more than one year and shall list each levy year for which the increased extension limitation will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the question is initiated by the taxing district. The approximate amount of the additional tax extendable shown in paragraphs (1) and (2) shall be calculated by multiplying $100,000 (the fair market value of the property without regard to any property tax exemptions) by (i) the percentage level of assessment prescribed for that property by statute, or by ordinance of the county board in counties that classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution; (ii) the most recent final equalization factor certified to the county clerk by the Department of Revenue at the time the taxing district initiates the submission of the proposition to the electors; (iii) the last known aggregate extension base of the taxing district at the time the submission of the question is initiated by the taxing district; and (iv) the difference between the percentage increase proposed in the question and the otherwise applicable extension limitation under Section 18-185 ~~the lesser of 5% or the percentage increase in the Consumer Price Index for the prior levy year (or an estimate of the percentage increase for the prior levy year if the increase is unavailable at the time the submission of the question is initiated by the taxing district)~~; and dividing the result by the last known equalized assessed value of the taxing district at the time the submission of the question is initiated by the taxing district. This amendatory Act of the 97th General Assembly is intended to clarify the existing requirements of this Section, and shall not be construed to validate any prior non-compliant referendum language. Any notice required to be published in connection with the submission of the question shall also contain this supplemental information and shall not contain any other supplemental information. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot or in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the question shall be initiated as provided by law.

(Source: P.A. 97-1087, eff. 8-24-12.)

(35 ILCS 200/18-213)

Sec. 18-213. Referenda on applicability of the Property Tax Extension Limitation Law.

(a) The provisions of this Section do not apply to a taxing district subject to this Law because a majority of its 1990 equalized assessed value is in a county or counties contiguous to a county of 3,000,000 or more

inhabitants, or because a majority of its 1994 equalized assessed value is in an affected county and the taxing district was not subject to this Law before the 1995 levy year.

(b) The county board of a county that is not subject to this Law may, by ordinance or resolution, submit to the voters of the county the question of whether to make all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county subject to this Law in the manner set forth in this Section.

For purposes of this Section only:

"Taxing district" has the same meaning provided in Section 1-150.

"Equalized assessed valuation" means the equalized assessed valuation for a taxing district for the immediately preceding levy year.

(c) The ordinance or resolution shall request the submission of the proposition at any election, except a consolidated primary election, for the purpose of voting for or against making the Property Tax Extension Limitation Law applicable to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county.

The question shall be placed on a separate ballot and shall be in substantially the following form:

Shall the Property Tax Extension Limitation Law (35 ILCS 200/18-185 through 18-245), which limits annual property tax extension increases, apply to non-home rule taxing districts with all or a portion of their equalized assessed valuation located in (name of county)?

Votes on the question shall be recorded as "yes" or "no".

(d) The county clerk shall order the proposition submitted to the electors of the county at the election specified in the ordinance or resolution. If part of the county is under the jurisdiction of a board or boards of election commissioners, the county clerk shall submit a certified copy of the ordinance or resolution to each board of election commissioners, which shall order the proposition submitted to the electors of the taxing district within its jurisdiction at the election specified in the ordinance or resolution.

(e) (1) With respect to taxing districts having all of their equalized assessed valuation located in the county, if a majority of the votes cast on the proposition are in favor of the proposition, then this Law becomes applicable to the taxing district beginning on January 1 of the year following the date of the referendum.

(2) With respect to taxing districts that meet all the following conditions this Law shall become applicable to the taxing district beginning on January 1, 1997. The districts to which this paragraph (2) is applicable

(A) do not have all of their equalized assessed valuation located in a single county,

(B) have equalized assessed valuation in an affected county,

(C) meet the condition that each county, other than an affected county, in which any of the equalized assessed valuation of the taxing district is located has held a referendum under this Section at any election, except a consolidated primary election, held prior to the effective date of this amendatory Act of 1997, and

(D) have a majority of the district's equalized assessed valuation located in one or more counties in each of which the voters have approved a referendum under this Section prior to the effective date of this amendatory Act of 1997. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties in which the voters have approved a referendum under this Section, the equalized assessed valuation of the taxing district in any affected county shall be included with the equalized assessed value of the taxing district in counties in which the voters have approved the referendum.

(3) With respect to taxing districts that do not have all of their equalized assessed valuation located in a single county and to which paragraph (2) of subsection (e) is not applicable, if each county other than an affected county in which any of the equalized assessed valuation of the taxing district is located has held a referendum under this Section at any election, except a consolidated primary election, held in any year and if a majority of the equalized assessed valuation of the taxing district is located in one or more counties that have each approved a referendum under this Section, then this Law shall become applicable to the taxing district on January 1 of the year following the year in which the last referendum in a county in which the taxing district has any equalized assessed valuation is held. For the purposes of this Law, the last referendum shall be deemed to be the referendum making this Law applicable to the taxing district. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties that have approved a referendum under this Section, the equalized assessed valuation of the taxing district in any affected county shall be included with the equalized assessed value of the taxing district in counties that have approved the referendum.

(f) Immediately after a referendum is held under this Section, the county clerk of the county holding the referendum shall give notice of the referendum having been held and its results to all taxing districts that have all or a portion of their equalized assessed valuation located in the county, the county clerk of any other county in which any of the equalized assessed valuation of any taxing district is located, and the Department of Revenue. After the last referendum affecting a multi-county taxing district is held, the Department of Revenue shall determine whether the taxing district is subject to this Law and, if so, shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning the following January 1, the taxing district is subject to this Law. For each taxing district subject to paragraph (2) of subsection (e) of this Section, the Department of Revenue shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning January 1, 1997, the taxing district is subject to this Law.

(g) Referenda held under this Section shall be conducted in accordance with the Election Code.

(h) Notwithstanding any other provision of law, no referenda may be held under this Section with respect to levy years 2017 and 2018.

(Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

(35 ILCS 200/18-214)

Sec. 18-214. Referenda on removal of the applicability of the Property Tax Extension Limitation Law to non-home rule taxing districts.

(a) The provisions of this Section do not apply to a taxing district that is subject to this Law because a majority of its 1990 equalized assessed value is in a county or counties contiguous to a county of 3,000,000 or more inhabitants, or because a majority of its 1994 equalized assessed value is in an affected county and the taxing district was not subject to this Law before the 1995 levy year.

(b) For purposes of this Section only:

"Taxing district" means any non-home rule taxing district that became subject to this Law under Section 18-213 of this Law.

"Equalized assessed valuation" means the equalized assessed valuation for a taxing district for the immediately preceding levy year.

(c) The county board of a county that became subject to this Law by a referendum approved by the voters of the county under Section 18-213 may, by ordinance or resolution, in the manner set forth in this Section, submit to the voters of the county the question of whether this Law applies to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county in the manner set forth in this Section.

(d) The ordinance or resolution shall request the submission of the proposition at any election, except a consolidated primary election, for the purpose of voting for or against the continued application of the Property Tax Extension Limitation Law to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county.

The question shall be placed on a separate ballot and shall be in substantially the following form:

Shall the Property Tax Extension Limitation Law (35 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits annual property tax extension increases, apply to non-home rule taxing districts with all or a portion of their equalized assessed valuation located in (name of county)?

Votes on the question shall be recorded as "yes" or "no".

(e) The county clerk shall order the proposition submitted to the electors of the county at the election specified in the ordinance or resolution. If part of the county is under the jurisdiction of a board or boards of election commissioners, the county clerk shall submit a certified copy of the ordinance or resolution to each board of election commissioners, which shall order the proposition submitted to the electors of the taxing district within its jurisdiction at the election specified in the ordinance or resolution.

(f) With respect to taxing districts having all of their equalized assessed valuation located in one county, if a majority of the votes cast on the proposition are against the proposition, then this Law shall not apply to the taxing district beginning on January 1 of the year following the date of the referendum.

(g) With respect to taxing districts that do not have all of their equalized assessed valuation located in a single county, if both of the following conditions are met, then this Law shall no longer apply to the taxing district beginning on January 1 of the year following the date of the referendum.

(1) Each county in which the district has any equalized assessed valuation must either, (i) have held a referendum under this Section, (ii) be an affected county, or (iii) have held a referendum under Section 18-213 at which the voters rejected the proposition at the most recent election at which the question was on the ballot in the county.

(2) The majority of the equalized assessed valuation of the taxing district, other than

any equalized assessed valuation in an affected county, is in one or more counties in which the voters rejected the proposition. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties in which the voters have rejected the proposition under this Section, the equalized assessed valuation of any taxing district in a county which has held a referendum under Section 18-213 at which the voters rejected that proposition, at the most recent election at which the question was on the ballot in the county, will be included with the equalized assessed value of the taxing district in counties in which the voters have rejected the referendum held under this Section.

(h) Immediately after a referendum is held under this Section, the county clerk of the county holding the referendum shall give notice of the referendum having been held and its results to all taxing districts that have all or a portion of their equalized assessed valuation located in the county, the county clerk of any other county in which any of the equalized assessed valuation of any such taxing district is located, and the Department of Revenue. After the last referendum affecting a multi-county taxing district is held, the Department of Revenue shall determine whether the taxing district is no longer subject to this Law and, if the taxing district is no longer subject to this Law, the Department of Revenue shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning on January 1 of the year following the date of the last referendum, the taxing district is no longer subject to this Law.

(i) Notwithstanding any other provision of law, no referenda may be held under this Section with respect to levy years 2017 and 2018.

(Source: P.A. 89-718, eff. 3-7-97.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

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 J. Cullerton, **Senate Bill No. 484** 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 37; NAYS 11; Present 9.

The following voted in the affirmative:

Aquino	Harris	Manar	Rezin
Bennett	Hastings	Martinez	Sandoval
Bertino-Tarrant	Holmes	McCann	Silverstein
Bush	Hunter	McCarter	Stadelman
Castro	Hutchinson	McGuire	Steans
Clayborne	Jones, E.	Morrison	Trotter
Collins	Koehler	Mulroe	Van Pelt
Cullerton, T.	Landek	Muñoz	
Cunningham	Lightford	Murphy	
Harmon	Link	Raoul	

The following voted in the negative:

Althoff	Biss	McConnaughay	Rose
Anderson	Brady	Oberweis	Syverson
Barickman	McConchie	Righter	

The following voted present:

Bivins	Nybo	Schimpf
Connelly	Radogno	Tracy
Fowler	Rooney	Weaver

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

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

SENATE BILL RECALLED

On motion of Senator J. Cullerton, **Senate Bill No. 482** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 TO SENATE BILL 482

AMENDMENT NO. 1. Amend Senate Bill 482 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 18-185, 18-205, 18-213, and 18-214 and by adding Section 18-242 as follows:

(35 ILCS 200/18-185)

(Text of Section before amendment by P.A. 99-521)

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

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

"Extension limitation", except as otherwise provided in this paragraph, means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018 only, for taxing districts other than school districts, "extension limitation" means 0% or the rate of increase approved by the voters under Section 18-205. For levy years 2017 and 2018, if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a school district's aggregate extension for the 2016 levy year, then the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018, for school districts that were subject to this Law in the 2016 levy year, "extension limitation" means (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

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

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

levy years 2017 and 2018, "taxing district" has the same meaning provided in Section 1-150, and includes home rule units, but does not include the City of Chicago or school districts that were not subject to this Law in the 2016 levy year.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated

before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension", except with respect to school districts, for levy years 2017 and 2018, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district; or (b) made for contributions to a pension fund created under the Illinois Pension Code. Notwithstanding the provisions of this definition of "aggregate extension", if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a taxing district's aggregate extension for the 2016 levy year, then that special purpose extension is also included in the taxing district's aggregate extension for levy years 2017 and 2018; provided that the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, or for those taxing districts that become subject to this Law as a result of this amendatory Act of the 100th General Assembly for the 2016 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension

base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

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

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135. In the case of a home rule taxing district, the aggregate extension base for 2017 shall not include any amounts included in that taxing district's annual corporate extension for the 2016 levy year and expended for (i) the payment of principal and interest on bonds or other evidences of indebtedness issued by the home rule unit or (ii) contributions to a pension fund created under the Illinois Pension Code, and any special purpose extensions made by a home rule unit for those purposes in levy year 2017 or 2018 are not included in the district's aggregate extension and shall not be subject to the limitations of this Law.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

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

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

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

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation

of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

(Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143, eff. 7-27-15.)

(Text of Section after amendment by P.A. 99-521)

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

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

"Extension limitation", except as otherwise provided in this paragraph, means (a) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (b) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018 only, for taxing districts other than school districts, "extension limitation" means 0% or the rate of increase approved by the voters under Section 18-205. For levy years 2017 and 2018, if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a school district's aggregate extension for the 2016 levy year, then the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205. For levy years 2017 and 2018, for school districts that were subject to this Law in the 2016 levy year, "extension limitation" means (1)

the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

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

"Taxing district" has the same meaning provided in Section 1-150, except as otherwise provided in this Section. For the 1991 through 1994 levy years only, "taxing district" includes only each non-home rule taxing district having the majority of its 1990 equalized assessed value within any county or counties contiguous to a county with 3,000,000 or more inhabitants. Beginning with the 1995 levy year, "taxing district" includes only each non-home rule taxing district subject to this Law before the 1995 levy year and each non-home rule taxing district not subject to this Law before the 1995 levy year having the majority of its 1994 equalized assessed value in an affected county or counties. Beginning with the levy year in which this Law becomes applicable to a taxing district as provided in Section 18-213, "taxing district" also includes those taxing districts made subject to this Law as provided in Section 18-213. For levy years 2017 and 2018, "taxing district" has the same meaning provided in Section 1-150, and includes home rule units, but does not include the City of Chicago or school districts that were not subject to this Law in the 2016 levy year.

"Aggregate extension" for taxing districts to which this Law applied before the 1995 levy year means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before October 1, 1991; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before October 1, 1991; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after October 1, 1991 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before October 1, 1991 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before October 1, 1991, to pay for the building project; (g) made for payments due under installment contracts entered into before October 1, 1991; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), (e), and (h) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made by a school district that participates in the Special Education District of Lake County, created by special education joint agreement under Section 10-22.31 of the School Code, for payment of the school district's share of the amounts required to be contributed by the Special Education District of Lake County to the Illinois Municipal Retirement Fund under Article 7 of the Illinois Pension Code; the amount of any extension under this item (k) shall be certified by the school district to the county clerk; (l) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (m) made for temporary relocation loan repayment purposes pursuant to Sections 2-3.77 and 17-2.2d of the School Code; (n) made for payment of principal and interest on any bonds issued under the authority of Section 17-2.2d of the School Code; (o) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (p) made for road purposes in the first year after a township assumes the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities of a road district abolished under the provisions of Section 6-133 of the Illinois Highway Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for the taxing districts to which this Law did not apply before the 1995 levy year (except taxing districts subject to this Law in accordance with Section 18-213) means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved

by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before March 1, 1995; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before March 1, 1995; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after March 1, 1995 that were approved by referendum; (e) made for any taxing district to pay interest or principal on revenue bonds issued before March 1, 1995 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before March 1, 1995 to pay for the building project; (g) made for payments due under installment contracts entered into before March 1, 1995; (h) made for payments of principal and interest on bonds issued under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991; (h-4) made for stormwater management purposes by the Metropolitan Water Reclamation District of Greater Chicago under Section 12 of the Metropolitan Water Reclamation District Act; (i) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds described in subsection (h) of this definition; (j) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (k) made for payments of principal and interest on bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium or museum projects; (l) made for payments of principal and interest on bonds authorized by Public Act 87-1191 or 93-601 and (i) issued pursuant to Section 21.2 of the Cook County Forest Preserve District Act, (ii) issued under Section 42 of the Cook County Forest Preserve District Act for zoological park projects, or (iii) issued under Section 44.1 of the Cook County Forest Preserve District Act for botanical gardens projects; (m) made pursuant to Section 34-53.5 of the School Code, whether levied annually or not; (n) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (o) made by the Chicago Park District for recreational programs for persons with disabilities under subsection (c) of Section 7.06 of the Chicago Park District Act; (p) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; (q) made by Ford Heights School District 169 under Section 17-9.02 of the School Code; and (r) made for the purpose of making employer contributions to the Public School Teachers' Pension and Retirement Fund of Chicago under Section 34-53 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with Section 18-213, except for those taxing districts subject to paragraph (2) of subsection (e) of Section 18-213, means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the date on which the referendum making this Law applicable to the taxing district is held; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the date on which the referendum making this Law applicable to the taxing district is held if the bonds were approved by referendum after the date on which the referendum making this Law applicable to the taxing district is held; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the date on which the referendum making this Law applicable to the taxing district is held for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the date on which the referendum making this Law applicable to the taxing district is held to pay for the building project; (g) made for payments due under installment contracts entered into before the date on which the referendum making this Law applicable to the taxing district is held; (h) made for

payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code; and (m) made for the taxing district to pay interest or principal on general obligation bonds issued pursuant to Section 19-3.10 of the School Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension" for all taxing districts to which this Law applies in accordance with paragraph (2) of subsection (e) of Section 18-213 means, except with respect to levy years 2017 and 2018, the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the taxing district to pay interest or principal on general obligation bonds that were approved by referendum; (b) made for any taxing district to pay interest or principal on general obligation bonds issued before the effective date of this amendatory Act of 1997; (c) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund those bonds issued before the effective date of this amendatory Act of 1997; (d) made for any taxing district to pay interest or principal on bonds issued to refund or continue to refund bonds issued after the effective date of this amendatory Act of 1997 if the bonds were approved by referendum after the effective date of this amendatory Act of 1997; (e) made for any taxing district to pay interest or principal on revenue bonds issued before the effective date of this amendatory Act of 1997 for payment of which a property tax levy or the full faith and credit of the unit of local government is pledged; however, a tax for the payment of interest or principal on those bonds shall be made only after the governing body of the unit of local government finds that all other sources for payment are insufficient to make those payments; (f) made for payments under a building commission lease when the lease payments are for the retirement of bonds issued by the commission before the effective date of this amendatory Act of 1997 to pay for the building project; (g) made for payments due under installment contracts entered into before the effective date of this amendatory Act of 1997; (h) made for payments of principal and interest on limited bonds, as defined in Section 3 of the Local Government Debt Reform Act, in an amount not to exceed the debt service extension base less the amount in items (b), (c), and (e) of this definition for non-referendum obligations, except obligations initially issued pursuant to referendum; (i) made for payments of principal and interest on bonds issued under Section 15 of the Local Government Debt Reform Act; (j) made for a qualified airport authority to pay interest or principal on general obligation bonds issued for the purpose of paying obligations due under, or financing airport facilities required to be acquired, constructed, installed or equipped pursuant to, contracts entered into before March 1, 1996 (but not including any amendments to such a contract taking effect on or after that date); (k) made to fund expenses of providing joint recreational programs for persons with disabilities under Section 5-8 of the Park District Code or Section 11-95-14 of the Illinois Municipal Code; and (l) made for contributions to a firefighter's pension fund created under Article 4 of the Illinois Pension Code, to the extent of the amount certified under item (5) of Section 4-134 of the Illinois Pension Code. For levy years 2017 and 2018, this definition of "aggregate extension" applies to each school district that was subject to this definition of "aggregate extension" for the 2016 levy year.

"Aggregate extension", except with respect to school districts, for levy years 2017 and 2018, means the annual corporate extension for the taxing district and those special purpose extensions that are made annually for the taxing district, excluding special purpose extensions: (a) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district; or (b) made for contributions to a pension fund created under the Illinois Pension Code. Notwithstanding the provisions of this definition of "aggregate extension", if a special purpose extension (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund created under the Illinois Pension Code was required to be included in a taxing district's aggregate extension for the 2016 levy year, then that special purpose extension is also included in the taxing district's aggregate extension for levy years 2017 and 2018; provided that the extension limitation for those extensions for levy years 2017 and 2018 shall be (1) the lesser of 5% or the

percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year or (2) the rate of increase approved by voters under Section 18-205.

"Debt service extension base" means an amount equal to that portion of the extension for a taxing district for the 1994 levy year, or for those taxing districts subject to this Law in accordance with Section 18-213, except for those subject to paragraph (2) of subsection (e) of Section 18-213, for the levy year in which the referendum making this Law applicable to the taxing district is held, or for those taxing districts subject to this Law in accordance with paragraph (2) of subsection (e) of Section 18-213 for the 1996 levy year, or for those taxing districts that become subject to this Law as a result of this amendatory Act of the 100th General Assembly for the 2016 levy year, constituting an extension for payment of principal and interest on bonds issued by the taxing district without referendum, but not including excluded non-referendum bonds. For park districts (i) that were first subject to this Law in 1991 or 1995 and (ii) whose extension for the 1994 levy year for the payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds) was less than 51% of the amount for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds), "debt service extension base" means an amount equal to that portion of the extension for the 1991 levy year constituting an extension for payment of principal and interest on bonds issued by the park district without referendum (but not including excluded non-referendum bonds). A debt service extension base established or increased at any time pursuant to any provision of this Law, except Section 18-212, shall be increased each year commencing with the later of (i) the 2009 levy year or (ii) the first levy year in which this Law becomes applicable to the taxing district, by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year. The debt service extension base may be established or increased as provided under Section 18-212. "Excluded non-referendum bonds" means (i) bonds authorized by Public Act 88-503 and issued under Section 20a of the Chicago Park District Act for aquarium and museum projects; (ii) bonds issued under Section 15 of the Local Government Debt Reform Act; or (iii) refunding obligations issued to refund or to continue to refund obligations initially issued pursuant to referendum.

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

"Aggregate extension base" means the taxing district's last preceding aggregate extension as adjusted under Sections 18-135, 18-215, and 18-230. An adjustment under Section 18-135 shall be made for the 2007 levy year and all subsequent levy years whenever one or more counties within which a taxing district is located (i) used estimated valuations or rates when extending taxes in the taxing district for the last preceding levy year that resulted in the over or under extension of taxes, or (ii) increased or decreased the tax extension for the last preceding levy year as required by Section 18-135(c). Whenever an adjustment is required under Section 18-135, the aggregate extension base of the taxing district shall be equal to the amount that the aggregate extension of the taxing district would have been for the last preceding levy year if either or both (i) actual, rather than estimated, valuations or rates had been used to calculate the extension of taxes for the last levy year, or (ii) the tax extension for the last preceding levy year had not been adjusted as required by subsection (c) of Section 18-135. In the case of a home rule taxing district, the aggregate extension base for 2017 shall not include any amounts included in that taxing district's annual corporate extension for the 2016 levy year and expended for (i) the payment of principal and interest on bonds or other evidences of indebtedness issued by the home rule unit or (ii) contributions to a pension fund created under the Illinois Pension Code, and any special purpose extensions made by a home rule unit for those purposes in levy year 2017 or 2018 are not included in the district's aggregate extension and shall not be subject to the limitations of this Law.

Notwithstanding any other provision of law, for levy year 2012, the aggregate extension base for West Northfield School District No. 31 in Cook County shall be $12,654,592.

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

"New property" means (i) the assessed value, after final board of review or board of appeals action, of new improvements or additions to existing improvements on any parcel of real property that increase the assessed value of that real property during the levy year multiplied by the equalization factor issued by the Department under Section 17-30, (ii) the assessed value, after final board of review or board of appeals action, of real property not exempt from real estate taxation, which real property was exempt from real estate taxation for any portion of the immediately preceding levy year, multiplied by the equalization factor issued by the Department under Section 17-30, including the assessed value, upon final stabilization of

occupancy after new construction is complete, of any real property located within the boundaries of an otherwise or previously exempt military reservation that is intended for residential use and owned by or leased to a private corporation or other entity, (iii) in counties that classify in accordance with Section 4 of Article IX of the Illinois Constitution, an incentive property's additional assessed value resulting from a scheduled increase in the level of assessment as applied to the first year final board of review market value, and (iv) any increase in assessed value due to oil or gas production from an oil or gas well required to be permitted under the Hydraulic Fracturing Regulatory Act that was not produced in or accounted for during the previous levy year. In addition, the county clerk in a county containing a population of 3,000,000 or more shall include in the 1997 recovered tax increment value for any school district, any recovered tax increment value that was applicable to the 1995 tax year calculations.

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

"Recovered tax increment value" means, except as otherwise provided in this paragraph, the amount of the current year's equalized assessed value, in the first year after a municipality terminates the designation of an area as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, previously established under the Economic Development Project Area Tax Increment Act of 1995, or previously established under the Economic Development Area Tax Increment Allocation Act, of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. For the taxes which are extended for the 1997 levy year, the recovered tax increment value for a non-home rule taxing district that first became subject to this Law for the 1995 levy year because a majority of its 1994 equalized assessed value was in an affected county or counties shall be increased if a municipality terminated the designation of an area in 1993 as a redevelopment project area previously established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, previously established under the Industrial Jobs Recovery Law in the Illinois Municipal Code, or previously established under the Economic Development Area Tax Increment Allocation Act, by an amount equal to the 1994 equalized assessed value of each taxable lot, block, tract, or parcel of real property in the redevelopment project area over and above the initial equalized assessed value of each property in the redevelopment project area. In the first year after a municipality removes a taxable lot, block, tract, or parcel of real property from a redevelopment project area established under the Tax Increment Allocation Development Act in the Illinois Municipal Code, the Industrial Jobs Recovery Law in the Illinois Municipal Code, or the Economic Development Area Tax Increment Allocation Act, "recovered tax increment value" means the amount of the current year's equalized assessed value of each taxable lot, block, tract, or parcel of real property removed from the redevelopment project area over and above the initial equalized assessed value of that real property before removal from the redevelopment project area.

Except as otherwise provided in this Section, "limiting rate" means a fraction the numerator of which is the last preceding aggregate extension base times an amount equal to one plus the extension limitation defined in this Section and the denominator of which is the current year's equalized assessed value of all real property in the territory under the jurisdiction of the taxing district during the prior levy year. For those taxing districts that reduced their aggregate extension for the last preceding levy year, the highest aggregate extension in any of the last 3 preceding levy years shall be used for the purpose of computing the limiting rate. The denominator shall not include new property or the recovered tax increment value. If a new rate, a rate decrease, or a limiting rate increase has been approved at an election held after March 21, 2006, then (i) the otherwise applicable limiting rate shall be increased by the amount of the new rate or shall be reduced by the amount of the rate decrease, as the case may be, or (ii) in the case of a limiting rate increase, the limiting rate shall be equal to the rate set forth in the proposition approved by the voters for each of the years specified in the proposition, after which the limiting rate of the taxing district shall be calculated as otherwise provided. In the case of a taxing district that obtained referendum approval for an increased limiting rate on March 20, 2012, the limiting rate for tax year 2012 shall be the rate that generates the approximate total amount of taxes extendable for that tax year, as set forth in the proposition approved by the voters; this rate shall be the final rate applied by the county clerk for the aggregate of all capped funds of the district for tax year 2012.

(Source: P.A. 98-6, eff. 3-29-13; 98-23, eff. 6-17-13; 99-143, eff. 7-27-15; 99-521, eff. 6-1-17.)

(35 ILCS 200/18-205)

Sec. 18-205. Referendum to increase the extension limitation.

(a) A taxing district is limited to an extension limitation as defined in Section 18-185 ~~of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year, whichever is less~~. A taxing district may increase its extension limitation for one or more levy years if that taxing district holds a referendum before the levy date for the first levy year at which a majority of voters voting on the issue approves adoption of a higher extension limitation. Referenda shall be conducted at a regularly scheduled election in accordance with the Election Code.

(b) The question shall be presented in substantially the following manner ~~for all elections held after March 21, 2006~~:

Shall the extension limitation under the Property Tax Extension Limitation Law for (insert the legal name, number, if any, and county or counties of the taxing district and geographic or other common name by which a school or community college district is known and referred to), Illinois, be increased from (applicable extension limitation set forth in Section 18-185) ~~the lesser of 5% or the percentage increase in the Consumer Price Index over the prior levy year~~ to (insert the percentage of the proposed increase)% per year for (insert each levy year for which the increased extension limitation will apply)?

(c) The votes must be recorded as "Yes" or "No".

If a majority of voters voting on the issue approves the adoption of the increase, the increase shall be applicable for each levy year specified.

(d) The ballot for any question submitted pursuant to this Section shall have printed thereon, but not as a part of the question submitted, only the following supplemental information (which shall be supplied to the election authority by the taxing district) in substantially the following form:

(1) For the (insert the first levy year for which the increased extension limitation will be applicable) levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of $100,000 is estimated to be $....

(2) Based upon an average annual percentage increase (or decrease) in the market value of such property of ...% (insert percentage equal to the average annual percentage increase or decrease for the prior 3 levy years, at the time the submission of the question is initiated by the taxing district, in the amount of (A) the equalized assessed value of the taxable property in the taxing district less (B) the new property included in the equalized assessed value), the approximate amount of the additional tax extendable against such property for the ... levy year is estimated to be $... and for the ... levy year is estimated to be $....

Paragraph (2) shall be included only if the increased extension limitation will be applicable for more than one year and shall list each levy year for which the increased extension limitation will be applicable. The additional tax shown for each levy year shall be the approximate dollar amount of the increase over the amount of the most recently completed extension at the time the submission of the question is initiated by the taxing district. The approximate amount of the additional tax extendable shown in paragraphs (1) and (2) shall be calculated by multiplying $100,000 (the fair market value of the property without regard to any property tax exemptions) by (i) the percentage level of assessment prescribed for that property by statute, or by ordinance of the county board in counties that classify property for purposes of taxation in accordance with Section 4 of Article IX of the Illinois Constitution; (ii) the most recent final equalization factor certified to the county clerk by the Department of Revenue at the time the taxing district initiates the submission of the proposition to the electors; (iii) the last known aggregate extension base of the taxing district at the time the submission of the question is initiated by the taxing district; and (iv) the difference between the percentage increase proposed in the question and the otherwise applicable extension limitation under Section 18-185 ~~the lesser of 5% or the percentage increase in the Consumer Price Index for the prior levy year (or an estimate of the percentage increase for the prior levy year if the increase is unavailable at the time the submission of the question is initiated by the taxing district)~~; and dividing the result by the last known equalized assessed value of the taxing district at the time the submission of the question is initiated by the taxing district. This amendatory Act of the 97th General Assembly is intended to clarify the existing requirements of this Section, and shall not be construed to validate any prior non-compliant referendum language. Any notice required to be published in connection with the submission of the question shall also contain this supplemental information and shall not contain any other supplemental information. Any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot or in the notice that is not deliberate shall not invalidate or affect the validity of any proposition approved. Notice of the referendum shall be published and posted as otherwise required by law, and the submission of the question shall be initiated as provided by law.

(Source: P.A. 97-1087, eff. 8-24-12.)

(35 ILCS 200/18-213)

Sec. 18-213. Referenda on applicability of the Property Tax Extension Limitation Law.

(a) The provisions of this Section do not apply to a taxing district subject to this Law because a majority of its 1990 equalized assessed value is in a county or counties contiguous to a county of 3,000,000 or more inhabitants, or because a majority of its 1994 equalized assessed value is in an affected county and the taxing district was not subject to this Law before the 1995 levy year.

(b) The county board of a county that is not subject to this Law may, by ordinance or resolution, submit to the voters of the county the question of whether to make all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county subject to this Law in the manner set forth in this Section.

For purposes of this Section only:

"Taxing district" has the same meaning provided in Section 1-150.

"Equalized assessed valuation" means the equalized assessed valuation for a taxing district for the immediately preceding levy year.

(c) The ordinance or resolution shall request the submission of the proposition at any election, except a consolidated primary election, for the purpose of voting for or against making the Property Tax Extension Limitation Law applicable to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county.

The question shall be placed on a separate ballot and shall be in substantially the following form:

Shall the Property Tax Extension Limitation Law (35 ILCS 200/18-185 through 18-245), which limits annual property tax extension increases, apply to non-home rule taxing districts with all or a portion of their equalized assessed valuation located in (name of county)?

Votes on the question shall be recorded as "yes" or "no".

(d) The county clerk shall order the proposition submitted to the electors of the county at the election specified in the ordinance or resolution. If part of the county is under the jurisdiction of a board or boards of election commissioners, the county clerk shall submit a certified copy of the ordinance or resolution to each board of election commissioners, which shall order the proposition submitted to the electors of the taxing district within its jurisdiction at the election specified in the ordinance or resolution.

(e) (1) With respect to taxing districts having all of their equalized assessed valuation located in the county, if a majority of the votes cast on the proposition are in favor of the proposition, then this Law becomes applicable to the taxing district beginning on January 1 of the year following the date of the referendum.

(2) With respect to taxing districts that meet all the following conditions this Law shall become applicable to the taxing district beginning on January 1, 1997. The districts to which this paragraph (2) is applicable

(A) do not have all of their equalized assessed valuation located in a single county,

(B) have equalized assessed valuation in an affected county,

(C) meet the condition that each county, other than an affected county, in which any of the equalized assessed valuation of the taxing district is located has held a referendum under this Section at any election, except a consolidated primary election, held prior to the effective date of this amendatory Act of 1997, and

(D) have a majority of the district's equalized assessed valuation located in one or more counties in each of which the voters have approved a referendum under this Section prior to the effective date of this amendatory Act of 1997. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties in which the voters have approved a referendum under this Section, the equalized assessed valuation of the taxing district in any affected county shall be included with the equalized assessed value of the taxing district in counties in which the voters have approved the referendum.

(3) With respect to taxing districts that do not have all of their equalized assessed valuation located in a single county and to which paragraph (2) of subsection (e) is not applicable, if each county other than an affected county in which any of the equalized assessed valuation of the taxing district is located has held a referendum under this Section at any election, except a consolidated primary election, held in any year and if a majority of the equalized assessed valuation of the taxing district is located in one or more counties that have each approved a referendum under this Section, then this Law shall become applicable to the taxing district on January 1 of the year following the year in which the last referendum in a county in which the taxing district has any equalized assessed valuation is held. For the purposes of this Law, the last referendum shall be deemed to be the referendum making this Law applicable to the taxing district. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties that have approved

a referendum under this Section, the equalized assessed valuation of the taxing district in any affected county shall be included with the equalized assessed value of the taxing district in counties that have approved the referendum.

(f) Immediately after a referendum is held under this Section, the county clerk of the county holding the referendum shall give notice of the referendum having been held and its results to all taxing districts that have all or a portion of their equalized assessed valuation located in the county, the county clerk of any other county in which any of the equalized assessed valuation of any taxing district is located, and the Department of Revenue. After the last referendum affecting a multi-county taxing district is held, the Department of Revenue shall determine whether the taxing district is subject to this Law and, if so, shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning the following January 1, the taxing district is subject to this Law. For each taxing district subject to paragraph (2) of subsection (e) of this Section, the Department of Revenue shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning January 1, 1997, the taxing district is subject to this Law.

(g) Referenda held under this Section shall be conducted in accordance with the Election Code.

(h) Notwithstanding any other provision of law, no referenda may be held under this Section with respect to levy years 2017 and 2018.

(Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

(35 ILCS 200/18-214)

Sec. 18-214. Referenda on removal of the applicability of the Property Tax Extension Limitation Law to non-home rule taxing districts.

(a) The provisions of this Section do not apply to a taxing district that is subject to this Law because a majority of its 1990 equalized assessed value is in a county or counties contiguous to a county of 3,000,000 or more inhabitants, or because a majority of its 1994 equalized assessed value is in an affected county and the taxing district was not subject to this Law before the 1995 levy year.

(b) For purposes of this Section only:

"Taxing district" means any non-home rule taxing district that became subject to this Law under Section 18-213 of this Law.

"Equalized assessed valuation" means the equalized assessed valuation for a taxing district for the immediately preceding levy year.

(c) The county board of a county that became subject to this Law by a referendum approved by the voters of the county under Section 18-213 may, by ordinance or resolution, in the manner set forth in this Section, submit to the voters of the county the question of whether this Law applies to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county in the manner set forth in this Section.

(d) The ordinance or resolution shall request the submission of the proposition at any election, except a consolidated primary election, for the purpose of voting for or against the continued application of the Property Tax Extension Limitation Law to all non-home rule taxing districts that have all or a portion of their equalized assessed valuation situated in the county.

The question shall be placed on a separate ballot and shall be in substantially the following form:

Shall the Property Tax Extension Limitation Law (35 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits annual property tax extension increases, apply to non-home rule taxing districts with all or a portion of their equalized assessed valuation located in (name of county)?

Votes on the question shall be recorded as "yes" or "no".

(e) The county clerk shall order the proposition submitted to the electors of the county at the election specified in the ordinance or resolution. If part of the county is under the jurisdiction of a board or boards of election commissioners, the county clerk shall submit a certified copy of the ordinance or resolution to each board of election commissioners, which shall order the proposition submitted to the electors of the taxing district within its jurisdiction at the election specified in the ordinance or resolution.

(f) With respect to taxing districts having all of their equalized assessed valuation located in one county, if a majority of the votes cast on the proposition are against the proposition, then this Law shall not apply to the taxing district beginning on January 1 of the year following the date of the referendum.

(g) With respect to taxing districts that do not have all of their equalized assessed valuation located in a single county, if both of the following conditions are met, then this Law shall no longer apply to the taxing district beginning on January 1 of the year following the date of the referendum.

(1) Each county in which the district has any equalized assessed valuation must either,

(i) have held a referendum under this Section, (ii) be an affected county, or (iii) have held a referendum under Section 18-213 at which the voters rejected the proposition at the most recent election at which the question was on the ballot in the county.

(2) The majority of the equalized assessed valuation of the taxing district, other than any equalized assessed valuation in an affected county, is in one or more counties in which the voters rejected the proposition. For purposes of this Section, in determining whether a majority of the equalized assessed valuation of the taxing district is located in one or more counties in which the voters have rejected the proposition under this Section, the equalized assessed valuation of any taxing district in a county which has held a referendum under Section 18-213 at which the voters rejected that proposition, at the most recent election at which the question was on the ballot in the county, will be included with the equalized assessed value of the taxing district in counties in which the voters have rejected the referendum held under this Section.

(h) Immediately after a referendum is held under this Section, the county clerk of the county holding the referendum shall give notice of the referendum having been held and its results to all taxing districts that have all or a portion of their equalized assessed valuation located in the county, the county clerk of any other county in which any of the equalized assessed valuation of any such taxing district is located, and the Department of Revenue. After the last referendum affecting a multi-county taxing district is held, the Department of Revenue shall determine whether the taxing district is no longer subject to this Law and, if the taxing district is no longer subject to this Law, the Department of Revenue shall notify the taxing district and the county clerks of all of the counties in which a portion of the equalized assessed valuation of the taxing district is located that, beginning on January 1 of the year following the date of the last referendum, the taxing district is no longer subject to this Law.

(i) Notwithstanding any other provision of law, no referenda may be held under this Section with respect to levy years 2017 and 2018.

(Source: P.A. 89-718, eff. 3-7-97.)

(35 ILCS 200/18-242 new)

Sec. 18-242. Home rule. This Division 5 is a limitation, under subsection (g) of Section 6 of Article VII of the Illinois Constitution, on the power of home rule units to tax.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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

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 J. Cullerton, **Senate Bill No. 482** 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 38; NAYS 11; Present 9.

The following voted in the affirmative:

Aquino	Harris	Manar	Rezin
Bennett	Hastings	Martinez	Sandoval
Bertino-Tarrant	Holmes	McCann	Silverstein
Bush	Hunter	McCarter	Stadelman
Castro	Hutchinson	McGuire	Steans
Clayborne	Jones, E.	Morrison	Trotter

Collins	Koehler	Mulroe	Van Pelt
Cullerton, T.	Landek	Muñoz	Mr. President
Cunningham	Lightford	Murphy	
Harmon	Link	Raoul	

The following voted in the negative:

Althoff	Biss	McConnaughay	Rose
Anderson	Brady	Oberweis	Syverson
Barickman	McConchie	Righter	

The following voted present:

Bivins	Nybo	Schimpf
Connelly	Radogno	Tracy
Fowler	Rooney	Weaver

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

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

VOTE RECORDED

Senator Murphy asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 569**, on Monday, May 29, 2017.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator J. Cullerton, **Senate Bill No. 41**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator J. Cullerton moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 49; NAYS 4; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Connelly	McConchie

McCarter Rooney

The following voted present:

Oberweis

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 41**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Muñoz, **Senate Bill No. 1730**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Muñoz moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

YEAS 53; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Mr. President

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1730**.

Ordered that the Secretary inform the House of Representatives thereof.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Muñoz, **House Bill No. 2510** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 34; NAYS 16.

The following voted in the affirmative:

Aquino	Cunningham	Lightford	Silverstein

Bennett	Harmon	Link	Stadelman
Bertino-Tarrant	Harris	Manar	Steans
Biss	Hastings	Martinez	Syverson
Bush	Hunter	McGuire	Trotter
Castro	Hutchinson	Mulroe	Van Pelt
Clayborne	Jones, E.	Muñoz	Mr. President
Collins	Koehler	Nybo	
Cullerton, T.	Landek	Raoul	

The following voted in the negative:

Althoff	Fowler	Radogno	Weaver
Anderson	McCann	Rezin	
Barickman	McCarter	Rose	
Bivins	McConchie	Schimpf	
Connelly	Oberweis	Tracy	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Silverstein, **House Bill No. 3044** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Muñoz, **House Bill No. 2610** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

HOUSE BILL RECALLED

On motion of Senator Lightford, **House Bill No. 2977** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2977

AMENDMENT NO. 1. Amend House Bill 2977 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 27-20.7 as follows:
(105 ILCS 5/27-20.7 new)
Sec. 27-20.7. Cursive writing. Beginning with the 2018-2019 school year, public elementary schools shall offer at least one unit of instruction in cursive writing. School districts shall, by policy, determine at what grade level or levels students are to be offered cursive writing, provided that such instruction must be offered before students complete grade 5.

Section 99. Effective date. This Act takes effect July 1, 2018.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Lightford, **House Bill No. 2977** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 41; NAYS 15.

The following voted in the affirmative:

Althoff	Cunningham	Link	Raoul

Aquino	Harmon	Manar	Sandoval
Bennett	Harris	Martinez	Silverstein
Bertino-Tarrant	Hastings	McCann	Stadelman
Biss	Holmes	McConchie	Steans
Bivins	Hunter	McConnaughay	Trotter
Bush	Hutchinson	McGuire	Van Pelt
Castro	Jones, E.	Morrison	Mr. President
Clayborne	Koehler	Mulroe	
Collins	Landek	Muñoz	
Cullerton, T.	Lightford	Radogno	

The following voted in the negative:

Anderson	Fowler	Rezin	Syverson
Barickman	McCarter	Righter	Tracy
Brady	Nybo	Rose	Weaver
Connelly	Oberweis	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 in the Senate Amendment adopted thereto.

On motion of Senator Biss, **House Bill No. 2462** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 35; NAYS 18; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Althoff	Fowler	Rezin	Syverson
Barickman	McCarter	Righter	Tracy
Bivins	McConchie	Rooney	Weaver
Brady	Oberweis	Rose	
Connelly	Radogno	Schimpf	

The following voted present:

Nybo

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

Ordered that the Secretary inform the House of Representatives thereof.

Senator Anderson asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 2462**.

Senator Martinez asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 2462**.

Senator McConnaughay asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **House Bill No. 2462**.

Senator Harris asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 2462**.

At the hour of 1:47 o'clock p.m., Senator Lightford, presiding.

On motion of Senator Bivins, **House Bill No. 1895** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Anderson, **House Bill No. 1952** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McConnaughay	Silverstein
Bennett	Hastings	McGuire	Stadelman
Bertino-Tarrant	Holmes	Mulroe	Steans

Biss	Hunter	Muñoz	Syverson
Bivins	Hutchinson	Murphy	Tracy
Brady	Jones, E.	Nybo	Trotter
Bush	Koehler	Oberweis	Van Pelt
Castro	Landek	Radogno	Weaver
Clayborne	Lightford	Raoul	Mr. President
Collins	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.

On motion of Senator Fowler, **House Bill No. 2028** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Steans, **House Bill No. 2361** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

On motion of Senator Harmon, **House Bill No. 2373** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 36; NAYS 19; Present 2.

The following voted in the affirmative:

Aquino	Hastings	McCann	Silverstein
Bennett	Hunter	McGuire	Stadelman
Bertino-Tarrant	Hutchinson	Mulroe	Steans
Biss	Jones, E.	Muñoz	Trotter
Bush	Koehler	Nybo	Van Pelt
Castro	Landek	Oberweis	Mr. President
Clayborne	Lightford	Radogno	
Collins	Link	Raoul	
Harmon	Manar	Rooney	
Harris	Martinez	Sandoval	

The following voted in the negative:

Althoff	Connelly	McConchie	Schimpf
Anderson	Cullerton, T.	McConnaughay	Syverson
Barickman	Fowler	Rezin	Tracy
Bivins	Holmes	Righter	Weaver
Brady	McCarter	Rose	

The following voted present:

Morrison
Murphy

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.

SENATE BILL RECALLED

On motion of Senator J. Cullerton, **Senate Bill No. 32** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 TO SENATE BILL 32

AMENDMENT NO. 1. Amend Senate Bill 32 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois TRUST Act.

Section 5. Definitions. In this Act:

"Certification form" means any law enforcement certification form or statement required by federal immigration law certifying that a person is a victim of qualifying criminal activity including, but not limited to, the information required by Section 1184(p) of Title 8 of the United States Code (including current United States Citizenship and Immigration Service Form I-918, Supplement B, or any successor form) for purposes of obtaining a U visa, or by Section 1184(o) of Title 8 of the United States Code (including current United States Citizenship and Immigration Service Form I-914, Supplement B, or any successor form) for purposes of obtaining a T visa.

"Certifying agency" means a State or local law enforcement agency, prosecutor, or other public authority that has responsibility for the detection, investigation, or prosecution of criminal activity including an agency that has criminal investigative jurisdiction in its respective areas of expertise. "Certifying agency" also includes the Department of Labor, the Department of Children and Family Services, the Department of Human Services, and the Illinois Workers' Compensation Commission. "Certifying agency" does not include any State court.

"Certifying official" means the head of a certifying agency as defined in this Section, or a person within the agency performing a supervisory role who is specifically designated by the head of the certifying agency to respond to requests for certification forms or a person within another certifying agency specifically designated by agreement between the heads of the agencies to respond to requests for certification forms.

"Qualifying criminal activity" means any activity, regardless of the stage of detection, investigation, or prosecution, designated in Section 1101(a)(15)(U)(iii) of Title 8 of the United States Code and any implementing federal regulations, and includes one or more of the following or any similar activity in violation of federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; stalking; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; fraud in foreign labor contracting (as defined in Section 1351 of Title 18 of the United States Code); or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes; and any criminal activity that has an articulable similarity to any activity listed under this definition, but is not specifically listed under this definition. "Qualifying criminal activity" also means any qualifying criminal activity that occurs during the commission of non-qualifying criminal activity, regardless of whether or not criminal prosecution was sought for the qualifying criminal activity. Criminal activity may be considered qualifying criminal activity regardless of how much time has elapsed since its commission.

"Victim of qualifying criminal activity" means a person who:

(1)(A)(i) has reported qualifying criminal activity to a law enforcement agency or certifying agency; or (ii) has otherwise participated in the detection, investigation, or prosecution of qualifying criminal activity; and

(B) has suffered direct and proximate harm as a result of the commission of any qualifying criminal activity, including, but not limited to: (i) an indirect victim regardless of the direct victim's immigration or citizenship status, who, in any case in which the direct victim is deceased, incompetent, or incapacitated, is the direct victim's spouse, the direct victim's child under 21 years of age, or if the direct victim is under 21 years of age, the direct victim's unmarried sibling under 18 years of age or parent; or (ii) a bystander victim who suffers direct physical or mental harm as a result of the qualifying criminal activity, or

(2) was a victim of a severe form of trafficking in persons as defined in Section 7102 of Title 22 of the United States Code and Section 10-9 of the Criminal Code of 2012.

More than one victim may be identified and provided with a certification form depending upon the circumstances. For purposes of the definition of "victim of qualifying criminal activity", the term "incapacitated" means unable to interact with the law enforcement agency or certifying agency personnel as a result of a cognitive impairment or other physical limitation, because of physical restraint or disappearance, or because the victim was a minor at the time the crime was committed and reported.

Section 10. Certifications for victims of qualifying criminal activity.

(a) Upon a receipt of a request from a victim of qualifying criminal activity, as defined in Section 5 of this Act, or the victim's representative for completion of a certification form by a certifying agency, the designated certifying official for the agency shall complete and issue the certification form, except that the certifying official may decline, by written notice to the requesting victim or the victim's representative, to complete the certification form requested under this subsection only if, after a good faith inquiry, the agency cannot determine that the applicant is a victim of qualifying criminal activity as defined in Section 5 of this Act. The certifying official shall complete and issue the certification form within 90 business days of receiving the request, except:

(1) if the victim of qualifying criminal activity is in federal immigration removal proceedings or detained, then the certifying official shall complete the certification form no later than 14 business days after the request is received by the agency; and

(2) if the victim's children, parents, or siblings would become ineligible for benefits under Sections 1184(p) and 1184(o) of Title 8 of the United States Code by virtue of the victim's children having reached the age of 21 years, the victim having reached the age of 21 years, or the victim's sibling having reached the age of 18 years within 90 business days from the date that the certifying agency receives the certification request, the certifying official shall complete the certification form no later than 14 business days after the request is received by the agency, or if the loss of the benefit would occur less than 14 business days of receipt of the certification request, the certifying official shall complete a certification form within 5 business days.

Requests for expedited completion of a certification form under paragraphs (1) and (2) of this subsection (a) shall be affirmatively raised by the victim or representative of the victim in writing by the victim or representative of the victim and shall establish that the victim is eligible for expedited review.

(b) A request for completion of a certification form under subsection (a) of this Section may be submitted by a representative of the victim, including, but not limited to, an attorney, accredited representative, or domestic violence service provider.

(c) Each certifying agency has independent legal authority to complete and issue a certification form. A certifying official from each certifying agency shall perform the following responsibilities:

(1) respond to requests for certifications as required by this Section; and

(2) make information regarding the agency's procedures for certification requests publicly available for victims of qualifying criminal activity and their representatives.

(d) A certifying official shall complete and reissue a certification form within 90 business days of receiving a request to reissue. If the victim seeking recertification has a deadline to respond to a request for evidence from United States Citizenship and Immigration Services, the certifying official shall complete and issue the form no later than 14 business days after the request is received by the certifying official. Requests for expedited recertification shall be affirmatively raised by the victim or representative of the victim in writing by the victim or representative of the victim and shall establish that the victim is eligible for expedited review.

(e) Notwithstanding any other provision of this Section, a certifying official's completion of a certification form shall not be considered sufficient evidence that an applicant for a U or T visa has met all eligibility requirements for that visa and completion of a certification form by a certifying agency shall not be construed to guarantee that the victim will receive federal immigration relief. It is the exclusive responsibility of federal immigration officials to determine whether a person is eligible for a U or T visa. Completion of a certification form by a certifying official merely verifies factual information relevant to the immigration benefit sought, including information relevant for federal immigration officials to determine eligibility for a U or T visa. By completing a certification form, the certifying official attests that the information is true and correct to the best of the certifying official's knowledge. If, after completion of a certification form, the certifying official later determines the person was not the victim of qualifying criminal activity or the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, then the certifying official may notify United States Citizenship and Immigration Services in writing.".

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 J. Cullerton, **Senate Bill No. 32** 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 6.

The following voted in the affirmative:

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

The following voted in the negative:

Barickman	McCann	Schimpf
Bivins	Rose	Tracy

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

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Trotter, **House Bill No. 1797** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 36; NAYS 12.

The following voted in the affirmative:

Althoff	Harris	McCann	Rooney
Bennett	Hastings	McCarter	Sandoval
Bertino-Tarrant	Hunter	McConchie	Stadelman
Biss	Hutchinson	McGuire	Steans
Bivins	Jones, E.	Mulroe	Trotter
Brady	Koehler	Muñoz	Van Pelt
Castro	Landek	Nybo	
Clayborne	Lightford	Radogno	
Cunningham	Link	Raoul	
Fowler	Martinez	Rezin	

The following voted in the negative:

Anderson	Morrison	Schimpf
Barickman	Oberweis	Tracy
Connelly	Righter	Weaver
McConnaughay	Rose	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.

On motion of Senator McCann, **House Bill No. 2377** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Hutchinson, **House Bill No. 2382** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Martinez	Righter
Anderson	Cunningham	McCann	Rooney
Aquino	Fowler	McConchie	Rose
Barickman	Harmon	McConnaughay	Sandoval
Bennett	Harris	McGuire	Schimpf
Bertino-Tarrant	Hastings	Morrison	Stadelman
Biss	Holmes	Mulroe	Steans
Bivins	Hunter	Muñoz	Tracy

Brady	Hutchinson	Murphy	Trotter
Bush	Jones, E.	Nybo	Van Pelt
Castro	Koehler	Oberweis	Weaver
Clayborne	Landek	Radogno	Mr. President
Collins	Lightford	Raoul	
Connelly	Link	Rezin	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Steans, **House Bill No. 2390** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Rose, **House Bill No. 2404** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McConnaughay	Stadelman
Bennett	Hastings	McGuire	Steans
Bertino-Tarrant	Holmes	Morrison	Syverson
Biss	Hunter	Mulroe	Tracy
Bivins	Hutchinson	Muñoz	Trotter
Brady	Jones, E.	Murphy	Van Pelt

Bush	Koehler	Nybo	Weaver
Castro	Landek	Oberweis	Mr. President
Clayborne	Lightford	Radogno	
Collins	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 in the Senate Amendment adopted thereto.

On motion of Senator Connelly, **House Bill No. 2408** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Cunningham, **House Bill No. 2439** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Hastings	McGuire	Stadelman
Bertino-Tarrant	Holmes	Morrison	Steans
Biss	Hunter	Mulroe	Syverson

Bivins	Hutchinson	Muñoz	Tracy
Brady	Jones, E.	Murphy	Trotter
Bush	Koehler	Nybo	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Collins	Link	Raoul	
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Castro, **House Bill No. 2449** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Hutchinson, **House Bill No. 2453** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Righter
Anderson	Fowler	McCann	Rooney
Aquino	Harmon	McConchie	Rose
Barickman	Harris	McConnaughay	Sandoval
Bennett	Hastings	McGuire	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans

Brady	Hutchinson	Muñoz	Syverson
Bush	Jones, E.	Murphy	Tracy
Castro	Koehler	Nybo	Trotter
Clayborne	Landek	Oberweis	Van Pelt
Collins	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.

On motion of Senator Bush, **House Bill No. 2461** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Steans, **House Bill No. 2465** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	McCarter	Rose
Anderson	Harmon	McConchie	Sandoval
Aquino	Harris	McConnaughay	Schimpf
Barickman	Hastings	McGuire	Stadelman
Bennett	Holmes	Morrison	Steans
Bertino-Tarrant	Hunter	Mulroe	Syverson
Biss	Hutchinson	Muñoz	Tracy

Brady	Jones, E.	Murphy	Trotter
Bush	Koehler	Nybo	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Collins	Link	Raoul	
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	
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.

On motion of Senator Hastings, **House Bill No. 2492** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Mulroe, **House Bill No. 2534** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Hastings	McGuire	Stadelman
Bertino-Tarrant	Holmes	Morrison	Steans
Biss	Hunter	Mulroe	Syverson

Bivins	Hutchinson	Muñoz	Tracy
Brady	Jones, E.	Murphy	Trotter
Bush	Koehler	Nybo	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Collins	Link	Raoul	
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Castro, **House Bill No. 2567** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Righter
Anderson	Fowler	McCann	Rooney
Aquino	Harmon	McCarter	Rose
Barickman	Harris	McConchie	Sandoval
Bennett	Hastings	McConnaughay	Schimpf
Bertino-Tarrant	Holmes	McGuire	Stadelman
Biss	Hunter	Morrison	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Jones, E.	Murphy	Tracy
Castro	Koehler	Nybo	Trotter
Clayborne	Landek	Oberweis	Van Pelt
Collins	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.

On motion of Senator Martinez, **House Bill No. 2577** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McConchie	Sandoval
Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Stadelman
Bennett	Hastings	Mulroe	Steans
Bertino-Tarrant	Hunter	Muñoz	Syverson
Biss	Hutchinson	Murphy	Tracy

Brady	Jones, E.	Nybo	Trotter
Bush	Koehler	Oberweis	Van Pelt
Castro	Landek	Radogno	Weaver
Clayborne	Lightford	Raoul	Mr. President
Collins	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.

On motion of Senator Bertino-Tarrant, **House Bill No. 2612** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harmon, **House Bill No. 2618** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McConnaughay	Schimpf
Bennett	Hastings	McGuire	Stadelman
Bertino-Tarrant	Holmes	Morrison	Steans
Biss	Hunter	Mulroe	Syverson

Bivins	Hutchinson	Muñoz	Tracy
Brady	Jones, E.	Murphy	Trotter
Bush	Koehler	Nybo	Van Pelt
Castro	Landek	Oberweis	Weaver
Clayborne	Lightford	Radogno	Mr. President
Collins	Link	Raoul	
Connelly	Manar	Rezin	
Cullerton, T.	Martinez	Righter	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harris, **House Bill No. 2664** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Steans, **House Bill No. 2700** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Righter
Anderson	Fowler	McCann	Rooney
Aquino	Harmon	McConchie	Rose
Barickman	Harris	McConnaughay	Sandoval
Bennett	Hastings	McGuire	Schimpf
Bertino-Tarrant	Holmes	Morrison	Stadelman

Biss	Hunter	Mulroe	Steans
Brady	Hutchinson	Muñoz	Syverson
Bush	Jones, E.	Murphy	Tracy
Castro	Koehler	Nybo	Trotter
Clayborne	Landek	Oberweis	Van Pelt
Collins	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.

On motion of Senator Hunter, **House Bill No. 2762** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator E. Jones III, **House Bill No. 2778** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 45; NAYS 12.

The following voted in the affirmative:

Althoff	Cunningham	Link	Raoul
Anderson	Fowler	Manar	Rooney
Aquino	Harmon	Martinez	Sandoval
Bennett	Harris	McCann	Schimpf
Bertino-Tarrant	Hastings	McConnaughay	Stadelman
Biss	Holmes	McGuire	Steans
Bivins	Hunter	Morrison	Trotter
Bush	Hutchinson	Mulroe	Van Pelt

Castro	Jones, E.	Muñoz	Mr. President
Clayborne	Koehler	Murphy	
Collins	Landek	Nybo	
Cullerton, T.	Lightford	Radogno	

The following voted in the negative:

Barickman	McConchie	Rose
Brady	Oberweis	Syverson
Connelly	Rezin	Tracy
McCarter	Righter	Weaver

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Trotter, **House Bill No. 2800** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Tracy, **House Bill No. 2813** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Tracy, **House Bill No. 2814** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Schimpf, **House Bill No. 2828** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McConchie	Sandoval

Aquino	Harmon	McConnaughay	Schimpf
Barickman	Harris	McGuire	Stadelman
Bennett	Hastings	Morrison	Steans
Bertino-Tarrant	Holmes	Mulroe	Syverson
Biss	Hunter	Muñoz	Tracy
Bivins	Hutchinson	Murphy	Trotter
Brady	Jones, E.	Nybo	Van Pelt
Bush	Koehler	Oberweis	Weaver
Castro	Landek	Radogno	Mr. President
Clayborne	Lightford	Raoul	
Collins	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.

On motion of Senator Cunningham, **House Bill No. 2842** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hastings, **House Bill No. 2876** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rooney
Anderson	Fowler	McCarter	Rose

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hastings, **House Bill No. 2880**, 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 **House Bill No. 2880** was postponed.

At the hour of 3:41 o'clock p.m., Senator Munóz, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 573

Offered by Senator Morrison and all Senators:
Mourns the death of Joseph C. Pugliese of Vernon Hills.

SENATE RESOLUTION NO. 574

Offered by Senator Morrison and all Senators:
Mourns the death of Suzanne Marie (Heller) Ettlinger of Highland Park.

SENATE RESOLUTION NO. 575

Offered by Senator Bush and all Senators:
Mourns the death of Peter Thomas Marsalek of Antioch.

SENATE RESOLUTION NO. 576

Offered by Senator Harmon and all Senators:
Mourns the death of William "Bill" James Carothers, Sr.

SENATE RESOLUTION NO. 577

Offered by Senator Harmon and all Senators:
Mourns the death of Robert "Bob" Vincent Walsh of Berwyn.

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

MESSAGES FROM THE HOUSE

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

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

SENATE BILL NO. 1348

A bill for AN ACT concerning regulation.

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

House Amendment No. 1 to SENATE BILL NO. 1348

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1348

AMENDMENT NO. 1. Amend Senate Bill 1348 on page 1, by replacing lines 4 through 9 with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Section 4.29 as follows:
(5 ILCS 80/4.29)
Sec. 4.29. Acts repealed on January 1, 2019 and December 31, 2019.
(a) The following Act is repealed on January 1, 2019:
The Environmental Health Practitioner Licensing Act.
(b) The following Acts are ~~Act is~~ repealed on December 31, 2019:
The Medical Practice Act of 1987.
The Structural Pest Control Act.
(Source: P.A. 95-1020, eff. 12-29-08; 96-473, eff. 8-14-09.)".

Under the rules, the foregoing **Senate Bill No. 1348**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1400

A bill for AN ACT concerning health.

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

House Amendment No. 1 to SENATE BILL NO. 1400

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1400

AMENDMENT NO. 1. Amend Senate Bill 1400 on page 58, line 17, after "Act;", by inserting "or"; and

on page 58, line 17, by replacing "Sections 3.01" with "Section 3.01"; and

on page 58, lines 18 and 19, by deleting "; or Section 4 of the Narcotics Profit Forfeiture Act"; and

on page 66, lines 23 and 24, by deleting "or other applicable finding as set forth by rule,".

Under the rules, the foregoing **Senate Bill No. 1400**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1434

A bill for AN ACT concerning revenue.

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

House Amendment No. 1 to SENATE BILL NO. 1434

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1434

AMENDMENT NO. 1. Amend Senate Bill 1434 by replacing line 8 on page 3 through line 3 on page 7 with the following:

"Section 10. Rental Purchase Agreement Occupation Tax. A tax is imposed upon persons engaged in this State in the business of renting merchandise under a rental-purchase agreement in Illinois at the rate of 6.25% of the gross receipts received from the business. Every person engaged in this State in the business of renting merchandise shall apply to the Department (upon a form prescribed and furnished by the Department) for a certificate of registration under this Act. The certificate of registration which is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the merchant to engage in a business that is taxable under this Section without registering separately with the Department.

The Department shall have full power to administer and enforce this Section, to collect all taxes and penalties due hereunder, to dispose of taxes and penalties so collected in the manner hereinafter provided, and to determine all rights to credit memoranda, arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with, this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers and duties, and be subject to the same conditions, restrictions, limitations, penalties and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 2, 2-10 through 2-65 (in respect to all provisions therein other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as fully as if those provisions were set forth herein.

Section 15. Rental Purchase Agreement Use Tax. A tax is imposed upon the privilege of using, in this State, merchandise which is rented from a merchant. Such tax is at the rate of 6.25% of the rental price paid to the merchant under any rental purchase agreement.

The tax hereby imposed shall be collected from the consumer by a merchant maintaining a place of business in this State and remitted to the Department.

The tax hereby imposed and not paid to a merchant pursuant to the preceding paragraph of this Section shall be paid to the Department directly by any person using such merchandise within this State.

Merchants shall collect the tax from consumers by adding the tax to the rental price of the merchandise, when rented for use, in the manner prescribed by the Department. The Department shall have the power to adopt and promulgate reasonable rules and regulations for the adding of such tax by merchants to rental prices by prescribing bracket systems for the purpose of enabling such merchants to add and collect, as far as practicable, the amount of such tax.

The tax imposed by this Section shall, when collected, be stated as a distinct item separate and apart from the rental price of the merchandise.

The Department shall have full power to administer and enforce this Section; to collect all taxes, penalties and interest due hereunder; to dispose of taxes, penalties and interest so collected in the manner hereinafter provided, and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty or interest hereunder. In the administration of, and compliance with, this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers, and duties, and be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 2, 3, 3-10 through 3-80, 4, 6, 7, 8, 9 (except provisions relating to transaction returns), 10, 11, 12, 12a, 12b, 13, 14, 15, 19, 20, 21, and 22 of the Use Tax Act, and are not inconsistent with this Section, as fully as if those provisions were set forth herein.

Section 20. Electronic filing and payment. Any return or document that is required to be filed under this Act shall be filed electronically, in the form and manner required by the Department.

Any payment required to be made under this Act shall be paid electronically, in the form and manner required by the Department.

The Department shall grant a waiver of the electronic filing or payment requirement under this Section for any taxpayer who petitions the Department and demonstrates undue hardship in complying with the electronic filing or payment requirement. The waiver shall be for a period not to exceed 2 years, but may be renewed an unlimited number of times for periods not to exceed 2 years each.

Section 25. Deposit of taxes.

(a) Each month, from the net revenue realized for the preceding month, the Department shall pay an amount estimated by the Department to be required for refunds of the tax under this Act, which shall be deposited into the Rental Purchase Agreement Tax Refund Fund.

(b) Of the remainder of funds after the deposit under subsection (a) of this Section:

(1) each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the tax imposed under this Act; and

(2) each month the Department shall pay into the General Revenue Fund 80% of the net revenue realized for the preceding month from the tax imposed under this Act.

Section 30. One-Time Transitional Use Tax Credit. Within 3 months after effective date of this Act, the merchant shall file an application (upon a form prescribed and furnished by the Department) to receive a one-time credit for the Use Tax paid on merchandise subject to tax under this Act purchased during the 6 months immediately prior to the effective date of this Act. The Department shall issue a credit equal to the total Use Tax paid in the 6 months immediately prior to the effective date of this Act. Upon the issuance of the credit, the merchant may apply the credit against the tax imposed under this Act.

Section 35. Applicability. This Act does not apply to tangible personal property which is required to be titled and registered by a State agency.

Section 40. Rulemaking. The Department may make such rules as it may deem necessary to implement the purposes of this Act.

Section 45. The State Finance Act is amended by adding Sections 5.878 and 6z-102 as follows:

(30 ILCS 105/5.878 new)

Sec. 5.878. The Rental Purchase Agreement Tax Refund Fund.

(30 ILCS 105/6z-102 new)

Sec. 6z-102. The Rental Purchase Agreement Tax Refund Fund.

(a) The Rental Purchase Agreement Tax Refund Fund is hereby created as a special fund in the State Treasury. Moneys in the Fund shall be used by the Department of Revenue to pay refunds of Rental Purchase Agreement Tax in the manner provided in Section 6 of the Retailers' Occupation Tax Act and Section 19 of the Use Tax Act, as incorporated into Sections 10 and 15 of the Rental Purchase Agreement Tax Act.

(b) Moneys in the Rental Purchase Agreement Tax Refund Fund shall be expended exclusively for the purpose of paying refunds pursuant to this Section.

(c) The Director of Revenue shall order payment of refunds under this Section from the Rental Purchase Agreement Tax Refund Fund only to the extent that amounts collected pursuant to Sections 10 and 15 of the Rental Purchase Agreement Occupation and Use Tax Act have been deposited and retained in the Fund.

As soon as possible after the end of each fiscal year, the Director of Revenue shall order transferred, and the State Treasurer and State Comptroller shall transfer from the Rental Purchase Agreement Tax Refund Fund to the General Revenue Fund, any surplus remaining as of the end of such fiscal year.

This Section shall constitute an irrevocable and continuing appropriation from the Rental Purchase Agreement Tax Refund Fund for the purpose of paying refunds in accordance with the provisions of this Section.".

Under the rules, the foregoing **Senate Bill No. 1434**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 1462

A bill for AN ACT concerning State government.

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

House Amendment No. 2 to SENATE BILL NO. 1462

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1462

AMENDMENT NO. 2. Amend Senate Bill 1462 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-1020 as follows:

(20 ILCS 605/605-1020 new)

Sec. 605-1020. Entrepreneur Learner's Permit pilot program.

(a) Subject to appropriation, there is hereby established an Entrepreneur Learner's Permit pilot program that shall be administered by the Department beginning on July 1 of the first fiscal year for which an appropriation of State moneys is made for that purpose and continuing for the next 2 immediately succeeding fiscal years; however, the Department is not required to administer the program in any fiscal year for which such an appropriation has not been made. The purpose of the program shall be to encourage and assist beginning entrepreneurs in starting new information services, biotechnology, and green technology businesses by providing reimbursements to those entrepreneurs for any State filing, permitting, or licensing fees associated with the formation of such a business in the State.

(b) Applicants for participation in the Entrepreneur Learner's Permit pilot program shall apply to the Department, in a form and manner prescribed by the Department, prior to the formation of the business for which the entrepreneur seeks reimbursement of those fees. The Department shall adopt rules for the review and approval of applications, provided that it (1) shall give priority to applicants who are female or minority persons, or both, and (2) shall not approve any application by a person who will not be a beginning entrepreneur. Reimbursements under this Section shall be provided in the manner determined by the Department. In no event shall an applicant apply for participation in the program more than 3 times.

(c) The aggregate amount of all reimbursements provided by the Department pursuant to this Section shall not exceed $500,000 in any State fiscal year.

(d) On or before February 1 of the last calendar year during which the pilot program is in effect, the Department shall submit a report to the Governor and the General Assembly on the cumulative effectiveness of the Entrepreneur Learner's Permit pilot program. The review shall include, but not be limited to, the number and type of businesses that were formed in connection with the pilot program, the current status of each business formed in connection with the pilot program, the number of employees employed by each such business, the economic impact to the State from the pilot program, the satisfaction of participants in the pilot program, and a recommendation as to whether the program should be continued.

(e) As used in this Section:

"Beginning entrepreneur" means an individual who, at the time he or she applies for participation in the program, has less than 5 years of experience as a business owner and is not a current business owner.

"Female" and "minority person" have the meanings given to those terms in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.

Section 99. Effective date. This Act takes effect July 1, 2017.".

Under the rules, the foregoing **Senate Bill No. 1462**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1489

A bill for AN ACT concerning safety.

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

House Amendment No. 1 to SENATE BILL NO. 1489

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1489

AMENDMENT NO. 1. Amend Senate Bill 1489 on page 8, line 12, by deleting "and trainings".

Under the rules, the foregoing **Senate Bill No. 1489**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1532

A bill for AN ACT concerning education.

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

House Amendment No. 1 to SENATE BILL NO. 1532

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1532

AMENDMENT NO. 1. Amend Senate Bill 1532 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-17a as follows:

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. State, school district, and school report cards.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economic means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data possessed by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as English learners; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the percentage of students who annually transferred in or out of the school district; average daily attendance; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual enrollment courses, foreign language classes, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students deemed proficient on assessments of State standards, the percentage of students in the eighth grade who pass Algebra, the percentage of students enrolled in post-secondary institutions (including colleges,

universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college and career ready, and the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a developmental course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness;

(E) the school environment, including, where applicable, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, and the combined percentage of teachers rated as proficient or excellent in their most recent evaluation; and

(F) a school district's and its individual schools' balanced accountability measure, in accordance with Section 2-3.25a of this Code.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income students, special education students, and English learners.

For the purposes of paragraph (A) of this subsection (2), "average daily attendance" means the average of the actual number of attendance days during the previous school year for any enrolled student who is subject to compulsory attendance by Section 26-1 of this Code at each school and charter school.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section. The school district report card shall include the average daily attendance, as that term is defined in subsection (2) of this Section, of students who have individualized education programs and students who have 504 plans that provide for special education services within the school district.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.

(6) Nothing contained in this amendatory Act of the 98th General Assembly repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on the effective date of this amendatory Act of the 98th General Assembly in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 98-463, eff. 8-16-13; 98-648, eff. 7-1-14; 99-30, eff. 7-10-15; 99-193, eff. 7-30-15; 99-642, eff. 7-28-16.)

Section 99. Effective date. This Act takes effect July 1, 2019.".

Under the rules, the foregoing **Senate Bill No. 1532**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:
SENATE BILL NO. 1598
A bill for AN ACT concerning revenue.
Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:
House Amendment No. 1 to SENATE BILL NO. 1598
Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1598

AMENDMENT NO. 1. Amend Senate Bill 1598 on page 1, line 9, after "agreement", by inserting "pursuant to Section 10-385 of this Code".

Under the rules, the foregoing **Senate Bill No. 1598**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:
SENATE BILL NO. 1668
A bill for AN ACT concerning property.
Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:
House Amendment No. 1 to SENATE BILL NO. 1668
House Amendment No. 2 to SENATE BILL NO. 1668
Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1668

AMENDMENT NO. 1. Amend Senate Bill 1668 on page 43, by inserting after line 19 the following:

"Section 10-27. Upon the payment of the sum of $17,250 to the State of Illinois, the People of the State of Illinois hereby release the following described land located in Will County, Illinois from all dedication and easement rights, and interest acquired for highway purposes:

Parcel No. 1WY1180:

That part of Lot 1 in Unit No. 1 of Pine Crest, being a subdivision of part of the Southwest Quarter of the Southwest Quarter of Section 24, Township 36 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded March 12, 1957 as Document No. 819217, in Will County, Illinois, bearings and distances based on the Illinois State Plane Coordinates System, East Zone, NAD 83 (2011 Adjustment) with a combined scale factor of 0.99994840, described as follows:

Commencing at the southwest corner of said Lot 1; thence North 89 degrees 01 minute 22 seconds East, on the south line of said Lot 1, a distance of 54.14 feet to the Point of Beginning; thence North 43 degrees 47 minutes 15 seconds East, 85.67 feet to a point of curvature; thence northeasterly, on a 35.00 foot radius curve, concave southerly, 54.60 feet, the chord of said curve bears North 88 degrees 28 minutes 37 seconds East, 49.23 feet to a point of tangency; thence South 46 degrees 50 minutes 01 second East, 88.01 feet to the south line of said Lot 1; thence South 89 degrees 01 minute 22 seconds West, on said south line, 172.71 feet to the Point of Beginning.

Said parcel containing 0.163 acre, more or less.".

AMENDMENT NO. 2 TO SENATE BILL 1668

AMENDMENT NO. 2. Amend Senate Bill 1668 by deleting line 5 on page 1 through line 18 on page 23; and

by deleting line 9 on page 34 through line 10 on page 36.

Under the rules, the foregoing **Senate Bill No. 1668**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:
SENATE BILL NO. 1720
A bill for AN ACT concerning employment.
Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:
House Amendment No. 1 to SENATE BILL NO. 1720
Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1720

AMENDMENT NO. 1. Amend Senate Bill 1720 on page 2, line 9, by changing "contracting" to "chief procurement officer at a contracting".

Under the rules, the foregoing **Senate Bill No. 1720**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:
SENATE BILL NO. 1376
A bill for AN ACT concerning transportation.
SENATE BILL NO. 1429
A bill for AN ACT concerning transportation.
SENATE BILL NO. 1433
A bill for AN ACT concerning safety.
SENATE BILL NO. 1439
A bill for AN ACT concerning children.
SENATE BILL NO. 1459
A bill for AN ACT concerning State government.
SENATE BILL NO. 1478
A bill for AN ACT concerning safety.
SENATE BILL NO. 1486
A bill for AN ACT concerning education.
Passed the House, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:
SENATE BILL NO. 1493
A bill for AN ACT concerning revenue.
SENATE BILL NO. 1529
A bill for AN ACT concerning civil law.
SENATE BILL NO. 1577

A bill for AN ACT concerning civil law.

SENATE BILL NO. 1585

A bill for AN ACT concerning regulation.

SENATE BILL NO. 1591

A bill for AN ACT concerning local government.

SENATE BILL NO. 1593

A bill for AN ACT concerning revenue.

Passed the House, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

INTRODUCTION OF BILLS

SENATE BILL NO. 2211. Introduced by Senator Harmon, a bill for AN ACT concerning regulation.

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

SENATE BILL NO. 2212. Introduced by Senator Biss, a bill for AN ACT concerning safety.

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

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1399

A bill for AN ACT concerning courts.

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

House Amendment No. 1 to SENATE BILL NO. 1399

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1399

AMENDMENT NO. 1. Amend Senate Bill 1399 on page 1, by inserting after line 3 the following:

"Section 3. The Juvenile Court Act of 1987 is amended by changing the heading of Part 7A of Article V and by changing Sections 5-710, 5-7A-101, 5-7A-110, 5-7A-115, 5-7A-120, and 5-7A-125 as follows:

(705 ILCS 405/5-710)

Sec. 5-710. Kinds of sentencing orders.

(1) The following kinds of sentencing orders may be made in respect of wards of the court:

(a) Except as provided in Sections 5-805, 5-810, and 5-815, a minor who is found guilty under Section 5-620 may be:

(i) put on probation or conditional discharge and released to his or her parents, guardian or legal custodian, provided, however, that any such minor who is not committed to the Department of Juvenile Justice under this subsection and who is found to be a delinquent for an offense which is first degree murder, a Class X felony, or a forcible felony shall be placed on probation;

(ii) placed in accordance with Section 5-740, with or without also being put on probation or conditional discharge;

(iii) required to undergo a substance abuse assessment conducted by a licensed provider and participate in the indicated clinical level of care;

(iv) on and after the effective date of this amendatory Act of the 98th General

Assembly and before January 1, 2017, placed in the guardianship of the Department of Children and Family Services, but only if the delinquent minor is under 16 years of age or, pursuant to Article II of this Act, a minor for whom an independent basis of abuse, neglect, or dependency exists. On and after January 1, 2017, placed in the guardianship of the Department of Children and Family Services, but only if the delinquent minor is under 15 years of age or, pursuant to Article II of this Act, a minor for whom an independent basis of abuse, neglect, or dependency exists. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency;

(v) placed in detention for a period not to exceed 30 days, either as the exclusive order of disposition or, where appropriate, in conjunction with any other order of disposition issued under this paragraph, provided that any such detention shall be in a juvenile detention home and the minor so detained shall be 10 years of age or older. However, the 30-day limitation may be extended by further order of the court for a minor under age 15 committed to the Department of Children and Family Services if the court finds that the minor is a danger to himself or others. The minor shall be given credit on the sentencing order of detention for time spent in detention under Sections 5-501, 5-601, 5-710, or 5-720 of this Article as a result of the offense for which the sentencing order was imposed. The court may grant credit on a sentencing order of detention entered under a violation of probation or violation of conditional discharge under Section 5-720 of this Article for time spent in detention before the filing of the petition alleging the violation. A minor shall not be deprived of credit for time spent in detention before the filing of a violation of probation or conditional discharge alleging the same or related act or acts. The limitation that the minor shall only be placed in a juvenile detention home does not apply as follows:

Persons 18 years of age and older who have a petition of delinquency filed against them may be confined in an adult detention facility. In making a determination whether to confine a person 18 years of age or older who has a petition of delinquency filed against the person, these factors, among other matters, shall be considered:

(A) the age of the person;

(B) any previous delinquent or criminal history of the person;

(C) any previous abuse or neglect history of the person;

(D) any mental health history of the person; and

(E) any educational history of the person;

(vi) ordered partially or completely emancipated in accordance with the provisions of the Emancipation of Minors Act;

(vii) subject to having his or her driver's license or driving privileges suspended for such time as determined by the court but only until he or she attains 18 years of age;

(viii) put on probation or conditional discharge and placed in detention under Section 3-6039 of the Counties Code for a period not to exceed the period of incarceration permitted by law for adults found guilty of the same offense or offenses for which the minor was adjudicated delinquent, and in any event no longer than upon attainment of age 21; this subdivision (viii) notwithstanding any contrary provision of the law;

(ix) ordered to undergo a medical or other procedure to have a tattoo symbolizing allegiance to a street gang removed from his or her body; or

(x) placed in electronic <u>monitoring or</u> home detention under Part 7A of this Article.

(b) A minor found to be guilty may be committed to the Department of Juvenile Justice under Section 5-750 if the minor is at least 13 years and under 20 years of age, provided that the commitment to the Department of Juvenile Justice shall be made only if the minor was found guilty of a felony offense or first degree murder. The court shall include in the sentencing order any pre-custody credits the minor is entitled to under Section 5-4.5-100 of the Unified Code of Corrections. The time during which a minor is in custody before being released upon the request of a parent, guardian or legal custodian shall also be considered as time spent in custody.

(c) When a minor is found to be guilty for an offense which is a violation of the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act and made a ward of the court, the court may enter a disposition order requiring the minor to undergo assessment, counseling or treatment in a substance abuse program approved by the Department of Human Services.

(2) Any sentencing order other than commitment to the Department of Juvenile Justice may provide for protective supervision under Section 5-725 and may include an order of protection under Section 5-730.

(3) Unless the sentencing order expressly so provides, it does not operate to close proceedings on the pending petition, but is subject to modification until final closing and discharge of the proceedings under Section 5-750.

(4) In addition to any other sentence, the court may order any minor found to be delinquent to make restitution, in monetary or non-monetary form, under the terms and conditions of Section 5-5-6 of the Unified Code of Corrections, except that the "presentencing hearing" referred to in that Section shall be the sentencing hearing for purposes of this Section. The parent, guardian or legal custodian of the minor may be ordered by the court to pay some or all of the restitution on the minor's behalf, pursuant to the Parental Responsibility Law. The State's Attorney is authorized to act on behalf of any victim in seeking restitution in proceedings under this Section, up to the maximum amount allowed in Section 5 of the Parental Responsibility Law.

(5) Any sentencing order where the minor is committed or placed in accordance with Section 5-740 shall provide for the parents or guardian of the estate of the minor to pay to the legal custodian or guardian of the person of the minor such sums as are determined by the custodian or guardian of the person of the minor as necessary for the minor's needs. The payments may not exceed the maximum amounts provided for by Section 9.1 of the Children and Family Services Act.

(6) Whenever the sentencing order requires the minor to attend school or participate in a program of training, the truant officer or designated school official shall regularly report to the court if the minor is a chronic or habitual truant under Section 26-2a of the School Code. Notwithstanding any other provision of this Act, in instances in which educational services are to be provided to a minor in a residential facility where the minor has been placed by the court, costs incurred in the provision of those educational services must be allocated based on the requirements of the School Code.

(7) In no event shall a guilty minor be committed to the Department of Juvenile Justice for a period of time in excess of that period for which an adult could be committed for the same act. The court shall include in the sentencing order a limitation on the period of confinement not to exceed the maximum period of imprisonment the court could impose under Article V of the Unified Code of Corrections.

(7.5) In no event shall a guilty minor be committed to the Department of Juvenile Justice or placed in detention when the act for which the minor was adjudicated delinquent would not be illegal if committed by an adult.

(7.6) In no event shall a guilty minor be committed to the Department of Juvenile Justice for an offense which is a Class 4 felony under Section 19-4 (criminal trespass to a residence), 21-1 (criminal damage to property), 21-1.01 (criminal damage to government supported property), 21-1.3 (criminal defacement of property), 26-1 (disorderly conduct), or 31-4 (obstructing justice)~~,~~ of the Criminal Code of 2012.

(7.75) In no event shall a guilty minor be committed to the Department of Juvenile Justice for an offense that is a Class 3 or Class 4 felony violation of the Illinois Controlled Substances Act unless the commitment occurs upon a third or subsequent judicial finding of a violation of probation for substantial noncompliance with court-ordered ~~court ordered~~ treatment or programming.

(8) A minor found to be guilty for reasons that include a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall be ordered to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage that was caused by the violation or similar damage to property located in the municipality or county in which the violation occurred. The order may be in addition to any other order authorized by this Section.

(8.5) A minor found to be guilty for reasons that include a violation of Section 3.02 or Section 3.03 of the Humane Care for Animals Act or paragraph (d) of subsection (1) of Section 21-1 of the Criminal Code of 1961 or paragraph (4) of subsection (a) of Section 21-1 of the Criminal Code of 2012 shall be ordered to undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist. The order may be in addition to any other order authorized by this Section.

(9) In addition to any other sentencing order, the court shall order any minor found to be guilty for an act which would constitute, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or criminal sexual abuse if committed by an adult to undergo medical testing to determine whether the defendant has any sexually transmissible disease including a test for infection with human immunodeficiency virus (HIV) or any other identified causative agency of acquired immunodeficiency syndrome (AIDS). Any medical test shall be performed only by appropriately licensed medical practitioners and may include an analysis of any bodily fluids as well as an examination of the minor's person. Except as otherwise provided by law, the results of the test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the sentencing order was entered for the judge's inspection in camera. Acting in accordance with the best interests of the victim and the public, the judge

shall have the discretion to determine to whom the results of the testing may be revealed. The court shall notify the minor of the results of the test for infection with the human immunodeficiency virus (HIV). The court shall also notify the victim if requested by the victim, and if the victim is under the age of 15 and if requested by the victim's parents or legal guardian, the court shall notify the victim's parents or the legal guardian, of the results of the test for infection with the human immunodeficiency virus (HIV). The court shall provide information on the availability of HIV testing and counseling at the Department of Public Health facilities to all parties to whom the results of the testing are revealed. The court shall order that the cost of any test shall be paid by the county and may be taxed as costs against the minor.

(10) When a court finds a minor to be guilty the court shall, before entering a sentencing order under this Section, make a finding whether the offense committed either: (a) was related to or in furtherance of the criminal activities of an organized gang or was motivated by the minor's membership in or allegiance to an organized gang, or (b) involved a violation of subsection (a) of Section 12-7.1 of the Criminal Code of 1961 or the Criminal Code of 2012, a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of any statute that involved the wrongful use of a firearm. If the court determines the question in the affirmative, and the court does not commit the minor to the Department of Juvenile Justice, the court shall order the minor to perform community service for not less than 30 hours nor more than 120 hours, provided that community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. The community service shall include, but need not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located in the municipality or county in which the violation occurred. When possible and reasonable, the community service shall be performed in the minor's neighborhood. This order shall be in addition to any other order authorized by this Section except for an order to place the minor in the custody of the Department of Juvenile Justice. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(11) If the court determines that the offense was committed in furtherance of the criminal activities of an organized gang, as provided in subsection (10), and that the offense involved the operation or use of a motor vehicle or the use of a driver's license or permit, the court shall notify the Secretary of State of that determination and of the period for which the minor shall be denied driving privileges. If, at the time of the determination, the minor does not hold a driver's license or permit, the court shall provide that the minor shall not be issued a driver's license or permit until his or her 18th birthday. If the minor holds a driver's license or permit at the time of the determination, the court shall provide that the minor's driver's license or permit shall be revoked until his or her 21st birthday, or until a later date or occurrence determined by the court. If the minor holds a driver's license at the time of the determination, the court may direct the Secretary of State to issue the minor a judicial driving permit, also known as a JDP. The JDP shall be subject to the same terms as a JDP issued under Section 6-206.1 of the Illinois Vehicle Code, except that the court may direct that the JDP be effective immediately.

(12) If a minor is found to be guilty of a violation of subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may, in its discretion, and upon recommendation by the State's Attorney, order that minor and his or her parents or legal guardian to attend a smoker's education or youth diversion program as defined in that Act if that program is available in the jurisdiction where the offender resides. Attendance at a smoker's education or youth diversion program shall be time-credited against any community service time imposed for any first violation of subsection (a-7) of Section 1 of that Act. In addition to any other penalty that the court may impose for a violation of subsection (a-7) of Section 1 of that Act, the court, upon request by the State's Attorney, may in its discretion require the offender to remit a fee for his or her attendance at a smoker's education or youth diversion program.

For purposes of this Section, "smoker's education program" or "youth diversion program" includes, but is not limited to, a seminar designed to educate a person on the physical and psychological effects of smoking tobacco products and the health consequences of smoking tobacco products that can be conducted with a locality's youth diversion program.

In addition to any other penalty that the court may impose under this subsection (12):

(a) If a minor violates subsection (a-7) of Section 1 of the Prevention of Tobacco Use by Minors Act, the court may impose a sentence of 15 hours of community service or a fine of $25 for a first violation.

(b) A second violation by a minor of subsection (a-7) of Section 1 of that Act that occurs within 12 months after the first violation is punishable by a fine of $50 and 25 hours of community service.

(c) A third or subsequent violation by a minor of subsection (a-7) of Section 1 of that

Act that occurs within 12 months after the first violation is punishable by a $100 fine and 30 hours of community service.

(d) Any second or subsequent violation not within the 12-month time period after the first violation is punishable as provided for a first violation.

(Source: P.A. 98-536, eff. 8-23-13; 98-803, eff. 1-1-15; 99-268, eff. 1-1-16; 99-628, eff. 1-1-17; 99-879, eff. 1-1-17; revised 9-2-16.)

(705 ILCS 405/Art. V Pt. 7A heading)

PART 7A. JUVENILE ELECTRONIC MONITORING AND HOME DETENTION LAW

(Source: P.A. 96-293, eff. 1-1-10.)

(705 ILCS 405/5-7A-101)

Sec. 5-7A-101. Short title. This Part may be cited as the Juvenile Electronic Monitoring and Home Detention Law.

(Source: P.A. 96-293, eff. 1-1-10.)

(705 ILCS 405/5-7A-110)

Sec. 5-7A-110. Application.

(a) Except as provided in subsection (d), a minor subject to an adjudicatory hearing or adjudicated delinquent for an act that if committed by an adult would be an excluded offense may not be placed in an electronic monitoring or home detention program, except upon order of the court upon good cause shown.

(b) A minor adjudicated delinquent for an act that if committed by an adult would be a Class 1 felony, other than an excluded offense, may be placed in an electronic monitoring or home detention program.

(c) A minor adjudicated delinquent for an act that if committed by an adult would be a Class X felony, other than an excluded offense, may be placed in an electronic monitoring or home detention program, provided that the person was sentenced on or after the effective date of this amendatory Act of the 96th General Assembly and provided that the court has not prohibited the program for the minor in the sentencing order.

(d) Applications for electronic monitoring or home detention may include the following:

(1) pre-adjudicatory detention;

(2) probation;

(3) furlough;

(4) post-trial incarceration; or

(5) any other disposition under this Article.

(Source: P.A. 96-293, eff. 1-1-10.)

(705 ILCS 405/5-7A-115)

Sec. 5-7A-115. Program description. The supervising authority may promulgate rules that prescribe reasonable guidelines under which an electronic monitoring and home detention program shall operate. These rules shall include, but not be limited ~~,~~ to . the following:

(A) The participant shall remain within the interior premises or within the property boundaries of his or her residence at all times during the hours designated by the supervising authority. Such instances of approved absences from the home may include, but are not limited to, the following:

(1) working or employment approved by the court or traveling to or from approved employment;

(2) unemployed and seeking employment approved for the participant by the court;

(3) undergoing medical, psychiatric, mental health treatment, counseling, or other treatment programs approved for the participant by the court;

(4) attending an educational institution or a program approved for the participant by the court;

(5) attending a regularly scheduled religious service at a place of worship;

(6) participating in community work release or community service programs approved for the participant by the supervising authority; or

(7) for another compelling reason consistent with the public interest, as approved by the supervising authority.

(B) The participant shall admit any person or agent designated by the supervising authority into his or her residence at any time for purposes of verifying the participant's compliance with the conditions of his or her detention.

(C) The participant shall make the necessary arrangements to allow for any person or

agent designated by the supervising authority to visit the participant's place of education or employment at any time, based upon the approval of the educational institution or employer or both, for the purpose of verifying the participant's compliance with the conditions of his or her detention.

(D) The participant shall acknowledge and participate with the approved electronic monitoring device as designated by the supervising authority at any time for the purpose of verifying the participant's compliance with the conditions of his or her detention.

(E) The participant shall maintain the following:

(1) a working telephone in the participant's home;

(2) a monitoring device in the participant's home~~,~~ or on the participant's person, or both; and

(3) a monitoring device in the participant's home and on the participant's person in the absence of a telephone.

(F) The participant shall obtain approval from the supervising authority before the participant changes residence or the schedule described in paragraph (A) of this Section.

(G) The participant shall not commit another act that if committed by an adult would constitute a crime during the period of home detention ordered by the court.

(H) Notice to the participant that violation of the order for home detention may subject the participant to an adjudicatory hearing for escape as described in Section 5-7A-120.

(I) The participant shall abide by other conditions as set by the supervising authority.

(Source: P.A. 96-293, eff. 1-1-10; revised 10-25-16.)

(705 ILCS 405/5-7A-120)

Sec. 5-7A-120. Escape; failure to comply with a condition of the juvenile electronic ~~home~~ monitoring or home detention program. A minor charged with or adjudicated delinquent for an act that, if committed by an adult, would constitute a felony or misdemeanor, conditionally released from the supervising authority through a juvenile electronic ~~home~~ monitoring or home detention program, who knowingly violates a condition of the juvenile electronic ~~home~~ monitoring or home detention program shall be adjudicated a delinquent minor for such act and shall be subject to an additional sentencing order under Section 5-710.

(Source: P.A. 96-293, eff. 1-1-10; 97-333, eff. 8-12-11.)

(705 ILCS 405/5-7A-125)

Sec. 5-7A-125. Consent of the participant. Before entering an order for commitment for juvenile electronic monitoring ~~home detention~~, the supervising authority shall inform the participant and other persons residing in the home of the nature and extent of the approved electronic monitoring devices by doing the following:

(A) Securing the written consent of the participant in the program to comply with the rules and regulations of the program as stipulated in paragraphs (A) through (I) of Section 5-7A-115.

(B) Where possible, securing the written consent of other persons residing in the home of the participant, including the parent or legal guardian of the minor and of the person in whose name the telephone is registered, at the time of the order for ~~or~~ commitment for electronic monitoring ~~home detention~~ is entered and acknowledge the nature and extent of approved electronic monitoring devices.

(C) Ensure that the approved electronic devices are minimally intrusive upon the privacy of the participant and other persons residing in the home while remaining in compliance with paragraphs (B) through (D) of Section 5-7A-115.

(Source: P.A. 96-293, eff. 1-1-10; 97-333, eff. 8-12-11.)"; and

on page 1, by replacing lines 10 and 11 with the following:

"juveniles subject to the jurisdiction of the juvenile drug court program as a less restrictive alternative to detention, consistent with any available evidence-based risk assessment or substance abuse treatment eligibility screening.

Section 10. The Criminal Code of 2012 is amended by changing Section 11-9.2 as follows:

(720 ILCS 5/11-9.2)

Sec. 11-9.2. Custodial sexual misconduct.

(a) A person commits custodial sexual misconduct when: (1) he or she is an employee of a penal system and engages in sexual conduct or sexual penetration with a person who is in the custody of that penal system or (2) he or she is an employee of a treatment and detention facility and engages in sexual conduct or sexual penetration with a person who is in the custody of that treatment and detention facility.

(b) A probation or supervising officer, surveillance agent, or aftercare specialist commits custodial sexual misconduct when the probation or supervising officer, surveillance agent, or aftercare specialist

engages in sexual conduct or sexual penetration with a probationer, parolee, or releasee or person serving a term of conditional release who is under the supervisory, disciplinary, or custodial authority of the officer or agent or employee so engaging in the sexual conduct or sexual penetration.

(c) Custodial sexual misconduct is a Class 3 felony.

(d) Any person convicted of violating this Section immediately shall forfeit his or her employment with a penal system, treatment and detention facility, or conditional release program.

(e) For purposes of this Section, the consent of the probationer, parolee, releasee, or inmate in custody of the penal system or person detained or civilly committed under the Sexually Violent Persons Commitment Act shall not be a defense to a prosecution under this Section. A person is deemed incapable of consent, for purposes of this Section, when he or she is a probationer, parolee, releasee, or inmate in custody of a penal system or person detained or civilly committed under the Sexually Violent Persons Commitment Act.

(f) This Section does not apply to:

(1) Any employee, probation or supervising officer, surveillance agent, or aftercare specialist who is lawfully married to a person in custody if the marriage occurred before the date of custody.

(2) Any employee, probation or supervising officer, surveillance agent, or aftercare specialist who has no knowledge, and would have no reason to believe, that the person with whom he or she engaged in custodial sexual misconduct was a person in custody.

(g) In this Section:

(0.5) "Aftercare specialist" means any person employed by the Department of Juvenile Justice to supervise and facilitate services for persons placed on aftercare release.

(1) "Custody" means:

(i) pretrial incarceration or detention;

(ii) incarceration or detention under a sentence or commitment to a State or local penal institution;

(iii) parole, aftercare release, or mandatory supervised release;

(iv) electronic <u>monitoring or</u> home detention;

(v) probation;

(vi) detention or civil commitment either in secure care or in the community under the Sexually Violent Persons Commitment Act.

(2) "Penal system" means any system which includes institutions as defined in Section 2-14 of this Code or a county shelter care or detention home established under Section 1 of the County Shelter Care and Detention Home Act.

(2.1) "Treatment and detention facility" means any Department of Human Services facility established for the detention or civil commitment of persons under the Sexually Violent Persons Commitment Act.

(2.2) "Conditional release" means a program of treatment and services, vocational services, and alcohol or other drug abuse treatment provided to any person civilly committed and conditionally released to the community under the Sexually Violent Persons Commitment Act;

(3) "Employee" means:

(i) an employee of any governmental agency of this State or any county or municipal corporation that has by statute, ordinance, or court order the responsibility for the care, control, or supervision of pretrial or sentenced persons in a penal system or persons detained or civilly committed under the Sexually Violent Persons Commitment Act;

(ii) a contractual employee of a penal system as defined in paragraph (g)(2) of this Section who works in a penal institution as defined in Section 2-14 of this Code;

(iii) a contractual employee of a "treatment and detention facility" as defined in paragraph (g)(2.1) of this Code or a contractual employee of the Department of Human Services who provides supervision of persons serving a term of conditional release as defined in paragraph (g)(2.2) of this Code.

(4) "Sexual conduct" or "sexual penetration" means any act of sexual conduct or sexual penetration as defined in Section 11-0.1 of this Code.

(5) "Probation officer" means any person employed in a probation or court services department as defined in Section 9b of the Probation and Probation Officers Act.

(6) "Supervising officer" means any person employed to supervise persons placed on parole or mandatory supervised release with the duties described in Section 3-14-2 of the Unified Code of Corrections.

(7) "Surveillance agent" means any person employed or contracted to supervise persons

placed on conditional release in the community under the Sexually Violent Persons Commitment Act. (Source: P.A. 98-558, eff. 1-1-14.)

Section 15. The Unified Code of Corrections is amended by changing Sections 5-1-10, 5-4.5-20, 5-4.5-25, 5-4.5-30, 5-4.5-35, 5-4.5-40, 5-4.5-45, 5-4.5-55, 5-4.5-60, 5-4.5-65, 5-8-1, 5-8A-3, 5-8A-4.1, 5-8A-5, and 5-8A-6 as follows:

(730 ILCS 5/5-1-10) (from Ch. 38, par. 1005-1-10)

Sec. 5-1-10. Imprisonment. "Imprisonment" means incarceration in a correctional institution under a sentence of imprisonment and does not include "periodic imprisonment" under Article 7. "Imprisonment" also includes electronic monitoring or home detention served by an offender after (i) the offender has been committed to the custody of the sheriff to serve the sentence and (ii) the sheriff has placed the offender in an electronic monitoring or home detention program in accordance with Article 8A of Chapter V of this Code.

(Source: P.A. 98-161, eff. 1-1-14.)

(730 ILCS 5/5-4.5-20)

Sec. 5-4.5-20. FIRST DEGREE MURDER; SENTENCE. For first degree murder:

(a) TERM. The defendant shall be sentenced to imprisonment or, if appropriate, death under Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-1). Imprisonment shall be for a determinate term of (1) not less than 20 years and not more than 60 years; (2) not less than 60 years and not more than 100 years when an extended term is imposed under Section 5-8-2 (730 ILCS 5/5-8-2); or (3) natural life as provided in Section 5-8-1 (730 ILCS 5/5-8-1).

(b) PERIODIC IMPRISONMENT. A term of periodic imprisonment shall not be imposed.

(c) IMPACT INCARCERATION. The impact incarceration program or the county impact incarceration program is not an authorized disposition.

(d) PROBATION; CONDITIONAL DISCHARGE. A period of probation or conditional discharge shall not be imposed.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. Drug court is not an authorized disposition.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning no credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. Electronic monitoring and home detention are not authorized dispositions ~~is not an authorized disposition~~, except in limited circumstances as provided in Section 5-8A-3 (730 ILCS 5/5-8A-3).

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 (730 ILCS 5/3-3-8), the parole or mandatory supervised release term shall be 3 years upon release from imprisonment.

(Source: P.A. 97-697, eff. 6-22-12; 97-1150, eff. 1-25-13.)

(730 ILCS 5/5-4.5-25)

Sec. 5-4.5-25. CLASS X FELONIES; SENTENCE. For a Class X felony:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of not less than 6 years and not more than 30 years. The sentence of imprisonment for an extended term Class X felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall be not less than 30 years and not more than 60 years.

(b) PERIODIC IMPRISONMENT. A term of periodic imprisonment shall not be imposed.

(c) IMPACT INCARCERATION. The impact incarceration program or the county impact incarceration program is not an authorized disposition.

(d) PROBATION; CONDITIONAL DISCHARGE. A period of probation or conditional discharge shall not be imposed.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning no credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 (730 ILCS 5/3-6-3) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be 3 years upon release from imprisonment.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-4.5-30)

Sec. 5-4.5-30. CLASS 1 FELONIES; SENTENCE. For a Class 1 felony:

(a) TERM. The sentence of imprisonment, other than for second degree murder, shall be a determinate sentence of not less than 4 years and not more than 15 years. The sentence of imprisonment for second degree murder shall be a determinate sentence of not less than 4 years and not more than 20 years. The sentence of imprisonment for an extended term Class 1 felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall be a term not less than 15 years and not more than 30 years.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of from 3 to 4 years, except as otherwise provided in Section 5-5-3 or 5-7-1 (730 ILCS 5/5-5-3 or 5/5-7-1).

(c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for the impact incarceration program or the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the period of probation or conditional discharge shall not exceed 4 years. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3). In no case shall an offender be eligible for a disposition of probation or conditional discharge for a Class 1 felony committed while he or she was serving a term of probation or conditional discharge for a felony.

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be 2 years upon release from imprisonment.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-4.5-35)

Sec. 5-4.5-35. CLASS 2 FELONIES; SENTENCE. For a Class 2 felony:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of not less than 3 years and not more than 7 years. The sentence of imprisonment for an extended term Class 2 felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall be a term not less than 7 years and not more than 14 years.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of from 18 to 30 months, except as otherwise provided in Section 5-5-3 or 5-7-1 (730 ILCS 5/5-5-3 or 5/5-7-1).

(c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for the impact incarceration program or the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the period of probation or conditional discharge shall not exceed 4 years. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be 2 years upon release from imprisonment.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-4.5-40)

Sec. 5-4.5-40. CLASS 3 FELONIES; SENTENCE. For a Class 3 felony:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of not less than 2 years and not more than 5 years. The sentence of imprisonment for an extended term Class 3 felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall be a term not less than 5 years and not more than 10 years.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of up to 18 months, except as otherwise provided in Section 5-5-3 or 5-7-1 (730 ILCS 5/5-5-3 or 5/5-7-1).

(c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for the impact incarceration program or the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the period of probation or conditional discharge shall not exceed 30 months. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be one year upon release from imprisonment.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-4.5-45)

Sec. 5-4.5-45. CLASS 4 FELONIES; SENTENCE. For a Class 4 felony:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of not less than one year and not more than 3 years. The sentence of imprisonment for an extended term Class 4 felony, as provided in Section 5-8-2 (730 ILCS 5/5-8-2), shall be a term not less than 3 years and not more than 6 years.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of up to 18 months, except as otherwise provided in Section 5-5-3 or 5-7-1 (730 ILCS 5/5-5-3 or 5/5-7-1).

(c) IMPACT INCARCERATION. See Sections 5-8-1.1 and 5-8-1.2 (730 ILCS 5/5-8-1.1 and 5/5-8-1.2) concerning eligibility for the impact incarceration program or the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the period of probation or conditional discharge shall not exceed 30 months. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

(e) FINE. Fines may be imposed as provided in Section 5-4.5-50(b) (730 ILCS 5/5-4.5-50(b)).

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4) and Section 5-4.5-50 (730 ILCS 5/5-4.5-50).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) SENTENCE CREDIT. See Section 3-6-3 of this Code (730 ILCS 5/3-6-3) or the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for sentence credit.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(l) PAROLE; MANDATORY SUPERVISED RELEASE. Except as provided in Section 3-3-8 or 5-8-1 (730 ILCS 5/3-3-8 or 5/5-8-1), the parole or mandatory supervised release term shall be one year upon release from imprisonment.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-4.5-55)

Sec. 5-4.5-55. CLASS A MISDEMEANORS; SENTENCE. For a Class A misdemeanor:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of less than one year.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of less than one year, except as otherwise provided in Section 5-5-3 or 5-7-1 (730 ILCS 5/5-5-3 or 5/5-7-1).

(c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS 5/5-8-1.2) concerning eligibility for the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-5-3 or 5-6-2 (730 ILCS 5/5-5-3 or 5/5-6-2), the period of probation or conditional discharge shall not exceed 2 years. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

(e) FINE. A fine not to exceed $2,500 for each offense or the amount specified in the offense, whichever is greater, may be imposed. A fine may be imposed in addition to a sentence of conditional discharge, probation, periodic imprisonment, or imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V, Art. 9) for imposition of additional amounts and determination of amounts and payment.

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for good behavior allowance.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-4.5-60)

Sec. 5-4.5-60. CLASS B MISDEMEANORS; SENTENCE. For a Class B misdemeanor:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of not more than 6 months.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of up to 6 months or as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

(c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS 5/5-8-1.2) concerning eligibility for the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or conditional discharge shall not exceed 2 years. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

(e) FINE. A fine not to exceed $1,500 for each offense or the amount specified in the offense, whichever is greater, may be imposed. A fine may be imposed in addition to a sentence of conditional discharge, probation, periodic imprisonment, or imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V, Art. 9) for imposition of additional amounts and determination of amounts and payment.

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for good behavior allowance.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-4.5-65)

Sec. 5-4.5-65. CLASS C MISDEMEANORS; SENTENCE. For a Class C misdemeanor:

(a) TERM. The sentence of imprisonment shall be a determinate sentence of not more than 30 days.

(b) PERIODIC IMPRISONMENT. A sentence of periodic imprisonment shall be for a definite term of up to 30 days or as otherwise provided in Section 5-7-1 (730 ILCS 5/5-7-1).

(c) IMPACT INCARCERATION. See Section 5-8-1.2 (730 ILCS 5/5-8-1.2) concerning eligibility for the county impact incarceration program.

(d) PROBATION; CONDITIONAL DISCHARGE. Except as provided in Section 5-6-2 (730 ILCS 5/5-6-2), the period of probation or conditional discharge shall not exceed 2 years. The court shall specify the conditions of probation or conditional discharge as set forth in Section 5-6-3 (730 ILCS 5/5-6-3).

(e) FINE. A fine not to exceed $1,500 for each offense or the amount specified in the offense, whichever is greater, may be imposed. A fine may be imposed in addition to a sentence of conditional discharge, probation, periodic imprisonment, or imprisonment. See Article 9 of Chapter V (730 ILCS 5/Ch. V, Art. 9) for imposition of additional amounts and determination of amounts and payment.

(f) RESTITUTION. See Section 5-5-6 (730 ILCS 5/5-5-6) concerning restitution.

(g) CONCURRENT OR CONSECUTIVE SENTENCE. The sentence shall be concurrent or consecutive as provided in Section 5-8-4 (730 ILCS 5/5-8-4).

(h) DRUG COURT. See Section 20 of the Drug Court Treatment Act (730 ILCS 166/20) concerning eligibility for a drug court program.

(i) CREDIT FOR HOME DETENTION. See Section 5-4.5-100 (730 ILCS 5/5-4.5-100) concerning credit for time spent in home detention prior to judgment.

(j) GOOD BEHAVIOR ALLOWANCE. See the County Jail Good Behavior Allowance Act (730 ILCS 130/) for rules and regulations for good behavior allowance.

(k) ELECTRONIC MONITORING AND HOME DETENTION. See Section 5-8A-3 (730 ILCS 5/5-8A-3) concerning eligibility for electronic monitoring and home detention.

(Source: P.A. 97-697, eff. 6-22-12.)

(730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

Sec. 5-8-1. Natural life imprisonment; enhancements for use of a firearm; mandatory supervised release terms.

(a) Except as otherwise provided in the statute defining the offense or in Article 4.5 of Chapter V, a sentence of imprisonment for a felony shall be a determinate sentence set by the court under this Section, according to the following limitations:

(1) for first degree murder,

(a) (blank),

(b) if a trier of fact finds beyond a reasonable doubt that the murder was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty or, except as set forth in subsection (a)(1)(c) of this Section, that any of the aggravating factors listed in subsection (b) or (b-5) of Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 are present, the court may sentence the defendant, subject to Section 5-4.5-105, to a term of natural life imprisonment, or

(c) the court shall sentence the defendant to a term of natural life imprisonment if the defendant, at the time of the commission of the murder, had attained the age of 18, and

(i) has previously been convicted of first degree murder under any state or federal law, or

(ii) is found guilty of murdering more than one victim, or

(iii) is found guilty of murdering a peace officer, fireman, or emergency management worker when the peace officer, fireman, or emergency management worker was killed in the course of performing his official duties, or to prevent the peace officer or fireman from performing his official duties, or in retaliation for the peace officer, fireman, or emergency management worker from performing his official duties, and the defendant knew or should have

known that the murdered individual was a peace officer, fireman, or emergency management worker, or

(iv) is found guilty of murdering an employee of an institution or facility of the Department of Corrections, or any similar local correctional agency, when the employee was killed in the course of performing his official duties, or to prevent the employee from performing his official duties, or in retaliation for the employee performing his official duties, or

(v) is found guilty of murdering an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid person while employed by a municipality or other governmental unit when the person was killed in the course of performing official duties or to prevent the person from performing official duties or in retaliation for performing 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 assistant or first aid personnel, or

(vi) (blank), or

(vii) is found guilty of first degree murder and 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. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012.

For purposes of clause (v), "emergency medical technician - ambulance", "emergency medical technician - intermediate", "emergency medical technician - paramedic", have the meanings ascribed to them in the Emergency Medical Services (EMS) Systems Act.

(d) (i) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(ii) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(iii) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(2) (blank);

(2.5) for a person who has attained the age of 18 years at the time of the commission of the offense and who is convicted under the circumstances described in subdivision (b)(1)(B) of Section 11-1.20 or paragraph (3) of subsection (b) of Section 12-13, subdivision (d)(2) of Section 11-1.30 or paragraph (2) of subsection (d) of Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or paragraph (1.2) of subsection (b) of Section 12-14.1, subdivision (b)(2) of Section 11-1.40 or paragraph (2) of subsection (b) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012, the sentence shall be a term of natural life imprisonment.

(b) (Blank).

(c) (Blank).

(d) Subject to earlier termination under Section 3-3-8, the parole or mandatory supervised release term shall be written as part of the sentencing order and shall be as follows:

(1) for first degree murder or a Class X felony except for the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offense of aggravated child pornography under Section 11-20.1B, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 3 years;

(2) for a Class 1 felony or a Class 2 felony except for the offense of criminal sexual assault if committed on or after the effective date of this amendatory Act of the 94th General Assembly and except for the offenses of manufacture and dissemination of child pornography under clauses (a)(1) and (a)(2) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 2 years;

(3) for a Class 3 felony or a Class 4 felony, 1 year;

(4) for defendants who commit the offense of predatory criminal sexual assault of a child, aggravated criminal sexual assault, or criminal sexual assault, on or after the effective date of this amendatory Act of the 94th General Assembly, or who commit the offense of aggravated child

pornography under Section 11-20.1B, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, manufacture of child pornography, or dissemination of child pornography after January 1, 2009, the term of mandatory supervised release shall range from a minimum of 3 years to a maximum of the natural life of the defendant;

(5) if the victim is under 18 years of age, for a second or subsequent offense of aggravated criminal sexual abuse or felony criminal sexual abuse, 4 years, at least the first 2 years of which the defendant shall serve in an electronic monitoring or home detention program under Article 8A of Chapter V of this Code;

(6) for a felony domestic battery, aggravated domestic battery, stalking, aggravated stalking, and a felony violation of an order of protection, 4 years.

(e) (Blank).

(f) (Blank).

(Source: P.A. 99-69, eff. 1-1-16; 99-875, eff. 1-1-17.)

(730 ILCS 5/5-8A-3) (from Ch. 38, par. 1005-8A-3)

Sec. 5-8A-3. Application.

(a) Except as provided in subsection (d), a person charged with or convicted of an excluded offense may not be placed in an electronic monitoring or home detention program, except for bond pending trial or appeal or while on parole, aftercare release, or mandatory supervised release.

(b) A person serving a sentence for a conviction of a Class 1 felony, other than an excluded offense, may be placed in an electronic monitoring or home detention program for a period not to exceed the last 90 days of incarceration.

(c) A person serving a sentence for a conviction of a Class X felony, other than an excluded offense, may be placed in an electronic monitoring or home detention program for a period not to exceed the last 90 days of incarceration, provided that the person was sentenced on or after August 11, 1993 (the effective date of Public Act 88-311) ~~this amendatory Act of 1993~~ and provided that the court has not prohibited the program for the person in the sentencing order.

(d) A person serving a sentence for conviction of an offense other than for predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or felony criminal sexual abuse, may be placed in an electronic monitoring or home detention program for a period not to exceed the last 12 months of incarceration, provided that (i) the person is 55 years of age or older; (ii) the person is serving a determinate sentence; (iii) the person has served at least 25% of the sentenced prison term; and (iv) placement in an electronic ~~home~~ monitoring or home detention program is approved by the Prisoner Review Board or the Department of Juvenile Justice.

(e) A person serving a sentence for conviction of a Class 2, 3, or 4 felony offense which is not an excluded offense may be placed in an electronic monitoring or home detention program pursuant to Department administrative directives.

(f) Applications for electronic monitoring or home detention may include the following:

(1) pretrial or pre-adjudicatory detention;

(2) probation;

(3) conditional discharge;

(4) periodic imprisonment;

(5) parole, aftercare release, or mandatory supervised release;

(6) work release;

(7) furlough; or

(8) post-trial incarceration.

(g) A person convicted of an offense described in clause (4) or (5) of subsection (d) of Section 5-8-1 of this Code shall be placed in an electronic monitoring or home detention program for at least the first 2 years of the person's mandatory supervised release term.

(Source: P.A. 98-558, eff. 1-1-14; 98-756, eff. 7-16-14; 99-628, eff. 1-1-17; 99-797, eff. 8-12-16; revised 9-1-16.)

(730 ILCS 5/5-8A-4.1)

Sec. 5-8A-4.1. Escape; failure to comply with a condition of the electronic monitoring or home detention program.

(a) A person charged with or convicted of a felony, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a felony, conditionally released from the supervising authority through an electronic monitoring or home detention program, who knowingly violates a condition of the electronic ~~home~~ monitoring or home detention program is guilty of a Class 3 felony.

(b) A person charged with or convicted of a misdemeanor, or charged with or adjudicated delinquent for an act which, if committed by an adult, would constitute a misdemeanor, conditionally released from the supervising authority through an electronic monitoring or home detention program, who knowingly violates a condition of the electronic monitoring or home detention program is guilty of a Class B misdemeanor.

(c) A person who violates this Section while armed with a dangerous weapon is guilty of a Class 1 felony.

(Source: P.A. 99-797, eff. 8-12-16.)

(730 ILCS 5/5-8A-5) (from Ch. 38, par. 1005-8A-5)

Sec. 5-8A-5. Consent of the participant. Before entering an order for commitment for electronic monitoring, the supervising authority shall inform the participant and other persons residing in the home of the nature and extent of the approved electronic monitoring devices by doing the following:

(A) Securing the written consent of the participant in the program to comply with the rules and regulations of the program as stipulated in subsections (A) through (I) of Section 5-8A-4.

(B) Where possible, securing the written consent of other persons residing in the home of the participant, including the person in whose name the telephone is registered, at the time of the order for ~~or~~ commitment for electronic monitoring ~~home detention~~ is entered and acknowledge the nature and extent of approved electronic monitoring devices.

(C) Ensure ~~Insure~~ that the approved electronic devices be minimally intrusive upon the privacy of the participant and other persons residing in the home while remaining in compliance with subsections (B) through (D) of Section 5-8A-4.

~~(D)~~ This Section does not apply to persons subject to electronic monitoring ~~Electronic Monitoring~~ or home detention as a term or condition of parole, aftercare release, or mandatory supervised release under subsection (d) of Section 5-8-1 of this Code.

(Source: P.A. 98-558, eff. 1-1-14; 99-797, eff. 8-12-16; revised 10-27-16.)

(730 ILCS 5/5-8A-6)

Sec. 5-8A-6. Electronic monitoring of certain sex offenders. For a sexual predator subject to electronic ~~home~~ monitoring under paragraph (7.7) of subsection (a) of Section 3-3-7, the Department of Corrections must use a system that actively monitors and identifies the offender's current location and timely reports or records the offender's presence and that alerts the Department of the offender's presence within a prohibited area described in Section 11-9.3 of the Criminal Code of 2012, in a court order, or as a condition of the offender's parole, mandatory supervised release, or extended mandatory supervised release and the offender's departure from specified geographic limitations. To the extent that he or she is able to do so, which the Department of Corrections by rule shall determine, the offender must pay for the cost of the electronic monitoring.

(Source: P.A. 99-797, eff. 8-12-16.)".

Under the rules, the foregoing **Senate Bill No. 1399**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1722

A bill for AN ACT concerning safe neighborhoods.

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

House Amendment No. 1 to SENATE BILL NO. 1722

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1722

AMENDMENT NO. 1. Amend Senate Bill 1722 on page 1, by inserting immediately below line 5 the following:

"Section 3. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by adding Section 2605-605 as follows:

(20 ILCS 2605/2605-605 new)

Sec. 2605-605. Violent Crime Intelligence Task Force.

The Director of State Police may establish a statewide multi-jurisdictional Violent Crime Intelligence Task Force led by the Department of State Police dedicated to combating gun violence, gun-trafficking, and other violent crime with the primary mission of preservation of life and reducing the occurrence and the fear of crime. The objective of the Task Force shall include, but not be limited to, reducing and preventing illegal possession and use of firearms, firearm-related homicides, and other violent crimes.

(1) The Task Force may develop and acquire information, training, tools, and resources necessary to implement a data-driven approach to policing, with an emphasis on intelligence development.

(2) The Task Force may utilize information sharing, partnerships, crime analysis, and evidence-based practices to assist in the reduction of firearm-related shootings, homicides, and gun-trafficking.

(3) The Task Force may recognize and utilize best practices of community policing and may develop potential partnerships with faith-based and community organizations to achieve its goals.

(4) The Task Force may identify and utilize best practices in drug-diversion programs and other community-based services to redirect low-level offenders.

(5) The Task Force may assist in violence suppression strategies including, but not limited to, details in identified locations that have shown to be the most prone to gun violence and violent crime, focused deterrence against violent gangs and groups considered responsible for the violence in communities, and other intelligence driven methods deemed necessary to interrupt cycles of violence or prevent retaliation.

(6) In consultation with the Chief Procurement Officer, the Department of State Police may obtain contracts for software, commodities, resources, and equipment to assist the Task Force with achieving this Act. Any contracts necessary to support the delivery of necessary software, commodities, resources, and equipment are not subject to the Illinois Procurement Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of that Code, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50 of the Illinois Procurement Code."; and

on page 52, line 25, by replacing "Section 5-4.5-110" with "Sections 5-4.5-110 and 5-6-3.6"; and

on page 100, by replacing lines 25 and 26 with the following:

"(b) APPLICABILITY. For an offense committed on or after the effective date of this amendatory Act of the 100th General Assembly and before January 1, 2023, when a person is"; and

on page 101, by inserting immediately below line 24 the following:

"(3) The sentencing guidelines in paragraphs (1) and (2) of this subsection (c) apply only to offenses committed on and after the effective date of this amendatory Act of the 100th General Assembly and before January 1, 2023."; and

on page 103, by inserting immediately below line 25 the following:

"(e) This Section is repealed on January 1, 2023."; and

on page 113, by inserting immediately below line 22 the following:

"(730 ILCS 5/5-6-3.6 new)

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

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

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

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

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

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

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

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

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

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

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

(2)the nature and circumstances of the offense;

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

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

(5) the potential risk to public safety.

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

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

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

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

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

(3) obtain or attempt to obtain employment;

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

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

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

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

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

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

(1) wear an ankle bracelet with GPS tracking;

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

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

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

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

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

Under the rules, the foregoing **Senate Bill No. 1722**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 1774

A bill for AN ACT concerning health.

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

House Amendment No. 1 to SENATE BILL NO. 1774
House Amendment No. 2 to SENATE BILL NO. 1774
Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1774

AMENDMENT NO. 1. Amend Senate Bill 1774 by replacing everything after the enacting clause with the following:

"Section 5. The Comprehensive Lead Education, Reduction, and Window Replacement Program Act is amended by changing Sections 5, 10, 20, 25, and 30 and by adding Section 16 as follows:

(410 ILCS 43/5)

Sec. 5. Findings; intent; establishment of program.

(a) The General Assembly finds all of the following:

(1) Lead-based paint poisoning is a potentially devastating, but preventable disease. It is one of the top environmental threats to children's health in the United States.

(2) The number of lead-poisoned children in Illinois is among the highest in the nation, especially in older, more affordable properties.

(3) Lead poisoning causes irreversible damage to the development of a child's nervous system. Even at low and moderate levels, lead poisoning causes learning disabilities, problems with speech, shortened attention span, hyperactivity, and behavioral problems. Recent research links low levels of lead exposure to lower IQ scores and to juvenile delinquency.

(4) Older housing is the number one risk factor for childhood lead poisoning. Properties built before 1950 are statistically much more likely to contain lead-based paint hazards than buildings constructed more recently.

(5) While the use of lead-based paint in residential properties was banned in 1978, the State of Illinois ranks seventh nationally in the number of housing units built before 1978 and has the highest risk for lead hazards.

~~(5) The State of Illinois ranks 10th out of the 50 states in the age of its housing stock. More than 50% of the housing units in Chicago and in Rock Island, Peoria, Macon, Madison, and Kankakee counties were built before 1960. More than 43% of the housing units in St. Clair, Winnebago, Sangamon, Kane, and Cook counties were built before 1950.~~

(6) There are nearly 1.4 million households with lead-based paint hazards in Illinois.

(7) Most children are lead poisoned in their own homes through exposure to lead dust from deteriorated lead paint surfaces, like windows, and when lead paint deteriorates or is disturbed through home renovation and repainting.

(8) Children at the highest risk for lead poisoning live in low-income communities and in older housing throughout the State of Illinois.

~~(8) Less than 25% of children in Illinois age 6 and under have been tested for lead poisoning . While children are lead poisoned throughout Illinois, counties above the statewide average include: Alexander, Cass, Cook, Fulton, Greene, Kane, Kankakee, Knox, LaSalle, Macon, Mercer, Peoria, Perry, Rock Island, Sangamon, St. Clair, Stephenson, Vermilion, Will, and Winnebago.~~

(9) The control of lead hazards significantly reduces lead-poisoning rates. ~~Other communities, including New York City and Milwaukee, have successfully reduced lead-poisoning rates by removing lead-based paint hazards on windows.~~

(10) Windows are considered a higher lead exposure risk more often than other components

in a housing unit. Windows are a major contributor of lead dust in the home, due to both weathering conditions and friction effects on paint.

(11) The Comprehensive Lead Elimination, Reduction, and Window Replacement (CLEAR-WIN) Program was established under Public Act 95-492 as a pilot program to reduce potential lead hazards by replacing windows in low-income, pre-1978 homes. It also provided for on-the-job training for community members in 2 pilot communities in Chicago and Peoria County.

(12) The CLEAR-WIN Program provided for installation of 8,000 windows in 466 housing units between 2010 and 2014. Evaluations of the pilot program determined window replacement was effective in lowering lead hazards and produced energy, environmental, health, and market benefits. Return on investment was almost $2 for every dollar spent.

(13) ~~(11)~~ There is an insufficient pool of licensed lead abatement workers and contractors to address the problem in some areas of the State.

(14) ~~(12)~~ Through grants from the U.S. Department of Housing and Urban Development and State dollars, some communities in Illinois have begun to reduce lead poisoning of children. While this is an ongoing effort, it only addresses a small number of the low-income children statewide in communities with high levels of lead paint in the housing stock.

(b) It is the intent of the General Assembly to:

(1) address the problem of lead poisoning of children by eliminating lead hazards in homes;

(2) provide training within communities to encourage the use of lead paint safe work practices;

(3) create job opportunities for community members in the lead abatement industry;

(4) support the efforts of small business and property owners committed to maintaining lead-safe housing; and

(5) assist in the maintenance of affordable lead-safe housing stock.

(c) The General Assembly hereby establishes the Comprehensive Lead Education, Reduction, and Window Replacement Program to assist residential property owners through a Lead Direct Assistance Program ~~loan and grant programs~~ to reduce lead ~~paint~~ hazards in residential properties ~~through window replacement in pilot area communities. Where there is a lack of workers trained to remove lead-based paint hazards, job-training programs must be initiated. The General Assembly also recognizes that training, insurance, and licensing costs are prohibitively high and hereby establishes incentives for contractors to do lead abatement work~~.

(d) The Department of Public Health is authorized to:

(1) adopt rules necessary to implement this Act;

(2) adopt by reference the Illinois Administrative Procedure Act for administration of this Act;

(3) assess administrative fines and penalties, as established by the Department by rule, for persons violating rules adopted by the Department under this Act;

(4) make referrals for prosecution to the Attorney General or the State's Attorney for the county in which a violation occurs, for a violation of this Act or the rules adopted under this Act; and

(5) establish agreements under the Intergovernmental Cooperation Act with the Department of Commerce and Economic Opportunity, the Illinois Housing Development Authority, or any other public agency as required, to implement this Act.

(Source: P.A. 95-492, eff. 1-1-08.)

(410 ILCS 43/10)

Sec. 10. Definitions. In this Act:

"Advisory Council" refers to the Lead Safe Housing Advisory Council established under Public Act 93-0789.

"Child care facility" means any structure used by a child care provider licensed by the Department of Children and Family Services or a public or private school structure frequented by children 6 years of age or younger.

"Child-occupied property" means a property where a child under 6 years of age is on the property an average of at least 6 hours per week.

"CLEAR-WIN Program" refers to the Comprehensive Lead Education, Reduction, and Window Replacement Program created pursuant to this Act to assist property owners of single-family ~~single family~~ homes and multi-unit residential properties in the State ~~pilot area communities,~~ through the Direct Assistance Program, which reduces ~~loan and grant programs that reduce~~ lead paint and leaded plumbing hazards ~~primarily through window replacement~~ and, where necessary, through other lead ~~lead-based paint~~ hazard control techniques.

"Department" means the Department of Public Health.

"Director" means the Director of Public Health.

"Lead hazard" means a lead-bearing substance that poses an immediate health hazard to humans.

"Lead Safe Housing Maintenance Standards" refers to the standards developed by the Lead Safe Housing Department in conjunction with the Advisory Council.

"Leaded plumbing" means that portion of a building's potable water plumbing that is suspected or known to contain lead or lead-containing material as indicated by lead in potable water samples.

"Low-income" means a household at or below 80% of the median income level for a given county as determined annually by the U.S. Department of Housing and Urban Development.

"Person" means an individual, corporation, partnership, firm, organization, or association, acting individually or as a group.

"Plumbing" has the meaning ascribed to that term in the Illinois Plumbing Licensing Law.

"Recipient" means a person receiving direct assistance under this Act.

"Residential property" means a single-family residence or renter-occupied property with up to 8 units.

~~"Pilot area communities" means the counties or cities selected by the Department, with the advice of the Advisory Council, where properties whose owners are eligible for the assistance provided by this Act are located.~~

~~"Window" means the inside, outside, and sides of sashes and mullions and the frames to the outside edge of the frame, including sides, sash guides, and window wells and sills.~~

(Source: P.A. 95-492, eff. 1-1-08.)

(410 ILCS 43/16 new)

Sec. 16. Lead Direct Assistance Program.

(a) Subject to appropriation, the Department, in consultation with the Advisory Council, shall establish and operate the Lead Direct Assistance Program throughout the State. The purpose of the Lead Direct Assistance Program is to employ primary prevention strategies to prevent childhood lead poisoning.

(b) The Department shall administer the Lead Direct Assistance Program to remediate lead-based paint hazards and leaded plumbing hazards in residential properties. Conditions for receiving direct assistance shall be developed by the Department of Public Health, in consultation with the Department of Commerce and Economic Opportunity and the Illinois Housing Development Authority. Criteria for receiving direct assistance shall include:

(1) for owner-occupied properties: (i) the property contains lead hazards; (ii) the property is a child-occupied property or the residence of a pregnant woman; and (iii) the owner is low-income; and

(2) for rental properties: (i) the property contains lead hazards and (ii) 50% or more of the renters in the residential property are low-income.

Recipients of direct assistance under this program shall be provided a copy of the Department's Lead Safe Housing Maintenance Standards. Before receiving the direct assistance, the recipient must certify that he or she has received the standards and intends to comply with them. If the property is a rental property, the recipient must also certify that he or she will continue to rent to the same tenant or other low-income tenant for a period of not less than 5 years following completion of the work. Failure to comply with the conditions of the Lead Direct Assistance Program is a violation of this Act.

(c) To identify properties with lead hazards, the Department may prioritize properties where at least one child has been found to have an elevated blood lead level under the Lead Poisoning Prevention Act and the paint or potable water has been tested and found to contain lead exceeding levels established by rule.

(d) All lead-based paint hazard control work performed under the Lead Direct Assistance Program shall comply with the Lead Poisoning Prevention Act and the Illinois Lead Poisoning Prevention Code. All plumbing work performed under the Lead Direct Assistance Program shall comply with the Illinois Plumbing Licensing Act and the Illinois Plumbing Code. Before persons are paid for work conducted under this Act, each subject property must be inspected by a lead risk assessor or lead inspector licensed in Illinois. Prior to payment, an appropriate number of dust samples must be collected from in and around the work areas for lead analysis, with results in compliance with levels set by the Lead Poisoning Prevention Act and the Illinois Lead Poisoning Prevention Code or in the case of leaded plumbing work, be inspected by an Illinois-certified plumbing inspector. All costs associated with these inspections, including laboratory fees, shall be compensable to the person contracted to provide direct assistance, as prescribed by rule. Additional repairs and clean-up costs associated with a failed clearance test, including follow-up tests, shall be the responsibility of the person performing the work under the Lead Direct Assistance Program.

(e) The Department shall issue Lead Safe Housing Maintenance Standards in accordance with this Act. Except for properties where all lead-based paint, leaded plumbing, or other identified lead hazards have been removed, the standards shall describe the responsibilities of property owners and tenants in

maintaining lead-safe housing, including, but not limited to, prescribing special cleaning, repair, flushing, filtering, and maintenance necessary to minimize the risk that subject properties will cause lead poisoning in children. Recipients of direct assistance shall be required to continue to maintain their properties in compliance with these Lead Safe Housing Maintenance Standards. Failure to maintain properties in accordance with these standards is a violation and may subject the recipient to fines and penalties prescribed by rule.

(f) From funds appropriated, the Department may pay its own reasonable administrative costs and, by agreement, the reasonable administrative costs of other public agencies.

(g) Failure by a person performing work under the Lead Direct Assistance Program to comply with rules or any contractual agreement made thereunder may subject the person to administrative action by the Department or other public agencies, in accordance with rules adopted under this Act, including, but not limited to, civil penalties, retainage of payment, and loss of eligibility to participate. Civil actions, including for reimbursement, damages, and money penalties, and criminal actions may be brought by the Attorney General or the State's Attorney for the county in which the violation occurs.

(410 ILCS 43/20)

Sec. 20. Lead abatement training. The Advisory Council shall advise the Department ~~determine~~ whether a sufficient number of lead abatement training programs exist to serve the State. If the Department determines ~~pilot sites. If it is determined~~ additional programs are needed, then the Department may use funds appropriated under this Act to address the deficiencies ~~the Advisory Council shall work with the Department to establish the additional training programs for purposes of the CLEAR-WIN Program~~.

(Source: P.A. 95-492, eff. 1-1-08.)

(410 ILCS 43/25)

Sec. 25. Insurance assistance. The Department, through agreements with other public agencies, may allow for reimbursement of certain insurance costs associated with persons performing work under the Lead Direct Assistance Program. ~~shall make available, for the portion of a policy related to lead activities, 100% insurance subsidies to licensed lead abatement contractors who primarily target their work to the pilot area communities and employ a significant number of licensed lead abatement workers from the pilot area communities. Receipt of the subsidies shall be reviewed annually by the Department. The Department shall adopt rules for implementation of these insurance subsidies within 6 months after the effective date of this Act.~~

(Source: P.A. 95-492, eff. 1-1-08.)

(410 ILCS 43/30)

Sec. 30. Advisory Council. The Advisory Council shall assist the Department in developing ~~submit~~ an annual written report to the Governor and General Assembly on the operation and effectiveness of the CLEAR-WIN Program. The report must evaluate the program's effectiveness on reducing the prevalence of lead poisoning in children ~~in the pilot area communities and in training and employing persons in the pilot area communities~~. The report also must : (i) contain information about training and employment associated with persons providing direct assistance work, (ii) describe the numbers of units in which lead hazards were remediated or leaded plumbing replaced, (iii) ~~lead -based paint was abated;~~ specify the type of work completed and the types of dwellings and demographics of persons assisted , (iv) ~~;~~ summarize the cost of lead ~~lead-based paint~~ hazard control and CLEAR-WIN Program administration , (v) report on ~~;~~ rent increases or decreases in the residential property affected by direct assistance work and ~~pilot area communities;~~ rental property ownership changes , (vi) describe ~~; and~~ any other CLEAR-WIN actions taken by the Department , other public agencies, or the Advisory Council, and (vii) recommend any necessary legislation or rule-making to improve the effectiveness of this ~~the CLEAR-WIN~~ Program.

(Source: P.A. 95-492, eff. 1-1-08.)

(410 ILCS 43/15 rep.)

Section 10. The Comprehensive Lead Education, Reduction, and Window Replacement Program Act is amended by repealing Section 15.".

AMENDMENT NO. 2 TO SENATE BILL 1774

AMENDMENT NO. 2 . Amend Senate Bill 1774, AS AMENDED, by inserting at the end of the bill the following:

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

Under the rules, the foregoing **Senate Bill No. 1774**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1842

A bill for AN ACT concerning criminal law.

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

House Amendment No. 1 to SENATE BILL NO. 1842

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1842

AMENDMENT NO. 1. Amend Senate Bill 1842 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 2012 is amended by changing Section 3-6 as follows:

(720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 or other applicable statute is extended under the following conditions:

(a) A prosecution for theft involving a breach of a fiduciary obligation to the aggrieved person may be commenced as follows:

(1) If the aggrieved person is a minor or a person under legal disability, then during the minority or legal disability or within one year after the termination thereof.

(2) In any other instance, within one year after the discovery of the offense by an aggrieved person, or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense, and is not himself or herself a party to the offense; or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b) A prosecution for any offense based upon misconduct in office by a public officer or employee may be commenced within one year after discovery of the offense by a person having a legal duty to report such offense, or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b-5) When the victim is under 18 years of age at the time of the offense, a prosecution for involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons and related offenses under Section 10-9 of this Code may be commenced within 25 years ~~one year~~ of the victim attaining the age of 18 years. ~~However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.~~

(c) (Blank).

(d) A prosecution for child pornography, aggravated child pornography, indecent solicitation of a child, soliciting for a juvenile prostitute, juvenile pimping, exploitation of a child, or promoting juvenile prostitution except for keeping a place of juvenile prostitution may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense. When the victim is under 18 years of age, a prosecution for criminal sexual abuse may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(e) Except as otherwise provided in subdivision (j), a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 11-0.1 of this Code, where the defendant was within a professional or fiduciary relationship or a purported professional or fiduciary relationship with the victim at the time of the commission of the offense may be commenced within one year after the discovery of the offense by the victim.

(f) A prosecution for any offense set forth in Section 44 of the "Environmental Protection Act", approved June 29, 1970, as amended, may be commenced within 5 years after the discovery of such an offense by a person or agency having the legal duty to report the offense or in the absence of such discovery, within 5 years after the proper prosecuting officer becomes aware of the offense.

(f-5) A prosecution for any offense set forth in Section 16-30 of this Code may be commenced within 5 years after the discovery of the offense by the victim of that offense.

(g) (Blank).

(h) (Blank).

(i) Except as otherwise provided in subdivision (j), a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 years after the commission of the offense.

Nothing in this subdivision (i) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(i-5) A prosecution for armed robbery, home invasion, kidnapping, or aggravated kidnaping may be commenced within 10 years of the commission of the offense if it arises out of the same course of conduct and meets the criteria under one of the offenses in subsection (i) of this Section.

(j) (1) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse may be commenced at any time when corroborating physical evidence is available or an individual who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act fails to do so.

(2) In circumstances other than as described in paragraph (1) of this subsection (j), when the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse, or a prosecution for failure of a person who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act may be commenced within 20 years after the child victim attains 18 years of age.

(3) When the victim is under 18 years of age at the time of the offense, a prosecution for misdemeanor criminal sexual abuse may be commenced within 10 years after the child victim attains 18 years of age.

(4) Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(j-5) A prosecution for armed robbery, home invasion, kidnapping, or aggravated kidnaping may be commenced at any time if it arises out of the same course of conduct and meets the criteria under one of the offenses in subsection (j) of this Section.

(k) (Blank).

(l) A prosecution for any offense set forth in Section 26-4 of this Code may be commenced within one year after the discovery of the offense by the victim of that offense.

(Source: P.A. 98-293, eff. 1-1-14; 98-379, eff. 1-1-14; 98-756, eff. 7-16-14; 99-234, eff. 8-3-15; 99-820, eff. 8-15-16.)

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

Under the rules, the foregoing **Senate Bill No. 1842**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1681

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1692

A bill for AN ACT concerning education.

SENATE BILL NO. 1696

A bill for AN ACT concerning government.

SENATE BILL NO. 1781

A bill for AN ACT concerning State government.

SENATE BILL NO. 1783

A bill for AN ACT concerning revenue.

SENATE BILL NO. 1795

A bill for AN ACT concerning revenue.

SENATE BILL NO. 1796

A bill for AN ACT concerning education.
Passed the House, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

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

HOUSE BILL NO. 1424

A bill for AN ACT concerning public aid.
Passed the House, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 1424** was taken up, ordered printed and placed on first reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1424, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

JOINT ACTION MOTIONS FILED

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

Motion to Concur in House Amendment 1 to Senate Bill 1348
Motion to Concur in House Amendment 1 to Senate Bill 1399
Motion to Concur in House Amendment 1 to Senate Bill 1400
Motion to Concur in House Amendment 1 to Senate Bill 1434
Motion to Concur in House Amendment 2 to Senate Bill 1446
Motion to Concur in House Amendment 2 to Senate Bill 1462
Motion to Concur in House Amendment 1 to Senate Bill 1532
Motion to Concur in House Amendment 1 to Senate Bill 1598
Motion to Concur in House Amendment 1 to Senate Bill 1668
Motion to Concur in House Amendment 2 to Senate Bill 1668
Motion to Concur in House Amendment 1 to Senate Bill 1720
Motion to Concur in House Amendment 1 to Senate Bill 1722
Motion to Concur in House Amendment 1 to Senate Bill 1774
Motion to Concur in House Amendment 2 to Senate Bill 1774

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 303
Amendment No. 2 to House Bill 2527
Amendment No. 1 to House Bill 2893
Amendment No. 1 to House Bill 2953
Amendment No. 2 to House Bill 3519

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

Amendment No. 1 to Senate Bill 369

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **HOUSE BILL 3074**; **Floor Amendment No. 1 to House Bill 303; Floor Amendment No. 2 to Senate Bill 2073**.

Education: **HOUSE BILL 1774**; **Floor Amendment No. 2 to House Bill 2527**.

Judiciary: **Floor Amendment No. 1 to Senate Bill 1021; Floor Amendment No. 1 to Senate Bill 1035**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Motion to Concur in House Amendment 1 to Senate Bill 1722**

Education: **Motion to Concur in House Amendment 1 to Senate Bill 1223**

Executive: **Motion to Concur in House Amendment 1 to Senate Bill 8**
Motion to Concur in House Amendment 3 to Senate Bill 8
Motion to Concur in House Amendment 2 to Senate Bill 1446
Motion to Concur in House Amendment 2 to Senate Bill 1933

Judiciary: **Motion to Concur in House Amendment 1 to Senate Bill 910**

Licensed Activities and Pensions:
Motion to Concur in House Amendment 1 to Senate Bill 898
Motion to Concur in House Amendment 1 to Senate Bill 899
Motion to Concur in House Amendment 1 to Senate Bill 1688

Transportation: **Motion to Concur in House Amendment 2 to Senate Bill 675**
Motion to Concur in House Amendment 3 to Senate Bill 675

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 1 to House Bill 2893
Floor Amendment No. 2 to House Bill 3519

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

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, to which was referred **House Bill No. 238** on May 26, 2017, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration.

The report of the Committee was concurred in.

And **House Bill No. 238** was placed on the order of second reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, to which was referred **House Bills Numbered 479 and 1955** on May 19, 2017, pursuant to Rule 3-9(a), reported that the Committee recommends that the bills be approved for consideration.

The report of the Committee was concurred in.

And **House Bills Numbered 479 and 1955** were placed on the order of second reading.

POSTING NOTICES WAIVED

Senator Raoul moved to waive the six-day posting requirement on **House Bill No. 1774** so that the measure may be heard in the Committee on Education that is scheduled to meet this evening.

The motion prevailed.

Senator Bush moved to waive the six-day posting requirement on **House Bill No. 643** so that the measure may be heard in the Committee on Executive that is scheduled to meet this evening.

The motion prevailed.

Senator Schimpf moved to waive the six-day posting requirement on **Senate Joint Resolution No. 21** so that the measure may be heard in the Committee on Transportation that is scheduled to meet May 31, 2017.

The motion prevailed.

Senator Weaver moved to waive the six-day posting requirement on **House Bill No. 3784** so that the measure may be heard in the Committee on Education that is scheduled to meet this evening.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committee to meet at 5:00 o'clock p.m.:

Executive in Room 212
Licensed Activities and Pensions in Room 400
State Government in Room 409

The Chair announced the following committees to meet at 5:45 o'clock p.m.:

Education in Room 212
Public Health in Room 400

The Chair announced the following committee to meet at 6:30 o'clock p.m.:

Criminal Law in Room 400

COMMITTEE MEETING ANNOUNCEMENTS FOR MAY 31, 2017

The Chair announced the following committees to meet at 9:00 o'clock a.m.:

Higher Education in Room 212
Judiciary in Room 400
Human Services in Room 409

The Chair announced the following committee to meet at 10:00 o'clock a.m.:

Transportation in Room 212

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Fowler, **House Bill No. 2895** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 45; NAYS 7; Present 2.

The following voted in the affirmative:

Althoff	Connelly	Lightford	Sandoval
Anderson	Cullerton, T.	Link	Stadelman
Aquino	Cunningham	Martinez	Steans
Barickman	Fowler	McCann	Syverson
Bennett	Harmon	McConnaughay	Tracy
Bertino-Tarrant	Hastings	McGuire	Trotter
Biss	Holmes	Morrison	Van Pelt
Brady	Hunter	Mulroe	Weaver
Bush	Hutchinson	Muñoz	Mr. President
Castro	Jones, E.	Nybo	
Clayborne	Koehler	Radogno	
Collins	Landek	Rezin	

The following voted in the negative:

Harris	McCarter	Righter	Schimpf
Manar	Raoul	Rooney	

The following voted present:

Murphy
Oberweis

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Manar, **House Bill No. 2897** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McGuire	Stadelman
Bennett	Hastings	Morrison	Steans
Bertino-Tarrant	Holmes	Mulroe	Syverson
Biss	Hunter	Muñoz	Tracy
Bivins	Hutchinson	Murphy	Trotter
Brady	Jones, E.	Nybo	Van Pelt
Bush	Koehler	Oberweis	Weaver
Castro	Landek	Radogno	Mr. President

Clayborne	Lightford	Raoul
Collins	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.

On motion of Senator Morrison, **House Bill No. 2898** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McGuire, **House Bill No. 2907** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Althoff	Cullerton, T.	Manar	Rezin
Anderson	Cunningham	Martinez	Righter
Aquino	Fowler	McCann	Rooney
Barickman	Harmon	McCarter	Rose
Bennett	Harris	McConchie	Schimpf
Bertino-Tarrant	Hastings	McConnaughay	Stadelman
Biss	Holmes	McGuire	Steans
Bivins	Hunter	Morrison	Syverson
Brady	Hutchinson	Mulroe	Tracy
Bush	Jones, E.	Muñoz	Trotter

Castro	Koehler	Murphy	Van Pelt
Clayborne	Landek	Oberweis	Weaver
Collins	Lightford	Radogno	Mr. President
Connelly	Link	Raoul	

The following voted in the negative:

Sandoval

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Manar, **House Bill No. 3002** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sandoval, **House Bill No. 3004** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 39; NAYS 11.

The following voted in the affirmative:

Althoff	Cullerton, T.	Link	Radogno
Aquino	Cunningham	Manar	Raoul
Bennett	Harris	Martinez	Sandoval
Bertino-Tarrant	Hastings	McCann	Stadelman
Biss	Hunter	McConchie	Steans
Bivins	Hutchinson	McConnaughay	Syverson

Bush	Jones, E.	McGuire	Trotter
Castro	Koehler	Morrison	Van Pelt
Clayborne	Landek	Mulroe	Mr. President
Collins	Lightford	Muñoz	

The following voted in the negative:

Anderson	Oberweis	Rooney	Tracy
Connelly	Rezin	Rose	Weaver
Fowler	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.

HOUSE BILL RECALLED

On motion of Senator Rose, **House Bill No. 3033** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3033

AMENDMENT NO. 1. Amend House Bill 3033 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by changing Section 805-555 as follows:

(20 ILCS 805/805-555)

Sec. 805-555. Consultation fees.

(a) For the purposes of this Section, "agency" shall have the meaning assigned in Section 1-20 of the Illinois Administrative Procedure Act.

(b) The Department shall assess a $100 ~~$500~~ fee for consultations conducted under subsection (b) of Section 11 of the Illinois Endangered Species Protection Act and Section 17 of the Illinois Natural Areas Preservation Act. ~~The Department shall not assess any fee for consultations requested by a State agency or federal agency.~~ Any fee assessed under this Section shall be deposited into the Illinois Wildlife Preservation Fund.

(c) The Department may adopt rules to implement this Section.

(d) The monies deposited into the Illinois Wildlife Preservation Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

(Source: P.A. 97-1136, eff. 1-1-13.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Rose, **House Bill No. 3033** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator E. Jones III, **House Bill No. 3036** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None; Present 1.

The following voted in the affirmative:

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

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.

On motion of Senator Manar, **House Bill No. 3091** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hastings, **House Bill No. 3072** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Aquino, **House Bill No. 3131** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Righter
Anderson	Fowler	McCann	Rooney
Aquino	Harmon	McConchie	Rose
Bennett	Harris	McConnaughay	Sandoval
Bertino-Tarrant	Hastings	McGuire	Schimpf
Biss	Holmes	Morrison	Stadelman
Bivins	Hunter	Mulroe	Steans
Brady	Hutchinson	Muñoz	Syverson
Bush	Jones, E.	Murphy	Tracy
Castro	Koehler	Nybo	Trotter
Clayborne	Landek	Oberweis	Van Pelt
Collins	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.

On motion of Senator Collins, **House Bill No. 3167** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 39; NAYS 16.

The following voted in the affirmative:

Althoff	Cullerton, T.	Landek	Murphy
Anderson	Cunningham	Lightford	Radogno
Aquino	Fowler	Link	Raoul
Bennett	Harris	Manar	Sandoval
Bertino-Tarrant	Hastings	Martinez	Stadelman
Biss	Holmes	McCann	Steans
Bush	Hunter	McGuire	Trotter
Castro	Hutchinson	Morrison	Van Pelt
Clayborne	Jones, E.	Mulroe	Mr. President
Collins	Koehler	Muñoz	

The following voted in the negative:

Barickman	McConchie	Rooney	Weaver
Bivins	McConnaughay	Rose	
Brady	Nybo	Schimpf	
Connelly	Oberweis	Syverson	
McCarter	Rezin	Tracy	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hutchinson, **House Bill No. 3213** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Manar, **House Bill No. 3298** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

HOUSE BILL RECALLED

On motion of Senator Link, **House Bill No. 3519** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was withdrawn by the sponsor.

Senator Link offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3519

AMENDMENT NO. 2. Amend House Bill 3519 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 1-3, 19-3, 19A-10, 19A-15 as follows:

(10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

Sec. 1-3. As used in this Act, unless the context otherwise requires:

1. "Election" includes the submission of all questions of public policy, propositions, and all measures submitted to popular vote, and includes primary elections when so indicated by the context.

2. "Regular election" means the general, general primary, consolidated and consolidated primary elections regularly scheduled in Article 2A. The even numbered year municipal primary established in Article 2A is a regular election only with respect to those municipalities in which a primary is required to be held on such date.

3. "Special election" means an election not regularly recurring at fixed intervals, irrespective of whether it is held at the same time and place and by the same election officers as a regular election.

4. "General election" means the biennial election at which members of the General Assembly are elected. "General primary election", "consolidated election" and "consolidated primary election" mean the respective elections or the election dates designated and established in Article 2A of this Code.

5. "Municipal election" means an election or primary, either regular or special, in cities, villages, and incorporated towns; and "municipality" means any such city, village or incorporated town.

6. "Political or governmental subdivision" means any unit of local government, or school district in which elections are or may be held. "Political or governmental subdivision" also includes, for election purposes, Regional Boards of School Trustees, and Township Boards of School Trustees.

7. The word "township" and the word "town" shall apply interchangeably to the type of governmental organization established in accordance with the provisions of the Township Code. The term "incorporated town" shall mean a municipality referred to as an incorporated town in the Illinois Municipal Code, as now or hereafter amended.

8. "Election authority" means a county clerk or a Board of Election Commissioners.

9. "Election Jurisdiction" means (a) an entire county, in the case of a county in which no city board of election commissioners is located or which is under the jurisdiction of a county board of election commissioners; (b) the territorial jurisdiction of a city board of election commissioners; and (c) the territory in a county outside of the jurisdiction of a city board of election commissioners. In each instance election jurisdiction shall be determined according to which election authority maintains the permanent registration records of qualified electors.

10. "Local election official" means the clerk or secretary of a unit of local government or school district, as the case may be, the treasurer of a township board of school trustees, and the regional superintendent of schools with respect to the various school officer elections and school referenda for which the regional superintendent is assigned election duties by The School Code, as now or hereafter amended.

11. "Judges of election", "primary judges" and similar terms, as applied to cases where there are 2 sets of judges, when used in connection with duties at an election during the hours the polls are open, refer to the team of judges of election on duty during such hours; and, when used with reference to duties after the closing of the polls, refer to the team of tally judges designated to count the vote after the closing of the polls and the holdover judges designated pursuant to Section 13-6.2 or 14-5.2. In such case, where, after the closing of the polls, any act is required to be performed by each of the judges of election, it shall be performed by each of the tally judges and by each of the holdover judges.

12. "Petition" of candidacy as used in Sections 7-10 and 7-10.1 shall consist of a statement of candidacy, candidate's statement containing oath, and sheets containing signatures of qualified primary electors bound together.

13. "Election district" and "precinct", when used with reference to a 30-day residence requirement, means the smallest constituent territory in which electors vote as a unit at the same polling place in any election governed by this Act.

14. "District" means any area which votes as a unit for the election of any officer, other than the State or a unit of local government or school district, and includes, but is not limited to, legislative, congressional and judicial districts, judicial circuits, county board districts, municipal and sanitary district wards, school board districts, and precincts.

15. "Question of public policy" or "public question" means any question, proposition or measure submitted to the voters at an election dealing with subject matter other than the nomination or election of candidates and shall include, but is not limited to, any bond or tax referendum, and questions relating to the Constitution.

16. "Ordinance providing the form of government of a municipality or county pursuant to Article VII of the Constitution" includes ordinances, resolutions and petitions adopted by referendum which provide for the form of government, the officers or the manner of selection or terms of office of officers of such municipality or county, pursuant to the provisions of Sections 4, 6 or 7 of Article VII of the Constitution.

17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29, 6-60, and 6-66 shall include a computer tape or computer disc or other electronic data processing information containing voter information.

18. "Accessible" means accessible to persons with disabilities and elderly individuals for the purpose of voting or registration, as determined by rule of the State Board of Elections.

19. "Elderly" means 65 years of age or older.

20. "Person with a disability" means a person having a temporary or permanent physical disability.

21. "Leading political party" means one of the two political parties whose candidates for governor at the most recent three gubernatorial elections received either the highest or second highest average number of votes. The political party whose candidates for governor received the highest average number of votes shall be known as the first leading political party and the political party whose candidates for governor received the second highest average number of votes shall be known as the second leading political party.

22. "Business day" means any day in which the office of an election authority, local election official or the State Board of Elections is open to the public for a minimum of 7 hours.

23. "Homeless individual" means any person who has a nontraditional residence, including, but not limited to, a shelter, day shelter, park bench, street corner, or space under a bridge.

24. "Signature" means a name signed in ink or signed in digitized form using a graphic tablet, digitizer, or digital drawing tablet provided by an election authority. This definition does not apply to a nominating or candidate petition or a referendum petition.

25. "Intelligent mail barcode tracking system" means a printed trackable barcode attached to the return business reply envelope for mail-in ballots under Article 19 or Article 20 that allows an election authority to determine the date the envelope was mailed in absence of a postmark.

(Source: P.A. 99-143, eff. 7-27-15; 99-522, eff. 6-30-16.)

(10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

Sec. 19-3. The application for vote by mail ballot shall be substantially in the following form:

APPLICATION FOR VOTE BY MAIL BALLOT

To be voted at the .... election in the County of .... and State of Illinois, in the .... precinct of the (1) *township of .... (2) *City of .... or (3) *.... ward in the City of ....

I state that I am a resident of the .... precinct of the (1) *township of .... (2) *City of .... or (3) *.... ward in the city of .... residing at .... in such city or town in the county of .... and State of Illinois; that I have lived at such address for .... month(s) last past; that I am lawfully entitled to vote in such precinct at the .... election to be held therein on ....; and that I wish to vote by vote by mail ballot.

I hereby make application for an official ballot or ballots to be voted by me at such election, and I agree that I shall return such ballot or ballots to the official issuing the same prior to the closing of the polls on the date of the election or, if returned by mail, postmarked no later than election day, for counting no later than during the period for counting provisional ballots, the last day of which is the 14th day following election day.

I understand that this application is made for an official vote by mail ballot or ballots to be voted by me at the election specified in this application and that I must submit a separate application for an official vote by mail ballot or ballots to be voted by me at any subsequent election.

Under penalties as provided by law pursuant to Section 29-10 of the Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

....

*fill in either (1), (2) or (3).

Post office address to which ballot is mailed:

.....

However, if application is made for a primary election ballot, such application shall require the applicant to designate the name of the political party with which the applicant is affiliated.

If application is made electronically, the applicant shall mark the box associated with the above described statement included as part of the online application certifying that the statements set forth in this application are true and correct, and a signature is not required.

Any person may produce, reproduce, distribute, or return to an election authority the application for vote by mail ballot. If applications are sent to a post office box controlled by any individual or organization that is not an election authority, those applications shall (i) include a valid and current phone number for the individual or organization controlling the post office box and (ii) be turned over to the appropriate election authority within 7 days of receipt or, if received within 2 weeks of the election in which an applicant intends to vote, within 2 days of receipt. Failure to turn over the applications in compliance with this paragraph shall constitute a violation of this Code and shall be punishable as a petty offense with a fine of $100 per application. Removing, tampering with, or otherwise knowingly making the postmark on the application unreadable by the election authority shall establish a rebuttable presumption of a violation of this paragraph. Upon receipt, the appropriate election authority shall accept and promptly process any application for vote by mail ballot submitted in a form substantially similar to that required by this Section, including any substantially similar production or reproduction generated by the applicant.

(Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

(10 ILCS 5/19A-10)

Sec. 19A-10. Permanent polling places for early voting.

(a) An election authority may establish permanent polling places for early voting by personal appearance at locations throughout the election authority's jurisdiction, including but not limited to a municipal clerk's office, a township clerk's office, a road district clerk's office, or a county or local public agency office. Any person entitled to vote early by personal appearance may do so at any polling place established for early voting.

(b) (Blank).

(c) During each general primary and general election, each election authority in a county with a population over 250,000 shall establish at least one permanent polling place for early voting by personal appearance at a location within each of the 3 largest municipalities within its jurisdiction. If any of the 3 largest municipalities is over 80,000, the election authority shall establish at least 2 permanent polling places within the municipality. One of the locations for early voting may be the election authority's main office or another location designated by the election authority. The election authority may designate additional sites for early voting by personal appearance. All population figures shall be determined by the federal census.

(d) During each general primary and general election, each board of election commissioners established under Article 6 of this Code in any city, village, or incorporated town with a population over 100,000 shall establish at least 2 permanent polling places for early voting by personal appearance. All population figures shall be determined by the federal census.

(e) During each general primary and general election, each election authority in a county with a population ~~of over 100,000 but~~ under 250,000 persons shall establish at least one permanent polling place for early voting by personal appearance. The location for early voting may be the election authority's main office or another location designated by the election authority. The election authority may designate additional sites for early voting by personal appearance. All population figures shall be determined by the federal census.

(f) No permanent polling place required by this Section shall be located within 1.5 miles from another permanent polling place required by this Section, unless such permanent polling place is within a municipality with a population of 500,000 or more.

(Source: P.A. 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

(10 ILCS 5/19A-15)

Sec. 19A-15. Period for early voting; hours.

(a) The period for early voting by personal appearance begins the 40th day preceding a general primary, consolidated primary, consolidated, or general election and extends through the end of the day before election day.

(b) Except as otherwise provided by this Section, a permanent polling place for early voting must remain open beginning the 15th day before an election through the end of the second day before election day during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays, except that beginning 8 days before election day, a permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 7:00 p.m., or 9:00 a.m. to 7:00 p.m., and 9:00 a.m. to 5:00 p.m. ~~12:00 p.m.~~ on Saturdays and holidays, and 9:00 a.m. ~~10:00 a.m.~~ to 7:00 p.m. ~~4 p.m.~~ on Sundays; except that, in addition to the hours required by this subsection, a permanent polling place designated by an election authority under subsections (c), (d), and (e) of Section 19A-10 must remain open for a total of at least 8 hours on any

holiday during the early voting period and a total of at least 14 hours on the final weekend during the early voting period.

(c) Notwithstanding subsection (b), an election authority may close an early voting polling place if the building in which the polling place is located has been closed by the State or unit of local government in response to a severe weather emergency or other force majeure. The election authority shall notify the State Board of Elections of any closure and shall make reasonable efforts to provide notice to the public of an alternative location for early voting.

(d) (Blank).

(Source: P.A. 97-81, eff. 7-5-11; 97-766, eff. 7-6-12; 98-4, eff. 3-12-13; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Link, **House Bill No. 3519** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS 2.

The following voted in the affirmative:

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

The following voted in the negative:

McCann
McCarter

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

Senator Martinez asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 3519**.

On motion of Senator Rose, **House Bill No. 3785** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Hutchinson, **House Bill No. 3803** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 41; NAYS 14.

The following voted in the affirmative:

Althoff	Harmon	Manar	Radogno
Aquino	Harris	Martinez	Raoul
Bennett	Hastings	McConchie	Sandoval
Bertino-Tarrant	Holmes	McConnaughay	Stadelman
Biss	Hunter	McGuire	Steans
Bush	Hutchinson	Morrison	Trotter
Castro	Jones, E.	Mulroe	Van Pelt
Clayborne	Koehler	Muñoz	Mr. President
Collins	Landek	Murphy	
Cullerton, T.	Lightford	Nybo	
Cunningham	Link	Oberweis	

The following voted in the negative:

Anderson	Fowler	Rooney	Tracy
Barickman	McCann	Rose	Weaver
Bivins	McCarter	Schimpf	
Connelly	Rezin	Syverson	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Martinez, **House Bill No. 3897** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 43; NAYS 9.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Raoul
Anderson	Harmon	McCann	Rezin
Aquino	Hastings	McCarter	Rooney
Bennett	Holmes	McConchie	Sandoval
Bertino-Tarrant	Hunter	McConnaughay	Stadelman
Biss	Hutchinson	McGuire	Steans
Bush	Jones, E.	Morrison	Trotter
Castro	Koehler	Mulroe	Van Pelt
Clayborne	Landek	Muñoz	Weaver
Collins	Lightford	Nybo	Mr. President
Cullerton, T.	Link	Oberweis	

The following voted in the negative:

Barickman	Fowler	Schimpf
Bivins	Righter	Syverson
Brady	Rose	Tracy

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

Ordered that the Secretary inform the House of Representatives thereof.

Senator Weaver asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **House Bill No. 3897**.

HOUSE BILL RECALLED

On motion of Senator Hutchinson, **House Bill No. 155** was recalled from the order of third reading to the order of second reading.

Senator Hutchinson offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 155

AMENDMENT NO. 2. Amend House Bill 155 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 21-150 as follows:

(35 ILCS 200/21-150)

Sec. 21-150. Time of applying for judgment. Except as otherwise provided in this Section or by ordinance or resolution enacted under subsection (c) of Section 21-40, in any county with fewer than 3,000,000 inhabitants, all applications for judgment and order of sale for taxes and special assessments on delinquent properties shall be made within 90 days after the second installment due date. In Cook County, all applications for judgment and order of sale for taxes and special assessments on delinquent properties shall be made (i) by July 1, 2011 for tax year 2009, (ii) by July 1, 2012 for tax year 2010, (iii) by July 1, 2013 for tax year 2011, (iv) by July 1, 2014 for tax year 2012, (v) by July 1, 2015 for tax year 2013, (vi) by May 1, 2016 for tax year 2014, (vii) by March 1, 2017 for tax year 2015, and (viii) by April 1 of the

next calendar year ~~within 90 days~~ after the second installment due date for tax year 2016 and each tax year thereafter. In those counties which have adopted an ordinance under Section 21-40, the application for judgment and order of sale for delinquent taxes shall be made in December. In the 10 years next following the completion of a general reassessment of property in any county with 3,000,000 or more inhabitants, made under an order of the Department, applications for judgment and order of sale shall be made as soon as may be and on the day specified in the advertisement required by Section 21-110 and 21-115. If for any cause the court is not held on the day specified, the cause shall stand continued, and it shall be unnecessary to re-advertise the list or notice.

Within 30 days after the day specified for the application for judgment the court shall hear and determine the matter. If judgment is rendered, the sale shall begin on the date within 5 business days specified in the notice as provided in Section 21-115. If the collector is prevented from advertising and obtaining judgment within the time periods specified by this Section, the collector may obtain judgment at any time thereafter; but if the failure arises by the county collector's not complying with any of the requirements of this Code, he or she shall be held on his or her official bond for the full amount of all taxes and special assessments charged against him or her. Any failure on the part of the county collector shall not be allowed as a valid objection to the collection of any tax or assessment, or to entry of a judgment against any delinquent properties included in the application of the county collector.
(Source: P.A. 97-637, eff. 12-16-11; 98-1101, eff. 8-26-14.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Hutchinson, **House Bill No. 155** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Bush, **House Bill No. 2568** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 45; NAYS 8; Present 1.

The following voted in the affirmative:

Althoff	Cunningham	Link	Raoul
Anderson	Fowler	Manar	Righter
Aquino	Harmon	Martinez	Sandoval
Bennett	Harris	McCann	Stadelman
Bertino-Tarrant	Hastings	McConnaughay	Steans
Biss	Holmes	McGuire	Syverson
Brady	Hunter	Morrison	Trotter
Bush	Hutchinson	Mulroe	Weaver
Castro	Jones, E.	Muñoz	Mr. President
Clayborne	Koehler	Murphy	
Collins	Landek	Nybo	
Cullerton, T.	Lightford	Radogno	

The following voted in the negative:

Connelly	Oberweis	Schimpf
McCarter	Rooney	Tracy
McConchie	Rose	

The following voted present:

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.

PRESENTATION OF RESOLUTIONS

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

SENATE RESOLUTION NO. 578

WHEREAS, Studies have shown that the bond between people and their pets can increase fitness, lower stress, and bring happiness to their owners; and

WHEREAS, According to the Centers for Disease Control and Prevention, pet ownership has been shown to have positive health benefits to humans such as decreases in blood pressure, cholesterol levels, triglyceride levels, and feelings of loneliness; in addition, it increases opportunities for outdoor activities and socialization; and

WHEREAS, Routine pet health care is important to having a happy and healthy pet that enjoys life and interaction with its owner; and

WHEREAS, The American Veterinary Medical Association and the Illinois Veterinary Medical Association recommend that pets be seen annually by a licensed veterinarian for a physical exam,

vaccinations, heartworm testing, fecal parasite exams, dental evaluation, and other preventative care as needed; and

WHEREAS, Regular exams can identify small issues that can become impediments to a pet's overall quality of health if left untreated and can enhance the long term quality of life for both the pet and its owners; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare the week of April 8-14, 2018 as Healthy Pet Week in the State of Illinois; and be it further

RESOLVED, That all Illinois pet owners are encouraged to take time during Healthy Pet Week to review their pet's health needs and make arrangements with their veterinarians to have annual exams and evaluations performed if they have not yet done so in order to enhance and extend their pet's quality of life.

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

SENATE RESOLUTION NO. 579

WHEREAS, The members of the Illinois Senate are pleased to recognize Kathleen "Kate" Janush for her distinguished service and achievements in education and in the community; and

WHEREAS, Kate Janush received her Bachelor of Arts in English and Education from Good Counsel College in White Plains, New York; she received her Master of Arts in English from Western Illinois University; and

WHEREAS, Kate Janush began working as an educator 44 years ago; she started teaching at St. Giles School in 1987 and taught the 7th and 8th grades for 29 years, inspiring students through her language arts and literature classes; and

WHEREAS, Kate Janush is fondly known as "Mrs. J."; she is well-known for her love of reading, which she has passed on to thousands of students over the years; she expressed her passion with a poster near her desk that reads "If you think reading is boring, you're not doing it right."; and

WHEREAS, Early in her career, Kate Janush started her classes on a regimen of reading the legendary yellow dot books from the school library; she required her students to read a yellow dot book every two weeks during their 7th and 8th grade years, and take a 20-question quiz on the book, in addition to their regular class reading assignments; and

WHEREAS, Kate Janush wholeheartedly believed in Maya Angelou's quote, "Any book that helps a child to form a habit of reading, to make reading one of his deep and continuing needs, is good for him."; and

WHEREAS, Kate Janush contributed her tireless efforts to editing St. Giles' school yearbooks for 24 years, and as the unofficial school historian beginning in 1990, launched a collection of graduation memory boxes with photos and memorabilia; and

WHEREAS, Kate Janush was co-director of the 8th grade theater productions for 16 years with former 8th grade math teacher, Puddy Larsen; it was a labor of love as she co-launched the theater project "as a way to get the 8th graders all working together", thus becoming a much anticipated and valued tradition of the 8th grade year at St. Giles; and

WHEREAS, Kate Janush volunteered at the Friends of the Oak Park Public Library Book Fair, organized confirmation candidates to bake cookies for homeless shelters each week of the school year, and acted as a regular lector of morning masses for many years; and

WHEREAS, Kate Janush has been backed in her endeavors by her supportive husband, Dale, and her St. Giles alumus son, Zach; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare June 7, 2017 as Kathleen Janush Day in the State of Illinois, and we wish her the best in all her future endeavors; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Kathleen Janush as an expression of our esteem and gratitude.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 1774

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

Amendment No. 1 to House Bill 238

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

Amendment No. 1 to Senate Bill 401

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 30, 2017 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Committee Amendment No. 1 to House Bill 1774**.

Transportation: **HOUSE BILL 2938**.

POSTING NOTICES WAIVED

Senator Castro moved to waive the six-day posting requirement on **House Bill No. 2938** so that the measure may be heard in the Committee on Transportation that is scheduled to meet May 31, 2017.
The motion prevailed.

Senator Weaver moved to waive the six-day posting requirement on **Senate Joint Resolution No. 40** so that the measure may be heard in the Committee on Higher Education that is scheduled to meet May 31, 2017.
The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT FOR MAY 31, 2017

The Chair announced the following committee to meet at 10:30 o'clock a.m.:

Telecommunications and Information Technology in Room 400

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 30, 2017

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the committee deadline to May 31, 2017, for the following House bills:

1774, 2938, 3074

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

cc: Senate Republican Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 30, 2017

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the 3rd Reading deadline to May 31, 2017, for the following House bills:

238, 479, 1955, 2893

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

cc: Senate Republican Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 30, 2017

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

Dear Mr. Secretary:

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

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

cc: Senate Minority Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 30, 2017

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Heather Steans to temporarily replace Senator Patricia Van Pelt as a member of the Senate Criminal Law Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Criminal Law Committee.

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

cc: Senate Minority Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706

217-782-2728

May 30, 2017

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator John Mulroe to temporarily replace Senator Ira Silverstein as a member of the Senate Executive Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Executive Committee.

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

cc: Senate Minority Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 30, 2017

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Christina Castro to temporarily replace Senator Patricia Van Pelt as a member of the Senate State Government Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate State Government Committee.

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

cc: Senate Minority Leader Christine Radogno

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 30, 2017

Mr. Tim Anderson

Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Heather Steans to temporarily replace Senator Patricia Van Pelt as a member of the Senate Public Health Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Public Health Committee.

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

cc: Senate Minority Leader Christine Radogno

At the hour of 5:14 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 7:33 o'clock p.m., the Senate resumed consideration of business.
Senator Harmon, presiding.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 580

Offered by Senator Bennett and all Senators:
Mourns the death of David C. Shaul of Champaign.

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

REPORTS FROM STANDING COMMITTEES

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

Motion to Concur in House Amendment 1 to Senate Bill 8; Motion to Concur in House Amendment 3 to Senate Bill 8; Motion to Concur in House Amendment 1 to Senate Bill 100; Motion to Concur in House Amendment 2 to Senate Bill 1933

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **House Bill No. 643,** reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

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

Motion to Concur in House Amendment 1 to Senate Bill 1029

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

Senator Landek, Chairperson of the Committee on State Government, to which was referred **House Bill No. 3293,** reported the same back with the recommendation that the bill do pass.

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

Senator Landek, Chairperson of the Committee on State Government, to which was referred **House Joint Resolution No. 37,** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 37** was placed on the Secretary's Desk.

Senator Martinez, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 701; Motion to Concur in House Amendment 2 to Senate Bill 768; Motion to Concur in House Amendment 1 to Senate Bill 898; Motion to Concur in House Amendment 1 to Senate Bill 899; Motion to Concur in House Amendment 1 to Senate Bill 1688; Motion to Concur in House Amendment 1 to Senate Bill 1811

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

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

Motion to Concur in House Amendment 1 to Senate Bill 1544

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

Senator Mulroe, Chairperson of the Committee on Public Health, to which was referred **House Bill No. 1785,** reported the same back with the recommendation that the bill do pass.

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

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

Motion to Concur in House Amendment 1 to Senate Bill 1223

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **House Bill No. 3784,** reported the same back with the recommendation that the bill do pass.

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **House Bill No. 1774,** reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

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

Senate Amendment No. 2 to House Bill 2527

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

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

Motion to Concur in House Amendment 1 to Senate Bill 1722

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

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

Senate Amendment No. 1 to House Bill 270
Senate Amendment No. 1 to House Bill 303
Senate Amendment No. 1 to House Bill 531

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

MESSAGES FROM THE HOUSE

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

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

SENATE BILL NO. 886

A bill for AN ACT concerning State government.

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

House Amendment No. 1 to SENATE BILL NO. 886
House Amendment No. 2 to SENATE BILL NO. 886
Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 886

AMENDMENT NO. 1. Amend Senate Bill 886 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 509 as follows:

(35 ILCS 5/509) (from Ch. 120, par. 5-509)

Sec. 509. Tax checkoff explanations.

(a) All individual income tax return forms shall contain appropriate explanations and ~~and~~ spaces to enable the taxpayers to designate contributions to the funds to which contributions may be made under this Article 5.

(b) Each form shall contain a statement that the contributions will reduce the taxpayer's refund or increase the amount of payment to accompany the return. Failure to remit any amount of increased payment shall reduce the contribution accordingly.

(c) If, on October 1 of any year, the total contributions to any one of the funds made under this Article 5 do not equal $100,000 or more, the explanations and spaces for designating contributions to the fund shall be removed from the individual income tax return forms for the following and all subsequent years and all subsequent contributions to the fund shall be refunded to the taxpayer. This contribution requirement does not apply to the Diabetes Research Checkoff Fund checkoff contained in Section 507GG of this Act.

(d) Notwithstanding any other provision of law, the Department shall include the Hunger Relief Fund checkoff established under Section 507SS on the individual income tax form for the taxable year beginning on January 1, 2012. If, on October 1, 2013, or on October 1 of any subsequent year, the total contributions

to the Hunger Relief Fund checkoff do not equal $100,000 or more, the explanations and spaces for designating contributions to the fund shall be removed from the individual income tax return forms for the following and all subsequent years and all subsequent contributions to the fund shall be refunded to the taxpayer.

(Source: P.A. 96-328, eff. 8-11-09; 97-1117, eff. 8-27-12.)".

AMENDMENT NO. 2 TO SENATE BILL 886

AMENDMENT NO. 2. Amend Senate Bill 886 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by adding Section 1-35 as follows:

(30 ILCS 500/1-35 new)

Sec. 1-35. Application to James R. Thompson Center. In accordance with Section 7.4 of the State Property Control Act, this Code does not apply to any procurements related to the sale of the James R. Thompson Center, provided that the process shall be conducted in a manner substantially in accordance with the requirements of the following Sections of the Illinois Procurement Code: 20-160, 50-5, 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35, 50-36, 50-37, 50-38, and 50-50. The exemption contained in this Section does not apply to any leases involving the James R. Thompson Center, including a leaseback authorized under Section 7.4 of the State Property Control Act.

Section 10. The State Property Control Act is amended by changing Section 7.4 and by adding Section 7.7 as follows:

(30 ILCS 605/7.4)

Sec. 7.4. James R. Thompson Center~~; Elgin Mental Health Center~~.

(a) Notwithstanding any other provision of this Act or any other law to the contrary, the administrator is authorized under this Section to dispose of ~~or mortgage (i)~~ the James R. Thompson Center located in Chicago, Illinois . ~~and (ii) the Elgin Mental Health Center and surrounding land located at 750 S. State Street, Elgin, Illinois in any of the following ways: (1) The administrator may sell the property as provided in subsection (b). (2)~~ The administrator may sell the property as provided in subsection (b), and , either as a condition of the sale or ~~the administrator may immediately~~ thereafter enter into a leaseback or other agreement that directly or indirectly gives the State a right to use, control, and possess the property. ~~Notwithstanding any other provision of law, a lease entered into by the administrator under this subdivision (a)(2) may last for any period not exceeding 99 years. (3) The administrator may enter into a mortgage agreement, using the property as collateral, to receive a loan or a line of credit based on the equity available in the property. Any loan obtained or line of credit established under this subdivision (a)(3) must require repayment in full in 20 years or less.~~

(b) The administrator shall dispose of the property using a competitive sealed proposal process that includes, at a minimum, the following:

(1) Engagement Prior to Request for Proposal. The administrator may, prior to soliciting requests for proposals, enter into discussions with interested purchasers in order to assess existing market conditions, demands and likely development scenarios provided that no such interested purchasers shall have any role in drafting any request for proposals nor shall any request for proposal be provided to any interested purchaser prior to its general public distribution. The administrator may issue a request for qualifications that requests interested purchasers to provide such information as the administrator reasonably deems necessary in order to evaluate the qualifications of such interested purchasers including the ability of interested purchasers to acquire and develop the property, all as reasonably determined by the administrator.

(2) Request for proposals. Proposals to acquire and develop the property shall be solicited through a request for proposals. Such request for proposals shall include such requirements and factors as the administrator shall determine are necessary or advisable with respect to the disposition of the James R. Thompson Center, including soliciting proposals designating a portion of the property after the development or redevelopment thereof in honor of Governor James R. Thompson.

(3) Public notice. Public notice of any request for qualification or request for proposals shall be published in the Illinois Procurement Bulletin at least 14 calendar days before the date by which such requests are due. The administrator may advertise the request in any other manner or publication which it reasonably determines may increase the scope and nature of responses to the request. In the event the administrator shall have already identified qualified purchasers pursuant to a request for qualification process as set forth above, notice of the request for proposals may be delivered only to such qualified purchasers.

(4) Opening of proposals. Proposals shall be opened publicly on the date, time and location designated in the Illinois Procurement Bulletin, but proposals shall be opened in a manner to avoid disclosure of contents to competing purchasers during the process of negotiation. A record of proposals shall be prepared and shall be open for public inspection after contract award, but prior to contract execution.

(5) Evaluation factors. Proposals shall be submitted in 2 parts: (i) items except price, and (ii) covering price. The first part of all proposals shall be evaluated and ranked independently of the second part of all proposals.

(6) Discussion with interested purchasers and revisions of offers or proposals. After the opening of the proposals, and under such guidelines as the administrator may elect to establish in the request for proposals, the administrator and his or her designees may engage in discussions with interested purchasers who submitted offers or proposals that the administrator determines are reasonably susceptible of being selected for award for the purpose of clarifying and assuring full understanding of and responsiveness to the solicitation requirements. Those purchasers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Revisions may be permitted after submission and before award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of any information derived from proposals submitted by competing purchasers. If information is disclosed to any purchaser, it shall be provided to all competing purchasers.

(7) Award. Awards shall be made to the interested purchaser whose proposal is determined in writing to be the most advantageous to the State, taking into consideration price and the evaluation factors set forth in the request for proposals. The contract file shall contain the basis on which the award is made. ~~The administrator shall obtain 3 appraisals of the real property transferred under subdivision (a)(1) or (a)(2) of this Section, one of which shall be performed by an appraiser residing in the county in which the real property is located. The average of these 3 appraisals, plus the costs of obtaining the appraisals, shall represent the fair market value of the real property. No property may be conveyed under subdivision (a)(1) or (a)(2) of this Section by the administrator for less than the fair market value. The administrator may sell the real property by public auction following notice of the sale by publication on 3 separate days not less than 15 nor more than 30 days prior to the sale in a daily newspaper having general circulation in the county in which the real property is located. If no acceptable offers for the real property are received, the administrator may have new appraisals of the property made. The administrator shall have all power necessary to convey real property under subdivision (a)(1) or (a)(2) of this Section.~~

(b-5) Any contract to dispose of the property is subject to the following conditions:

(1) A commitment from the purchaser to make any applicable payments to the City of Chicago with respect to additional zoning density;

(2) A commitment from the purchaser to enter into an agreement with the City of Chicago and the Chicago Transit Authority regarding the existing operation of the Chicago Transit Authority facility currently located on the property, substantially similar to the existing agreement between the City of Chicago, the Chicago Transit Authority, and the State of Illinois, and such agreement must be executed prior to assuming title to the property; and

(3) A commitment from the purchaser to designate a portion of the property after the development or redevelopment thereof in honor of Governor James R. Thompson.

(b-10) The administrator shall have authority to order such surveys, abstracts of title, or commitments for title insurance, environmental reports, property condition reports, or any other materials as the administrator may, in his or her reasonable discretion, be deemed necessary to demonstrate to prospective purchasers or ~~,~~ bidders~~, or mortgagees~~ good and marketable title in and the existing conditions or characteristics of the ~~any~~ property offered for sale ~~or mortgage~~ under this Section. All ~~Unless otherwise specifically authorized by the General Assembly, all~~ conveyances of property made by the administrator under ~~subdivision (a)(1) or (a)(2) of~~ this Section shall be by quit claim deed.

(c) All moneys received from the sale ~~or mortgage~~ of real property under this Section shall be deposited into the General Revenue Fund , provided that any obligations of the State to the purchaser acquiring the property, a contractor involved in the sale of the property, or a unit of local government may be remitted from the proceeds during the closing process and need not be deposited in the State treasury prior to closing.

(d) The administrator is authorized to enter into any agreements and execute any documents necessary to exercise the authority granted by this Section.

(e) Any agreement to dispose of ~~or mortgage (i)~~ the James R. Thompson Center located in Chicago, Illinois ~~or (ii) the Elgin Mental Health Center and surrounding land located at 750 S. State Street, Elgin, Illinois~~ pursuant to the authority granted by this Section must be entered into no later than 2 years ~~one year~~ after the effective date of this amendatory Act of the 100th ~~93rd~~ General Assembly.

(f) The provisions of this Section are subject to the Freedom of Information Act, and nothing shall be construed to waive the ability of a public body to assert any applicable exemptions.
(Source: P.A. 93-19, eff. 6-20-03.)

(30 ILCS 605/7.7 new)

Sec. 7.7. Michael A. Bilandic Building.

(a) On or prior to the disposition of the James R. Thompson Center the existing executive offices of the Governor, Lieutenant Governor, Secretary of State, Comptroller, and Treasurer shall be relocated in the Michael A. Bilandic Building located at 160 North LaSalle Street, Chicago, Illinois. An officer shall occupy the designated space on the same terms and conditions applicable on the effective date of this amendatory Act of the 100th General Assembly. An executive officer may choose to locate in alternative offices within the City of Chicago.

(b) The four caucuses of the General Assembly shall be given space within the Michael A. Bilandic Building. Any caucus located in the building on or prior to the effective date of this amendatory Act of the 100th General Assembly shall continue to occupy their designated space on the same terms and conditions applicable on the effective date of this amendatory Act of the 100th General Assembly.

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

Under the rules, the foregoing **Senate Bill No. 886**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 1869

A bill for AN ACT concerning State government.

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

House Amendment No. 1 to SENATE BILL NO. 1869

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1869

AMENDMENT NO. 1. Amend Senate Bill 1869 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Language Access to Government Services Task Force Act.

Section 5. Findings. The General Assembly finds the following:

(1) Nearly 10% of Illinois' population is limited English proficient, giving Illinois the 5th largest limited English proficient population in the United States at over 1.1 million residents.

(2) Language barriers continue to exist for many Illinois residents who are limited English proficient, and these barriers limit their ability to fully participate in civic life and maximize their economic productivity.

(3) Language barriers for limited English proficient residents create very real challenges when trying to access information about available government services or an individual's legal rights or obligations under State and local laws.

(4) Title VI of the Civil Rights Act requires program recipients of federal funds, such as certain State agencies, to take reasonable steps to ensure that limited English proficient persons have meaningful access to their programs and activities.

(5) The public safety, health, economic prosperity, and general welfare of all Illinois residents is furthered by increasing language access to State programs and services.

Section 10. The Language Access to Government Services Task Force.

(a) There is hereby created the Language Access to Government Services Task Force to study and reduce the language barriers existing among Illinois residents who are limited English proficient, and to maximize their ability to access government services and participate in civic discourse.

(b) The Task Force shall consist 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;

(5) one member appointed by the Governor as a representative of the Governor's Office;

(6) one member appointed by the Attorney General as a representative of the Attorney General's Office;

(7) one member appointed by the Secretary of State as a representative of the Secretary of State's Office;

(8) one member appointed by the Secretary of the Illinois Department of Human Services as a representative of the Department of Human Services;

(9) five members appointed by the Governor, upon recommendation of a non-profit organization that promotes civic engagement and advocates on behalf of immigrant communities through a coalition of member organizations that serve Latino, Asian, African, Arab, and European immigrants; and

(10) five members appointed by the Governor, upon recommendation of a non-profit organization that promotes civic engagement among Asian American communities and advocates on behalf of Asian American communities through its Pan-Asian coalition.

(c) Members of the Task Force shall receive no compensation for serving as members, and shall be appointed within 30 days after the effective date of this Act and begin meeting no later than 30 days after the appointments are finalized, but shall hold its first meeting no later than September 1, 2017. In the event that any appointment required to be made by the Governor under paragraphs (9) and (10) of subsection (b) is not made within 30 days after the effective date of this Act, the Secretary of Human Services shall make such appointments within 15 days after the appointment deadline.

(d) The Task Force shall elect a chairperson from among its membership, and the Department of Human Services shall provide technical support and assistance to the Task Force and shall be responsible for administering its operations and ensuring that the requirements of this Act are met. The Task Force may otherwise consult with any persons or entities it deems necessary to carry out its purposes.

Section 15. Duties of the Language Access to Government Services Task Force. The duties of the Task Force shall consist of the following:

(1) review existing language access laws or ordinances in other parts of the country, including existing reports or academic publications on such laws or ordinances;

(2) evaluate their effectiveness in eliminating language barriers for limited English proficient communities;

(3) consider any other available and relevant information on language access issues in Illinois, including census data, community feedback, or surveys;

(4) identify and recommend specific best-practices and provisions for a State language access law; and

(5) produce a final report summarizing the Task Force's findings and detailing its specific recommendations for a State language access law and highlight any areas of major disagreement within the Task Force.

Section 20. Report. The Task Force shall submit its final report with findings and recommendations to the General Assembly, the Governor, and the Attorney General on or before July 1, 2018.

Section 25. Repeal. This Act is repealed on December 31, 2018.

Section 100. The Legislative Information System Act is amended by changing Section 5.09 as follows: (25 ILCS 145/5.09)

Sec. 5.09. Public computer access; legislative information. To make available to the public all of the following information in electronic form:

(1) On or before July 1, 1999, the weekly schedule of legislative floor sessions for each of the 2 houses of the General Assembly together with a list of matters pending before them and the weekly schedule of legislative committee hearings together with matters scheduled for their consideration.

(2) On or before July 1, 1999, a list of the committees of the General Assembly and their members.

(3) On or before July 1, 1999, the text of each bill and resolution introduced and of each engrossed, enrolled, and re-enrolled bill and resolution and the text of each adopted amendment and conference committee report.

(4) On or before July 1, 1999, a synopsis of items specified in paragraph (3) of this Section, together with a summary of legislative and gubernatorial actions regarding each bill and resolution introduced.

(5) On or before July 1, 1999, the Rules of the House and the Senate of the General Assembly.

(6) Before the conclusion of the Ninety-second General Assembly, the text of Public Acts.

(7) Before the conclusion of the Ninety-second General Assembly, the Illinois Compiled Statutes.

(8) Before the conclusion of the Ninety-second General Assembly, the Constitution of the United States and the Constitution of the State of Illinois.

(9) Before the conclusion of the Ninety-second General Assembly, the text of the Illinois Administrative Code.

(10) Before the conclusion of the Ninety-second General Assembly, the most current issue of the Illinois Register published on or after the effective date of this amendatory Act of 1998.

(11) Any other information that the Joint Committee on Legislative Support Services elects to make available.

The information shall be made available to the public through a website maintained by the System ~~the World Wide Web~~. The information may also be made available by any other means of access that would facilitate public access to the information.

Any documentation that describes the electronic digital formats of the information shall be made available through a website maintained by the System ~~the World Wide Web~~.

Personal information concerning a person who accesses this public information may be maintained only for the purpose of providing service to the person.

No fee or other charge may be imposed by the Legislative Information System as a condition of accessing the information, except that a reasonable fee may be charged for any customized services and shall be deposited into the General Assembly Computer Equipment Revolving Fund.

The electronic public access provided through the System's website ~~World Wide Web~~ shall be in addition to any other electronic or print distribution of the information.

Within one-year after the effective date of this amendatory Act of the 100th General Assembly, to the extent practicable, the System shall use a free translation tool to enable translation into multiple languages of the information made available to the public through the website maintained by the System. The translation tool shall, at a minimum, translate the following content on the website maintained by the System: the home page; information regarding the members of the House of Representatives and the Senate, including, but not limited to, each member's biography, committee assignments, and sponsored bills; information regarding the membership of, bills assigned to, and meeting schedules of each standing and special committee of the House of Representatives and the Senate; information on the procedural status of each bill and resolution, together with any amendments thereto, and appointment message filed in the House of Representatives or the Senate, including both general information and user-selected information (through the "My Legislation" function or otherwise), but not including the synopsis or text of any bill or resolution, or any amendment thereto, or any appointment message, Public Act, or Executive Order; information regarding previous General Assemblies, not including the synopsis or text of any bill or resolution, or any amendment thereto, or any appointment message, Public Act, or Executive Order; contact information for the General Assembly, legislative support service agencies, and other related offices in the Capitol Complex; and information regarding access for persons with disabilities. The System may, in its discretion, provide for additional content to be translated. The languages available for translation shall be those provided by the translation tool. Before a user accesses translated information, the System shall ensure that a disclaimer is first displayed, stating that: the translated information is offered

as a convenience and should not be considered accurate as to the translation of the text in question; and the English language version is the official and authoritative version of the text in question.

No action taken under this Section shall be deemed to alter or relinquish any copyright or other proprietary interest or entitlement of the State of Illinois relating to any of the information made available under this Section.

The information shall be made available as provided in this Section in the shortest practicable time after it is publicly available in any other form; provided that the System may make information available under this Section only if the availability in no way reduces the quality and timeliness of service available to and required under this Act for legislative users and does not unduly burden the General Assembly or its support services agencies. Failure to provide information under this Section does not affect the validity of any action of the General Assembly. The General Assembly and the State of Illinois are not liable for the accuracy, availability, or use of the information provided under this Section.
(Source: P.A. 90-666, eff. 7-30-98.)

Section 999. Effective date. This Act takes effect upon becoming law.".

Under the rules, the foregoing **Senate Bill No. 1869**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 1895

A bill for AN ACT concerning regulation.

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

House Amendment No. 1 to SENATE BILL NO. 1895

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

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-5) 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. This subsection (a-5) does not apply to a person employed by a public or private vehicle service provider and who 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. This subsection (a-5) shall not diminish or supersede an employer's written workplace policy, a collective bargaining agreement, administrative guidelines, or other applicable written rules administered by the employer. Existing written policies governing the use of cell phones shall prevail and control.

(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.)".

Under the rules, the foregoing **Senate Bill No. 1895**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 1902

A bill for AN ACT concerning State government.

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

House Amendment No. 1 to SENATE BILL NO. 1902

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1902

AMENDMENT NO. 1. Amend Senate Bill 1902 on page 1, by replacing lines 15 and 16 with the following:

"The Department may establish locally held funds to receive and".

Under the rules, the foregoing **Senate Bill No. 1902**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 2034

A bill for AN ACT concerning criminal law.

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

House Amendment No. 1 to SENATE BILL NO. 2034

House Amendment No. 2 to SENATE BILL NO. 2034

Passed the House, as amended, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2034

AMENDMENT NO. 1. Amend Senate Bill 2034 by replacing everything after the enacting clause with the following:

"ARTICLE 1. BAIL REFORM

Section 1-1. This Article 1 may be referred to as the Bail Reform Act of 2017.

Section 1-3. Legislative findings.

The General Assembly recognizes that the promotion of public safety and protection of crime victim rights are 2 of the main focuses of our State's criminal justice system; it further acknowledges that

protecting the rights of the accused is central to the integrity of our State's criminal justice system. With these focuses in mind, this amendatory Act of the 100th General Assembly establishes the Bail Reform Act of 2017 for the citizens of this State, in recognition that the decision-making behind pre-trial release shall not focus on a person's wealth and ability to afford monetary bail but shall instead focus on a person's threat to public safety or risk of failure to appear before a court of appropriate jurisdiction.

Section 1-5. The Criminal Code of 2012 is amended by changing Section 33G-9 as follows:

(720 ILCS 5/33G-9)

(Section scheduled to be repealed on June 11, 2017)

Sec. 33G-9. Repeal. This Article is repealed on June 11, 2022 ~~5 years after it becomes law~~.

(Source: P.A. 97-686, eff. 6-11-12.)

Section 1-10. The Code of Criminal Procedure of 1963 is amended by changing Sections 109-1, 110-5, 110-6, and 110-14 by adding Sections 102-7.1, 102-7.2, and 110-6.4 as follows:

(725 ILCS 5/102-7.1 new)

Sec. 102-7.1. "Category A offense".

"Category A offense" means a Class 2 felony, Class X felony, first degree murder, a violation of Section 11-204 of the Illinois Vehicle Code, a second or subsequent violation of Section 11-501 of the Illinois Vehicle Code, a violation of subsection (d) of Section 11-501 of the Illinois Vehicle Code, a violation of Section 11-401 of the Illinois Vehicle Code if the accident results in injury and the person failed to report the accident within 30 minutes, a violation of Section 9-3, 9-3.4, 10-3, 10-3.1, 10-5, 11-6, 11-9.2, 11-20.1, 11-23.5, 11-25, 12-2, 12-3, 12-3.05, 12-3.2, 12-3.4, 12-4.4a, 12-5, 12-6, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12C-5, 24-1.5, 24-3, 25-1, 26.5-2, or 48-1 of the Criminal Code of 2012, a second or subsequent violation of 12-3.2 or 12-3.4 of the Criminal Code of 2012, a violation of paragraph (5) or (6) of subsection (b) of Section 10-9 of the Criminal Code of 2012, a violation of subsection (b) or (c) or paragraph (1) or (2) of subsection (a) of Section 11-1.50 of the Criminal Code of 2012, a violation of Section 12-7 of the Criminal Code of 2012 if the defendant inflicts bodily harm on the victim to obtain a confession, statement, or information, a violation of Section 12-7.5 of the Criminal Code of 2012 if the action results in bodily harm, a violation of paragraph (3) of subsection (b) of Section 17-2 of the Criminal Code of 2012, a violation of subdivision (a)(7)(ii) of Section 24-1 of the Criminal Code of 2012, a violation of paragraph (6) of subsection (a) of Section 24-1 of the Criminal Code of 2012, or a violation of Section 10 of the Sex Offender Registration Act.

(725 ILCS 5/102-7.2 new)

Sec. 102-7.2. "Category B offense".

"Category B offense" means a business offense, petty offense, Class C misdemeanor, Class B misdemeanor, Class A misdemeanor, Class 3 felony, or Class 4 felony, which is not specified in Category A.

(725 ILCS 5/109-1) (from Ch. 38, par. 109-1)

Sec. 109-1. Person arrested.

(a) A person arrested with or without a warrant shall be taken without unnecessary delay before the nearest and most accessible judge in that county, except when such county is a participant in a regional jail authority, in which event such person may be taken to the nearest and most accessible judge, irrespective of the county where such judge presides, and a charge shall be filed. Whenever a person arrested either with or without a warrant is required to be taken before a judge, a charge may be filed against such person by way of a two-way closed circuit television system, except that a hearing to deny bail to the defendant may not be conducted by way of closed circuit television.

(a-5) A person charged with an offense shall be allowed counsel at the hearing at which bail is determined under Article 110 of this Code. If the defendant desires counsel for his or her initial appearance but is unable to obtain counsel, the court shall appoint a public defender or licensed attorney at law of this State to represent him or her for purposes of that hearing.

(b) The judge shall:

(1) Inform the defendant of the charge against him and shall provide him with a copy of the charge;

(2) Advise the defendant of his right to counsel and if indigent shall appoint a public defender or licensed attorney at law of this State to represent him in accordance with the provisions of Section 113-3 of this Code;

(3) Schedule a preliminary hearing in appropriate cases;

(4) Admit the defendant to bail in accordance with the provisions of Article 110 of this Code; and

(5) Order the confiscation of the person's passport or impose travel restrictions on a defendant arrested for first degree murder or other violent crime as defined in Section 3 of the Rights of Crime Victims and Witnesses Act, if the judge determines, based on the factors in Section 110-5 of this Code, that this will reasonably ensure the appearance of the defendant and compliance by the defendant with all conditions of release.

(c) The court may issue an order of protection in accordance with the provisions of Article 112A of this Code.

(d) At the initial appearance of a defendant in any criminal proceeding, the court must advise the defendant in open court that any foreign national who is arrested or detained has the right to have notice of the arrest or detention given to his or her country's consular representatives and the right to communicate with those consular representatives if the notice has not already been provided. The court must make a written record of so advising the defendant.

(e) If consular notification is not provided to a defendant before his or her first appearance in court, the court shall grant any reasonable request for a continuance of the proceedings to allow contact with the defendant's consulate. Any delay caused by the granting of the request by a defendant shall temporarily suspend for the time of the delay the period within which a person shall be tried as prescribed by subsections (a), (b), or (e) of Section 103-5 of this Code and on the day of the expiration of delay the period shall continue at the point at which it was suspended.

(Source: P.A. 98-143, eff. 1-1-14; 99-78, eff. 7-20-15; 99-190, eff. 1-1-16.)

(725 ILCS 5/110-5) (from Ch. 38, par. 110-5)

Sec. 110-5. Determining the amount of bail and conditions of release.

(a) In determining the amount of monetary bail or conditions of release, if any, which will reasonably assure the appearance of a defendant as required or the safety of any other person or the community and the likelihood of compliance by the defendant with all the conditions of bail, the court shall, on the basis of available information, take into account such matters as the nature and circumstances of the offense charged, whether the evidence shows that as part of the offense there was a use of violence or threatened use of violence, whether the offense involved corruption of public officials or employees, whether there was physical harm or threats of physical harm to any public official, public employee, judge, prosecutor, juror or witness, senior citizen, child, or person with a disability, whether evidence shows that during the offense or during the arrest the defendant possessed or used a firearm, machine gun, explosive or metal piercing ammunition or explosive bomb device or any military or paramilitary armament, whether the evidence shows that the offense committed was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang, the condition of the victim, any written statement submitted by the victim or proffer or representation by the State regarding the impact which the alleged criminal conduct has had on the victim and the victim's concern, if any, with further contact with the defendant if released on bail, whether the offense was based on racial, religious, sexual orientation or ethnic hatred, the likelihood of the filing of a greater charge, the likelihood of conviction, the sentence applicable upon conviction, the weight of the evidence against such defendant, whether there exists motivation or ability to flee, whether there is any verification as to prior residence, education, or family ties in the local jurisdiction, in another county, state or foreign country, the defendant's employment, financial resources, character and mental condition, past conduct, prior use of alias names or dates of birth, and length of residence in the community, the consent of the defendant to periodic drug testing in accordance with Section 110-6.5, whether a foreign national defendant is lawfully admitted in the United States of America, whether the government of the foreign national maintains an extradition treaty with the United States by which the foreign government will extradite to the United States its national for a trial for a crime allegedly committed in the United States, whether the defendant is currently subject to deportation or exclusion under the immigration laws of the United States, whether the defendant, although a United States citizen, is considered under the law of any foreign state a national of that state for the purposes of extradition or non-extradition to the United States, the amount of unrecovered proceeds lost as a result of the alleged offense, the source of bail funds tendered or sought to be tendered for bail, whether from the totality of the court's consideration, the loss of funds posted or sought to be posted for bail will not deter the defendant from flight, whether the evidence shows that the defendant is engaged in significant possession, manufacture, or delivery of a controlled substance or cannabis, either individually or in consort with others, whether at the time of the offense charged he or she was on bond or pre-trial release pending trial, probation, periodic imprisonment or conditional discharge pursuant to this Code or the comparable Code of any other state or federal jurisdiction, whether the defendant is on bond or pre-trial release pending the imposition or execution of sentence or appeal of sentence for any offense under the laws of Illinois or any other state or federal jurisdiction, whether the defendant is under parole, aftercare release, mandatory supervised release, or work release from the Illinois

Department of Corrections or Illinois Department of Juvenile Justice or any penal institution or corrections department of any state or federal jurisdiction, the defendant's record of convictions, whether the defendant has been convicted of a misdemeanor or ordinance offense in Illinois or similar offense in other state or federal jurisdiction within the 10 years preceding the current charge or convicted of a felony in Illinois, whether the defendant was convicted of an offense in another state or federal jurisdiction that would be a felony if committed in Illinois within the 20 years preceding the current charge or has been convicted of such felony and released from the penitentiary within 20 years preceding the current charge if a penitentiary sentence was imposed in Illinois or other state or federal jurisdiction, the defendant's records of juvenile adjudication of delinquency in any jurisdiction, any record of appearance or failure to appear by the defendant at court proceedings, whether there was flight to avoid arrest or prosecution, whether the defendant escaped or attempted to escape to avoid arrest, whether the defendant refused to identify himself or herself, or whether there was a refusal by the defendant to be fingerprinted as required by law. Information used by the court in its findings or stated in or offered in connection with this Section may be by way of proffer based upon reliable information offered by the State or defendant. All evidence shall be admissible if it is relevant and reliable regardless of whether it would be admissible under the rules of evidence applicable at criminal trials. If the State presents evidence that the offense committed by the defendant was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang, and if the court determines that the evidence may be substantiated, the court shall prohibit the defendant from associating with other members of the organized gang as a condition of bail or release. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(a-5) There shall be a presumption that any conditions of release imposed shall be non-monetary in nature and the court shall impose the least restrictive conditions or combination of conditions necessary to reasonably assure the appearance of the defendant for further court proceedings and protect the integrity of the judicial proceedings from a specific threat to a witness or participant. Conditions of release may include, but not be limited to, electronic home monitoring, curfews, drug counseling, stay-away orders, and in-person reporting. The court shall consider the defendant's socio-economic circumstance when setting conditions of release or imposing monetary bail.

(b) The amount of bail shall be:

(1) Sufficient to assure compliance with the conditions set forth in the bail bond, which shall include the defendant's current address with a written admonishment to the defendant that he or she must comply with the provisions of Section 110-12 regarding any change in his or her address. The defendant's address shall at all times remain a matter of public record with the clerk of the court.

(2) Not oppressive.

(3) Considerate of the financial ability of the accused.

(4) When a person is charged with a drug related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, the full street value of the drugs seized shall be considered. "Street value" shall be determined by the court on the basis of a proffer by the State based upon reliable information of a law enforcement official contained in a written report as to the amount seized and such proffer may be used by the court as to the current street value of the smallest unit of the drug seized.

(b-5) Upon the filing of a written request demonstrating reasonable cause, the State's Attorney may request a source of bail hearing either before or after the posting of any funds. If the hearing is granted, before the posting of any bail, the accused must file a written notice requesting that the court conduct a source of bail hearing. The notice must be accompanied by justifying affidavits stating the legitimate and lawful source of funds for bail. At the hearing, the court shall inquire into any matters stated in any justifying affidavits, and may also inquire into matters appropriate to the determination which shall include, but are not limited to, the following:

(1) the background, character, reputation, and relationship to the accused of any surety; and

(2) the source of any money or property deposited by any surety, and whether any such money or property constitutes the fruits of criminal or unlawful conduct; and

(3) the source of any money posted as cash bail, and whether any such money constitutes the fruits of criminal or unlawful conduct; and

(4) the background, character, reputation, and relationship to the accused of the person posting cash bail.

Upon setting the hearing, the court shall examine, under oath, any persons who may possess material information.

The State's Attorney has a right to attend the hearing, to call witnesses and to examine any witness in the proceeding. The court shall, upon request of the State's Attorney, continue the proceedings for a reasonable period to allow the State's Attorney to investigate the matter raised in any testimony or affidavit. If the hearing is granted after the accused has posted bail, the court shall conduct a hearing consistent with this subsection (b-5). At the conclusion of the hearing, the court must issue an order either approving of disapproving the bail.

(c) When a person is charged with an offense punishable by fine only the amount of the bail shall not exceed double the amount of the maximum penalty.

(d) When a person has been convicted of an offense and only a fine has been imposed the amount of the bail shall not exceed double the amount of the fine.

(e) The State may appeal any order granting bail or setting a given amount for bail.

(f) When a person is charged with a violation of an order of protection under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or the Criminal Code of 2012 or when a person is charged with domestic battery, aggravated domestic battery, kidnapping, aggravated kidnaping, unlawful restraint, aggravated unlawful restraint, stalking, aggravated stalking, cyberstalking, harassment by telephone, harassment through electronic communications, or an attempt to commit first degree murder committed against an intimate partner regardless whether an order of protection has been issued against the person,

(1) whether the alleged incident involved harassment or abuse, as defined in the Illinois Domestic Violence Act of 1986;

(2) whether the person has a history of domestic violence, as defined in the Illinois Domestic Violence Act, or a history of other criminal acts;

(3) based on the mental health of the person;

(4) whether the person has a history of violating the orders of any court or governmental entity;

(5) whether the person has been, or is, potentially a threat to any other person;

(6) whether the person has access to deadly weapons or a history of using deadly weapons;

(7) whether the person has a history of abusing alcohol or any controlled substance;

(8) based on the severity of the alleged incident that is the basis of the alleged offense, including, but not limited to, the duration of the current incident, and whether the alleged incident involved the use of a weapon, physical injury, sexual assault, strangulation, abuse during the alleged victim's pregnancy, abuse of pets, or forcible entry to gain access to the alleged victim;

(9) whether a separation of the person from the alleged victim or a termination of the relationship between the person and the alleged victim has recently occurred or is pending;

(10) whether the person has exhibited obsessive or controlling behaviors toward the alleged victim, including, but not limited to, stalking, surveillance, or isolation of the alleged victim or victim's family member or members;

(11) whether the person has expressed suicidal or homicidal ideations;

(12) based on any information contained in the complaint and any police reports, affidavits, or other documents accompanying the complaint,

the court may, in its discretion, order the respondent to undergo a risk assessment evaluation using a recognized, evidence-based instrument conducted by an Illinois Department of Human Services approved partner abuse intervention program provider, pretrial service, probation, or parole agency. These agencies shall have access to summaries of the defendant's criminal history, which shall not include victim interviews or information, for the risk evaluation. Based on the information collected from the 12 points to be considered at a bail hearing under this subsection (f), the results of any risk evaluation conducted and the other circumstances of the violation, the court may order that the person, as a condition of bail, be placed under electronic surveillance as provided in Section 5-8A-7 of the Unified Code of Corrections. Upon making a determination whether or not to order the respondent to undergo a risk assessment evaluation or to be placed under electronic surveillance and risk assessment, the court shall document in the record the court's reasons for making those determinations. The cost of the electronic surveillance and risk assessment shall be paid by, or on behalf, of the defendant. As used in this subsection (f), "intimate partner" means a spouse or a current or former partner in a cohabitation or dating relationship.

(Source: P.A. 98-558, eff. 1-1-14; 98-1012, eff. 1-1-15; 99-143, eff. 7-27-15.)

(725 ILCS 5/110-6) (from Ch. 38, par. 110-6)

Sec. 110-6. Modification of bail or conditions.

(a) Upon verified application by the State or the defendant or on its own motion the court before which the proceeding is pending may increase or reduce the amount of bail or may alter the conditions of the bail bond or grant bail where it has been previously revoked or denied. If bail has been previously revoked pursuant to subsection (f) of this Section or if bail has been denied to the defendant pursuant to subsection

(e) of Section 110-6.1 or subsection (e) of Section 110-6.3, the defendant shall be required to present a verified application setting forth in detail any new facts not known or obtainable at the time of the previous revocation or denial of bail proceedings. If the court grants bail where it has been previously revoked or denied, the court shall state on the record of the proceedings the findings of facts and conclusion of law upon which such order is based.

(a-5) In addition to any other available motion or procedure under this Code, a person in custody for a Category B offense due to an inability to post monetary bail shall be brought before the court at the next available court date or 7 calendar days from the date bail was set, whichever is earlier, for a rehearing on the amount or conditions of bail or release pending further court proceedings. The court may reconsider conditions of release for any other person who's inability to post monetary bail is the sole reason for continued incarceration, including a person in custody for a Category A offense.

(b) Violation of the conditions of Section 110-10 of this Code or any special conditions of bail as ordered by the court shall constitute grounds for the court to increase the amount of bail, or otherwise alter the conditions of bail, or, where the alleged offense committed on bail is a forcible felony in Illinois or a Class 2 or greater offense under the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act, revoke bail pursuant to the appropriate provisions of subsection (e) of this Section.

(c) Reasonable notice of such application by the defendant shall be given to the State.

(d) Reasonable notice of such application by the State shall be given to the defendant, except as provided in subsection (e).

(e) Upon verified application by the State stating facts or circumstances constituting a violation or a threatened violation of any of the conditions of the bail bond the court may issue a warrant commanding any peace officer to bring the defendant without unnecessary delay before the court for a hearing on the matters set forth in the application. If the actual court before which the proceeding is pending is absent or otherwise unavailable another court may issue a warrant pursuant to this Section. When the defendant is charged with a felony offense and while free on bail is charged with a subsequent felony offense and is the subject of a proceeding set forth in Section 109-1 or 109-3 of this Code, upon the filing of a verified petition by the State alleging a violation of Section 110-10 (a) (4) of this Code, the court shall without prior notice to the defendant, grant leave to file such application and shall order the transfer of the defendant and the application without unnecessary delay to the court before which the previous felony matter is pending for a hearing as provided in subsection (b) or this subsection of this Section. The defendant shall be held without bond pending transfer to and a hearing before such court. At the conclusion of the hearing based on a violation of the conditions of Section 110-10 of this Code or any special conditions of bail as ordered by the court the court may enter an order increasing the amount of bail or alter the conditions of bail as deemed appropriate.

(f) Where the alleged violation consists of the violation of one or more felony statutes of any jurisdiction which would be a forcible felony in Illinois or a Class 2 or greater offense under the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act and the defendant is on bail for the alleged commission of a felony, or where the defendant is on bail for a felony domestic battery (enhanced pursuant to subsection (b) of Section 12-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012), aggravated domestic battery, aggravated battery, unlawful restraint, aggravated unlawful restraint or domestic battery in violation of item (1) of subsection (a) of Section 12-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012 against a family or household member as defined in Section 112A-3 of this Code and the violation is an offense of domestic battery against the same victim the court shall, on the motion of the State or its own motion, revoke bail in accordance with the following provisions:

(1) The court shall hold the defendant without bail pending the hearing on the alleged breach; however, if the defendant is not admitted to bail the hearing shall be commenced within 10 days from the date the defendant is taken into custody or the defendant may not be held any longer without bail, unless delay is occasioned by the defendant. Where defendant occasions the delay, the running of the 10 day period is temporarily suspended and resumes at the termination of the period of delay. Where defendant occasions the delay with 5 or fewer days remaining in the 10 day period, the court may grant a period of up to 5 additional days to the State for good cause shown. The State, however, shall retain the right to proceed to hearing on the alleged violation at any time, upon reasonable notice to the defendant and the court.

(2) At a hearing on the alleged violation the State has the burden of going forward and proving the violation by clear and convincing evidence. The evidence shall be presented in open court with the opportunity to testify, to present witnesses in his behalf, and to cross-examine witnesses if any are called by the State, and representation by counsel and if the defendant is indigent to have counsel

appointed for him. The rules of evidence applicable in criminal trials in this State shall not govern the admissibility of evidence at such hearing. Information used by the court in its findings or stated in or offered in connection with hearings for increase or revocation of bail may be by way of proffer based upon reliable information offered by the State or defendant. All evidence shall be admissible if it is relevant and reliable regardless of whether it would be admissible under the rules of evidence applicable at criminal trials. A motion by the defendant to suppress evidence or to suppress a confession shall not be entertained at such a hearing. Evidence that proof may have been obtained as a result of an unlawful search and seizure or through improper interrogation is not relevant to this hearing.

(3) Upon a finding by the court that the State has established by clear and convincing evidence that the defendant has committed a forcible felony or a Class 2 or greater offense under the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act while admitted to bail, or where the defendant is on bail for a felony domestic battery (enhanced pursuant to subsection (b) of Section 12-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012), aggravated domestic battery, aggravated battery, unlawful restraint, aggravated unlawful restraint or domestic battery in violation of item (1) of subsection (a) of Section 12-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012 against a family or household member as defined in Section 112A-3 of this Code and the violation is an offense of domestic battery, against the same victim, the court shall revoke the bail of the defendant and hold the defendant for trial without bail. Neither the finding of the court nor any transcript or other record of the hearing shall be admissible in the State's case in chief, but shall be admissible for impeachment, or as provided in Section 115-10.1 of this Code or in a perjury proceeding.

(4) If the bail of any defendant is revoked pursuant to paragraph (f) (3) of this Section, the defendant may demand and shall be entitled to be brought to trial on the offense with respect to which he was formerly released on bail within 90 days after the date on which his bail was revoked. If the defendant is not brought to trial within the 90 day period required by the preceding sentence, he shall not be held longer without bail. In computing the 90 day period, the court shall omit any period of delay resulting from a continuance granted at the request of the defendant.

(5) If the defendant either is arrested on a warrant issued pursuant to this Code or is arrested for an unrelated offense and it is subsequently discovered that the defendant is a subject of another warrant or warrants issued pursuant to this Code, the defendant shall be transferred promptly to the court which issued such warrant. If, however, the defendant appears initially before a court other than the court which issued such warrant, the non-issuing court shall not alter the amount of bail ~~heretofore~~ set on such warrant unless the court sets forth on the record of proceedings the conclusions of law and facts which are the basis for such altering of another court's bond. The non-issuing court shall not alter another courts bail set on a warrant unless the interests of justice and public safety are served by such action.

(g) The State may appeal any order where the court has increased or reduced the amount of bail or altered the conditions of the bail bond or granted bail where it has previously been revoked.

(Source: P.A. 97-1150, eff. 1-25-13.)

(725 ILCS 5/110-6.4 new)

Sec. 110-6.4. Statewide risk assessment tool.

The Supreme Court may establish a statewide risk-assessment tool to be used in proceedings to assist the court in establishing bail for a defendant by assessing the defendant's likelihood of appearing at future court proceedings or determining if the defendant poses a real and present threat to the physical safety of any person or persons. The Supreme Court shall consider establishing a risk-assessment tool that does not discriminate on the basis of race, gender, educational level, socio-economic status, or neighborhood. If a risk assessment tool is utilized within a circuit that does not require a personal interview to be completed, the Chief Judge of the circuit or the Director of the Pre-trial Services Agency may exempt the requirement under Section 9 and subsection (a) of Section 7 of the Pretrial Services Act.

For the purpose of this Section, "risk assessment tool" means an empirically validated, evidence-based screening instrument that demonstrates reduced instances of a defendant's failure to appear for further court proceedings or prevents future criminal activity.

(725 ILCS 5/110-14) (from Ch. 38, par. 110-14)

Sec. 110-14. Credit for incarceration on bailable offense; credit against monetary bail for certain offenses ~~Incarceration on Bailable Offense~~.

(a) Any person incarcerated on a bailable offense who does not supply bail and against whom a fine is levied on conviction of the ~~such~~ offense shall be allowed a credit of $5 for each day so incarcerated upon application of the defendant. However, in no case shall the amount so allowed or credited exceed the amount of the fine.

(b) Subsection (a) does not apply to a person incarcerated for sexual assault as defined in paragraph (1) of subsection (a) of Section 5-9-1.7 of the Unified Code of Corrections.

(c) A person subject to bail on a Category B offense shall have $30 deducted from his or her monetary bail every day the person is incarcerated.

(Source: P.A. 93-699, eff. 1-1-05.)

ARTICLE 5. THREATENING PUBLIC OFFICIALS

Section 5-5. The Criminal Code of 2012 is amended by changing Section 12-9 as follows:

(720 ILCS 5/12-9) (from Ch. 38, par. 12-9)

Sec. 12-9. Threatening public officials; human service providers.

(a) A person commits threatening a public official or human service provider when:

(1) that person knowingly delivers or conveys, directly or indirectly, to a public official or human service provider by any means a communication:

(i) containing a threat that would place the public official or human service provider or a member of his or her immediate family in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or

(ii) containing a threat that would place the public official or human service provider or a member of his or her immediate family in reasonable apprehension that damage will occur to property in the custody, care, or control of the public official or his or her immediate family; and

(2) the threat was conveyed because of the performance or nonperformance of some public duty or duty as a human service provider, because of hostility of the person making the threat toward the status or position of the public official or the human service provider, or because of any other factor related to the official's public existence.

(a-5) For purposes of a threat to a sworn law enforcement officer, the threat must contain specific facts indicative of a unique threat to the person, family or property of the officer and not a generalized threat of harm.

(a-6) For purposes of a threat to a social worker, caseworker, investigator, or human service provider, the threat must contain specific facts indicative of a unique threat to the person, family or property of the individual and not a generalized threat of harm.

(b) For purposes of this Section:

(1) "Public official" means a person who is elected to office in accordance with a statute or who is appointed to an office which is established, and the qualifications and duties of which are prescribed, by statute, to discharge a public duty for the State or any of its political subdivisions or in the case of an elective office any person who has filed the required documents for nomination or election to such office. "Public official" includes a duly appointed assistant State's Attorney, assistant Attorney General, or Appellate Prosecutor; a sworn law enforcement or peace officer; a social worker, caseworker, attorney, or investigator employed by the Department of Healthcare and Family Services, the Department of Human Services, ~~or~~ the Department of Children and Family Services , or the Guardianship and Advocacy Commission; or an assistant public guardian, attorney, social worker, case manager, or investigator employed by a duly appointed public guardian.

(1.5) "Human service provider" means a social worker, case worker, or investigator employed by an agency or organization providing social work, case work, or investigative services under a contract with or a grant from the Department of Human Services, the Department of Children and Family Services, the Department of Healthcare and Family Services, or the Department on Aging.

(2) "Immediate family" means a public official's spouse or child or children.

(c) Threatening a public official or human service provider is a Class 3 felony for a first offense and a Class 2 felony for a second or subsequent offense.

(Source: P.A. 97-1079, eff. 1-1-13; 98-529, eff. 1-1-14.)

ARTICLE 99. EFFECTIVE DATE

Section 99-99. Effective date. This Section and Section 1-5 take effect upon becoming law.".

AMENDMENT NO. 2 TO SENATE BILL 2034

AMENDMENT NO. 2 . Amend Senate Bill 2034, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 2, line 17, after "a", by inserting "Class 1 felony,".

Under the rules, the foregoing **Senate Bill No. 2034**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 647
A bill for AN ACT concerning civil law.

SENATE BILL NO. 1714
A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 1991
A bill for AN ACT concerning education.

SENATE BILL NO. 2012
A bill for AN ACT concerning revenue.

Passed the House, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

A message from the House by
Mr. Mapes, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 1276
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 1882
A bill for AN ACT concerning regulation.

SENATE BILL NO. 1884
A bill for AN ACT concerning regulation.

SENATE BILL NO. 1944
A bill for AN ACT concerning criminal law.

SENATE BILL NO. 1969
A bill for AN ACT concerning safety.

Passed the House, May 30, 2017.

TIMOTHY D. MAPES, Clerk of the House

JOINT ACTION MOTIONS FILED

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

Motion to Concur in House Amendment 1 to Senate Bill 1869
Motion to Concur in House Amendment 1 to Senate Bill 2034
Motion to Concur in House Amendment 2 to Senate Bill 2034

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Biss, **House Bill No. 238** was taken up, read by title a second time.
Floor Amendment No. 1 was held in the Committee on Assignments.
There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 479** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 643** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 1774** having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 1774

AMENDMENT NO. 1. Amend House Bill 1774 by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by changing Sections 2A-1.2 and 2A-48 as follows:

(10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

Sec. 2A-1.2. Consolidated Schedule of Elections - Offices Designated.

(a) At the general election in the appropriate even-numbered years, the following offices shall be filled or shall be on the ballot as otherwise required by this Code:

(1) Elector of President and Vice President of the United States;

(2) United States Senator and United States Representative;

(3) State Executive Branch elected officers;

(4) State Senator and State Representative;

(5) County elected officers, including State's Attorney, County Board member, County Commissioners, and elected President of the County Board or County Chief Executive;

(6) Circuit Court Clerk;

(7) Regional Superintendent of Schools, except in counties or educational service regions in which that office has been abolished;

(8) Judges of the Supreme, Appellate and Circuit Courts, on the question of retention, to fill vacancies and newly created judicial offices;

(9) (Blank);

(10) Trustee of the Metropolitan Sanitary District of Chicago, and elected Trustee of other Sanitary Districts;

(11) Special District elected officers, not otherwise designated in this Section, where the statute creating or authorizing the creation of the district requires an annual election and permits or requires election of candidates of political parties.

(b) At the general primary election:

(1) in each even-numbered year candidates of political parties shall be nominated for those offices to be filled at the general election in that year, except where pursuant to law nomination of candidates of political parties is made by caucus.

(2) in the appropriate even-numbered years the political party offices of State central committeeman, township committeeman, ward committeeman, and precinct committeeman shall be filled and delegates and alternate delegates to the National nominating conventions shall be elected as may be required pursuant to this Code. In the even-numbered years in which a Presidential election is to be held, candidates in the Presidential preference primary shall also be on the ballot.

(3) in each even-numbered year, where the municipality has provided for annual elections to elect municipal officers pursuant to Section 6(f) or Section 7 of Article VII of the Constitution, pursuant to the Illinois Municipal Code or pursuant to the municipal charter, the offices of such municipal officers shall be filled at an election held on the date of the general primary election, provided that the municipal election shall be a nonpartisan election where required by the Illinois Municipal Code. For partisan municipal elections in even-numbered years, a primary to nominate candidates for municipal office to be elected at the general primary election shall be held on the Tuesday 6 weeks preceding that election.

(4) in each school district which has adopted the provisions of Article 33 of the School Code, successors to the members of the board of education whose terms expire in the year in which the general primary is held shall be elected.

(c) At the consolidated election in the appropriate odd-numbered years, the following offices shall be filled:

(1) Municipal officers, provided that in municipalities in which candidates for alderman or other municipal office are not permitted by law to be candidates of political parties, the runoff election where required by law, or the nonpartisan election where required by law, shall be held on the date of the consolidated election; and provided further, in the case of municipal officers provided for by an ordinance providing the form of government of the municipality pursuant to Section 7 of Article VII of

the Constitution, such offices shall be filled by election or by runoff election as may be provided by such ordinance;

(2) Village and incorporated town library directors;

(3) City boards of stadium commissioners;

(4) Commissioners of park districts;

(5) Trustees of public library districts;

(6) Special District elected officers, not otherwise designated in this section, where the statute creating or authorizing the creation of the district permits or requires election of candidates of political parties;

(7) Township officers, including township park commissioners, township library directors, and boards of managers of community buildings, and Multi-Township Assessors;

(8) Highway commissioners and road district clerks;

(9) Members of school boards in school districts which adopt Article 33 of the School Code;

(10) The directors and chairman of the Chain O Lakes - Fox River Waterway Management Agency;

(11) Forest preserve district commissioners elected under Section 3.5 of the Downstate Forest Preserve District Act;

(12) Elected members of school boards, school trustees, directors of boards of school directors, trustees of county boards of school trustees (except in counties or educational service regions having a population of 2,000,000 or more inhabitants), and members of boards of school inspectors, except school boards in school districts that adopt Article 33 of the School Code;

(13) Members of Community College district boards;

(14) Trustees of Fire Protection Districts;

(15) Commissioners of the Springfield Metropolitan Exposition and Auditorium Authority;

(16) Elected Trustees of Tuberculosis Sanitarium Districts;

(17) Elected Officers of special districts not otherwise designated in this Section for which the law governing those districts does not permit candidates of political parties.

(d) At the consolidated primary election in each odd-numbered year, candidates of political parties shall be nominated for those offices to be filled at the consolidated election in that year, except where pursuant to law nomination of candidates of political parties is made by caucus, and except those offices listed in paragraphs (12) through (17) of subsection (c).

At the consolidated primary election in the appropriate odd-numbered years, the mayor, clerk, treasurer, and aldermen shall be elected in municipalities in which candidates for mayor, clerk, treasurer, or alderman are not permitted by law to be candidates of political parties, subject to runoff elections to be held at the consolidated election as may be required by law, and municipal officers shall be nominated in a nonpartisan election in municipalities in which pursuant to law candidates for such office are not permitted to be candidates of political parties.

At the consolidated primary election in the appropriate odd-numbered years, municipal officers shall be nominated or elected, or elected subject to a runoff, as may be provided by an ordinance providing a form of government of the municipality pursuant to Section 7 of Article VII of the Constitution.

At the consolidated primary election in 2023 and at the consolidated primary election every 4 years thereafter, members of the Chicago Board of Education shall be elected in a nonpartisan election.

(e) (Blank).

(f) At any election established in Section 2A-1.1, public questions may be submitted to voters pursuant to this Code and any special election otherwise required or authorized by law or by court order may be conducted pursuant to this Code.

Notwithstanding the regular dates for election of officers established in this Article, whenever a referendum is held for the establishment of a political subdivision whose officers are to be elected, the initial officers shall be elected at the election at which such referendum is held if otherwise so provided by law. In such cases, the election of the initial officers shall be subject to the referendum.

Notwithstanding the regular dates for election of officials established in this Article, any community college district which becomes effective by operation of law pursuant to Section 6-6.1 of the Public Community College Act, as now or hereafter amended, shall elect the initial district board members at the next regularly scheduled election following the effective date of the new district.

(g) At any election established in Section 2A-1.1, if in any precinct there are no offices or public questions required to be on the ballot under this Code then no election shall be held in the precinct on that date.

(h) There may be conducted a referendum in accordance with the provisions of Division 6-4 of the Counties Code.

(Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626, eff. 8-9-96; 90-358, eff. 1-1-98.)

(10 ILCS 5/2A-48) (from Ch. 46, par. 2A-48)

Sec. 2A-48. Board of School Directors and Board of Education - Member - Time of Election. A member of a Board of School Directors or a member of an elected Board of Education, as the case may be, shall be elected at each consolidated election to succeed each incumbent member whose term ends before the following consolidated election. A member of the Chicago Board of Education shall be elected at the appropriate consolidated primary election to succeed each incumbent member whose term expires in the year in which the consolidated primary election is held.

(Source: P.A. 90-358, eff. 1-1-98.)

Section 10. The School Code is amended by changing Sections 34-3, 34-4, and 34-13.1 and by adding Sections 34-21.9, 34-4.1 and 34-4.2 as follows:

(105 ILCS 5/34-3) (from Ch. 122, par. 34-3)

Sec. 34-3. Chicago School Reform Board of Trustees; new Chicago Board of Education; members; term; vacancies.

(a) Within 30 days after the effective date of this amendatory Act of 1995, the terms of all members of the Chicago Board of Education holding office on that date are abolished and the Mayor shall appoint, without the consent or approval of the City Council, a 5 member Chicago School Reform Board of Trustees which shall take office upon the appointment of the fifth member. The Chicago School Reform Board of Trustees and its members shall serve until, and the terms of all members of the Chicago School Reform Board of Trustees shall expire on, June 30, 1999 or upon the appointment of a new Chicago Board of Education as provided in subsection (b), whichever is later. Any vacancy in the membership of the Trustees shall be filled through appointment by the Mayor, without the consent or approval of the City Council, for the unexpired term. One of the members appointed by the Mayor to the Trustees shall be designated by the Mayor to serve as President of the Trustees. The Mayor shall appoint a full-time, compensated chief executive officer, and his or her compensation as such chief executive officer shall be determined by the Mayor. The Mayor, at his or her discretion, may appoint the President to serve simultaneously as the chief executive officer.

(b) This subsection (b) applies until May 9, 2023. Within 30 days before the expiration of the terms of the members of the Chicago Reform Board of Trustees as provided in subsection (a), a new Chicago Board of Education consisting of 7 members shall be appointed by the Mayor to take office on the later of July 1, 1999 or the appointment of the seventh member. Three of the members initially so appointed under this subsection shall serve for terms ending June 30, 2002, 4 of the members initially so appointed under this subsection shall serve for terms ending June 30, 2003, and each member initially so appointed shall continue to hold office until his or her successor is appointed and qualified. Thereafter at the expiration of the term of any member a successor shall be appointed by the Mayor and shall hold office for a term of 4 years, from July 1 of the year in which the term commences and until a successor is appointed and qualified. Any vacancy in the membership of the Chicago Board of Education shall be filled through appointment by the Mayor for the unexpired term. No appointment to membership on the Chicago Board of Education that is made by the Mayor under this subsection shall require the approval of the City Council, whether the appointment is made for a full term or to fill a vacancy for an unexpired term on the Board.

(b-5) On May 9, 2023, the terms of all members of the Chicago Board of Education appointed under subsection (b) of this Section are abolished when the new board, consisting of 15 members, is elected by the electors of the school district as provided in this subsection (b-5) and takes office.

Each member shall be elected for a term of 4 years, commencing on the second Tuesday in May of the year in which the member is elected, and until the member's successor is elected and has qualified. For purposes of elections conducted pursuant to this subsection (b-5), the City of Chicago shall be subdivided into 14 electoral districts for seats on the Chicago Board of Education, as provided under Section 34-21.9 of this Code. Each district shall be represented by a member, and one member shall be elected at large and serve as the president of the board.

Within 28 days after each board enters office, the board shall organize by electing its vice president and fixing a time and place for the regular meetings. No less than a majority of the board's regular meetings shall take place after regular business hours in order to maximize community participation. Upon organizing itself as provided in this subsection (b-5), the board shall enter upon the discharge of its duties.

Whenever a vacancy in the board occurs, the remaining members of the board shall notify the Mayor of that vacancy within 5 days after its occurrence and shall proceed to fill the vacancy until the next board election, at which election a successor shall be elected to serve the remainder of the unexpired term.

However, if the vacancy occurs with less than 28 months remaining in the term or if the vacancy occurs less than 88 days before the next board election, then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. The successor shall have the same residential and other qualifications as his or her predecessor. Should the remaining board members fail to act within 45 days after the vacancy occurs, the Mayor shall, within 30 days after the remaining members have failed to fill the vacancy, fill the vacancy as provided for in this Section. Upon the Mayor's failure to fill the vacancy, the vacancy shall be filled at the next board election. The successor shall have the same residential and other qualifications as his or her predecessor.

(b-10) The board shall elect annually from its number a ~~president and~~ vice-president, in such manner and at such time as the board determines by its rules. The president elected by the voters and vice-president elected by the board ~~officers so elected~~ shall each perform the duties imposed upon his or her ~~their~~ respective office by the rules of the board, provided that (i) the president shall preside at meetings of the board and vote as any other member but have no power of veto, and (ii) the vice president shall perform the duties of the president if that office is vacant or the president is absent or unable to act. The secretary of the board ~~Board~~ shall be selected by the board ~~Board~~ and shall be an employee of the board ~~Board~~ rather than a member of the board ~~Board~~, notwithstanding subsection (d) of Section 34-3.3. The duties of the secretary shall be imposed by the rules of the board ~~Board~~.

(b-15) No member shall have, or be an employee or owner of a company that has, a contract with the school district. No former officer, member, or employee of the board shall, within a period of one year immediately after termination of service on the board, knowingly accept employment or receive compensation or fees for services from a person or entity if the officer, member, or employee, during the year immediately preceding termination of service on the board, participated personally and substantially in the award of contracts with the board or the school district, or the issuance of contract change orders with the board or the school district, with a cumulative value of $25,000 or more to the person or entity, or its parent or subsidiary.

(c) The board may appoint a student to the board to serve in an advisory capacity. The student member shall serve for a term as determined by the board. The board may not grant the student member any voting privileges, but shall consider the student member as an advisor. The student member may not participate in or attend any executive session of the board.

(Source: P.A. 94-231, eff. 7-14-05.)

(105 ILCS 5/34-4) (from Ch. 122, par. 34-4)

Sec. 34-4. Eligibility.

(a) To be eligible for election ~~appointment~~ to the board, a person shall be a citizen of the United States, shall be a registered voter as provided in the Election Code, shall have been a resident of the city and the electoral district for at least one year ~~3 years~~ immediately preceding his or her election ~~appointment~~, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012. A person is ineligible for election or appointment to the board if that person is an employee of the school district. All persons eligible for election to the board shall be nominated by a petition signed by no less than 250 voters residing within the electoral district on a petition in order to be placed on the ballot, except that persons eligible for election to the board at large shall be nominated by a petition signed by no less than 2,500 voters residing within the city.

Permanent removal from the city by any member of the board during his or her term of office constitutes a resignation therefrom and creates a vacancy in the board. Board ~~Except for the President of the Chicago School Reform Board of Trustees who may be paid compensation for his or her services as chief executive officer as determined by the Mayor as provided in subsection (a) of Section 34-3, board members shall serve without any compensation; provided, that board~~ members shall be reimbursed for expenses incurred while in the performance of their duties upon submission of proper receipts or upon submission of a signed voucher in the case of an expense allowance evidencing the amount of such reimbursement or allowance to the president of the board for verification and approval. Board members ~~The board of education may continue to provide health care insurance coverage, employer pension contributions, employee pension contributions, and life insurance premium payments for an employee required to resign from an administrative, teaching, or career service position in order to qualify as a member of the board of education. They~~ shall not hold other public office under the Federal, State or any local government other than that of Director of the Regional Transportation Authority, member of the economic development commission of a city having a population exceeding 500,000, notary public or member of the National Guard, and by accepting any such office while members of the board, or by not resigning any such office held at the time of being elected ~~appointed~~ to the board within 30 days after such election ~~appointment~~, shall be deemed to have vacated their membership in the board.

(Source: P.A. 97-1150, eff. 1-25-13.)

(105 ILCS 5/34-4.1 new)

Sec. 34-4.1. Nomination petitions. In addition to the requirements of the general election law, the form of petitions under Section 34-4 of this Code shall be substantially as follows:

NOMINATING PETITIONS

(LEAVE OUT THE INAPPLICABLE PART.)

To the Board of Election Commissioners for the City of Chicago:

We the undersigned, being (.... or more) of the voters residing within said district, hereby petition that .... who resides at .... in the City of Chicago shall be a candidate for the office of .... of the board of education (full term) (vacancy) to be voted for at the election to be held on (insert date).

Name: ..... Address: .....

In the designation of the name of a candidate on a petition for nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof may be used in addition to the candidate's surname. If a candidate has changed his or her name, whether by a statutory or common law procedure in Illinois or any other jurisdiction, within 3 years before the last day for filing the petition, then (i) the candidate's name on the petition must be followed by "formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)" and (ii) the petition must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in clause (i) and the date or dates each of those names was changed; failure to meet these requirements shall be grounds for denying certification of the candidate's name for the ballot, but these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation, such as a political slogan, as defined by Section 7-17 of the Election Code, title or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname.

All petitions for the nomination of members of a board of education shall be filed with the board of election commissioners of the jurisdiction in which the principal office of the school district is located within the time provided for by the general election law. The board of election commissioners shall receive and file only those petitions that include a statement of candidacy, the required number of voter signatures, the notarized signature of the petition circulator, and a receipt from the County Clerk showing that the candidate has filed a statement of economic interest on or before the last day to file as required by the Illinois Governmental Ethics Act. The board of election commissioners may have petition forms available for issuance to potential candidates and may give notice of the petition filing period by publication in a newspaper of general circulation within the school district not less than 10 days prior to the first day of filing. The board of election commissioners shall make certification to the proper election authorities in accordance with the general election law.

The board of election commissioners of the jurisdiction in which the principal office of the school district is located shall notify the candidates for whom a petition for nomination is filed or the appropriate committee of the obligations under the Campaign Financing Act as provided in the general election law. Such notice shall be given on a form prescribed by the State Board of Elections and in accordance with the requirements of the general election law. The board of election commissioners shall within 7 days of filing or on the last day for filing, whichever is earlier, acknowledge to the petitioner in writing the office's acceptance of the petition.

A candidate for membership on the board of education who has petitioned for nomination to fill a full term and to fill a vacant term to be voted upon at the same election must withdraw his or her petition for nomination from either the full term or the vacant term by written declaration.

Nomination petitions are not valid unless the candidate named therein files with the board of election commissioners a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his or her nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.

(105 ILCS 5/34-4.2 new)

Sec. 34-4.2. Ballots. The board of election commissioners of the jurisdiction in which the principal office of the school district is located shall conduct a lottery to determine the ballot order of candidates for full terms in the event of any simultaneous petition filings. Such candidate lottery shall be conducted as follows:

All petitions filed by persons waiting in line as of 8:00 a.m. on the first day for filing, or as of the normal opening hour of the office involved on such day, shall be deemed simultaneously filed as of 8:00 a.m. or the normal opening hour, as the case may be. Petitions filed by mail and received after midnight of the

first day for filing and in the first mail delivery or pickup of that day shall be deemed simultaneously filed as of 8:00 a.m. of that day or as of the normal opening hour of such day, as the case may be. All petitions received thereafter shall be deemed filed in the order of actual receipt. However, 2 or more petitions filed within the last hour of the filing deadline shall be deemed filed simultaneously.

Where 2 or more petitions are received simultaneously for the same office as of 8:00 a.m. on the first day for petition filing or as of the normal opening hour of the office of the board of election commissioners with whom such petitions are filed, the board of election commissioners shall break ties and determine the order of filing by means of a lottery or other fair and impartial method of random selection. Such lottery shall be conducted within 9 days following the last day for petition filing and shall be open to the public. Seven days written notice of the time and place of conducting such random selection shall be given by the board of election commissioners to all candidates who filed their petitions simultaneously and to each organization of citizens within the election jurisdiction that was entitled, under the general election law, at the next preceding election, to have poll watchers present on the day of election. The board of election commissioners shall post in a conspicuous, open, and public place, at the entrance of his or her office, notice of the time and place of such lottery.

All candidates shall be certified in the order in which their petitions have been filed and in the manner prescribed by Section 10-15 of the Election Code. Where candidates have filed simultaneously, they shall be certified in the order prescribed by this Section and prior to candidates who filed for the same office at a later time.

Where elections are conducted for unexpired terms, a second lottery to determine ballot order shall be conducted for candidates who simultaneously file petitions for such unexpired terms. Such lottery shall be conducted in the same manner as prescribed by this Section for full term candidates.

Ballots for the election of school officers shall be in the following form:

(BALLOT FORMAT

Ballot position for candidates shall be determined by the order of petition filing or lottery held pursuant to this Section.

The school district is divided into 14 electoral districts, each of which elects one member to the board of education and votes on one member to serve at-large.)

OFFICIAL BALLOT
DISTRICT ..... (1 through 14)
FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE
A FULL 4-YEAR TERM
VOTE FOR ONE
( ) .....
( ) .....
( ) .....

OFFICIAL BALLOT
AT LARGE
FOR MEMBERS OF THE BOARD OF EDUCATION TO SERVE
A FULL 4-YEAR TERM
VOTE FOR ONE
( ) .....
( ) .....
( ) .....

REVERSE SIDE:
OFFICIAL BALLOT
DISTRICT ..... (1 through 14)
(Precinct name or number)
School District No. ....., ... County, Illinois
Election Tuesday (insert date)
(facsimile signature of Election Authority)
(County)

(105 ILCS 5/34-13.1)

Sec. 34-13.1. Inspector General.

(a) The Inspector General and his office in existence on the effective date of this amendatory Act of 1995 shall be transferred to the jurisdiction of the board upon appointment of the Chicago School Reform Board of Trustees. The Inspector General shall have the authority to conduct investigations into allegations of or incidents of waste, fraud, and financial mismanagement in public education within the jurisdiction

of the board by a local school council member or an employee, contractor, or member of the board or involving school projects managed or handled by the Public Building Commission. The Inspector General shall make recommendations to the board about the investigations. The Inspector General in office on the effective date of this amendatory Act of 1996 shall serve for a term expiring on June 30, 1998. His or her successors in office shall each be appointed by the Mayor, without the consent or approval of the City Council, for 4 year terms expiring on June 30th of an even numbered year; however, beginning on May 9, 2023, successors shall be appointed by the board instead of the Mayor. If the Inspector General leaves office or if a vacancy in that office otherwise occurs, the Mayor shall appoint, without the consent or approval of the City Council, a successor to serve under this Section for the remainder of the unexpired term; however, beginning on May 9, 2023, successors shall be appointed by the board instead of the Mayor. The Inspector General shall be independent of the operations of the board and the School Finance Authority, and shall perform other duties requested by the board.

(b) The Inspector General shall have access to all information and personnel necessary to perform the duties of the office. If the Inspector General determines that a possible criminal act has been committed or that special expertise is required in the investigation, he or she shall immediately notify the Chicago Police Department and the Cook County State's Attorney. All investigations conducted by the Inspector General shall be conducted in a manner that ensures the preservation of evidence for use in criminal prosecutions.

(c) At all times the Inspector General shall be granted access to any building or facility that is owned, operated, or leased by the board, the Public Building Commission, or the city in trust and for the use and benefit of the schools of the district.

(d) The Inspector General shall have the power to subpoena witnesses and compel the production of books and papers pertinent to an investigation authorized by this Code. Any person who (1) fails to appear in response to a subpoena; (2) fails to answer any question; (3) fails to produce any books or papers pertinent to an investigation under this Code; or (4) knowingly gives false testimony during an investigation under this Code, is guilty of a Class A misdemeanor.

(e) The Inspector General shall provide to the board and the Illinois General Assembly a summary of reports and investigations made under this Section for the previous fiscal year no later than January 1 of each year, except that the Inspector General shall provide the summary of reports and investigations made under this Section for the period commencing July 1, 1998 and ending April 30, 1999 no later than May 1, 1999. The summaries shall detail the final disposition of those recommendations. The summaries shall not contain any confidential or identifying information concerning the subjects of the reports and investigations. The summaries shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

(f) (Blank).

(g) (Blank).

(Source: P.A. 89-15, eff. 5-30-95; 89-698, eff. 1-14-97.)

(105 ILCS 5/34-21.9 new)

Sec. 34-21.9. Creation of electoral districts; reapportionment of districts.

(a) The Chicago School Board Independent Redistricting Commission shall adopt, by majority vote, and file with the City Clerk a redistricting plan for electoral districts pursuant to this Section. Each electoral district must be compact, contiguous, and substantially equal in population, represent the racial, ethnic, and geographic diversity of the City of Chicago, and comply with the provisions of federal law and the Illinois Voting Rights Act.

(b) By September 1, 2021 and every 10 years thereafter, the board of election commissioners of the jurisdiction in which the principal office of the school district is located shall randomly select from applications submitted to the board of election commissioners 11 members of the Chicago School Board Independent Redistricting Commission. The 11 members shall include at least 6 members who, at the time of appointment, have children in the school district. Members must live in the City of Chicago. The membership shall reflect the geographic, racial, and ethnic diversity of the City of Chicago. No member of the Commission may be an employee of the City of Chicago, the school district, a union representing school district employees, or a charter school or charter school network or be a spouse of an employee nor may a member be a lobbyist registered with the City of Chicago or be a spouse of a registered lobbyist. The members shall serve for a 10-year term beginning September 1. The Board of Elections shall randomly select any replacement members consistent with this Section. Members of the Chicago School Board Independent Redistricting Commission shall serve without compensation but may be reimbursed for necessary travel expenses.

(c) The Chicago School Board Independent Redistricting Commission shall adopt rules governing its procedure, public hearings, and the implementation of matters under this Section. The Commission shall hold public hearings throughout the City of Chicago both before and after releasing the initial proposed

redistricting plan. The Commission may not adopt a final redistricting plan unless the plan to be adopted without further amendment and a report explaining the plan's compliance with the Illinois Constitution have been made public at least 7 days before the final vote on such plan.

(d) For purposes of elections conducted pursuant to subsection (b-5) of Section 34-3 of this Code, the City of Chicago shall be subdivided into 14 electoral districts by the Chicago School Board Independent Redistricting Commission for seats on the Chicago Board of Education. The electoral districts must be drawn on or before May 31, 2022.

(e) In the year following each decennial census, the Chicago School Board Independent Redistricting Commission shall redistrict the electoral districts to reflect the results of the decennial census consistent with the requirements in subsection (d) of this Section. The reapportionment plan shall be completed and formally approved by the Commission not less than 90 days before the last date established by law for the filing of nominating petitions for the second board election after the decennial census year. If by reapportionment a board member no longer resides within the electoral district from which the member was elected, the member shall continue to serve in office until the expiration of the member's regular term. All new members shall be elected from the electoral districts as reapportioned.

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

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 1785** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 1955** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 3293** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **House Bill No. 3784** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **House Bill No. 2893** having been printed, was taken up and read by title a second time.

Senator Bivins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2893

AMENDMENT NO. 1. Amend House Bill 2893 by replacing everything after the enacting clause with the following:

"Section 5. The Wildlife Code is amended by changing Section 2.33 as follows:

(520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

Sec. 2.33. Prohibitions.

(a) It is unlawful to carry or possess any gun in any State refuge unless otherwise permitted by administrative rule.

(b) It is unlawful to use or possess any snare or snare-like device, deadfall, net, or pit trap to take any species, except that snares not powered by springs or other mechanical devices may be used to trap fur-bearing mammals, in water sets only, if at least one-half of the snare noose is located underwater at all times.

(c) It is unlawful for any person at any time to take a wild mammal protected by this Act from its den by means of any mechanical device, spade, or digging device or to use smoke or other gases to dislodge or remove such mammal except as provided in Section 2.37.

(d) It is unlawful to use a ferret or any other small mammal which is used in the same or similar manner for which ferrets are used for the purpose of frightening or driving any mammals from their dens or hiding places.

(e) (Blank).

(f) It is unlawful to use spears, gigs, hooks or any like device to take any species protected by this Act.

(g) It is unlawful to use poisons, chemicals or explosives for the purpose of taking any species protected by this Act.

(h) It is unlawful to hunt adjacent to or near any peat, grass, brush or other inflammable substance when it is burning.

(i) It is unlawful to take, pursue or intentionally harass or disturb in any manner any wild birds or mammals by use or aid of any vehicle or conveyance, except as permitted by the Code of Federal Regulations for the taking of waterfowl. It is also unlawful to use the lights of any vehicle or conveyance or any light from or any light connected to the vehicle or conveyance in any area where wildlife may be found except in accordance with Section 2.37 of this Act; however, nothing in this Section shall prohibit the normal use of headlamps for the purpose of driving upon a roadway. Striped skunk, opossum, red fox, gray fox, raccoon, bobcat, and coyote may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

(j) It is unlawful to use any shotgun larger than 10 gauge while taking or attempting to take any of the species protected by this Act.

(k) It is unlawful to use or possess in the field any shotgun shell loaded with a shot size larger than lead BB or steel T (.20 diameter) when taking or attempting to take any species of wild game mammals (excluding white-tailed deer), wild game birds, migratory waterfowl or migratory game birds protected by this Act, except white-tailed deer as provided for in Section 2.26 and other species as provided for by subsection (l) or administrative rule.

(l) It is unlawful to take any species of wild game, except white-tailed deer and fur-bearing mammals, with a shotgun loaded with slugs unless otherwise provided for by administrative rule.

(m) It is unlawful to use any shotgun capable of holding more than 3 shells in the magazine or chamber combined, except on game breeding and hunting preserve areas licensed under Section 3.27 and except as permitted by the Code of Federal Regulations for the taking of waterfowl. If the shotgun is capable of holding more than 3 shells, it shall, while being used on an area other than a game breeding and shooting preserve area licensed pursuant to Section 3.27, be fitted with a one piece plug that is irremovable without dismantling the shotgun or otherwise altered to render it incapable of holding more than 3 shells in the magazine and chamber, combined.

(n) It is unlawful for any person, except persons who possess a permit to hunt from a vehicle as provided in this Section and persons otherwise permitted by law, to have or carry any gun in or on any vehicle, conveyance or aircraft, unless such gun is unloaded and enclosed in a case, except that at field trials authorized by Section 2.34 of this Act, unloaded guns or guns loaded with blank cartridges only, may be carried on horseback while not contained in a case, or to have or carry any bow or arrow device in or on any vehicle unless such bow or arrow device is unstrung or enclosed in a case, or otherwise made inoperable.

(o) (Blank). ~~It is unlawful to use any crossbow for the purpose of taking any wild birds or mammals, except as provided for in Section 2.5.~~

(p) It is unlawful to take game birds, migratory game birds or migratory waterfowl with a rifle, pistol, revolver or airgun.

(q) It is unlawful to fire a rifle, pistol, revolver or airgun on, over or into any waters of this State, including frozen waters.

(r) It is unlawful to discharge any gun or bow and arrow device along, upon, across, or from any public right-of-way or highway in this State.

(s) It is unlawful to use a silencer or other device to muffle or mute the sound of the explosion or report resulting from the firing of any gun.

(t) It is unlawful for any person to take or attempt to take any species of wildlife or parts thereof, intentionally or wantonly allow a dog to hunt, within or upon the land of another, or upon waters flowing over or standing on the land of another, or to knowingly shoot a gun or bow and arrow device at any wildlife physically on or flying over the property of another without first obtaining permission from the owner or the owner's designee. For the purposes of this Section, the owner's designee means anyone who the owner designates in a written authorization and the authorization must contain (i) the legal or common description of property for such authority is given, (ii) the extent that the owner's designee is authorized to make decisions regarding who is allowed to take or attempt to take any species of wildlife or parts thereof, and (iii) the owner's notarized signature. Before enforcing this Section the law enforcement officer must have received notice from the owner or the owner's designee of a violation of this Section. Statements made to the law enforcement officer regarding this notice shall not be rendered inadmissible by the hearsay rule when offered for the purpose of showing the required notice.

(u) It is unlawful for any person to discharge any firearm for the purpose of taking any of the species protected by this Act, or hunt with gun or dog, or intentionally or wantonly allow a dog to hunt, within 300 yards of an inhabited dwelling without first obtaining permission from the owner or tenant, except that while trapping, hunting with bow and arrow, hunting with dog and shotgun using shot shells only, or

hunting with shotgun using shot shells only, or providing outfitting services under a waterfowl outfitter permit, or on licensed game breeding and hunting preserve areas, as defined in Section 3.27, on federally owned and managed lands and on Department owned, managed, leased, or controlled lands, a 100 yard restriction shall apply.

(v) It is unlawful for any person to remove fur-bearing mammals from, or to move or disturb in any manner, the traps owned by another person without written authorization of the owner to do so.

(w) It is unlawful for any owner of a dog to knowingly or wantonly allow his or her dog to pursue, harass or kill deer, except that nothing in this Section shall prohibit the tracking of wounded deer with a dog in accordance with the provisions of Section 2.26 of this Code.

(x) It is unlawful for any person to wantonly or carelessly injure or destroy, in any manner whatsoever, any real or personal property on the land of another while engaged in hunting or trapping thereon.

(y) It is unlawful to hunt wild game protected by this Act between one half hour after sunset and one half hour before sunrise, except that hunting hours between one half hour after sunset and one half hour before sunrise may be established by administrative rule for fur-bearing mammals.

(z) It is unlawful to take any game bird (excluding wild turkeys and crippled pheasants not capable of normal flight and otherwise irretrievable) protected by this Act when not flying. Nothing in this Section shall prohibit a person from carrying an uncased, unloaded shotgun in a boat, while in pursuit of a crippled migratory waterfowl that is incapable of normal flight, for the purpose of attempting to reduce the migratory waterfowl to possession, provided that the attempt is made immediately upon downing the migratory waterfowl and is done within 400 yards of the blind from which the migratory waterfowl was downed. This exception shall apply only to migratory game birds that are not capable of normal flight. Migratory waterfowl that are crippled may be taken only with a shotgun as regulated by subsection (j) of this Section using shotgun shells as regulated in subsection (k) of this Section.

(aa) It is unlawful to use or possess any device that may be used for tree climbing or cutting, while hunting fur-bearing mammals, excluding coyotes.

(bb) It is unlawful for any person, except licensed game breeders, pursuant to Section 2.29 to import, carry into, or possess alive in this State any species of wildlife taken outside of this State, without obtaining permission to do so from the Director.

(cc) It is unlawful for any person to have in his or her possession any freshly killed species protected by this Act during the season closed for taking.

(dd) It is unlawful to take any species protected by this Act and retain it alive except as provided by administrative rule.

(ee) It is unlawful to possess any rifle while in the field during gun deer season except as provided in Section 2.26 and administrative rules.

(ff) It is unlawful for any person to take any species protected by this Act, except migratory waterfowl, during the gun deer hunting season in those counties open to gun deer hunting, unless he or she wears, when in the field, a cap and upper outer garment of a solid blaze orange color, with such articles of clothing displaying a minimum of 400 square inches of blaze orange material.

(gg) It is unlawful during the upland game season for any person to take upland game with a firearm unless he or she wears, while in the field, a cap of solid blaze orange color. For purposes of this Act, upland game is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern Cottontail and Swamp Rabbit.

(hh) It shall be unlawful to kill or cripple any species protected by this Act for which there is a bag limit without making a reasonable effort to retrieve such species and include such in the bag limit. It shall be unlawful for any person having control over harvested game mammals, game birds, or migratory game birds for which there is a bag limit to wantonly waste or destroy the usable meat of the game, except this shall not apply to wildlife taken under Sections 2.37 or 3.22 of this Code. For purposes of this subsection, "usable meat" means the breast meat of a game bird or migratory game bird and the hind ham and front shoulders of a game mammal. It shall be unlawful for any person to place, leave, dump, or abandon a wildlife carcass or parts of it along or upon a public right-of-way or highway or on public or private property, including a waterway or stream, without the permission of the owner or tenant. It shall not be unlawful to discard game meat that is determined to be unfit for human consumption.

(ii) This Section shall apply only to those species protected by this Act taken within the State. Any species or any parts thereof, legally taken in and transported from other states or countries, may be possessed within the State, except as provided in this Section and Sections 2.35, 2.36 and 3.21.

(jj) (Blank).

(kk) Nothing contained in this Section shall prohibit the Director from issuing permits to paraplegics or to other persons with disabilities who meet the requirements set forth in administrative rule to shoot or hunt from a vehicle as provided by that rule, provided that such is otherwise in accord with this Act.

(ll) Nothing contained in this Act shall prohibit the taking of aquatic life protected by the Fish and Aquatic Life Code or birds and mammals protected by this Act, except deer and fur-bearing mammals, from a boat not camouflaged or disguised to alter its identity or to further provide a place of concealment and not propelled by sail or mechanical power. However, only shotguns not larger than 10 gauge nor smaller than .410 bore loaded with not more than 3 shells of a shot size no larger than lead BB or steel T (.20 diameter) may be used to take species protected by this Act.

(mm) Nothing contained in this Act shall prohibit the use of a shotgun, not larger than 10 gauge nor smaller than a 20 gauge, with a rifled barrel.

(nn) It shall be unlawful to possess any species of wildlife or wildlife parts taken unlawfully in Illinois, any other state, or any other country, whether or not the wildlife or wildlife parts is indigenous to Illinois. For the purposes of this subsection, the statute of limitations for unlawful possession of wildlife or wildlife parts shall not cease until 2 years after the possession has permanently ended.

(Source: P.A. 98-119, eff. 1-1-14; 98-181, eff. 8-5-13; 98-183, eff. 1-1-14; 98-290, eff. 8-9-13; 98-756, eff. 7-16-14; 98-914, eff. 1-1-15; 99-33, eff. 1-1-16; 99-143, eff. 7-27-15; 99-642, eff. 7-28-16.)

(520 ILCS 5/2.5 rep.) (520 ILCS 5/2.5a rep.)

Section 10. The Wildlife Code is amended by repealing Sections 2.5 and 2.5a.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

At the hour of 7:45 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, May 31, 2017, at 11:00 o'clock a.m.