



SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

111TH LEGISLATIVE DAY

WEDNESDAY, APRIL 18, 2018

12:09 O'CLOCK P.M.

SENATE
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111th Legislative Day

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The Senate met pursuant to adjournment.
Senator Kimberly A. Lightford, Maywood, Illinois, presiding.
Prayer by Bishop John F. White, African Methodist Episcopal Church, Chicago, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 17, 2018, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

FY 2017 Medical Assistance Program Annual Report, submitted by the Department of Healthcare and Family Services.

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

LEGISLATIVE MEASURES FILED

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

- Amendment No. 1 to Senate Bill 2674
- Amendment No. 1 to Senate Bill 2773
- Amendment No. 1 to Senate Bill 2951
- Amendment No. 2 to Senate Bill 3093
- Amendment No. 1 to Senate Bill 3102

MESSAGE FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 18, 2018

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 Michael Hastings to temporarily replace Senator Kimberly Lightford as a member of the Senate Labor Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Labor Committee.

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

[April 18, 2018]

cc: Senate Minority Leader William Brady

REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Local Government, to which was referred **Senate Bill No. 2598**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to Senate Bill 2299

Senate Amendment No. 2 to Senate Bill 2817

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

Senator Link, Vice-Chairperson of the Committee on Financial Institutions, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 3182

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Bush, Chairperson of the Committee on Government Reform, to which was referred **Senate Bill No. 2540**, reported the same back with the recommendation that the bill do pass.

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

Senator Bush, Chairperson of the Committee on Government Reform, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2854

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Biss, Chairperson of the Committee on Labor, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2480

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 2222, sponsored by Senator Curran, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3407, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4104, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4310, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 4589, sponsored by Senator Anderson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4637, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4733, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4783, sponsored by Senator Weaver, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4847, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5206, sponsored by Senator McConnaughay, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5317, sponsored by Senator Harris, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 12:23 o'clock p.m., President John J. Cullerton, presiding, for the introduction of a special guest.

Senator Hunter 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 12:38 o'clock p.m., the President announced that the Senate stand at recess subject to the call of the Chair.

RECESS

At the hour of 1:41 o'clock, p.m., the Senate resumed consideration of business.
Senator Lightford, presiding.

SENATE BILL RECALLED

On motion of Senator Bush, **Senate Bill No. 2854** was recalled from the order of third reading to the order of second reading.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2854

AMENDMENT NO. 1. Amend Senate Bill 2854 on page 1, lines 18, 19, and 21, by replacing "chairperson" each time it appears with "chair"; and

on page 2, lines 3, 5, 6, 9, 10, 11, 16, 17, 21, 23, 24, and 25, by replacing "chairperson" each time it appears with "chair"; and

on page 2, line 8, by replacing "chairperson's" with "chair's"; and

on page 3, line 2, by replacing "vice-chairperson" with "vice-chair"; and

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on page 3, line 11, by replacing "chairperson" with "chair"; and

on page 7, line 16, by replacing "chairperson" with "chair"; and

on page 13, line 26, by replacing "Chairperson" with "Chair"; and

on page 14, lines 1 and 4, by replacing "Chairperson" each time it appears with "Chair"; and

on page 17, line 21 by replacing "chairperson" each time it appears with "chair"; and

on page 17, line 24, by replacing "chairperson's" with "chair's"; and

on page 18, lines 2, 16, and 24, by replacing "chairperson" each time it appears with "chair"; and

on page 18, lines 3, 18, and 25, by replacing "chairperson's" each time it appears with "chair's"; and

on page 24, line 26, by replacing "chairperson" with "chair"; and

on page 25, lines 2 and 7, by replacing "chairperson's" each time it appears with "chair's"; and

on page 25, line 5, by replacing "chairperson" with "chair"; and

on page 26, line 17, by replacing "chairperson" with "chair"; and

on page 26, line 19, by replacing "chairperson's" with "chair's"; and

on page 28, lines 2, 9, 16, and 24, by replacing "chairperson" each time it appears with "chair"; and

on page 28, lines 4, 10, 18, and 25 by replacing "chairperson's" each time it appears with "chair's"; and

on page 34, line 26, by replacing "Chairperson" with "Chair"; and

on page 35, lines 1 and 4, by replacing "Chairperson" each time it appears with "Chair"; and

on page 41, lines 1 and 6, by replacing "chairperson" each time it appears with "chair"; and

on page 41, lines 3 and 8, by replacing "chairperson's" each time it appears with "chair's"; and

on page 42, line 21, by replacing "chairperson" with "chair"; and

on page 42, line 23, by replacing "chairperson's" with "chair's"; and

on page 43, line 16, by replacing "chairperson" with "chair"; and

on page 51, lines 13, 14, and 17, by replacing "Chairperson" each time it appears with "Chair"; and

on page 55, lines 11 and 18, by replacing "chairperson" each time it appears with "chair"; and

on page 55, lines 13 and 19, by replacing "chairperson's" each time it appears with "chair's"; and

on page 58, lines 2 and 11, by replacing "chairperson" each time it appears with "chair"; and

on page 58, lines 4 and 13, by replacing "chairperson's" each time it appears with "chair's"; and

on page 62, lines 7 and 12, by replacing "chairperson's" each time it appears with "chair's"; and

on page 64, line 14, by replacing "chairperson" with "chair"; and

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on page 64, line 15, by replacing "chairperson's" with "chair's"; and

on page 66, line 2, by replacing "chairperson" with "chair"; and

on page 67, line 9, by replacing "chairperson" with "chair"; and

on page 69, line 4, by replacing "chairperson" with "chair"; and

on page 76, line 6, by replacing "chairperson" with "chair"; and

on page 80, lines 2, 12, 14, 16, and 17, by replacing "Chairperson" each time it appears with "Chair"; and

on page 81, line 26, by replacing "Chairperson" with "Chair"; and

on page 82, lines 4 and 12, by replacing "Chairperson" each time it appears with "Chair"; and

on page 82, line 14, by replacing "chairperson" with "chair"; and

on page 83, line 11, by replacing "chairperson" with "chair"; and

on page 84, line 3, by replacing "chairperson" with "chair"; and

on page 88, line 17, by replacing "chairperson" with "chair"; and

on page 89, lines 14 and 21, by replacing "chairperson" each time it appears with "chair"; and

on page 90, lines 1 and 12, by replacing "chairperson" each time it appears with "chair"; and

on page 92, line 5, by replacing "chairperson" with "chair"; and

on page 93, line 19, by replacing "chairperson" with "chair"; and

on page 95, lines 5, 17, and 21, by replacing "chairperson" each time it appears with "chair"; and

on page 97, lines 8 and 21, by replacing "chairperson" each time it appears with "chair"; and

on page 98, line 21, by replacing "chairperson" with "chair"; and

on page 100, lines 1 and 11, by replacing "chairperson" each time it appears with "chair"; and

on page 102, line 7, by replacing "chairperson" with "chair"; and

on page 117, line 2, by replacing "Chairperson" with "Chair"; and

on page 119, line 6, by replacing "chairperson" with "chair"; and

on page 121, line 14, by replacing "chairperson" with "chair"; and

on page 121, line 17, by replacing "Chairperson" with "Chair"; and

on page 129, lines 7 and 8, by replacing "chairperson" each time it appears with "chair"; and

on page 133, line 23, by replacing "chairperson" with "chair"; and

on page 136, line 15, by replacing "chairperson" with "chair"; and

on page 144, line 11, by replacing "chairperson" with "chair"; and

on page 145, lines 6 and 25, by replacing "chairperson" each time it appears with "chair"; and

on page 167, line 25, by replacing "Chairperson" with "Chair"; and

on page 170, line 19, by replacing "Chairperson" with "Chair"; and

on page 171, line 14, by replacing "Chairperson" with "Chair"; and

on page 172, line 20, by replacing "chairperson" with "chair"; and

on page 174, lines 11, 17, and 22, by replacing "chairperson" each time it appears with "chair"; and

on page 175, lines 7, 14, 16, 22, and 25, by replacing "chairperson" each time it appears with "chair"; and

on page 176, lines 1 and 2, by replacing "chairperson" each time it appears with "chair"; and

on page 177, line 9, by replacing "chairperson" with "chair"; and

on page 183, lines 24 and 25, by replacing "chairperson" each time it appears with "chair"; and

on page 184, lines 3, 4, 10, and 13, by replacing "chairperson" each time it appears with "chair"; and

on page 185, line 16, by replacing "chairperson" with "chair"; and

on page 189, line 6, by replacing "chairperson" with "chair"; and

on page 192, line 15, by replacing "chairperson" with "chair"; and

on page 194, line 19, by replacing "chairperson" with "chair"; and

on page 196, lines 4 and 8, by replacing "chairperson" each time it appears with "chair"; and

on page 206, line 4, by replacing "Chairperson" with "Chair"; and

on page 209, line 3, by replacing "chairperson" with "chair"; and

on page 210, line 3, by replacing "chairperson" with "chair"; and

on page 212, line 3, by replacing "chairperson" with "chair"; and

on page 213, lines 4 and 23, by replacing "chairperson" each time it appears with "chair"; and

on page 214, lines 3 and 9, by replacing "chairperson" each time it appears with "chair"; and

on page 215, line 24, by replacing "chairperson" with "chair"; and

on page 216, lines 2, 6, and 22, by replacing "chairperson" each time it appears with "chair"; and

on page 217, line 4, by replacing "chairperson" with "chair"; and

on page 218, lines 7 and 23, by replacing "chairperson" each time it appears with "chair"; and

on page 219, line 2, by replacing "chairperson" with "chair"; and

on page 223, line 10, by replacing "chairperson" with "chair"; and

on page 225, lines 16 and 21, by replacing "chairperson" each time it appears with "chair"; and

on page 226, lines 7 and 18, by replacing "chairperson" each time it appears with "chair"; and

on page 227, lines 8, 15, and 22, by replacing "chairperson" each time it appears with "chair"; and

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on page 230, lines 10, 14, and 24, by replacing "chairperson" each time it appears with "chair"; and

on page 231, lines 1, 2, and 15, by replacing "chairperson" each time it appears with "chair"; and

on page 232, line 14, by replacing "chairperson" with "chair"; and

on page 236, lines 15 and 23, by replacing "chairperson" each time it appears with "chair"; and

on page 245, lines 4 and 9, by replacing "chairperson" each time it appears with "chair"; and

on page 246, line 21, by replacing "chairperson" with "chair"; and

on page 247, lines 1, 16, and 20, by replacing "chairperson" each time it appears with "chair"; and

on page 248, lines 12 and 19, by replacing "chairperson" each time it appears with "chair"; and

on page 249, line 1, by replacing "chairperson" with "chair"; and

on page 253, lines 9 and 19, by replacing "chairperson" each time it appears with "chair"; and

on page 258, lines 14, 18, 23, and 26, by replacing "chairperson" each time it appears with "chair"; and

on page 263, lines 8, 21, and 25, by replacing "chairperson" each time it appears with "chair"; and

on page 264, line 21, by replacing "chairperson" each time it appears with "chair"; and

on page 269, line 18, by replacing "chairperson" each time it appears with "chair"; and

on page 271, line 22, by replacing "chairperson" with "chair"; and

on page 274, line 6, by replacing "chairperson" with "chair"; and

on page 276, line 8, by replacing "chairperson" with "chair"; and

on page 278, line 2, by replacing "chairperson" with "chair"; and

on page 279, line 6, by replacing "chairperson" with "chair"; and

on page 279, line 6, by replacing "vice-chairperson" with "vice-chair"; and

on page 280, line 1, by replacing "chairperson" with "chair"; and

on page 281, lines 14 and 24, by replacing "chairperson" each time it appears with "chair"; and

on page 283, lines 9, 11, and 17, by replacing "chairperson" each time it appears with "chair"; and

on page 284, lines 2, 4, and 8, by replacing "chairperson" each time it appears with "chair"; and

on page 300, lines 5 and 8, by replacing "chairperson" each time it appears with "chair"; and

on page 302, lines 13 and 15, by replacing "chairperson" each time it appears with "chair"; and

on page 304, line 12, by replacing "chairperson" with "chair"; and

on page 305, line 11, by replacing "chairperson" with "chair"; and

on page 314, lines 21 and 24, by replacing "chairperson" each time it appears with "chair"; and

on page 317, lines 8 and 10, by replacing "chairperson" each time it appears with "chair"; and
on page 319, line 7, by replacing "chairperson" with "chair"; and
on page 320, line 6, by replacing "chairperson" with "chair"; and
on page 321, line 26, by replacing "chairperson" with "chair"; and
on page 322, line 2, by replacing "chairperson" with "chair"; and
on page 323, line 22, by replacing "chairperson" with "chair"; and
on page 324, line 26, by replacing "chairperson" with "chair"; and
on page 328, line 20, by replacing "chairperson" with "chair"; and
on page 330, line 20, by replacing "chairperson" with "chair"; and
on page 331, line 6, by replacing "chairperson" with "chair"; and
on page 333, line 26, by replacing "chairperson" with "chair"; and
on page 334, lines 14 and 23, by replacing "chairperson" each time it appears with "chair"; and
on page 335, lines 7 and 10, by replacing "chairperson" each time it appears with "chair".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Althoff, **Senate Bill No. 2864** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Connelly, **Senate Bill No. 2891** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Righter, **Senate Bill No. 2900** 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 58; NAYS None.

The following voted in the affirmative:

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

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Connelly	Link	Rezin
Cullerton, T.	Manar	Righter

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

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

On motion of Senator Althoff, **Senate Bill No. 2902** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator McConnaughay, **Senate Bill No. 2903** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Curran	McCarter	Sandoval
Anderson	Fowler	McConchie	Schimpf
Aquino	Harmon	McConnaughay	Silverstein
Barickman	Harris	McGuire	Sims
Bennett	Hastings	Morrison	Stadelman
Bertino-Tarrant	Holmes	Mulroe	Steans
Bivins	Hunter	Muñoz	Syverson
Brady	Hutchinson	Murphy	Tracy
Bush	Jones, E.	Nybo	Van Pelt
Castro	Koehler	Oberweis	Weaver

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Clayborne	Lightford	Raoul	Mr. President
Collins	Link	Rezin	
Connelly	Manar	Righter	
Cullerton, T.	Martinez	Rooney	
Cunningham	McCann	Rose	

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

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

On motion of Senator Cunningham, **Senate Bill No. 2921** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Castro, **Senate Bill No. 2940** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rooney
Anderson	Curran	Martinez	Rose
Aquino	Fowler	McCann	Sandoval
Barickman	Haine	McConchie	Schimpf
Bennett	Harmon	McConnaughay	Silverstein
Biss	Harris	McGuire	Sims
Bivins	Hastings	Morrison	Stadelman

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Brady	Holmes	Mulroe	Steans
Bush	Hunter	Muñoz	Syverson
Castro	Hutchinson	Nybo	Tracy
Clayborne	Jones, E.	Oberweis	Van Pelt
Collins	Koehler	Raoul	Weaver
Connelly	Lightford	Rezin	Mr. President
Cullerton, T.	Link	Righter	

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

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

Senator Murphy asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 2940**.

On motion of Senator Althoff, **Senate Bill No. 2958** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Althoff, **Senate Bill No. 2968** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Curran	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Haine	McConchie	Schimpf

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

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

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

On motion of Senator Schimpf, **Senate Bill No. 2969** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Connelly, **Senate Bill No. 3004** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Rose, **Senate Bill No. 3024** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Weaver, **Senate Bill No. 3031** 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 58; NAYS None.

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The following voted in the affirmative:

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

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

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

On motion of Senator Weaver, **Senate Bill No. 3032** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Biss

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

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

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On motion of Senator Schimpf, **Senate Bill No. 3072** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Rose, **Senate Bill No. 3082** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Rose, **Senate Bill No. 3084** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Curran	McCarter	Sandoval
Aquino	Fowler	McConchie	Schimpf
Barickman	Haine	McConnaughay	Silverstein
Bennett	Harmon	McGuire	Sims
Bertino-Tarrant	Harris	Morrison	Stadelman
Biss	Hastings	Mulroe	Steans
Bivins	Hunter	Muñoz	Syverson
Brady	Hutchinson	Murphy	Tracy
Bush	Jones, E.	Nybo	Van Pelt
Castro	Koehler	Oberweis	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 and ask their concurrence therein.

On motion of Senator Martinez, **Senate Bill No. 3127** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator McGuire, **Senate Bill No. 3128** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Schimpf, **Senate Bill No. 3191** 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 58; NAYS None.

The following voted in the affirmative:

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

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Collins	Lightford	Raoul	Mr. President
Connelly	Link	Rezin	
Cullerton, T.	Manar	Righter	

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

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

On motion of Senator McConnaughay, **Senate Bill No. 3192** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Schimpf, **Senate Bill No. 3193** 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 58; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rooney
Anderson	Curran	McCann	Rose
Aquino	Fowler	McCarter	Sandoval
Barickman	Haine	McConchie	Schimpf
Bennett	Harmon	McConnaughay	Silverstein
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Hastings	Morrison	Stadelman
Bivins	Holmes	Mulroe	Steans
Brady	Hunter	Muñoz	Syverson

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

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

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

On motion of Senator Morrison, **Senate Bill No. 3223** 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 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Bertino-Tarrant, **Senate Bill No. 3241** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Curran	McCann	Sandoval
Aquino	Fowler	McCarter	Schimpf
Barickman	Haine	McConchie	Silverstein
Bennett	Harmon	McConnaughay	Sims
Bertino-Tarrant	Harris	McGuire	Stadelman
Biss	Hastings	Morrison	Steans

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Bivins	Holmes	Mulroe	Syverson
Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Van Pelt
Castro	Jones, E.	Oberweis	Weaver
Clayborne	Koehler	Raoul	Mr. President
Collins	Lightford	Rezin	
Connelly	Link	Righter	
Cullerton, T.	Manar	Rooney	
Cunningham	Martinez	Rose	

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

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

On motion of Senator Fowler, **Senate Bill No. 3246** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	McCann	Rose
Anderson	Curran	McCarter	Sandoval
Aquino	Fowler	McConchie	Schimpf
Barickman	Harmon	McConnaughay	Silverstein
Bennett	Harris	McGuire	Sims
Bertino-Tarrant	Hastings	Morrison	Stadelman
Biss	Holmes	Mulroe	Steans
Bivins	Hunter	Muñoz	Syverson
Brady	Hutchinson	Murphy	Tracy
Bush	Jones, E.	Nybo	Van Pelt
Castro	Koehler	Oberweis	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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Sims, **Senate Bill No. 3263** was recalled from the order of third reading to the order of second reading.

Senator Sims offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3263

AMENDMENT NO. 1. Amend Senate Bill 3263 on page 2, immediately below line 17, by inserting the following:

"Section 10. The Uniform Peace Officers' Disciplinary Act is amended by changing Section 7.5 as follows:

[April 18, 2018]

(50 ILCS 725/7.5)

(Section scheduled to be repealed on December 31, 2018)

Sec. 7.5. Commission on Police Professionalism.

(a) Recognizing the need to review performance standards governing the professionalism of law enforcement agencies and officers in the 21st century, the General Assembly hereby creates the Commission on Police Professionalism.

(b) The Commission on Police Professionalism shall be composed 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 Senate Minority Leader;
- (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 House Minority Leader;
- (5) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the Governor;
- (6) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the President of the Senate;
- (7) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the Senate Minority Leader;
- (8) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the Speaker of the House of Representatives;
- (9) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the House Minority Leader;
- (10) the Director of State Police, or his or her designee;
- (10.5) the Superintendent of the Chicago Police Department, or his or her designee;
- (11) the Executive Director of the Law Enforcement Training Standards Board, or his or her designee;
- (12) the Director of a statewide organization representing Illinois sheriffs;
- (13) the Director of a statewide organization representing Illinois chiefs of police;
- (14) the Director of a statewide fraternal organization representing sworn law enforcement officers in this State;
- (15) the Director of a benevolent association representing sworn police officers in this State;
- (16) the Director of a fraternal organization representing sworn law enforcement officers within the City of Chicago; and
- (17) the Director of a fraternal organization exclusively representing sworn Illinois State Police officers.

(c) The President of the Senate and the Speaker of the House of Representatives shall each appoint a joint chairperson to the Commission. The Department of State Police Law Enforcement Training Standards Board shall provide administrative support to the Commission.

(d) The Commission shall meet regularly to review the current training and certification process for law enforcement officers, review the duties of the various types of law enforcement officers, including auxiliary officers, review the standards for the issuance of badges, shields, and other police and agency identification, review officer-involved shooting investigation policies, review policies and practices concerning the use of force and misconduct by law enforcement officers, and examine whether law enforcement officers should be licensed. For the purposes of this subsection (d), "badge" means an officer's department issued identification number associated with his or her position as a police officer with that Department.

(e) The Commission shall submit a report of its findings and legislative recommendations to the General Assembly and Governor on or before September 30, 2018.

(f) This Section is repealed on July 1, 2019 ~~December 31, 2018~~.

(Source: P.A. 100-319, eff. 8-24-17.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

[April 18, 2018]

On motion of Senator Sims, **Senate Bill No. 3266** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Sims, **Senate Bill No. 3504** 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 58; NAYS None.

The following voted in the affirmative:

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

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

[April 18, 2018]

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

On motion of Senator Hunter, **Senate Bill No. 3514** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Lightford	Rezin
Anderson	Cunningham	Link	Rooney
Aquino	Curran	Manar	Rose
Barickman	Fowler	Martinez	Schimpf
Bennett	Haine	McCann	Silverstein
Bertino-Tarrant	Harmon	McConaughay	Sims
Biss	Harris	McGuire	Stadelman
Bivins	Hastings	Mulroe	Steans
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Clayborne	Hutchinson	Nybo	Weaver
Collins	Jones, E.	Oberweis	Mr. President
Connelly	Koehler	Raoul	

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

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

On motion of Senator Muñoz, **Senate Bill No. 3561** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Righter
Anderson	Curran	McCann	Rooney
Aquino	Fowler	McCarter	Sandoval
Barickman	Haine	McConchie	Schimpf
Bennett	Harmon	McConaughay	Silverstein
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Hastings	Morrison	Stadelman
Bivins	Holmes	Mulroe	Steans
Brady	Hunter	Muñoz	Syverson
Castro	Hutchinson	Murphy	Tracy
Clayborne	Jones, E.	Nybo	Van Pelt
Collins	Koehler	Oberweis	Weaver
Connelly	Lightford	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).

[April 18, 2018]

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

At the hour of 2:29 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 2:45 o'clock p.m., the Senate resumed consideration of business.
Senator Haine, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 18, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Commerce and Economic Development: **Floor Amendment No. 2 to Senate Bill 3033; Floor Amendment No. 1 to Senate Bill 3102.**

Criminal Law: **Floor Amendment No. 2 to Senate Bill 2342.**

Environment and Conservation: **Floor Amendment No. 1 to Senate Bill 3214.**

Higher Education: **SENATE BILL 222.**

Human Services: **SENATE BILL 2879; Floor Amendment No. 1 to Senate Bill 2951.**

Licensed Activities and Pensions: **SENATE BILL 2596.**

Local Government: **Floor Amendment No. 1 to Senate Bill 427; Floor Amendment No. 1 to Senate Bill 2364.**

Revenue: **Floor Amendment No. 2 to Senate Bill 489; Committee Amendment No. 3 to Senate Bill 2305; Floor Amendment No. 2 to Senate Bill 3093.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 18, 2018 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Joint Resolution No. 54.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 18, 2018 meeting, to which was referred **Senate Bills Numbered 201, 202 and 354** on April 25, 2017, reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 201, 202 and 354** were returned to the order of third reading.

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

Floor Amendment No. 1 to Senate Bill 2362
Committee Amendment No. 1 to Senate Bill 3033
Floor Amendment No. 2 to Senate Bill 3387

[April 18, 2018]

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 18, 2018

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 April 27th 2018, for the following Senate bills:

222, 2596, 2879

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

cc: Senate Republican Leader Bill Brady

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Holmes, **Senate Bill No. 2313** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was postponed in the Committee on State Government.
Senator Holmes offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2313

AMENDMENT NO. 2. Amend Senate Bill 2313 by replacing everything after the enacting clause with the following:

"Section 5. The Animal Control Act is amended by changing Sections 3, 9, 10, 13, 15, and 15.1 as follows:

(510 ILCS 5/3) (from Ch. 8, par. 353)

Sec. 3. The County Board Chairman with the consent of the County Board shall appoint an Administrator. Appointments shall be made as necessary to keep this position filled at all times. The Administrator may appoint as many Deputy Administrators and Animal Control Wardens to aid him or her as authorized by the Board. The compensation for the Administrator, Deputy Administrators, and Animal Control Wardens shall be fixed by the Board. The Administrator may be removed from office by the County Board Chairman, with the consent of the County Board.

The Board shall provide necessary personnel, training, equipment, supplies, and facilities, and shall operate pounds or contract for their operation as necessary to effectuate the program. The Board may enter into contracts or agreements with persons to assist in the operation of the program and may establish a county animal population control program.

The Board shall be empowered to utilize monies from their General Corporate Fund to effectuate the intent of this Act.

[April 18, 2018]

The Board is authorized by ordinance to require the registration and may require microchipping of dogs and cats. The Board shall impose an individual dog or cat registration fee with a minimum differential of \$10 for intact dogs or cats. Ten dollars of the differential shall be placed either in a county animal population control fund ~~or in the State's Pet Population Control Fund~~. All persons selling dogs or cats or keeping registries of dogs or cats shall cooperate and provide information to the Administrator as required by Board ordinance, including sales, number of litters, and ownership of dogs and cats. If microchips are required, the microchip number may serve as the county animal control registration number.

In obtaining information required to implement this Act, the Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law for civil cases in courts of this State.

The Director shall have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department.

This Section does not apply to feral cats.

(Source: P.A. 100-405, eff. 1-1-18.)

(510 ILCS 5/9) (from Ch. 8, par. 359)

Sec. 9. Any dog found running at large contrary to provisions of this Act may be apprehended and impounded. For this purpose, the Administrator shall utilize any existing or available animal control facility or licensed animal shelter. The dog's owner shall pay a \$25 public safety fine to be deposited into the county animal control fund or the county pet population control fund, ~~\$20 of which shall be deposited into the Pet Population Control Fund and \$5 of which shall be retained by the county or municipality. Funds transferred to or retained by a municipality before the effective date of this amendatory Act of the 100th General Assembly under this paragraph shall continue to be transferred to and be retained by that municipality.~~ A dog found running at large contrary to the provisions of this Act a second or subsequent time must be spayed or neutered within 30 days after being reclaimed unless already spayed or neutered; failure to comply shall result in impoundment.

A dog that is actively engaged in a legal hunting activity, including training, is not considered to be running at large if the dog is on land that is open to hunting or on land on which the person has obtained permission to hunt or to train a dog. A dog that is in a dog-friendly area or dog park is not considered to be running at large if the dog is monitored or supervised by a person.

(Source: P.A. 94-639, eff. 8-22-05; 95-550, eff. 6-1-08.)

(510 ILCS 5/10) (from Ch. 8, par. 360)

Sec. 10. Impoundment; redemption. When dogs or cats are apprehended and impounded, they must be scanned for the presence of a microchip and examined for other currently acceptable methods of identification, including, but not limited to, identification tags, tattoos, and rabies license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The Administrator shall make every reasonable attempt to contact the owner as defined by Section 2.16, agent, or caretaker as soon as possible. The Administrator shall give notice of not less than 7 business days to the owner, agent, or caretaker prior to disposal of the animal. Such notice shall be mailed to the last known address of the owner, agent, or caretaker. Testimony of the Administrator, or his or her authorized agent, who mails such notice shall be evidence of the receipt of such notice by the owner, agent, or caretaker of the animal. A mailed notice shall remain the primary means of owner, agent, or caretaker contact; however, the Administrator shall also attempt to contact the owner, agent, or caretaker by any other contact information, such as by telephone or email address, provided by the microchip or other method of identification found on the dog or cat. If the dog or cat has been microchipped and the primary contact listed by the chip manufacturer cannot be located or refuses to reclaim the dog or cat, an attempt shall be made to contact any secondary contacts listed by the chip manufacturer prior to adoption, transfer, or euthanization. Prior to transferring the dog or cat to another humane shelter, pet store, rescue group, or euthanization, the dog or cat shall be scanned again for the presence of a microchip and examined for other means of identification. If a second scan provides the same identifying information as the initial intake scan and the owner, agent, or caretaker has not been located or refuses to reclaim the dog or cat, the animal control facility may proceed with the adoption, transfer, or euthanization.

In case the owner, agent, or caretaker of any impounded dog or cat desires to make redemption thereof, he or she may do so by doing the following:

- a. Presenting proof of current rabies inoculation and registration, if applicable.
- b. Paying for the rabies inoculation of the dog or cat and registration, if applicable.
- c. Paying the pound for the board of the dog or cat for the period it was impounded.
- d. Paying into the Animal Control Fund an additional impoundment fee as prescribed by

the Board as a penalty for the first offense and for each subsequent offense.

e. Paying a \$25 public safety fine to be deposited into the county animal control fund or the county pet population control fund ~~Pet Population Control Fund~~; the fine shall be waived if it is the dog's or cat's first impoundment and the owner, agent, or caretaker has the animal spayed or neutered within 14 days.

f. Paying for microchipping and registration if not already done.

The payments required for redemption under this Section shall be in addition to any other penalties invoked under this Act ~~and the Illinois Public Health and Safety Animal Population Control Act. An animal control agency shall assist and share information with the Director of Public Health in the collection of public safety fines.~~

(Source: P.A. 100-322, eff. 8-24-17.)

(510 ILCS 5/13) (from Ch. 8, par. 363)

Sec. 13. Dog or other animal bites; observation of animal.

(a) Except as otherwise provided in subsections (b) and (c) of this Section, when the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator receives information that any person has been bitten by an animal, the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or his or her authorized representative, shall have such dog or other animal confined under the observation of a licensed veterinarian. The confinement shall be for a period of not less than 10 days from the date the bite occurred and shall continue until the animal has been examined and released from confinement by a licensed veterinarian. The Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator may permit such confinement to be reduced to a period of less than 10 days.

(a-5) The owner, or if the owner is unavailable, an agent or caretaker of an animal documented to have bitten a person shall present the animal to a licensed veterinarian within 24 hours. A veterinarian presented with an animal documented to have bitten a person shall make a record of the clinical condition of the animal immediately. At the end of the confinement period, the animal shall be examined by a licensed veterinarian, inoculated against rabies, if eligible, and microchipped, if the dog or cat has not been already, at the expense of the owner. The veterinarian shall submit a written report listing the owner's name, address, dates of confinement, dates of examination, species, breed, description, age, sex, and microchip number of the animal to the Administrator advising him or her of the clinical condition and the final disposition of the animal on appropriate forms approved by the Department. The Administrator shall notify the person who has been bitten, and in the case of confirmed rabies in the animal, the attending physician or responsible health agency advising of the clinical condition of the animal.

(a-10) When the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator or his or her authorized representative receives information that a person has been bitten by an animal and evidence is presented that the animal at the time the bite occurred was inoculated against rabies within the time prescribed by law, the animal may be confined in a house, or in a manner which will prohibit the animal from biting a person, if the Administrator, Deputy Administrator, or his or her authorized representative determines the confinement satisfactory. The confinement shall be for a period of not less than 10 days from the date the bite occurred and shall continue until the animal has been examined and released from confinement by a licensed veterinarian. The Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator may instruct the owner, agent, or caretaker to have the animal examined by a licensed veterinarian immediately. The Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator may permit the confinement to be reduced to a period of less than 10 days. At the end of the confinement period, the animal shall be examined by a licensed veterinarian and microchipped, if the dog or cat is not already, at the expense of the owner. The veterinarian shall submit a written report listing the owner's name, address, dates of examination, species, breed, description, age, sex, and microchip number of the animal to the Administrator advising him or her of the clinical condition and the final disposition of the animal on appropriate forms approved by the Department. The Administrator shall notify the person who has been bitten and, in case of confirmed rabies in the animal, the attending physician or responsible health agency advising of the clinical condition of the animal.

(a-15) Any person having knowledge that any person has been bitten by an animal shall notify the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator within 24 hours.

(a-20) It is unlawful for the owner of the animal to conceal the whereabouts, euthanize, sell, give away, or otherwise dispose of any animal known to have bitten a person, until it is examined and released from confinement by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or licensed veterinarian. It is unlawful for the owner of the animal to refuse or fail to immediately comply with the instructions made by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or his or her authorized representative. Any expense incurred in the handling of an animal under this Section and Section 12 shall be borne by the owner. The owner of a biting animal must also

remit to the Department of Public Health, for deposit into the ~~Pet Population Control Fund~~, a \$25 public safety fine to be deposited into the county animal control fund within 30 days after notice.

(b) When a person has been bitten by a police dog that is currently vaccinated against rabies, the police dog may continue to perform its duties for the peace officer or law enforcement agency and any period of observation of the police dog may be under the supervision of a peace officer. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a police vehicle, or remaining under the constant supervision of its police handler.

(c) When a person has been bitten by a search and rescue dog that is currently vaccinated against rabies, the search and rescue dog may continue to perform its duties for the handler or owner or agency and any period of observation of the dog may be under the supervision of its handler or owner. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a vehicle, or remaining under the constant supervision of its handler or owner.

(d) Any person convicted of violating subsection (a-20) of this Section is guilty of a Class A misdemeanor for a first violation. A second or subsequent violation is a Class 4 felony.

(Source: P.A. 99-658, eff. 7-28-16.)

(510 ILCS 5/15) (from Ch. 8, par. 365)

Sec. 15. (a) In order to have a dog deemed "vicious", the Administrator, Deputy Administrator, or law enforcement officer must give notice of the infraction that is the basis of the investigation to the owner, conduct a thorough investigation, interview any witnesses, including the owner, gather any existing medical records, veterinary medical records or behavioral evidence, and make a detailed report recommending a finding that the dog is a vicious dog and give the report to the State's Attorney's Office and the owner. The Administrator, State's Attorney, Director or any citizen of the county in which the dog exists may file a complaint in the circuit court in the name of the People of the State of Illinois to deem a dog to be a vicious dog. Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to the court's determination of whether the dog's behavior was justified. The petitioner must prove the dog is a vicious dog by clear and convincing evidence. The Administrator shall determine where the animal shall be confined during the pendency of the case.

A dog may not be declared vicious if the court determines the conduct of the dog was justified because:

(1) the threat, injury, or death was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog, or was committing a willful trespass or other tort upon the premises or property owned or occupied by the owner of the animal;

(2) the injured, threatened, or killed person was abusing, assaulting, or physically threatening the dog or its offspring, or has in the past abused, assaulted, or physically threatened the dog or its offspring; or

(3) the dog was responding to pain or injury, or was protecting itself, its owner, custodian, or member of its household, kennel, or offspring.

No dog shall be deemed "vicious" if it is a professionally trained dog for law enforcement or guard duties. Vicious dogs shall not be classified in a manner that is specific as to breed.

If the burden of proof has been met, the court shall deem the dog to be a vicious dog.

If a dog is found to be a vicious dog, the owner shall pay a \$100 public safety fine to be deposited into the ~~county animal control fund~~ ~~Pet Population Control Fund~~, the dog shall be spayed or neutered within 10 days of the finding at the expense of its owner and microchipped, if not already, and the dog is subject to enclosure. If an owner fails to comply with these requirements, the animal control agency shall impound the dog and the owner shall pay a \$500 fine plus impoundment fees to the animal control agency impounding the dog. The judge has the discretion to order a vicious dog be euthanized. A dog found to be a vicious dog shall not be released to the owner until the Administrator, an Animal Control Warden, or the Director approves the enclosure. No owner or keeper of a vicious dog shall sell or give away the dog without approval from the Administrator or court. Whenever an owner of a vicious dog relocates, he or she shall notify both the Administrator of County Animal Control where he or she has relocated and the Administrator of County Animal Control where he or she formerly resided.

(b) It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless the dog is kept in an enclosure. The only times that a vicious dog may be allowed out of the enclosure are (1) if it is necessary for the owner or keeper to obtain veterinary care for the dog, (2) in the case of an emergency or natural disaster where the dog's life is threatened, or (3) to comply with the order of a court of competent jurisdiction, provided that the dog is securely muzzled and restrained with a leash not exceeding 6 feet in length, and shall be under the direct control and supervision of the owner or keeper of the dog or muzzled in its residence.

Any dog which has been found to be a vicious dog and which is not confined to an enclosure shall be impounded by the Administrator, an Animal Control Warden, or the law enforcement authority having jurisdiction in such area.

If the owner of the dog has not appealed the impoundment order to the circuit court in the county in which the animal was impounded within 15 working days, the dog may be euthanized.

Upon filing a notice of appeal, the order of euthanasia shall be automatically stayed pending the outcome of the appeal. The owner shall bear the burden of timely notification to animal control in writing.

Guide dogs for the blind or hearing impaired, support dogs for persons with physical disabilities, accelerant detection dogs, and sentry, guard, or police-owned dogs are exempt from this Section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies in accordance with Section 8 of this Act. It shall be the duty of the owner of such exempted dog to notify the Administrator of changes of address. In the case of a sentry or guard dog, the owner shall keep the Administrator advised of the location where such dog will be stationed. The Administrator shall provide police and fire departments with a categorized list of such exempted dogs, and shall promptly notify such departments of any address changes reported to him.

(c) If the animal control agency has custody of the dog, the agency may file a petition with the court requesting that the owner be ordered to post security. The security must be in an amount sufficient to secure payment of all reasonable expenses expected to be incurred by the animal control agency or animal shelter in caring for and providing for the dog pending the determination. Reasonable expenses include, but are not limited to, estimated medical care and boarding of the animal for 30 days. If security has been posted in accordance with this Section, the animal control agency may draw from the security the actual costs incurred by the agency in caring for the dog.

(d) Upon receipt of a petition, the court must set a hearing on the petition, to be conducted within 5 business days after the petition is filed. The petitioner must serve a true copy of the petition upon the defendant.

(e) If the court orders the posting of security, the security must be posted with the clerk of the court within 5 business days after the hearing. If the person ordered to post security does not do so, the dog is forfeited by operation of law and the animal control agency must dispose of the animal through adoption or humane euthanization.

(Source: P.A. 99-143, eff. 7-27-15; 99-642, eff. 7-28-16.)

(510 ILCS 5/15.1)

Sec. 15.1. Dangerous dog determination.

(a) After a thorough investigation including: sending, within 10 business days of the Administrator or Director becoming aware of the alleged infraction, notifications to the owner of the alleged infractions, the fact of the initiation of an investigation, and affording the owner an opportunity to meet with the Administrator or Director prior to the making of a determination; gathering of any medical or veterinary evidence; interviewing witnesses; and making a detailed written report, an animal control warden, deputy administrator, or law enforcement agent may ask the Administrator, or his or her designee, or the Director, to deem a dog to be "dangerous". No dog shall be deemed a "dangerous dog" unless shown to be a dangerous dog by a preponderance of evidence. The owner shall be sent immediate notification of the determination by registered or certified mail that includes a complete description of the appeal process.

(b) A dog shall not be declared dangerous if the Administrator, or his or her designee, or the Director determines the conduct of the dog was justified because:

(1) the threat was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog or was committing a willful trespass or other tort upon the premises or property occupied by the owner of the animal;

(2) the threatened person was abusing, assaulting, or physically threatening the dog or its offspring;

(3) the injured, threatened, or killed companion animal was attacking or threatening to attack the dog or its offspring; or

(4) the dog was responding to pain or injury or was protecting itself, its owner, custodian, or a member of its household, kennel, or offspring.

(c) Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to the determination of whether the dog's behavior was justified pursuant to the provisions of this Section.

(d) If deemed dangerous, the Administrator, or his or her designee, or the Director shall order (i) the dog's owner to pay a \$50 public safety fine to be deposited into the ~~county animal control fund~~ Pet Population Control Fund, (ii) the dog to be spayed or neutered within 14 days at the owner's expense and

microchipped, if not already, and (iii) one or more of the following as deemed appropriate under the circumstances and necessary for the protection of the public:

(1) evaluation of the dog by a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert in the field and completion of training or other treatment as deemed appropriate by the expert. The owner of the dog shall be responsible for all costs associated with evaluations and training ordered under this subsection; or

(2) direct supervision by an adult 18 years of age or older whenever the animal is on public premises.

(e) The Administrator may order a dangerous dog to be muzzled whenever it is on public premises in a manner that will prevent it from biting any person or animal, but that shall not injure the dog or interfere with its vision or respiration.

(f) Guide dogs for the blind or hearing impaired, support dogs for persons with a physical disability, and sentry, guard, or police-owned dogs are exempt from this Section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies in accordance with Section 8 of this Act and performing duties as expected. It shall be the duty of the owner of the exempted dog to notify the Administrator of changes of address. In the case of a sentry or guard dog, the owner shall keep the Administrator advised of the location where such dog will be stationed. The Administrator shall provide police and fire departments with a categorized list of the exempted dogs, and shall promptly notify the departments of any address changes reported to him or her.

(g) An animal control agency has the right to impound a dangerous dog if the owner fails to comply with the requirements of this Act.

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

Section 10. The Illinois Public Health and Safety Animal Population Control Act is amended by changing Sections 10, 20, 25, 30, and 45 as follows:

(510 ILCS 92/10)

Sec. 10. Definitions. As used in this Act:

"Director" means the Service Head for Shelter Medicine Program at the University of Illinois College of Veterinary Medicine ~~Director of Public Health~~.

"Department" means the University of Illinois College of Veterinary Medicine Department of Public Health.

"Companion animal" means any domestic dog (*canis lupus familiaris*) or domestic cat (*felis catus*).

"Fund" means the Pet Population Control Fund established in this Act.

(Source: P.A. 94-639, eff. 8-22-05.)

(510 ILCS 92/20)

Sec. 20. Program established. The Department shall establish and implement an Illinois Public Health and Safety Animal Population Control Program ~~by December 31, 2005~~. The purpose of this program is to reduce the population of unwanted and stray dogs and cats in Illinois by encouraging the owners of dogs and cats to have them permanently sexually sterilized and vaccinated, thereby reducing potential threats to public health and safety. ~~The program shall begin collecting funds on January 1, 2006 and shall begin distributing funds for vaccinations or spaying and neutering operations on January 1, 2007. No dog or cat imported from another state is eligible to be sterilized or vaccinated under this program. Beginning June 30, 2007, the Director must make an annual written report relative to the progress of the program to the President of the Senate, the Speaker of the House of Representatives, and the Governor.~~

(Source: P.A. 94-639, eff. 8-22-05.)

(510 ILCS 92/25)

Sec. 25. Eligibility to participate. A resident of the State who owns a dog or cat and who is eligible for the Food Stamp Program or the Social Security Disability Insurance Benefits Program shall be eligible to participate in the program at a reduced rate if the owner signs a consent form certifying that he or she is the owner of the dog or cat or is authorized by the eligible owner to present the dog or cat for the procedure. An owner must submit proof of eligibility to the Department. ~~Upon approval, the Department shall furnish an eligible owner with an eligibility voucher to be presented to a participating veterinarian.~~ A resident of this State who is managing a feral cat colony and who humanely traps feral cats for spaying or neutering and return is eligible to participate in the program provided the trap, sterilize, and return program is recognized by the municipality or by the county, if it is located in an unincorporated area. The sterilization shall be performed by a University of Illinois College of Veterinary Medicine ~~voluntarily participating veterinarian or supervised veterinary student under the supervision of a veterinarian~~. The co-payment for the cat or dog sterilization procedure and vaccinations shall be \$15.

[April 18, 2018]

(Source: P.A. 94-639, eff. 8-22-05.)

(510 ILCS 92/30)

Sec. 30. Veterinarian participation. Any University of Illinois College of Veterinary Medicine veterinarian or supervised veterinary student may participate in the program established under this Act. A veterinarian shall file with the Director an application, on which the veterinarian must supply, in addition to any other information requested by the Director, a fee schedule listing the fees charged for dog and cat sterilization, examination, and the presurgical immunizations specified in this Act in the normal course of business. The dog or cat sterilization fee may vary with the animal's weight, sex, and species. The Director shall compile the fees and establish reasonable reimbursement rates for the State.

The Director shall reimburse, to the extent funds are available, participating veterinarians for each dog or cat sterilization procedure administered. To receive this reimbursement, the veterinarian must submit a certificate approved by the Department on a form approved by the Director that must be signed by the veterinarian and the owner of the dog or cat or the feral cat caretaker. At the same time, the veterinarian must submit the eligibility voucher provided by the Department to the eligible owner. The Director shall notify all participating veterinarians if the program must be suspended for any period due to a lack of revenue and shall also notify all participating veterinarians when the program will resume. Veterinarians who voluntarily participate in this sterilization and vaccination program may decline to treat feral cats if they choose.

For all dogs and cats sterilized under this Act, the Director shall also reimburse, to the extent funds are available, participating veterinarians for (1) an examination fee and the presurgical immunization of dogs against rabies and other diseases pursuant to Department rules or (2) examination fees and the presurgical immunizations of cats against rabies and other diseases pursuant to Department rules. Reimbursement for the full cost of the covered presurgical immunizations shall be made by the Director to the participating veterinarian upon the written certification, signed by the veterinarian and the owner of the companion animal or the feral cat caretaker, that the immunization has been administered. There shall be no additional charges to the owner of a dog or cat sterilized under this Act or feral cat caretaker for examination fees or the presurgical immunizations.

(Source: P.A. 94-639, eff. 8-22-05.)

(510 ILCS 92/45)

Sec. 45. Pet Population Control Fund. The Pet Population Control Fund is established as a special fund in the State treasury. The moneys generated ~~from the public safety fines collected as provided in the Animal Control Act,~~ from Pet Friendly license plates under Section 3-653 of the Illinois Vehicle Code, and from voluntary contributions must be kept in the Fund and shall be used only to sterilize and vaccinate dogs and cats in this State under pursuant to the program, to promote the sterilization program, to educate the public about the importance of spaying and neutering, and for reasonable administrative and personnel costs related to the Fund.

(Source: P.A. 99-933, eff. 1-27-17.)

(510 ILCS 92/15 rep.)

Section 15. The Illinois Public Health and Safety Animal Population Control Act is amended by repealing Section 15.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Collins, **Senate Bill No. 2341** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 2380** having been printed, was taken up, read by title a second time.

Floor Amendment Nos. 1 and 2 were postponed in the Committee on Agriculture.

Senator Holmes offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2380

AMENDMENT NO. 3. Amend Senate Bill 2380 by replacing everything after the enacting clause with the following:

[April 18, 2018]

"Section 5. The Animal Welfare Act is amended by changing Sections 2, 3.2, 3.4, 3.6, and 7 and by adding Section 7.1 as follows:

(225 ILCS 605/2) (from Ch. 8, par. 302)

Sec. 2. Definitions. As used in this Act unless the context otherwise requires:

"Department" means the Illinois Department of Agriculture.

"Director" means the Director of the Illinois Department of Agriculture.

"Pet shop operator" means any person who sells, offers to sell, exchange, or offers for adoption with or without charge or donation dogs, cats, birds, fish, reptiles, or other animals customarily obtained as pets in this State. However, a person who sells only such animals that he has produced and raised shall not be considered a pet shop operator under this Act, and a veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 shall not be considered a pet shop operator under this Act.

"Dog dealer" means any person who sells, offers to sell, exchange, or offers for adoption with or without charge or donation dogs in this State. However, a person who sells only dogs that he has produced and raised shall not be considered a dog dealer under this Act, and a veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 shall not be considered a dog dealer under this Act.

"Secretary of Agriculture" or "Secretary" means the Secretary of Agriculture of the United States Department of Agriculture.

"Person" means any person, firm, corporation, partnership, association or other legal entity, any public or private institution, the State of Illinois, or any municipal corporation or political subdivision of the State.

"Kennel operator" means any person who operates an establishment, other than an animal control facility, veterinary hospital, or animal shelter, where dogs or dogs and cats are maintained for boarding, training or similar purposes for a fee or compensation; or who sells, offers to sell, exchange, or offers for adoption with or without charge dogs or dogs and cats which he has produced and raised. A person who owns, has possession of, or harbors 5 or less females capable of reproduction shall not be considered a kennel operator.

"Cattery operator" means any person who operates an establishment, other than an animal control facility or animal shelter, where cats are maintained for boarding, training or similar purposes for a fee or compensation; or who sells, offers to sell, exchange, or offers for adoption with or without charges cats which he has produced and raised. A person who owns, has possession of, or harbors 5 or less females capable of reproduction shall not be considered a cattery operator.

"Animal control facility" means any facility operated by or under contract for the State, county, or any municipal corporation or political subdivision of the State for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted dogs, cats, and other animals. "Animal control facility" also means any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 which operates for the above mentioned purpose in addition to its customary purposes.

"Animal shelter" means a facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other non-profit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals. "Animal shelter" also means any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 which operates for the above mentioned purpose in addition to its customary purposes.

"Foster home" means an entity that accepts the responsibility for stewardship of animals that are the obligation of an animal shelter or animal control facility, not to exceed 4 animals at any given time. Permits to operate as a "foster home" shall be issued through the animal shelter or animal control facility.

"Guard dog service" means an entity that, for a fee, furnishes or leases guard or sentry dogs for the protection of life or property. A person is not a guard dog service solely because he or she owns a dog and uses it to guard his or her home, business, or farmland.

"Guard dog" means a type of dog used primarily for the purpose of defending, patrolling, or protecting property or life at a commercial establishment other than a farm. "Guard dog" does not include stock dogs used primarily for handling and controlling livestock or farm animals, nor does it include personally owned pets that also provide security.

"Sentry dog" means a dog trained to work without supervision in a fenced facility other than a farm, and to deter or detain unauthorized persons found within the facility.

"Probationary status" means the 12-month period following a series of violations of this Act during which any further violation shall result in an automatic 12-month suspension of licensure.

[April 18, 2018]

"Owner" means any person having a right of property in an animal, who keeps or harbors an animal, who has an animal in his or her care or acts as its custodian, or who knowingly permits a dog to remain on any premises occupied by him or her. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program.

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

(225 ILCS 605/3.2)

Sec. 3.2. Foster homes. A person shall not operate a foster home without first obtaining a permit from the animal shelter or animal control facility for which that person will operate the foster home. Upon application and payment of the required fees by the animal shelter, the Department shall issue foster home permits to the animal shelter. The animal shelter shall be responsible for the records and have all the obligations of stewardship for animals in the foster homes to which it issues permits.

Foster homes shall provide the care for animals required by this Act and shall report any deviation that might affect the status of the license or permit to the animal shelter.

A foster home shall not care for more than 4 animals at any one time.

(Source: P.A. 89-178, eff. 7-19-95.)

(225 ILCS 605/3.4)

Sec. 3.4. Transfer of animals between shelters. An animal shelter or animal control facility may not release any animal to an individual representing an animal shelter or animal control facility, unless (1) the recipient animal shelter or animal control facility has been licensed or has a foster care permit issued by the Department or (2) the individual is a representative of a not-for-profit, out-of-State organization or out-of-State animal control facility or animal shelter who is transferring the animal out of the State of Illinois.

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

(225 ILCS 605/3.6)

Sec. 3.6. Acceptance of stray dogs and cats.

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

(b) When stray dogs and cats are accepted by an animal shelter, they must be scanned for the presence of a microchip and examined for other currently-acceptable methods of identification, including, but not limited to, identification tags, tattoos, and rabies license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The animal shelter shall notify the owner and transfer any dog with an identified owner to the animal control or law enforcement agency in the jurisdiction in which it was found or the local animal control agency for redemption.

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

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

3.7. Upon lapse of the hold period specified in local ordinance and no owner can be identified, ownership of the animal, by operation of law, transfers to the shelter that has custody of the animal.

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

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

(Source: P.A. 99-310, eff. 1-1-16; 100-322, eff. 8-24-17.)

(225 ILCS 605/7) (from Ch. 8, par. 307)

Sec. 7. Applications for renewal licenses shall be made to the Department ~~in a manner~~ ~~shall be in writing on forms~~ prescribed by the Department, shall contain such information as will enable the Department to determine if the applicant is qualified to continue to hold a license, shall report intake and outcome statistics from the previous calendar year, and shall be accompanied by the required fee, which shall not be returnable. The report of intake and outcome statistics shall include the following:

(1) The total number of dogs, cats and other animals, divided into species, taken in by the animal shelter or animal control facility, in the following categories:

(A) surrendered by owner;

(B) stray;

(C) impounded;

(D) confiscated;

(E) transfer from other licensees within the State;

(F) transferred into or imported from out of the state;

(G) transferred into or imported from outside the country; and

(H) born in shelter.

(2) The disposition of all dogs, cats, and other animals taken in by the animal shelter or animal control facility, divided into species. This data must include dispositions by:

(A) reclamation by owner;

(B) adopted or sold;

(C) euthanized;

(D) euthanized per request of the owner;

(E) died in custody;

(F) transferred to another licensee;

(G) transferred to an out-of-State nonprofit agency;

(H) animals missing, stolen, or escaped;

(I) animals released in field; trapped, neutered, released; and

(J) ending inventory: shelter count at end of the last day of the year.

The Department shall not be required to audit or validate the intake and outcome statistics required to be submitted under this Section.

(Source: P.A. 81-198.)

(225 ILCS 605/7.1 new)

Sec. 7.1. Department reporting. The Department shall post on its website the name and address of each licensed animal control facility or animal shelter and all the reported intake and outcome statistics required under paragraphs (1) and (2) of Section 7 of this Act by December 31, 2020 and by December 31 of each year thereafter.

Section 10. The Animal Control Act is amended by changing Sections 5 and 11 as follows:

(510 ILCS 5/5) (from Ch. 8, par. 355)

Sec. 5. Duties and powers.

(a) It shall be the duty of the Administrator or the Deputy Administrator, through sterilization, humane education, rabies inoculation, stray control, impoundment, quarantine, and any other means deemed necessary, to control and prevent the spread of rabies and to exercise dog and cat overpopulation control. It shall also be the duty of the Administrator to investigate and substantiate all claims made under Section 19 of this Act. The duty may include return, adoption, transfer to rescues or other animal shelters, and any other means of ensuring live outcomes of homeless dogs and cats and through sterilization, community

outreach, impoundment of pets at risk and any other humane means deemed necessary to address strays and ensure live outcomes for dogs and cats that are not a danger to the community or suffering irretrievably.

(b) Counties may by ordinance determine the extent of the police powers that may be exercised by the Administrator, Deputy Administrators, and Animal Control Wardens, which powers shall pertain only to this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may issue and serve citations and orders for violations of this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may not carry weapons unless they have been specifically authorized to carry weapons by county ordinance. Animal Control Wardens, however, may use tranquilizer guns and other nonlethal weapons and equipment without specific weapons authorization.

A person authorized to carry firearms by county ordinance under this subsection must have completed the training course for peace officers prescribed in the Peace Officer and Probation Officer Firearm Training Act. The cost of this training shall be paid by the county.

(c) The sheriff and all sheriff's deputies and municipal police officers shall cooperate with the Administrator and his or her representatives in carrying out the provisions of this Act.

(d) The Administrator and animal control wardens shall aid in the enforcement of the Humane Care for Animals Act and have the ability to impound animals and apply for security posting for violation of that Act.

(Source: P.A. 98-725, eff. 1-1-15.)

(510 ILCS 5/11) (from Ch. 8, par. 361)

Sec. 11. When not redeemed by the owner, agent, or caretaker, a dog or cat must be scanned for a microchip. If a microchip is present, the registered owner or chip purchaser if the purchaser was a nonprofit organization, animal shelter, animal control facility, pet store, or veterinary office must be notified. After contact has been made or attempted, dogs or cats deemed adoptable by the animal control facility shall be offered for adoption, or made available to a licensed humane society or rescue group. If no placement is available, ~~the animal may it shall~~ be humanely dispatched pursuant to the Humane Euthanasia in Animal Shelters Act. An animal pound or animal shelter shall not adopt or release any dog or cat to anyone other than the owner unless the animal has been rendered incapable of reproduction and microchipped, or the person wishing to adopt an animal prior to the surgical procedures having been performed shall have executed a written agreement promising to have such service performed, including microchipping, within a specified period of time not to exceed 30 days. Failure to fulfill the terms of the agreement shall result in seizure and impoundment of the animal and any offspring by the animal pound or shelter, and any monies which have been deposited shall be forfeited and submitted to the county Pet Population Control Fund on a yearly basis. This Act shall not prevent humane societies or animal shelters from engaging in activities set forth by their charters; provided, they are not inconsistent with provisions of this Act and other existing laws. No animal shelter or animal control facility shall release dogs or cats to an individual representing a rescue group, unless the group has been licensed or has a foster care permit issued by the Illinois Department of Agriculture or is a representative of a not-for-profit out-of-state organization, animal shelter, or animal control facility. The Department may suspend or revoke the license of any animal shelter or animal control facility that fails to comply with the requirements set forth in this Section or that fails to report its intake and euthanasia statistics each year.

(Source: P.A. 94-639, eff. 8-22-05; 95-550, eff. 6-1-08.)"

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Hastings, **Senate Bill No. 2383** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 2433** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Financial Institutions, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2433

AMENDMENT NO. 1. Amend Senate Bill 2433 by replacing everything after the enacting clause with the following:

[April 18, 2018]

"Section 5. The Currency Exchange Act is amended by changing Section 19.3 as follows:
(205 ILCS 405/19.3) (from Ch. 17, par. 4838)

Sec. 19.3. (A) The General Assembly hereby finds and declares: community currency exchanges and ambulatory currency exchanges provide important and vital services to Illinois citizens. In so doing, they transact extensive business involving check cashing and the writing of money orders in communities in which banking services are generally unavailable. Customers of currency exchanges who receive these services must be protected from being charged unreasonable and unconscionable rates for cashing checks and purchasing money orders. The Illinois Department of Financial and Professional Regulation has the responsibility for regulating the operations of currency exchanges and has the expertise to determine reasonable maximum rates to be charged for check cashing and money order purchases. Therefore, it is in the public interest, convenience, welfare and good to have the Department establish reasonable maximum rate schedules for check cashing and the issuance of money orders and to require community and ambulatory currency exchanges to prominently display to the public the fees charged for all services. The Secretary shall review, each year, the cost of operation of the Currency Exchange Section and the revenue generated from currency exchange examinations and report to the General Assembly if the need exists for an increase in the fees mandated by this Act to maintain the Currency Exchange Section at a fiscally self-sufficient level. The Secretary shall include in such report the total amount of funds remitted to the State and delivered to the State Treasurer by currency exchanges pursuant to the Revised Uniform Unclaimed Property Act.

(B) The Secretary shall, by rules adopted in accordance with the Illinois Administrative Procedure Act, expeditiously formulate and issue schedules of reasonable maximum rates which can be charged for check cashing and writing of money orders by community currency exchanges and ambulatory currency exchanges.

(1) In determining the maximum rate schedules for the purposes of this Section the Secretary shall take into account:

(a) Rates charged in the past for the cashing of checks and the issuance of money orders by community and ambulatory currency exchanges.

(b) Rates charged by banks or other business entities for rendering the same or similar services and the factors upon which those rates are based.

(c) The income, cost and expense of the operation of currency exchanges.

(d) Rates charged by currency exchanges or other similar entities located in other states for the same or similar services and the factors upon which those rates are based.

(e) Rates charged by the United States Postal Service for the issuing of money orders and the factors upon which those rates are based.

(f) A reasonable profit for a currency exchange operation.

(g) The impact on consumers.

(h) Whether the rate schedule will disproportionately impact anyone on the basis of any protected characteristic or category listed in subsection (Q) of Section 1-103 of the Illinois Human Rights Act as those terms are defined in that Section.

(2)(a) The schedule of reasonable maximum rates established pursuant to this Section may be modified by the Secretary from time to time pursuant to rules adopted in accordance with the Illinois Administrative Procedure Act.

(b) Upon the filing of a verified petition setting forth allegations demonstrating reasonable cause to believe that the schedule of maximum rates previously issued and promulgated should be adjusted, the Secretary shall expeditiously:

(i) reject the petition if it fails to demonstrate reasonable cause to believe that an adjustment is necessary; or

(ii) conduct such hearings, in accordance with this Section, as may be necessary to determine whether the petition should be granted in whole or in part.

(c) No petition may be filed pursuant to subparagraph (a) of paragraph (2) of subsection

(B) unless:

(i) at least nine months have expired since the last promulgation of schedules of maximum rates; and

(ii) at least one-fourth of all community currency exchange licensees join in a petition or, in the case of ambulatory currency exchanges, a licensee or licensees authorized to serve at least 100 locations join in a petition.

(3) Any currency exchange may charge lower fees than those of the applicable maximum fee schedule after filing with the Secretary a schedule of fees it proposes to use.

(Source: P.A. 100-22, eff. 1-1-18.)

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

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

On motion of Senator Hastings, **Senate Bill No. 2481** having been printed, was taken up, read by title a second time.

Committee 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 Hastings, **Senate Bill No. 2513** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 2513

AMENDMENT NO. 2. Amend Senate Bill 2513 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by adding Section 401.3 and by changing Section 500-35 as follows:

(215 ILCS 5/401.3 new)

Sec. 401.3. Advisory council: powers and duties. There is created within the Department an advisory council to review and make recommendations to the Department regarding rules to be adopted with respect to continuing education courses for which the approval of the Department is required under the provisions of this Code. In addition, the advisory council shall make recommendations to the Department regarding rules with respect to course materials, curriculum, and credentials of instructors.

The advisory council shall be comprised of 7 members appointed by the Director. One member shall be an educational instructor who has regularly provided educational offerings for more than 5 out of the last 10 years to individuals licensed under this Code. Three members shall be recommended by the leadership of 3 statewide trade organizations whose memberships are primarily composed of individuals licensed under this Code, none of which may come from the same organization. Three members shall represent a domestic company.

The members' terms shall be 3 years or until their successors are appointed, and the expiration of their terms shall be staggered. No individual may serve more than 3 consecutive terms.

The Director shall appoint an employee of the Department to serve as the chairperson of the advisory council, ex officio, without a vote.

Four voting advisory council members shall constitute a quorum. A quorum is necessary for all advisory council decisions and recommendations.

(215 ILCS 5/500-35)

(Section scheduled to be repealed on January 1, 2027)

Sec. 500-35. License.

(a) Unless denied a license pursuant to Section 500-70, persons who have met the requirements of Sections 500-25 and 500-30 shall be issued a 2-year insurance producer license. An insurance producer may receive qualification for a license in one or more of the following lines of authority:

(1) Life: insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income.

(2) Variable life and variable annuity products: insurance coverage provided under variable life insurance contracts and variable annuities.

(3) Accident and health or sickness: insurance coverage for sickness, bodily injury, or accidental death and may include benefits for disability income.

(4) Property: insurance coverage for the direct or consequential loss or damage to property of every kind.

(5) Casualty: insurance coverage against legal liability, including that for death, injury, or disability or damage to real or personal property.

(6) Personal lines: property and casualty insurance coverage sold to individuals and

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families for primarily noncommercial purposes.

(7) Any other line of insurance permitted under State laws or rules.

(b) An insurance producer license shall remain in effect unless revoked or suspended as long as the fee set forth in Section 500-135 is paid and education requirements for resident individual producers are met by the due date.

(1) Before each license renewal, an insurance producer must satisfactorily complete at least 24 hours of course study in accordance with rules prescribed by the Director. Three of the 24 hours of course study must consist of classroom or webinar ethics instruction. The Director may not approve a course of study unless the course provides for classroom, seminar, webinar, or self-study instruction methods. A course given in a combination instruction method of classroom, seminar, webinar, or self-study shall be deemed to be a self-study course unless the classroom, seminar, or webinar certified hours meets or exceeds two-thirds of total hours certified for the course. The self-study material used in the combination course must be directly related to and complement the classroom portion of the course in order to be considered for credit. An instruction method other than classroom or seminar shall be considered as self-study methodology. Self-study credit hours require the successful completion of an examination covering the self-study material. The examination may not be self-evaluated. However, if the self-study material is completed through the use of an approved computerized interactive format whereby the computer validates the successful completion of the self-study material, no additional examination is required. The self-study credit hours contained in a certified course shall be considered classroom hours when at least two-thirds of the hours are given as classroom or seminar instruction.

(2) An insurance producer license automatically terminates when an insurance producer fails to successfully meet the requirements of item (1) of subsection (b) of this Section. The producer must complete the course in advance of the renewal date to allow the education provider time to report the credit to the Department.

(c) A provider of a pre-licensing or continuing education course required by Section 500-30 and this Section must pay a registration fee and a course certification fee for each course being certified as provided by Section 500-135.

(d) An individual insurance producer who allows his or her license to lapse may, within 12 months after the due date of the renewal fee, be issued a license without the necessity of passing a written examination. However, a penalty in the amount of double the unpaid renewal fee shall be required after the due date.

(e) A licensed insurance producer who is unable to comply with license renewal procedures due to military service may request a waiver of those procedures.

(f) The license must contain the licensee's name, address, and personal identification number, the date of issuance, the lines of authority, the expiration date, and any other information the Director deems necessary.

(g) Licensees must inform the Director by any means acceptable to the Director of a change of address within 30 days after the change.

(h) In order to assist in the performance of the Director's duties, the Director may contract with a non-governmental entity including the National Association of Insurance Commissioners (NAIC), or any affiliates or subsidiaries that the NAIC oversees, to perform any ministerial functions, including collection of fees, related to producer licensing that the Director and the non-governmental entity may deem appropriate.

(Source: P.A. 96-839, eff. 1-1-10; 97-113, eff. 7-14-11.)

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

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

On motion of Senator Morrison, **Senate Bill No. 2526** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Criminal Law, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2526

AMENDMENT NO. 1. Amend Senate Bill 2526 by replacing everything after the enacting clause with the following:

"Section 5. The Sex Offender Registration Act is amended by changing Section 2 as follows:

[April 18, 2018]

(730 ILCS 150/2) (from Ch. 38, par. 222)

Sec. 2. Definitions.

(A) As used in this Article, "sex offender" means any person who is:

(1) charged pursuant to Illinois law, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, with a sex offense set forth in subsection (B) of this Section or the attempt to commit an included sex offense, and:

(a) is convicted of such offense or an attempt to commit such offense; or

(b) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(c) is found not guilty by reason of insanity pursuant to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(d) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(e) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(c) of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(f) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal, Uniform Code of Military Justice, sister state, or foreign country law substantially similar to Section 104-25(a) of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(2) declared as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(3) subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act; or

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law; or

(5) adjudicated a juvenile delinquent as the result of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law, or found guilty under Article V of the Juvenile Court Act of 1987 of committing or attempting to commit an act which, if committed by an adult, would constitute any of the offenses specified in item (B), (C), or (C-5) of this Section or a violation of any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Article as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Article.

For purposes of this Section, "convicted" shall have the same meaning as "adjudicated".

(B) As used in this Article, "sex offense" means:

(1) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012:

11-20.1 (child pornography),

11-20.1B or 11-20.3 (aggravated child pornography),

11-6 (indecent solicitation of a child),

11-9.1 (sexual exploitation of a child),

11-9.2 (custodial sexual misconduct),

11-9.5 (sexual misconduct with a person with a disability),

11-14.4 (promoting juvenile prostitution),

11-15.1 (soliciting for a juvenile prostitute),

11-18.1 (patronizing a juvenile prostitute),

11-17.1 (keeping a place of juvenile prostitution),

11-19.1 (juvenile pimping),

11-19.2 (exploitation of a child),

11-25 (grooming),

11-26 (traveling to meet a minor or traveling to meet a child),

11-1.20 or 12-13 (criminal sexual assault),

11-1.30 or 12-14 (aggravated criminal sexual assault),
 11-1.40 or 12-14.1 (predatory criminal sexual assault of a child),
 11-1.50 or 12-15 (criminal sexual abuse),
 11-1.60 or 12-16 (aggravated criminal sexual abuse),
 12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

(1.5) A violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, the offense was sexually motivated as defined in Section 10 of the Sex Offender Evaluation and Treatment Act, and the offense was committed on or after January 1, 1996:

10-1 (kidnapping),
 10-2 (aggravated kidnapping),
 10-3 (unlawful restraint),
 10-3.1 (aggravated unlawful restraint).

If the offense was committed before January 1, 1996, it is a sex offense requiring registration only when the person is convicted of any felony after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(1.6) First degree murder under Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act.

(1.7) (Blank).

(1.8) A violation or attempted violation of Section 11-11 (sexual relations within families) of the Criminal Code of 1961 or the Criminal Code of 2012, and the offense was committed on or after June 1, 1997. If the offense was committed before June 1, 1997, it is a sex offense requiring registration only when the person is convicted of any felony after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(1.9) Child abduction under paragraph (10) of subsection (b) of Section 10-5 of the Criminal Code of 1961 or the Criminal Code of 2012 committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than a lawful purpose and the offense was committed on or after January 1, 1998, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act. If the offense was committed before January 1, 1998, it is a sex offense requiring registration only when the person is convicted of any felony after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(1.10) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012 when the offense was committed on or after July 1, 1999:

10-4 (forcible detention, if the victim is under 18 years of age), provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act,
 11-6.5 (indecent solicitation of an adult),
 11-14.3 that involves soliciting for a prostitute, or 11-15 (soliciting for a prostitute, if the victim is under 18 years of age),
 subdivision (a)(2)(A) or (a)(2)(B) of Section 11-14.3, or Section 11-16 (pandering, if the victim is under 18 years of age),
 11-18 (patronizing a prostitute, if the victim is under 18 years of age),
 subdivision (a)(2)(C) of Section 11-14.3, or Section 11-19 (pimping, if the victim is under 18 years of age).

If the offense was committed before July 1, 1999, it is a sex offense requiring registration only when the person is convicted of any felony after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(1.11) A violation or attempted violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012 when the offense was committed on or after August 22, 2002:

11-9 or 11-30 (public indecency for a third or subsequent conviction).

If the third or subsequent conviction was imposed before August 22, 2002, it is a sex offense requiring registration only when the person is convicted of any felony after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(1.12) A violation or attempted violation of Section 5.1 of the Wrongs to Children Act

or Section 11-9.1A of the Criminal Code of 1961 or the Criminal Code of 2012 (permitting sexual abuse) when the offense was committed on or after August 22, 2002. If the offense was committed before August 22, 2002, it is a sex offense requiring registration only when the person is convicted of any felony after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(1.13) A violation or attempted violation of subsection (b) or (d) if the victim is under 18 years of age or a violation of subsection (c) of Section 10-9 of the Criminal Code of 2012 (trafficking in persons, involuntary servitude, and related offenses), if the person was convicted on or after the effective date of this amendatory Act of the 100th General Assembly.

(2) A violation of any former law of this State substantially equivalent to any offense listed in subsection (B) of this Section.

(C) A conviction for an offense of federal law, Uniform Code of Military Justice, or the law of another state or a foreign country that is substantially equivalent to any offense listed in subsections (B), (C), (E), and (E-5) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person or a sexually violent person under any federal law, Uniform Code of Military Justice, or the law of another state or foreign country that is substantially equivalent to the Sexually Dangerous Persons Act or the Sexually Violent Persons Commitment Act shall constitute an adjudication for the purposes of this Article.

(C-5) A person at least 17 years of age at the time of the commission of the offense who is convicted of first degree murder under Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012, against a person under 18 years of age, shall be required to register for natural life. A conviction for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (C-5) of this Section shall constitute a conviction for the purpose of this Article. This subsection (C-5) applies to a person who committed the offense before June 1, 1996 if: (i) the person is incarcerated in an Illinois Department of Corrections facility on August 20, 2004 (the effective date of Public Act 93-977), or (ii) subparagraph (i) does not apply and the person is convicted of any felony after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(C-6) A person who is convicted or adjudicated delinquent of first degree murder as defined in Section 9-1 of the Criminal Code of 1961 or the Criminal Code of 2012, against a person 18 years of age or over, shall be required to register for his or her natural life. A conviction for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (C-6) of this Section shall constitute a conviction for the purpose of this Article. This subsection (C-6) does not apply to those individuals released from incarceration more than 10 years prior to January 1, 2012 (the effective date of Public Act 97-154).

(D) As used in this Article, "law enforcement agency having jurisdiction" means the Chief of Police in each of the municipalities in which the sex offender expects to reside, work, or attend school (1) upon his or her discharge, parole or release or (2) during the service of his or her sentence of probation or conditional discharge, or the Sheriff of the county, in the event no Police Chief exists or if the offender intends to reside, work, or attend school in an unincorporated area. "Law enforcement agency having jurisdiction" includes the location where out-of-state students attend school and where out-of-state employees are employed or are otherwise required to register.

(D-1) As used in this Article, "supervising officer" means the assigned Illinois Department of Corrections parole agent or county probation officer.

(E) As used in this Article, "sexual predator" means any person who, after July 1, 1999, is:

(1) Convicted for an offense of federal, Uniform Code of Military Justice, sister state, or foreign country law that is substantially equivalent to any offense listed in subsection (E) or (E-5) of this Section shall constitute a conviction for the purpose of this Article. Convicted of a violation or attempted violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012:

- 10-5.1 (luring of a minor),
- 11-14.4 that involves keeping a place of juvenile prostitution, or 11-17.1 (keeping a place of juvenile prostitution),
- subdivision (a)(2) or (a)(3) of Section 11-14.4, or Section 11-19.1 (juvenile pimping),
- subdivision (a)(4) of Section 11-14.4, or Section 11-19.2 (exploitation of a child),
- 11-20.1 (child pornography),
- 11-20.1B or 11-20.3 (aggravated child pornography),
- 11-1.20 or 12-13 (criminal sexual assault),
- 11-1.30 or 12-14 (aggravated criminal sexual assault),

11-1.40 or 12-14.1 (predatory criminal sexual assault of a child),

11-1.60 or 12-16 (aggravated criminal sexual abuse),

12-33 (ritualized abuse of a child);

(2) (blank);

(3) declared as a sexually dangerous person pursuant to the Sexually Dangerous Persons Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law;

(4) found to be a sexually violent person pursuant to the Sexually Violent Persons

Commitment Act or any substantially similar federal, Uniform Code of Military Justice, sister state, or foreign country law;

(5) convicted of a second or subsequent offense which requires registration pursuant to this Act. For purposes of this paragraph (5), "convicted" shall include a conviction under any substantially similar Illinois, federal, Uniform Code of Military Justice, sister state, or foreign country law;

(6) (blank); or

(7) if the person was convicted of an offense set forth in this subsection (E) on or before July 1, 1999, the person is a sexual predator for whom registration is required only when the person is convicted of a felony offense after July 1, 2011, and paragraph (2.1) of subsection (c) of Section 3 of this Act applies.

(E-5) As used in this Article, "sexual predator" also means a person convicted of a violation or attempted violation of any of the following Sections of the Criminal Code of 1961 or the Criminal Code of 2012:

(1) Section 9-1 (first degree murder, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act);

(2) Section 11-9.5 (sexual misconduct with a person with a disability);

(3) when the victim is a person under 18 years of age, the defendant is not a parent of the victim, the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act, and the offense was committed on or after January 1, 1996: (A) Section 10-1 (kidnapping), (B) Section 10-2 (aggravated kidnapping), (C) Section 10-3 (unlawful restraint), and (D) Section 10-3.1 (aggravated unlawful restraint); and

(4) Section 10-5(b)(10) (child abduction committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than a lawful purpose and the offense was committed on or after January 1, 1998, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act).

(E-10) As used in this Article, "sexual predator" also means a person required to register in another State due to a conviction, adjudication or other action of any court triggering an obligation to register as a sex offender, sexual predator, or substantially similar status under the laws of that State.

(F) As used in this Article, "out-of-state student" means any sex offender, as defined in this Section, or sexual predator who is enrolled in Illinois, on a full-time or part-time basis, in any public or private educational institution, including, but not limited to, any secondary school, trade or professional institution, or institution of higher learning.

(G) As used in this Article, "out-of-state employee" means any sex offender, as defined in this Section, or sexual predator who works in Illinois, regardless of whether the individual receives payment for services performed, for a period of time of 10 or more days or for an aggregate period of time of 30 or more days during any calendar year. Persons who operate motor vehicles in the State accrue one day of employment time for any portion of a day spent in Illinois.

(H) As used in this Article, "school" means any public or private educational institution, including, but not limited to, any elementary or secondary school, trade or professional institution, or institution of higher education.

(I) As used in this Article, "fixed residence" means any and all places that a sex offender resides for an aggregate period of time of 5 or more days in a calendar year.

(J) As used in this Article, "Internet protocol address" means the string of numbers by which a location on the Internet is identified by routers or other computers connected to the Internet.

(Source: P.A. 100-428, eff. 1-1-18.)"

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

[April 18, 2018]

On motion of Senator Weaver, **Senate Bill No. 2527** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2527

AMENDMENT NO. 1. Amend Senate Bill 2527 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by renumbering and changing Sections 10-20.60 and 34-18.53, as added by Public Act 100-133, as follows:

(105 ILCS 5/10-20.62)

Sec. ~~10-20.62~~ ~~40-20.60~~. Dual enrollment and dual credit; notification.

(a) In this Section, "dual credit course" has the meaning ascribed to that term in the Dual Credit Quality Act.

(b) A school board shall not adopt a policy limiting the number of dual credit courses a student may enroll in or the number of academic credits a student may receive from dual credit courses provided that the course is taught by an instructor as provided in 110 ILCS 27/20 or by a licensed teacher or community college professor or instructor in the State of Illinois.

A school board must award high school course credit to a student for dual credit coursework, unless evidence about the course's rigor and content shows that it does not address the relevant Illinois Learning Standard at the level appropriate for the high school grade during which the course is usually taken, and that credit shall satisfy the requirements of Section 27-22 of this Code for that course. A superintendent may limit the number of academic credits a student may earn from dual credit courses if the requirements of Section 27-22 of this Code are not being met.

A school board shall require the school district's high schools, if any, to inform all 11th and 12th grade students of dual enrollment and dual credit opportunities at public community colleges for qualified students.

(Source: P.A. 100-133, eff. 1-1-18; revised 10-19-17.)

(105 ILCS 5/34-18.55)

Sec. ~~34-18.55~~ ~~34-18.53~~. Dual enrollment and dual credit; notification.

(a) In this Section, "dual credit course" has the meaning ascribed to that term in the Dual Credit Quality Act.

(b) The board shall not adopt a policy limiting the number of dual credit courses a student may enroll in or the number of academic credits a student may receive from dual credit courses provided that the course is taught by an instructor as provided in 110 ILCS 27/20 or by a licensed teacher or community college professor or instructor in the State of Illinois.

The board must award high school course credit to a student for dual credit coursework, unless evidence about the course's rigor and content shows that it does not address the relevant Illinois Learning Standard at the level appropriate for the high school grade during which the course is usually taken, and that credit shall satisfy the requirements of Section 27-22 of this Code for that course. A superintendent may limit the number of academic credits a student may earn from dual credit courses if the requirements of Section 27-22 of this Code are not being met.

The board shall require the district's high schools to inform all 11th and 12th grade students of dual enrollment and dual credit opportunities at public community colleges for qualified students.

(Source: P.A. 100-133, eff. 1-1-18; revised 10-21-17)."

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

On motion of Senator Lightford, **Senate Bill No. 2541** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **Senate Bill No. 2546** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Labor, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2546

[April 18, 2018]

AMENDMENT NO. 1. Amend Senate Bill 2546 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Educational Labor Relations Act is amended by changing Section 2 as follows: (115 ILCS 5/2) (from Ch. 48, par. 1702)

Sec. 2. Definitions. As used in this Act:

(a) "Educational employer" or "employer" means the governing body of a public school district, including the governing body of a charter school established under Article 27A of the School Code or of a contract school or contract turnaround school established under paragraph 30 of Section 34-18 of the School Code, combination of public school districts, including the governing body of joint agreements of any type formed by 2 or more school districts, public community college district or State college or university, a subcontractor of instructional services of a school district (other than a school district organized under Article 34 of the School Code), combination of school districts, charter school established under Article 27A of the School Code, or contract school or contract turnaround school established under paragraph 30 of Section 34-18 of the School Code, an Independent Authority created under Section 2-3.25f-5 of the School Code, and any State agency whose major function is providing educational services. "Educational employer" or "employer" does not include (1) a Financial Oversight Panel created pursuant to Section 1A-8 of the School Code due to a district violating a financial plan or (2) an approved nonpublic special education facility that contracts with a school district or combination of school districts to provide special education services pursuant to Section 14-7.02 of the School Code, but does include a School Finance Authority created under Article 1E or 1F of the School Code and a Financial Oversight Panel created under Article 1B or 1H of the School Code. The change made by this amendatory Act of the 96th General Assembly to this paragraph (a) to make clear that the governing body of a charter school is an "educational employer" is declaratory of existing law.

(b) "Educational employee" or "employee" means any individual, excluding supervisors, managerial, confidential, short term employees, student, and part-time academic employees of community colleges employed full or part time by an educational employer, but shall not include elected officials and appointees of the Governor with the advice and consent of the Senate, firefighters as defined by subsection (g-1) of Section 3 of the Illinois Public Labor Relations Act, and peace officers employed by a State university. For the purposes of this Act, part-time academic employees of community colleges shall be defined as those employees who provide less than 3 credit hours of instruction per academic semester. In this subsection (b), the term "student" does not include ~~includes~~ graduate students who are research assistants primarily performing duties that involve research or ~~and~~ graduate assistants primarily performing duties that are pre-professional, ~~but excludes~~ graduate students who are teaching assistants primarily performing duties that involve the delivery and support of instruction or any and all ~~and all~~ other graduate assistants.

(c) "Employee organization" or "labor organization" means an organization of any kind in which membership includes educational employees, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, employee-employer disputes, wages, rates of pay, hours of employment, or conditions of work, but shall not include any organization which practices discrimination in membership because of race, color, creed, age, gender, national origin or political affiliation.

(d) "Exclusive representative" means the labor organization which has been designated by the Illinois Educational Labor Relations Board as the representative of the majority of educational employees in an appropriate unit, or recognized by an educational employer prior to January 1, 1984 as the exclusive representative of the employees in an appropriate unit or, after January 1, 1984, recognized by an employer upon evidence that the employee organization has been designated as the exclusive representative by a majority of the employees in an appropriate unit.

(e) "Board" means the Illinois Educational Labor Relations Board.

(f) "Regional Superintendent" means the regional superintendent of schools provided for in Articles 3 and 3A of The School Code.

(g) "Supervisor" means any individual having authority in the interests of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, reward or discipline other employees within the appropriate bargaining unit and adjust their grievances, or to effectively recommend such action if the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment. The term "supervisor" includes only those individuals who devote a preponderance of their employment time to such exercising authority.

(h) "Unfair labor practice" or "unfair practice" means any practice prohibited by Section 14 of this Act.

(i) "Person" includes an individual, educational employee, educational employer, legal representative, or employee organization.

(j) "Wages" means salaries or other forms of compensation for services rendered.

(k) "Professional employee" means, in the case of a public community college, State college or university, State agency whose major function is providing educational services, the Illinois School for the Deaf, and the Illinois School for the Visually Impaired, (1) any employee engaged in work (i) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (ii) involving the consistent exercise of discretion and judgment in its performance; (iii) of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and (iv) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual, or physical processes; or (2) any employee, who (i) has completed the courses of specialized intellectual instruction and study described in clause (iv) of paragraph (1) of this subsection, and (ii) is performing related work under the supervision of a professional person to qualify himself or herself to become a professional as defined in paragraph (1).

(l) "Professional employee" means, in the case of any public school district, or combination of school districts pursuant to joint agreement, any employee who has a certificate issued under Article 21 or Section 34-83 of the School Code, as now or hereafter amended.

(m) "Unit" or "bargaining unit" means any group of employees for which an exclusive representative is selected.

(n) "Confidential employee" means an employee, who (i) in the regular course of his or her duties, assists and acts in a confidential capacity to persons who formulate, determine and effectuate management policies with regard to labor relations or who (ii) in the regular course of his or her duties has access to information relating to the effectuation or review of the employer's collective bargaining policies.

(o) "Managerial employee" means an individual who is engaged predominantly in executive and management functions and is charged with the responsibility of directing the effectuation of such management policies and practices.

(p) "Craft employee" means a skilled journeyman, craft person, and his or her apprentice or helper.

(q) "Short-term employee" is an employee who is employed for less than 2 consecutive calendar quarters during a calendar year and who does not have a reasonable expectation that he or she will be rehired by the same employer for the same service in a subsequent calendar year. Nothing in this subsection shall affect the employee status of individuals who were covered by a collective bargaining agreement on the effective date of this amendatory Act of 1991.

(Source: P.A. 97-429, eff. 8-16-11; 98-1155, eff. 1-9-15.)

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

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

On motion of Senator Murphy, **Senate Bill No. 2556** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2556

AMENDMENT NO. 1. Amend Senate Bill 2556 by replacing everything after the enacting clause with the following:

"Section 5. The Condominium Property Act is amended by changing Section 9.2 as follows:

(765 ILCS 605/9.2) (from Ch. 30, par. 309.2)

Sec. 9.2. Other remedies.

(a) In the event of any default by any unit owner, his tenant, invitee or guest in the performance of his obligations under this Act or under the declaration, bylaws, or the rules and regulations of the board of managers, the board of managers or its agents shall have such rights and remedies as provided in the Act or condominium instruments including the right to maintain an eviction action against such defaulting unit owner or his tenant for the benefit of all the other unit owners in the manner prescribed by Article IX of the Code of Civil Procedure.

[April 18, 2018]

(b) Any attorneys' fees incurred by the Association arising out of a default by any unit owner, his tenant, invitee or guest in the performance of any of the provisions of the condominium instruments, rules and regulations or any applicable statute or ordinance shall be added to, and deemed a part of, his respective share of the common expense.

(c) Other than attorney's fees, no fees pertaining to the collection of a unit owner's financial obligation to the Association, including fees charged by a manager or managing agent, shall be added to and deemed a part of an owner's respective share of the common expenses unless: (i) the managing agent fees relate to the costs to collect common expenses for the Association; (ii) the fees are set forth in a contract between the managing agent and the Association; and (iii) the authority to add the management fees to an owner's respective share of the common expenses is specifically stated in the declaration or bylaws of the Association.

(d) In any litigation or arbitration brought by a unit owner against the Association or its board of managers or any individual member of the Association or its board of managers regarding: (i) the enforcement of obligations of the board or the Association set forth in this Act, the condominium instruments, rules and regulations, or any applicable statute or ordinance; (ii) a disputed charge on the unit owner's account; or (iii) a purported default as described in subsection (a), the court or the arbitrator shall award to the prevailing party from the non-prevailing party reasonable attorney's fees and costs incurred by the prevailing party in the litigation or arbitration.
(Source: P.A. 100-173, eff. 1-1-18.)"

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

On motion of Senator McConaughay, **Senate Bill No. 2558** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2558

AMENDMENT NO. 1. Amend Senate Bill 2558 as follows:

on page 19, line 9, by replacing "may" with "may, in its discretion."; and

on page 19, by replacing lines 12 through 17 with the following:

"third offense. Except as otherwise provided in this subsection (j), if any violation is the cause or contributing cause in a motor vehicle accident causing damage to property, injury, or death to a person, the Department may, in its discretion, not issue a permit to the person, firm, or corporation for a period of 180 days".

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

On motion of Senator Clayborne, **Senate Bill No. 2589** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Commerce and Economic Development, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2589

AMENDMENT NO. 1. Amend Senate Bill 2589, on page 4, by replacing lines 15 through 17 with the following:

~~"Authority. The Department of Commerce and Economic Opportunity shall pay the compensation of the Executive Director from appropriations received for that purpose. The Executive";~~ and

on page 7, line 13, by replacing "Knox," with "Knox, Winnebago, Stark, Ogle.".

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

On motion of Senator Mulroe, **Senate Bill No. 2590** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hastings, **Senate Bill No. 2599** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Criminal Law, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2599

AMENDMENT NO. 1. Amend Senate Bill 2599 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 5-8-4 as follows:
(730 ILCS 5/5-8-4) (from Ch. 38, par. 1005-8-4)

Sec. 5-8-4. Concurrent and consecutive terms of imprisonment.

(a) Concurrent terms; multiple or additional sentences. When an Illinois court (i) imposes multiple sentences of imprisonment on a defendant at the same time or (ii) imposes a sentence of imprisonment on a defendant who is already subject to a sentence of imprisonment imposed by an Illinois court, a court of another state, or a federal court, then the sentences shall run concurrently unless otherwise determined by the Illinois court under this Section.

(b) Concurrent terms; misdemeanor and felony. A defendant serving a sentence for a misdemeanor who is convicted of a felony and sentenced to imprisonment shall be transferred to the Department of Corrections, and the misdemeanor sentence shall be merged in and run concurrently with the felony sentence.

(c) Consecutive terms; permissive. The court may impose consecutive sentences in any of the following circumstances:

(1) If, having regard to the nature and circumstances of the offense and the history and character of the defendant, it is the opinion of the court that consecutive sentences are required to protect the public from further criminal conduct by the defendant, the basis for which the court shall set forth in the record.

(2) If one of the offenses for which a defendant was convicted was a violation of Section 32-5.2 (aggravated false personation of a peace officer) of the Criminal Code of 1961 (720 ILCS 5/32-5.2) or a violation of subdivision (b)(5) or (b)(6) of Section 17-2 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/17-2) and the offense was committed in attempting or committing a forcible felony.

(d) Consecutive terms; mandatory. The court shall impose consecutive sentences in each of the following circumstances:

(1) One of the offenses for which the defendant was convicted was first degree murder or a Class X or Class 1 felony and the defendant inflicted severe bodily injury.

(2) The defendant was convicted of a violation of Section 11-1.20 or 12-13 (criminal sexual assault), 11-1.30 or 12-14 (aggravated criminal sexual assault), or 11-1.40 or 12-14.1 (predatory criminal sexual assault of a child) of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/11-20.1, 5/11-20.1B, 5/11-20.3, 5/11-1.20, 5/12-13, 5/11-1.30, 5/12-14, 5/11-1.40, or 5/12-14.1).

(2.5) The defendant was convicted of a violation of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1 (child pornography) or of paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) of Section 11-20.1B or 11-20.3 (aggravated child pornography) of the Criminal Code of 1961 or the Criminal Code of 2012; or the defendant was convicted of a violation of paragraph (6) of subsection (a) of Section 11-20.1 (child pornography) or of paragraph (6) of subsection (a) of Section 11-20.1B or 11-20.3 (aggravated child pornography) of the Criminal Code of 1961 or the Criminal Code of 2012, when the child depicted is under the age of 13.

(3) The defendant was convicted of armed violence based upon the predicate offense of any of the following: solicitation of murder, solicitation of murder for hire, heinous battery as described in Section 12-4.1 or subdivision (a)(2) of Section 12-3.05, aggravated battery of a senior citizen as described in Section 12-4.6 or subdivision (a)(4) of Section 12-3.05, criminal sexual assault, a violation of subsection (g) of Section 5 of the Cannabis Control Act (720 ILCS 550/5), cannabis trafficking, a violation of subsection (a) of Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), controlled substance trafficking involving a Class X felony amount of controlled substance under Section 401 of the Illinois Controlled Substances Act (720 ILCS 570/401), a violation of the

Methamphetamine Control and Community Protection Act (720 ILCS 646/), calculated criminal drug conspiracy, or streetgang criminal drug conspiracy.

(4) The defendant was convicted of the offense of leaving the scene of a motor vehicle accident involving death or personal injuries under Section 11-401 of the Illinois Vehicle Code (625 ILCS 5/11-401) and either: (A) aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof under Section 11-501 of the Illinois Vehicle Code (625 ILCS 5/11-501), (B) reckless homicide under Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-3), or (C) both an offense described in item (A) and an offense described in item (B).

(5) The defendant was convicted of a violation of Section 9-3.1 or Section 9-3.4 (concealment of homicidal death) or Section 12-20.5 (dismembering a human body) of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/9-3.1 or 5/12-20.5).

(5.5) The defendant was convicted of a violation of Section 24-3.7 (use of a stolen firearm in the commission of an offense) of the Criminal Code of 1961 or the Criminal Code of 2012.

(6) If the defendant was in the custody of the Department of Corrections at the time of the commission of the offense, the sentence shall be served consecutive to the sentence under which the defendant is held by the Department of Corrections. If, however, the defendant is sentenced to punishment by death, the sentence shall be executed at such time as the court may fix without regard to the sentence under which the defendant may be held by the Department.

(7) A sentence under Section 3-6-4 (730 ILCS 5/3-6-4) for escape or attempted escape shall be served consecutive to the terms under which the offender is held by the Department of Corrections.

(8) If a person charged with a felony commits a separate felony while on pretrial release or in pretrial detention in a county jail facility or county detention facility, then the sentences imposed upon conviction of these felonies shall be served consecutively regardless of the order in which the judgments of conviction are entered. Mandatory consecutive sentencing under this paragraph (8) does not apply to a violation of a condition of electronic home monitoring under Section 5-8A-4.1 of this Code, except upon the third or subsequent conviction, in which mandatory consecutive sentencing shall be imposed.

(8.5) If a person commits a battery against a county correctional officer or sheriff's employee while serving a sentence or in pretrial detention in a county jail facility, then the sentence imposed upon conviction of the battery shall be served consecutively with the sentence imposed upon conviction of the earlier misdemeanor or felony, regardless of the order in which the judgments of conviction are entered.

(9) If a person admitted to bail following conviction of a felony commits a separate felony while free on bond or if a person detained in a county jail facility or county detention facility following conviction of a felony commits a separate felony while in detention, then any sentence following conviction of the separate felony shall be consecutive to that of the original sentence for which the defendant was on bond or detained. Mandatory consecutive sentencing under this paragraph (9) does not apply to a violation of a condition of electronic home monitoring under Section 5-8A-4.1 of this Code, except upon the third or subsequent conviction, in which mandatory consecutive sentencing shall be imposed.

(10) If a person is found to be in possession of an item of contraband, as defined in Section 31A-0.1 of the Criminal Code of 2012, while serving a sentence in a county jail or while in pretrial detention in a county jail, the sentence imposed upon conviction for the offense of possessing contraband in a penal institution shall be served consecutively to the sentence imposed for the offense in which the person is serving sentence in the county jail or serving pretrial detention, regardless of the order in which the judgments of conviction are entered.

(11) If a person is sentenced for a violation of bail bond under Section 32-10 of the Criminal Code of 1961 or the Criminal Code of 2012, any sentence imposed for that violation shall be served consecutive to the sentence imposed for the charge for which bail had been granted and with respect to which the defendant has been convicted.

(e) Consecutive terms; subsequent non-Illinois term. If an Illinois court has imposed a sentence of imprisonment on a defendant and the defendant is subsequently sentenced to a term of imprisonment by a court of another state or a federal court, then the Illinois sentence shall run consecutively to the sentence imposed by the court of the other state or the federal court. That same Illinois court, however, may order that the Illinois sentence run concurrently with the sentence imposed by the court of the other state or the federal court, but only if the defendant applies to that same Illinois court within 30 days after the sentence imposed by the court of the other state or the federal court is finalized.

(f) Consecutive terms; aggregate maximums and minimums. The aggregate maximum and aggregate minimum of consecutive sentences shall be determined as follows:

(1) For sentences imposed under law in effect prior to February 1, 1978, the aggregate maximum of consecutive sentences shall not exceed the maximum term authorized under Section 5-8-1 (730 ILCS 5/5-8-1) or Article 4.5 of Chapter V for the 2 most serious felonies involved. The aggregate minimum period of consecutive sentences shall not exceed the highest minimum term authorized under Section 5-8-1 (730 ILCS 5/5-8-1) or Article 4.5 of Chapter V for the 2 most serious felonies involved. When sentenced only for misdemeanors, a defendant shall not be consecutively sentenced to more than the maximum for one Class A misdemeanor.

(2) For sentences imposed under the law in effect on or after February 1, 1978, the aggregate of consecutive sentences for offenses that were committed as part of a single course of conduct during which there was no substantial change in the nature of the criminal objective shall not exceed the sum of the maximum terms authorized under Article 4.5 of Chapter V for the 2 most serious felonies involved, but no such limitation shall apply for offenses that were not committed as part of a single course of conduct during which there was no substantial change in the nature of the criminal objective. When sentenced only for misdemeanors, a defendant shall not be consecutively sentenced to more than the maximum for one Class A misdemeanor.

(g) Consecutive terms; manner served. In determining the manner in which consecutive sentences of imprisonment, one or more of which is for a felony, will be served, the Department of Corrections shall treat the defendant as though he or she had been committed for a single term subject to each of the following:

(1) The maximum period of a term of imprisonment shall consist of the aggregate of the maximums of the imposed indeterminate terms, if any, plus the aggregate of the imposed determinate sentences for felonies, plus the aggregate of the imposed determinate sentences for misdemeanors, subject to subsection (f) of this Section.

(2) The parole or mandatory supervised release term shall be as provided in paragraph (e) of Section 5-4.5-50 (730 ILCS 5/5-4.5-50) for the most serious of the offenses involved.

(3) The minimum period of imprisonment shall be the aggregate of the minimum and determinate periods of imprisonment imposed by the court, subject to subsection (f) of this Section.

(4) The defendant shall be awarded credit against the aggregate maximum term and the aggregate minimum term of imprisonment for all time served in an institution since the commission of the offense or offenses and as a consequence thereof at the rate specified in Section 3-6-3 (730 ILCS 5/3-6-3).

(Source: P.A. 97-475, eff. 8-22-11; 97-1108, eff. 1-1-13; 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13; 98-437, eff. 1-1-14.)"

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

On motion of Senator Mulroe, **Senate Bill No. 2621** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 2628** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

The following amendment was offered in the Committee on Human Services, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 2628

AMENDMENT NO. 2. Amend Senate Bill 2628 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Strengthening the Child Welfare Workforce for Children and Families Act.

Section 5. Findings. The General Assembly finds all of the following:

(1) On July 31, 2017, 19,619 children and youth were receiving services through the Department of Children and Family Services after having been abused or neglected.

(2) The State's effort to serve abused or neglected children and their families includes

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utilizing child welfare workers who are employed by the Department of Children and Family Services or by private agencies. Eighty percent of children, youth, and families who receive child welfare services are assigned to private agencies from whom the Department of Children and Family Services purchases services.

(3) Unfortunately, as indicated by the following data, the State's efforts have been underwhelming in regard to child safety and timely permanent placements:

(i) The percentage of children experiencing a recurrence of maltreatment within 6 months of an initial incident increased, that is worsened, from 6.6% to 7.7% (an increase of 15.9%), at the same time that the national average performance for child welfare agencies decreased, that is improved, from 5% to 4.9% (that is a percentage improvement of 2.7%).

(ii) The percentage of children experiencing maltreatment in foster care increased, that is worsened, from 0.39% to 0.57% (that is an increase of 46.1%), at the same time that the national average performance for child welfare agencies decreased, that is improved, from 0.34% to 0.27% (that is a percentage improvement of 21.4%).

(iii) The percentage of children reunited with their families who were in care less than 12 months decreased, that is worsened, from 58.7% to 36.9% (that is a 37.1% change for the worse). Across the same time span, the national average performance for child welfare agencies decreased slightly, from 68.3% to 66.1% (that is a 3.3% change, defined as "no change" by the federal government).

(iv) The percentage of children adopted who were in care between 12 and 24 months decreased, that is worsened, from 9.6% to 6.4%, (that is a 33% change for the worse). Across the same time span, the national average performance for child welfare agencies improved slightly.

(4) In order to improve child safety, achieve timely permanent placements, and ensure child well-being, a child welfare workforce that is stable, capable, trained, and supported is a necessary condition:

(i) The National Council on Crime and Delinquency found that high turnover rates among child welfare workers are significantly correlated to higher rates of child maltreatment, and that the correlation between turnover rates and maltreatment recurrence at every point in time was strong and statistically significant.

(ii) The United States General Accounting Office surveyed child welfare caseworkers regarding the effects of staff turnover on safety and permanency for children. Caseworkers reported that high turnover rates and staffing shortages leave the remaining caseworkers with insufficient time to conduct the types of home visits that are necessary to assess children's safety and to make well-supported decisions to ensure safe and stable permanent placements. Staff turnover also disrupts the continuity of services, particularly when newly assigned caseworkers have to conduct or reevaluate educational, health, and safety assessments due to poor or insufficient information in case files left behind by former caseworkers.

Section 10. Purpose. It is the purpose of this Act to create a task force to study the compensation and workload of child welfare workers to determine the role that compensation and workload play in the recruitment and retention of child welfare workers, and to determine the role that staff turnover plays in achieving safety and timely permanency for children.

Section 15. Task Force on Strengthening the Child Welfare Workforce for Children and Families.

(a) As used in this Act:

"Child welfare workers" or "staff" means child welfare caseworkers, child welfare specialists, and child welfare specialist supervisors.

"Child welfare services job" mean an employment position as a child welfare caseworker, child welfare specialist, or child welfare specialist supervisor.

(b) The Task Force on Strengthening the Child Welfare Workforce for Children and Families is created to do all of the following:

(1) Perform a policy and literature review regarding: (i) compensation and caseload standards in the field of child welfare; (ii) staff turnover rates; and (iii) the impact compensation, caseload, and staff turnover have on achieving safety and timely permanency for children.

(2) Survey employers in the public and private sector to determine:

(A) how many child welfare service jobs exist;

(B) the compensation paid to child welfare workers;

(C) how many child welfare service jobs are filled and how many are vacant;

(D) how many child welfare service jobs are filled by persons who have at least 18

months in the position;

(E) the rate of turnover for child welfare workers; and

(F) the causes of turnover for child welfare workers.

(3) Conduct a detailed time log analysis for child welfare workers to determine how much time is available to complete each administrative task and how much time is actually spent to complete each administrative task. The time log analysis shall expressly ask child welfare workers the following question for each administrative task, "Is this task duplicative of one that you have already completed?"

(4) Develop recommendations on how to (i) improve the recruitment and retention of child welfare workers; and (ii) reduce the turnover rates for child welfare workers.

(c) Members of the Task Force shall include:

(1) 2 members appointed by the Governor;

(2) 2 legislative members appointed by the Speaker of the House of Representatives, one of whom shall be designated as Co-Chairperson;

(3) 2 legislative members appointed by the Minority Leader of the House of Representatives;

(4) 2 legislative members appointed by the President of the Senate, one of whom shall be designated as Co-Chairperson;

(5) 2 legislative members appointed by the Senate Minority Leader;

(6) the Director of the Illinois Criminal Justice Information Authority, or his or her designee;

(7) the Director of Children and Family Services, or his or her designee;

(8) the Director of Commerce and Economic Opportunity, or his or her designee;

(9) the Principal Investigator for the Child Protection Training Academy at the University of Illinois;

(10) a current public-sector child welfare employee appointed by the Governor;

(11) a current private sector employee appointed by the Speaker of the House of Representatives; and

(12) the chief executive officer of the Illinois Collaboration on Youth, or his or her designee.

(d) The Illinois Criminal Justice Information Authority shall provide administrative and other support to the Task Force.

(e) The Department of Children and Family Services shall hire a Total Workforce Analyst to aid in the collection, cataloguing, and analysis of child welfare workforce data.

(f) The Task Force shall consider contracting with a qualified company, university, or other entity with demonstrated experience studying and improving human resources management.

(g) The Task Force shall meet no less than 6 times.

(h) The Task Force shall submit a preliminary electronic report to the General Assembly and the Governor no later than October 1, 2019, and a final electronic report, along with recommendations and any proposed legislation, to the General Assembly and the Governor by January 1, 2020. The Task Force is dissolved on January 1, 2021.

Section 20. Repeal. This Act is repealed on January 1, 2021.

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

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

On motion of Senator Clayborne, **Senate Bill No. 2638** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 2638

AMENDMENT NO. 2. Amend Senate Bill 2638 on page 1, line 7, by replacing "contain statements that" with "be prepared on financial ~~contain~~ statements consistent with either the accrual or cash basis of accounting, depending upon the system followed by the governmental unit, and shall otherwise ~~that~~"; and

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on page 1, lines 8 and 9, by replacing "principles and that set forth, insofar as possible," with "principles, The audit report shall contain and that set forth, insofar as possible,"; and

on page 2, lines 1 and 2, by replacing "accountant or accountants" with "auditor or auditors ~~accountant or accountants~~"; and

on page 2, immediately below line 12, by inserting the following:

"Section 10. The Counties Code is amended by changing Section 6-31006 as follows:
(55 ILCS 5/6-31006) (from Ch. 34, par. 6-31006)

Sec. 6-31006. Audit report. The audit shall be performed by a licensed certified public accountant. The audit report shall contain the financial position and results of financial operations of each fund, account, and office of the county government. The financial statements shall be consistent with either the accrual or cash basis of accounting, depending upon the system followed by each county, and shall otherwise be in accordance with statements that are in conformity with generally accepted public accounting principles and shall set forth, insofar as possible, the financial position and the results of financial operations for each fund, account and office of the county government. The audit report shall also include the professional opinion of the auditor or auditors ~~accountant or accountants~~ with respect to the financial status and operations or, if an opinion cannot be expressed, a declaration that such auditor ~~accountant~~ is unable to express such opinion and an explanation of the reasons he cannot do so. Each audit report shall include the certification of the auditor or auditors ~~accountant or accountants~~ making the audit that the audit has been performed in compliance with generally accepted auditing standards. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the county since the filing of the last audit report.

An audit report based on the county's selection of the accrual, cash, or modified cash basis of accounting meets all requirements of this Section for conformity with generally accepted accounting principles, including the certification of the accountant or accountants making the audit that the audit has been performed in compliance with generally accepted auditing standards.
(Source: P.A. 86-962; 87-424.)".

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

On motion of Senator Munóz, **Senate Bill No. 2642** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2642

AMENDMENT NO. 1. Amend Senate Bill 2642 on page 3, line 23, after "Act", by inserting "and must possess a valid Firearm Owner's Identification Card".

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

On motion of Senator Clayborne, **Senate Bill No. 2647** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2647

AMENDMENT NO. 1. Amend Senate Bill 2647 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-400, 6-306.5, 11-208, 11-208.3, and 11-612 and by adding Sections 1-141.5 and 11-208.10 as follows:
(625 ILCS 5/1-141.5 new)

Sec. 1-141.5. Manual traffic law enforcement system violation. A violation described in Section 11-208.10 of this Code.

(625 ILCS 5/3-400) (from Ch. 95 1/2, par. 3-400)

Sec. 3-400. Definitions. Notwithstanding the definitions set forth in Chapter 1 of this Act, for the purposes of this Article, the following words shall have the meaning ascribed to them as follows:

"Apportionable Fee" means any periodic recurring fee required for licensing or registering vehicles, such as, but not limited to, registration fees, license or weight fees.

"Apportionable Vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in transportation of chartered parties, and government owned vehicles that are used or intended for use in 2 or more member jurisdictions that allocate or proportionally register vehicles, in a fleet which is used for the transportation of persons for hire or the transportation of property and which has a gross vehicle weight in excess of 26,000 pounds; or has three or more axles regardless of weight; or is used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight. Vehicles, or combinations having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles may be proportionally registered at the option of such owner.

"Base Jurisdiction" means, for purposes of fleet registration, the jurisdiction where the registrant has an established place of business, where operational records of the fleet are maintained and where mileage is accrued by the fleet. In case a registrant operates more than one fleet, and maintains records for each fleet in different places, the "base jurisdiction" for a fleet shall be the jurisdiction where an established place of business is maintained, where records of the operation of that fleet are maintained and where mileage is accrued by that fleet.

"Operational Records" means documents supporting miles traveled in each jurisdiction and total miles traveled, such as fuel reports, trip leases, and logs.

"Owner" means a person who holds legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee with right of purchase, or in the event a mortgagor of such motor vehicle is entitled to possession, or in the event a lessee of such motor vehicle is entitled to possession or control, then such conditional vendee or lessee with right of purchase or mortgagor or lessee is considered to be the owner for the purpose of this Act.

"Registration plate cover" means any tinted, colored, painted, marked, clear, or illuminated object that is designed to (i) cover any of the characters of a motor vehicle's registration plate; or (ii) distort a recorded image of any of the characters of a motor vehicle's registration plate recorded by a manual traffic law enforcement system, an automated enforcement system as defined in Section 11-208.6, 11-208.8, or 11-1201.1 of this Code, or recorded by an automated traffic control system as defined in Section 15 of the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act.

"Rental Owner" means an owner principally engaged, with respect to one or more rental fleets, in renting to others or offering for rental the vehicles of such fleets, without drivers.

"Restricted Plates" shall include, but is not limited to, dealer, manufacturer, transporter, farm, reposessor, and permanently mounted type plates. Vehicles displaying any of these type plates from a foreign jurisdiction that is a member of the International Registration Plan shall be granted reciprocity but shall be subject to the same limitations as similar plated Illinois registered vehicles.

(Source: P.A. 98-463, eff. 8-16-13; 99-78, eff. 7-20-15.)

(625 ILCS 5/6-306.5) (from Ch. 95 1/2, par. 6-306.5)

Sec. 6-306.5. Failure to pay fine or penalty for standing, parking, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violations; suspension of driving privileges.

(a) Upon receipt of a certified report, as prescribed by subsection (c) of this Section, from any municipality or county stating that the owner of a registered vehicle: (1) has failed to pay any fine or penalty due and owing as a result of 10 or more violations of a municipality's or county's vehicular standing, parking, or compliance regulations established by ordinance pursuant to Section 11-208.3 of this Code, (2) has failed to pay any fine or penalty due and owing as a result of 5 offenses for automated speed enforcement system violations, manual traffic law enforcement system violations, or automated traffic violations as defined in Sections 11-208.6, 11-208.8, 11-208.9, 11-208.10, or 11-1201.1, or combination thereof, or (3) is more than 14 days in default of a payment plan pursuant to which a suspension had been terminated under subsection (c) of this Section, the Secretary of State shall suspend the driving privileges of such person in accordance with the procedures set forth in this Section. The Secretary shall also suspend the driving privileges of an owner of a registered vehicle upon receipt of a certified report, as prescribed by subsection (f) of this Section, from any municipality or county stating that such person has failed to

satisfy any fines or penalties imposed by final judgments for 5 or more automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violations, or combination thereof, or 10 or more violations of local standing, parking, or compliance regulations after exhaustion of judicial review procedures.

(b) Following receipt of the certified report of the municipality or county as specified in this Section, the Secretary of State shall notify the person whose name appears on the certified report that the person's drivers license will be suspended at the end of a specified period of time unless the Secretary of State is presented with a notice from the municipality or county certifying that the fine or penalty due and owing the municipality or county has been paid or that inclusion of that person's name on the certified report was in error. The Secretary's notice shall state in substance the information contained in the municipality's or county's certified report to the Secretary, and shall be effective as specified by subsection (c) of Section 6-211 of this Code.

(c) The report of the appropriate municipal or county official notifying the Secretary of State of unpaid fines or penalties pursuant to this Section shall be certified and shall contain the following:

(1) The name, last known address as recorded with the Secretary of State, as provided by the lessor of the cited vehicle at the time of lease, or as recorded in a United States Post Office approved database if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, and drivers license number of the person who failed to pay the fine or penalty or who has defaulted in a payment plan and the registration number of any vehicle known to be registered to such person in this State.

(2) The name of the municipality or county making the report pursuant to this Section.

(3) A statement that the municipality or county sent a notice of impending drivers license suspension as prescribed by ordinance enacted pursuant to Section 11-208.3 of this Code or a notice of default in a payment plan, to the person named in the report at the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, at the last known address recorded in a United States Post Office approved database; the date on which such notice was sent; and the address to which such notice was sent. In a municipality or county with a population of 1,000,000 or more, the report shall also include a statement that the alleged violator's State vehicle registration number and vehicle make, if specified on the automated speed enforcement system violation, manual traffic law enforcement system violation, or automated traffic law violation notice, are correct as they appear on the citations.

(4) A unique identifying reference number for each request of suspension sent whenever a person has failed to pay the fine or penalty or has defaulted on a payment plan.

(d) Any municipality or county making a certified report to the Secretary of State pursuant to this Section shall notify the Secretary of State, in a form prescribed by the Secretary, whenever a person named in the certified report has paid the previously reported fine or penalty, whenever a person named in the certified report has entered into a payment plan pursuant to which the municipality or county has agreed to terminate the suspension, or whenever the municipality or county determines that the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein. Upon receipt of the municipality's or county's notification or presentation of a certified copy of such notification, the Secretary of State shall terminate the suspension.

(e) Any municipality or county making a certified report to the Secretary of State pursuant to this Section shall also by ordinance establish procedures for persons to challenge the accuracy of the certified report. The ordinance shall also state the grounds for such a challenge, which may be limited to (1) the person not having been the owner or lessee of the vehicle or vehicles receiving 10 or more standing, parking, or compliance violation notices or a combination of 5 or more automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violations on the date or dates such notices were issued; and (2) the person having already paid the fine or penalty for the 10 or more standing, parking, or compliance violations or combination of 5 or more automated speed enforcement system or automated traffic law violations indicated on the certified report.

(f) Any municipality or county, other than a municipality or county establishing vehicular standing, parking, and compliance regulations pursuant to Section 11-208.3, automated speed enforcement system regulations under Section 11-208.8, manual traffic law enforcement system regulations under Section 11-208.10, or automated traffic law regulations under Section 11-208.6, 11-208.9, or 11-1201.1, may also cause a suspension of a person's drivers license pursuant to this Section. Such municipality or county may invoke this sanction by making a certified report to the Secretary of State upon a person's failure to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local standing, parking, or compliance regulations or a combination of 5 or more automated speed enforcement system, manual traffic

law enforcement system, or automated traffic law violations after exhaustion of judicial review procedures, but only if:

(1) the municipality or county complies with the provisions of this Section in all respects except in regard to enacting an ordinance pursuant to Section 11-208.3;

(2) the municipality or county has sent a notice of impending drivers license suspension as prescribed by an ordinance enacted pursuant to subsection (g) of this Section; and

(3) in municipalities or counties with a population of 1,000,000 or more, the municipality or county has verified that the alleged violator's State vehicle registration number and vehicle make are correct as they appear on the citations.

(g) Any municipality or county, other than a municipality or county establishing standing, parking, and compliance regulations pursuant to Section 11-208.3, automated speed enforcement system regulations under Section 11-208.8, manual traffic law enforcement system regulations under Section 11-208.10, or automated traffic law regulations under Section 11-208.6, 11-208.9, or 11-1201.1, may provide by ordinance for the sending of a notice of impending drivers license suspension to the person who has failed to satisfy any fine or penalty imposed by final judgment for 10 or more violations of local standing, parking, or compliance regulations or a combination of 5 or more automated speed enforcement system, manual traffic law enforcement, or automated traffic law violations after exhaustion of judicial review procedures. An ordinance so providing shall specify that the notice sent to the person liable for any fine or penalty shall state that failure to pay the fine or penalty owing within 45 days of the notice's date will result in the municipality or county notifying the Secretary of State that the person's drivers license is eligible for suspension pursuant to this Section. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice sent under Section 11-208.3 of this Code is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(h) An administrative hearing to contest an impending suspension or a suspension made pursuant to this Section may be had upon filing a written request with the Secretary of State. The filing fee for this hearing shall be \$20, to be paid at the time the request is made. A municipality or county which files a certified report with the Secretary of State pursuant to this Section shall reimburse the Secretary for all reasonable costs incurred by the Secretary as a result of the filing of the report, including but not limited to the costs of providing the notice required pursuant to subsection (b) and the costs incurred by the Secretary in any hearing conducted with respect to the report pursuant to this subsection and any appeal from such a hearing.

(i) The provisions of this Section shall apply on and after January 1, 1988.

(j) For purposes of this Section, the term "compliance violation" is defined as in Section 11-208.3.

(Source: P.A. 97-333, eff. 8-12-11; 97-672, eff. 7-1-12; 98-556, eff. 1-1-14.)

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

(Text of Section before amendment by P.A. 100-352)

Sec. 11-208. Powers of local authorities.

(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Sections 11-1306 and 11-1307 of this Act;

2. Regulating traffic by means of police officers or traffic control signals;

3. Regulating or prohibiting processions or assemblages on the highways; and certifying persons to control traffic for processions or assemblages;

4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;

5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;

6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;

7. Restricting the use of highways as authorized in Chapter 15;

8. Regulating the operation of bicycles, low-speed electric bicycles, and low-speed gas bicycles, and requiring the registration and licensing of same, including the requirement of a registration fee;

9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at

intersections;

10. Altering the speed limits as authorized in Section 11-604;

11. Prohibiting U-turns;

12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;

13. Prohibiting parking during snow removal operation;

14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or veterans with disabilities by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or a veteran with a disability;

15. Adopting such other traffic regulations as are specifically authorized by this Code;

or

16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under ~~paragraph~~ subsections 1, 4, 5, 6, 7, 9, 10, 11 or 13 of ~~subsection~~ paragraph (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(e-5) The City of Chicago may enact an ordinance providing for a noise monitoring system upon any portion of the roadway known as Lake Shore Drive. Twelve months after the installation of the noise monitoring system, and any time after the first report as the City deems necessary, the City of Chicago shall prepare a noise monitoring report with the data collected from the system and shall, upon request, make the report available to the public. For purposes of this subsection (e-5), "noise monitoring system" means an automated noise monitor capable of recording noise levels 24 hours per day and 365 days per year with computer equipment sufficient to process the data.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(h) A municipality designated in Section 11-208.8 may enact an ordinance providing for an automated speed enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(i) A municipality or county designated in Section 11-208.9 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1414 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(j) A municipality or county designated in Section 11-208.10 may enact an ordinance providing for a manual traffic law enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(Source: P.A. 99-143, eff. 7-27-15; 100-209, eff. 1-1-18; 100-257, eff. 8-22-17; revised 10-6-17.)

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(Text of Section after amendment by P.A. 100-352)

Sec. 11-208. Powers of local authorities.

(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Sections 11-1306 and 11-1307 of this Act;
 2. Regulating traffic by means of police officers or traffic control signals;
 3. Regulating or prohibiting processions or assemblages on the highways; and certifying persons to control traffic for processions or assemblages;
 4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
 5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;
 6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;
 7. Restricting the use of highways as authorized in Chapter 15;
 8. Regulating the operation of bicycles, low-speed electric bicycles, and low-speed gas bicycles, and requiring the registration and licensing of same, including the requirement of a registration fee;
 9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;
 10. Altering the speed limits as authorized in Section 11-604;
 11. Prohibiting U-turns;
 12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;
 13. Prohibiting parking during snow removal operation;
 14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or veterans with disabilities by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or a veteran with a disability;
 15. Adopting such other traffic regulations as are specifically authorized by this Code;
- or
16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under ~~paragraph~~ ~~subsections~~ 1, 4, 5, 6, 7, 9, 10, 11 or 13 of ~~subsection~~ ~~paragraph~~ (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(e-5) The City of Chicago may enact an ordinance providing for a noise monitoring system upon any portion of the roadway known as Lake Shore Drive. Twelve months after the installation of the noise

monitoring system, and any time after the first report as the City deems necessary, the City of Chicago shall prepare a noise monitoring report with the data collected from the system and shall, upon request, make the report available to the public. For purposes of this subsection (e-5), "noise monitoring system" means an automated noise monitor capable of recording noise levels 24 hours per day and 365 days per year with computer equipment sufficient to process the data.

(e-10) ~~(e-5)~~ A unit of local government, including a home rule unit, may not enact an ordinance prohibiting the use of Automated Driving System equipped vehicles on its roadways. Nothing in this subsection (e-10) ~~(e-5)~~ shall affect the authority of a unit of local government to regulate Automated Driving System equipped vehicles for traffic control purposes. No unit of local government, including a home rule unit, may regulate Automated Driving System equipped vehicles in a manner inconsistent with this Code. For purposes of this subsection (e-10) ~~(e-5)~~, "Automated Driving System equipped vehicle" means any vehicle equipped with an Automated Driving System of hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational domain. This subsection (e-10) ~~(e-5)~~ is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(h) A municipality designated in Section 11-208.8 may enact an ordinance providing for an automated speed enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(i) A municipality or county designated in Section 11-208.9 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1414 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(j) A municipality or county designated in Section 11-208.10 may enact an ordinance providing for a manual traffic law enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(Source: P.A. 99-143, eff. 7-27-15; 100-209, eff. 1-1-18; 100-257, eff. 8-22-17; 100-352, eff. 6-1-18; revised 10-6-17.)

(625 ILCS 5/11-208.3) (from Ch. 95 1/2, par. 11-208.3)

Sec. 11-208.3. Administrative adjudication of violations of traffic regulations concerning the standing, parking, or condition of vehicles, automated traffic law violations, ~~and~~ automated speed enforcement system violations, ~~and~~ manual traffic law enforcement system violations.

(a) Any municipality or county may provide by ordinance for a system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations as described in this subsection, automated traffic law violations as defined in Section 11-208.6, 11-208.9, or 11-1201.1, ~~and~~ automated speed enforcement system violations as defined in Section 11-208.8, ~~and~~ manual traffic law enforcement system violations as defined in Section 11-208.10. The administrative system shall have as its purpose the fair and efficient enforcement of municipal or county regulations through the administrative adjudication of automated speed enforcement system or automated traffic law violations and violations of municipal or county ordinances regulating the standing and parking of vehicles, the condition and use of vehicle equipment, and the display of municipal or county wheel tax licenses within the municipality's or county's borders. The administrative system shall only have authority to adjudicate civil offenses carrying fines not in excess of \$500 or requiring the completion of a traffic education program, or both, that occur after the effective date of the ordinance adopting such a system under this Section. For purposes of this Section, "compliance violation" means a violation of a municipal or county regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal or county wheel tax license.

(b) Any ordinance establishing a system of administrative adjudication under this Section shall provide for:

(1) A traffic compliance administrator authorized to adopt, distribute and process parking, compliance, and automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation notices and other notices required by this Section, collect money paid

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as fines and penalties for violation of parking and compliance ordinances and automated speed enforcement system violations, manual traffic law enforcement system violations, or automated traffic law violations, and operate an administrative adjudication system. The traffic compliance administrator also may make a certified report to the Secretary of State under Section 6-306.5.

(2) A parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated

traffic law violation notice that shall specify the date, time, and place of violation of a parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law regulation; the particular regulation violated; any requirement to complete a traffic education program; the fine and any penalty that may be assessed for late payment or failure to complete a required traffic education program, or both, when so provided by ordinance; the vehicle make and state registration number; and the identification number of the person issuing the notice. With regard to automated speed enforcement system violations, manual traffic law enforcement system violations, or automated traffic law violations, vehicle make shall be specified on the automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation notice if the make is available and readily discernible. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number or vehicle make specified is incorrect. The violation notice shall state that the completion of any required traffic education program, the payment of any indicated fine, and the payment of any applicable penalty for late payment or failure to complete a required traffic education program, or both, shall operate as a final disposition of the violation. The notice also shall contain information as to the availability of a hearing in which the violation may be contested on its merits. The violation notice shall specify the time and manner in which a hearing may be had.

(3) Service of the parking, standing, or compliance violation notice by affixing the original or a facsimile of the notice to an unlawfully parked vehicle or by handing the notice to the operator of a vehicle if he or she is present and service of an automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation notice by mail to the address of the registered owner or lessee of the cited vehicle as recorded with the Secretary of State or the lessor of the motor vehicle within 30 days after the Secretary of State or the lessor of the motor vehicle notifies the municipality or county of the identity of the owner or lessee of the vehicle, but not later than 90 days after the violation, except that in the case of a lessee of a motor vehicle, service of an automated traffic law violation notice may occur no later than 210 days after the violation. A person authorized by ordinance to issue and serve parking, standing, and compliance violation notices shall certify as to the correctness of the facts entered on the violation notice by signing his or her name to the notice at the time of service or in the case of a notice produced by a computerized device, by signing a single certificate to be kept by the traffic compliance administrator attesting to the correctness of all notices produced by the device while it was under his or her control. In the case of an automated traffic law violation, the ordinance shall require a determination by a technician employed or contracted by the municipality or county that, based on inspection of recorded images, the motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance. If the technician determines that the vehicle entered the intersection as part of a funeral procession or in order to yield the right-of-way to an emergency vehicle, a citation shall not be issued. In municipalities with a population of less than 1,000,000 inhabitants and counties with a population of less than 3,000,000 inhabitants, the automated traffic law ordinance shall require that all determinations by a technician that a motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality or county issuing the violation. In municipalities with a population of 1,000,000 or more inhabitants and counties with a population of 3,000,000 or more inhabitants, the automated traffic law ordinance shall require that all determinations by a technician that a motor vehicle was being operated in violation of Section 11-208.6, 11-208.9, or 11-1201.1 or a local ordinance must be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality or county issuing the violation or by an additional fully-trained reviewing technician who is not employed by the contractor who employs the technician who made the initial determination. In the case of an automated speed enforcement system violation, the ordinance shall require a determination by a technician employed by the municipality, based upon an inspection of recorded images, video or other documentation, including documentation of the speed limit and automated speed enforcement signage, and documentation of the inspection, calibration, and certification of the speed equipment, that the vehicle was being operated in violation of Article VI of Chapter 11 of this Code or a similar local ordinance. If the technician determines that the vehicle speed was not determined by a

calibrated, certified speed equipment device based upon the speed equipment documentation, or if the vehicle was an emergency vehicle, a citation may not be issued. The automated speed enforcement ordinance shall require that all determinations by a technician that a violation occurred be reviewed and approved by a law enforcement officer or retired law enforcement officer of the municipality issuing the violation or by an additional fully trained reviewing technician who is not employed by the contractor who employs the technician who made the initial determination. Routine and independent calibration of the speeds produced by automated speed enforcement systems and equipment shall be conducted annually by a qualified technician. Speeds produced by an automated speed enforcement system shall be compared with speeds produced by lidar or other independent equipment. Radar or lidar equipment shall undergo an internal validation test no less frequently than once each week. Qualified technicians shall test loop based equipment no less frequently than once a year. Radar equipment shall be checked for accuracy by a qualified technician when the unit is serviced, when unusual or suspect readings persist, or when deemed necessary by a reviewing technician. Radar equipment shall be checked with the internal frequency generator and the internal circuit test whenever the radar is turned on. Technicians must be alert for any unusual or suspect readings, and if unusual or suspect readings of a radar unit persist, that unit shall immediately be removed from service and not returned to service until it has been checked by a qualified technician and determined to be functioning properly. Documentation of the annual calibration results, including the equipment tested, test date, technician performing the test, and test results, shall be maintained and available for use in the determination of an automated speed enforcement system violation and issuance of a citation. The technician performing the calibration and testing of the automated speed enforcement equipment shall be trained and certified in the use of equipment for speed enforcement purposes. Training on the speed enforcement equipment may be conducted by law enforcement, civilian, or manufacturer's personnel and if applicable may be equivalent to the equipment use and operations training included in the Speed Measuring Device Operator Program developed by the National Highway Traffic Safety Administration (NHTSA). The vendor or technician who performs the work shall keep accurate records on each piece of equipment the technician calibrates and tests. As used in this paragraph, "fully-trained reviewing technician" means a person who has received at least 40 hours of supervised training in subjects which shall include image inspection and interpretation, the elements necessary to prove a violation, license plate identification, and traffic safety and management. In all municipalities and counties, the automated speed enforcement system, manual traffic law enforcement system, or automated traffic law ordinance shall require that no additional fee shall be charged to the alleged violator for exercising his or her right to an administrative hearing, and persons shall be given at least 25 days following an administrative hearing to pay any civil penalty imposed by a finding that Section 11-208.6, 11-208.8, 11-208.9, 11-208.10, or 11-1201.1 or a similar local ordinance has been violated. The original or a facsimile of the violation notice or, in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice, shall be retained by the traffic compliance administrator, and shall be a record kept in the ordinary course of business. A parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation notice issued, signed and served in accordance with this Section, a copy of the notice, or the computer generated record shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The notice, copy, or computer generated record shall be admissible in any subsequent administrative or legal proceedings.

(4) An opportunity for a hearing for the registered owner of the vehicle cited in the parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation notice in which the owner may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply; provided, however, that under Section 11-1306 of this Code the lessee of a vehicle cited in the violation notice likewise shall be provided an opportunity for a hearing of the same kind afforded the registered owner. The hearings shall be recorded, and the person conducting the hearing on behalf of the traffic compliance administrator shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing under this Section may be represented by counsel at their expense. The ordinance may also provide for internal administrative review following the decision of the hearing officer.

(5) Service of additional notices, sent by first class United States mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under Section 11-1306 or subsection (p) of Section 11-208.6 or 11-208.9, or subsection (p) of Section 11-208.8 of this Code, or subsection (p) of Section

208.10 of this Code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail. The notices shall be in the following sequence and shall include but not be limited to the information specified herein:

(i) A second notice of parking, standing, or compliance violation. This notice shall specify the date and location of the violation cited in the parking, standing, or compliance violation notice, the particular regulation violated, the vehicle make and state registration number, any requirement to complete a traffic education program, the fine and any penalty that may be assessed for late payment or failure to complete a traffic education program, or both, when so provided by ordinance, the availability of a hearing in which the violation may be contested on its merits, and the time and manner in which the hearing may be had. The notice of violation shall also state that failure to complete a required traffic education program, to pay the indicated fine and any applicable penalty, or to appear at a hearing on the merits in the time and manner specified, will result in a final determination of violation liability for the cited violation in the amount of the fine or penalty indicated, and that, upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, any incomplete traffic education program or any unpaid fine or penalty, or both, will constitute a debt due and owing the municipality or county.

(ii) A notice of final determination of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation liability. This notice shall be sent following a final determination of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation liability and the conclusion of judicial review procedures taken under this Section. The notice shall state that the incomplete traffic education program or the unpaid fine or penalty, or both, is a debt due and owing the municipality or county. The notice shall contain warnings that failure to complete any required traffic education program or to pay any fine or penalty due and owing the municipality or county, or both, within the time specified may result in the municipality's or county's filing of a petition in the Circuit Court to have the incomplete traffic education program or unpaid fine or penalty, or both, rendered a judgment as provided by this Section, or may result in suspension of the person's drivers license for failure to complete a traffic education program or to pay fines or penalties, or both, for 10 or more parking violations under Section 6-306.5, or a combination of 5 or more automated traffic law violations under Section 11-208.6 or 11-208.9, ~~or~~ automated speed enforcement system violations under Section 11-208.8, and manual traffic law enforcement system violations under Section 11-208.10.

(6) A notice of impending drivers license suspension. This notice shall be sent to the person liable for failure to complete a required traffic education program or to pay any fine or penalty that remains due and owing, or both, on 10 or more parking violations or combination of 5 or more unpaid automated speed enforcement system violations, manual traffic law enforcement system violations, or automated traffic law violations. The notice shall state that failure to complete a required traffic education program or to pay the fine or penalty owing, or both, within 45 days of the notice's date will result in the municipality or county notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of this Code. The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self addressed, stamped envelope to the municipality or county along with a request for the photostatic copy. The notice of impending drivers license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

(7) Final determinations of violation liability. A final determination of violation liability shall occur following failure to complete the required traffic education program or to pay the fine or penalty, or both, after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by ordinance. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the hearing officer's determination of violation liability shall become final: (A) upon denial of a timely petition to set aside that determination, or (B) upon expiration of the period for filing the petition without a filing having been made.

(8) A petition to set aside a determination of parking, standing, compliance, automated

speed enforcement system, manual traffic law enforcement system, or automated traffic law violation liability that may be filed by a person owing an unpaid fine or penalty. A petition to set aside a determination of liability may also be filed by a person required to complete a traffic education program. The petition shall be filed with and ruled upon by the traffic compliance administrator in the manner and within the time specified by ordinance. The grounds for the petition may be limited to: (A) the person not having been the owner or lessee of the cited vehicle on the date the violation notice was issued, (B) the person having already completed the required traffic education program or paid the fine or penalty, or both, for the violation in question, and (C) excusable failure to appear at or request a new date for a hearing. With regard to municipalities or counties with a population of 1 million or more, it shall be grounds for dismissal of a parking violation if the state registration number, or vehicle make if specified, is incorrect. After the determination of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation liability has been set aside upon a showing of just cause, the registered owner shall be provided with a hearing on the merits for that violation.

(9) Procedures for non-residents. Procedures by which persons who are not residents of the municipality or county may contest the merits of the alleged violation without attending a hearing.

(10) A schedule of civil fines for violations of vehicular standing, parking, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines or failure to complete required traffic education programs, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed \$250, except as provided in subsection (c) of Section 11-1301.3 of this Code.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality or county establishing vehicular standing, parking, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation liability, or both, as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the incomplete traffic education programs or unpaid final determinations of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation liability, or both, listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without the completion of the required traffic education program or payment of the outstanding fines and penalties on parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violations, or both, for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.

(e) Any fine, penalty, incomplete traffic education program, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality or county and, as such, may be collected in accordance with applicable law. Completion of any required traffic education program and payment in full of any fine or penalty resulting from a standing, parking, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation, the municipality or county may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality or county from consolidating multiple final determinations of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violations against a person in a proceeding. Upon commencement of the action, the municipality or county shall file a certified copy or record of the final determination of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal or county ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violations does not exceed \$2500. If the court is satisfied that the final determination of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation was entered in accordance with the requirements of this Section and the applicable municipal or county ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality or county and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, compliance, automated speed enforcement system, manual traffic law enforcement system, or automated traffic law violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

(g) The fee for participating in a traffic education program under this Section shall not exceed \$25.

A low-income individual required to complete a traffic education program under this Section who provides proof of eligibility for the federal earned income tax credit under Section 32 of the Internal Revenue Code or the Illinois earned income tax credit under Section 212 of the Illinois Income Tax Act shall not be required to pay any fee for participating in a required traffic education program.

(Source: P.A. 97-29, eff. 1-1-12; 97-333, eff. 8-12-11; 97-672, eff. 7-1-12; 98-556, eff. 1-1-14; 98-1028, eff. 8-22-14.)

(625 ILCS 5/11-208.10 new)

Sec. 11-208.10. Manual traffic law enforcement systems.

(a) As used in this Section, "manual traffic law enforcement system" means a digital imaging device capable of capturing high resolution images and videos of vehicles, in violation of Article VI of this Chapter or a similar provision of a local ordinance, that requires a law enforcement officer to be present to operate the device to obtain the recorded images.

(b) A manual traffic law enforcement system shall be operational and violations shall be recorded at any time a law enforcement officer is present operating the device.

(c) A municipality or county that produces a recorded image of a motor vehicle's violation of a provision of this Code or a similar provision of a local ordinance must make the recorded images of a violation accessible to the alleged violator by providing the alleged violator with a website address, accessible through the Internet.

(d) Notwithstanding any penalties for any other violations of this Code, the owner of a motor vehicle used in a traffic violation recorded by a manual traffic law enforcement system shall be subject to the following penalties:

(1) if the recorded speed is no less than 6 miles per hour and no more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding \$50, plus an additional penalty of not more than \$50 for failure to pay the original penalty in a timely manner; or

(2) if the recorded speed is more than 10 miles per hour over the legal speed limit, a civil penalty not exceeding \$100, plus an additional penalty of not more than \$100 for failure to pay the original penalty in a timely manner, including, but not limited to, collection fees.

A penalty may not be imposed under this Section if the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system. A violation for which a civil penalty is imposed under this Section is not a violation of a traffic regulation governing the movement of vehicles and may not be recorded on the driving record of the owner of the vehicle. No penalty may be imposed under this Section if the recorded speed of a vehicle is 5 miles per hour or less over the legal speed limit.

The municipality or county may send, in the same manner that notices are sent under this Section, a speed violation warning notice where the violation involves a speed of 5 miles per hour or less above the legal speed limit.

(e) The net proceeds that a municipality or county receives from civil penalties imposed under a manual traffic law enforcement system, after deducting all non-personnel and personnel costs associated with the operation and maintenance of such system, shall be expended or obligated by the municipality or county for the following purposes:

(i) public safety initiatives to ensure safe passage around schools, and to provide police protection and surveillance around schools and parks, including but not limited to: (1) personnel costs; and (2) non-personnel costs such as construction and maintenance of public safety infrastructure and equipment;

(ii) initiatives to improve pedestrian and traffic safety;

(iii) construction and maintenance of infrastructure within the municipality or county, including, but not limited to, roads and bridges;

(iv) after school programs; and

(v) public safety.

(f) For each violation of a provision of this Code or a local ordinance recorded by a manual traffic law enforcement system, the municipality or county having jurisdiction shall issue a written notice of the violation to the registered owner of the vehicle as the alleged violator. The notice shall be delivered to the registered owner of the vehicle, by mail, within 30 days after the Secretary of State notifies the municipality or county of the identity of the owner of the vehicle, but in no event later than 90 days after the violation.

(g) The notice required under subsection (e) of this Section shall include:

(1) the name and address of the registered owner of the vehicle;

(2) the registration number of the motor vehicle involved in the violation;

(3) the violation charged;

(4) the date, time, and location where the violation occurred;

(5) a copy of the recorded image or images;

(6) the amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(7) a statement that recorded images are evidence of a violation of a speed restriction;

(8) a warning that failure to pay the civil penalty or to contest liability in a timely manner is an admission of liability and may result in a suspension of the driving privileges of the registered owner of the vehicle;

(9) a statement that the person may elect to proceed by: (A) paying the fine; or (B) challenging the charge by administrative hearing; and

(10) a website address, accessible through the Internet, where the person may view the recorded images of the violation.

(h) If a person charged with a traffic violation, as a result of a manual traffic law enforcement system, does not pay the fine or successfully contest the civil penalty resulting from that violation, the Secretary of State shall suspend the driving privileges of the registered owner of the vehicle as provided in Section 6-306.5 of this Code.

(i) Based on inspection of recorded images produced by a manual traffic law enforcement system, a notice alleging that the violation occurred shall be evidence of the facts contained in the notice and admissible in any proceeding alleging a violation under this Section.

(j) Recorded images made by a manual traffic law enforcement system are confidential and shall be made available only to the alleged violator and governmental and law enforcement agencies for purposes of adjudicating a violation of this Section, for statistical purposes, or for other governmental purposes. Any recorded image evidencing a violation of this Section, however, may be admissible in any proceeding resulting from the issuance of the citation.

(k) The hearing officer may consider in defense of a violation:

(1) that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred and not under the control or in the possession of the owner at the time of the violation;

(2) that the driver of the motor vehicle received a Uniform Traffic Citation from a police officer for a speeding violation occurring within one-eighth of a mile and 15 minutes of the violation that was recorded by the system; and

(3) any other evidence or issues provided by municipal ordinance.

(l) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

(m) The municipality or county shall post a sign conforming to the national Manual on Uniform Traffic Control Devices at the entrance of the city limits of the municipality or at the county line. The municipality or county may install such additional signs as necessary to give reasonable notice to drivers.

(n) A municipality or county utilizing a manual traffic law enforcement system shall publish in a local newspaper and on the municipal or county website a notice providing 30-day notice of the use of a manual traffic law enforcement system prior to the issuance of any citations through the manual traffic law enforcement system.

(o) The compensation paid for a manual traffic law enforcement system shall be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system.

(p) No person who is the lessor of a motor vehicle pursuant to a written lease agreement shall be liable for a manual traffic law or traffic law enforcement system violation involving the motor vehicle during the period of the lease if, upon the request of the appropriate authority received within 120 days after the violation occurred, the lessor provides, within 60 days after receipt of the request, the name and address of the lessee. The driver's license number of a lessee may be subsequently individually requested by the appropriate authority, if needed for enforcement of this Section.

Upon the provision of information by the lessor pursuant to this subsection, the municipality or county may issue the violation to the lessee of the vehicle in the same manner as it would issue a violation to a registered owner of a vehicle pursuant to this Section, and the lessee may be held liable for the violation.

(q) A municipality or county using a manual traffic law enforcement system must provide notice to drivers by publishing the locations of all areas where system equipment is installed or utilized on the website of the municipality or county.

(625 ILCS 5/11-612)

Sec. 11-612. Certain systems to record vehicle speeds prohibited. Except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act and ~~Sections~~ Section 11-208.8 and 11-208.10 of this Code, no photographic, video, or other imaging system may be used in this State to record vehicle speeds for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event. No State or local governmental entity, including a home rule county or municipality, may use such a system in a way that is prohibited by this Section. The regulation of the use of such systems is an exclusive power and function of the State. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 97-672, eff. 7-1-12.)

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."

AMENDMENT NO. 2 TO SENATE BILL 2647

AMENDMENT NO. 2. Amend Senate Bill 2647, AS AMENDED, on page 46, line 3, after "purposes," by inserting the following:
"pursuant to a lawful subpoena."

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.

On motion of Senator Collins, **Senate Bill No. 2661** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 2703** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Judiciary.

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

On motion of Senator Weaver, **Senate Bill No. 2713** having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Barickman, **Senate Bill No. 2726** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **Senate Bill No. 2741** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **Senate Bill No. 2742** having been printed, 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 Althoff, **Senate Bill No. 2765** having been printed, was taken up, read by title a second time.

Senator Althoff offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2765

AMENDMENT NO. 1. Amend Senate Bill 2765 by replacing everything after the enacting clause with the following:

"Section 5. The Alcoholism and Other Drug Abuse and Dependency Act is amended by adding Section 55-35 as follows:

(20 ILCS 301/55-35 new)

Sec. 55-35. Tobacco enforcement.

(a) The Department of Human Services may contract with the Food and Drug Administration of the U.S. Department of Health and Human Services to conduct unannounced investigations of Illinois tobacco vendors to determine compliance with federal laws relating to the illegal sale of cigarettes and smokeless tobacco products to persons under the age of 18.

(b) Grant funds received from the Food and Drug Administration of the U.S. Department of Health and Human Services for conducting unannounced investigations of Illinois tobacco vendors shall be deposited into the Tobacco Settlement Recovery Fund starting July 1, 2018.

Section 10. The Liquor Control Act of 1934 is amended by changing Sections 3-12 and 5-6 as follows: (235 ILCS 5/3-12)

Sec. 3-12. Powers and duties of State Commission.

(a) The State commission shall have the following powers, functions, and duties:

(1) To receive applications and to issue licenses to manufacturers, foreign importers, importing distributors, distributors, non-resident dealers, on premise consumption retailers, off premise sale retailers, special event retailer licensees, special use permit licenses, auction liquor licenses, brew pubs, caterer retailers, non-beverage users, railroads, including owners and lessees of sleeping, dining and cafe cars, airplanes, boats, brokers, and wine maker's premises licensees in accordance with the provisions of this Act, and to suspend or revoke such licenses upon the State commission's determination, upon notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation. Except in the case of an action taken pursuant to a violation of Section 6-3, 6-5, or 6-9, any action by the State Commission to suspend or revoke a licensee's license may be limited to the license for the specific premises where the violation occurred. An action for a violation of this Act shall be commenced by the State Commission within 2 years after the date the State Commission becomes aware of the violation.

In lieu of suspending or revoking a license, the commission may impose a fine, upon the State commission's determination and notice after hearing, that a licensee has violated any provision of this Act or any rule or regulation issued pursuant thereto and in effect for 30 days prior to such violation.

For the purpose of this paragraph (1), when determining multiple violations for the sale of alcohol to a person under the age of 21, a second or subsequent violation for the sale of alcohol to a person under the age of 21 shall only be considered if it was committed within 5 years after the date when a prior violation for the sale of alcohol to a person under the age of 21 was committed.

The fine imposed under this paragraph may not exceed \$500 for each violation. Each day that the activity, which gave rise to the original fine, continues is a separate violation. The maximum fine that may be levied against any licensee, for the period of the license, shall not exceed \$20,000. The maximum penalty that may be imposed on a licensee for selling a bottle of alcoholic liquor with a

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foreign object in it or serving from a bottle of alcoholic liquor with a foreign object in it shall be the destruction of that bottle of alcoholic liquor for the first 10 bottles so sold or served from by the licensee. For the eleventh bottle of alcoholic liquor and for each third bottle thereafter sold or served from by the licensee with a foreign object in it, the maximum penalty that may be imposed on the licensee is the destruction of the bottle of alcoholic liquor and a fine of up to \$50.

Any notice issued by the State Commission to a licensee for a violation of this Act or any notice with respect to settlement or offer in compromise shall include the field report, photographs, and any other supporting documentation necessary to reasonably inform the licensee of the nature and extent of the violation or the conduct alleged to have occurred.

(2) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary to carry on its functions and duties to the end that the health, safety and welfare of the People of the State of Illinois shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted and to distribute copies of such rules and regulations to all licensees affected thereby.

(3) To call upon other administrative departments of the State, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it deems necessary in the performance of its duties.

(4) To recommend to local commissioners rules and regulations, not inconsistent with the law, for the distribution and sale of alcoholic liquors throughout the State.

(5) To inspect, or cause to be inspected, any premises in this State where alcoholic liquors are manufactured, distributed, warehoused, or sold. Nothing in this Act authorizes an agent of the Commission to inspect private areas within the premises without reasonable suspicion or a warrant during an inspection. "Private areas" include, but are not limited to, safes, personal property, and closed desks.

(5.1) Upon receipt of a complaint or upon having knowledge that any person is engaged in business as a manufacturer, importing distributor, distributor, or retailer without a license or valid license, to notify the local liquor authority, file a complaint with the State's Attorney's Office of the county where the incident occurred, or initiate an investigation with the appropriate law enforcement officials.

(5.2) To issue a cease and desist notice to persons shipping alcoholic liquor into this State from a point outside of this State if the shipment is in violation of this Act.

(5.3) To receive complaints from licensees, local officials, law enforcement agencies, organizations, and persons stating that any licensee has been or is violating any provision of this Act or the rules and regulations issued pursuant to this Act. Such complaints shall be in writing, signed and sworn to by the person making the complaint, and shall state with specificity the facts in relation to the alleged violation. If the Commission has reasonable grounds to believe that the complaint substantially alleges a violation of this Act or rules and regulations adopted pursuant to this Act, it shall conduct an investigation. If, after conducting an investigation, the Commission is satisfied that the alleged violation did occur, it shall proceed with disciplinary action against the licensee as provided in this Act.

(6) To hear and determine appeals from orders of a local commission in accordance with the provisions of this Act, as hereinafter set forth. Hearings under this subsection shall be held in Springfield or Chicago, at whichever location is the more convenient for the majority of persons who are parties to the hearing.

(7) The commission shall establish uniform systems of accounts to be kept by all retail licensees having more than 4 employees, and for this purpose the commission may classify all retail licensees having more than 4 employees and establish a uniform system of accounts for each class and prescribe the manner in which such accounts shall be kept. The commission may also prescribe the forms of accounts to be kept by all retail licensees having more than 4 employees, including but not limited to accounts of earnings and expenses and any distribution, payment, or other distribution of earnings or assets, and any other forms, records and memoranda which in the judgment of the commission may be necessary or appropriate to carry out any of the provisions of this Act, including but not limited to such forms, records and memoranda as will readily and accurately disclose at all times the beneficial ownership of such retail licensed business. The accounts, forms, records and memoranda shall be available at all reasonable times for inspection by authorized representatives of the State commission or by any local liquor control commissioner or his or her authorized representative. The commission, may, from time to time, alter, amend or repeal, in whole or in part, any uniform system of accounts, or the form and manner of keeping accounts.

(8) In the conduct of any hearing authorized to be held by the commission, to appoint,

at the commission's discretion, hearing officers to conduct hearings involving complex issues or issues that will require a protracted period of time to resolve, to examine, or cause to be examined, under oath, any licensee, and to examine or cause to be examined the books and records of such licensee; to hear testimony and take proof material for its information in the discharge of its duties hereunder; to administer or cause to be administered oaths; for any such purpose to issue subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of this State, and to adopt rules to implement its powers under this paragraph (8).

Any Circuit Court may by order duly entered, require the attendance of witnesses and the production of relevant books subpoenaed by the State commission and the court may compel obedience to its order by proceedings for contempt.

(9) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him or her to the legislature of this State, such amendments to this Act, if any, as it may think desirable and as will serve to further the general broad purposes contained in Section 1-2 hereof.

(10) To adopt such rules and regulations consistent with the provisions of this Act which shall be necessary for the control, sale or disposition of alcoholic liquor damaged as a result of an accident, wreck, flood, fire or other similar occurrence.

(11) To develop industry educational programs related to responsible serving and selling, particularly in the areas of overserving consumers and illegal underage purchasing and consumption of alcoholic beverages.

(11.1) To license persons providing education and training to alcohol beverage sellers and servers for mandatory and non-mandatory training under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) programs and to develop and administer a public awareness program in Illinois to reduce or eliminate the illegal purchase and consumption of alcoholic beverage products by persons under the age of 21. Application for a license shall be made on forms provided by the State Commission.

(12) To develop and maintain a repository of license and regulatory information.

(13) ~~(Blank). On or before January 15, 1994, the Commission shall issue a written report to the Governor and General Assembly that is to be based on a comprehensive study of the impact on and implications for the State of Illinois of Section 1926 of the federal ADAMHA Reorganization Act of 1992 (Public Law 102-321). This study shall address the extent to which Illinois currently complies with the provisions of P.L. 102-321 and the rules promulgated pursuant thereto.~~

~~As part of its report, the Commission shall provide the following essential information:~~

- ~~(i) the number of retail distributors of tobacco products, by type and geographic area, in the State;~~
- ~~(ii) the number of reported citations and successful convictions, categorized by type and location of retail distributor, for violation of the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act and the Smokeless Tobacco Limitation Act;~~
- ~~(iii) the extent and nature of organized educational and governmental activities that are intended to promote, encourage or otherwise secure compliance with any Illinois laws that prohibit the sale or distribution of tobacco products to minors; and~~
- ~~(iv) the level of access and availability of tobacco products to individuals under the age of 18.~~

~~To obtain the data necessary to comply with the provisions of P.L. 102-321 and the requirements of this report, the Commission shall conduct random, unannounced inspections of a geographically and scientifically representative sample of the State's retail tobacco distributors.~~

~~The Commission shall consult with the Department of Public Health, the Department of Human Services, the Illinois State Police and any other executive branch agency, and private organizations that may have information relevant to this report.~~

~~The Commission may contract with the Food and Drug Administration of the U.S. Department of Health and Human Services to conduct unannounced investigations of Illinois tobacco vendors to determine compliance with federal laws relating to the illegal sale of cigarettes and smokeless tobacco products to persons under the age of 18.~~

(14) On or before April 30, 2008 and every 2 years thereafter, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of Public Act 95-634 on the business of soliciting, selling, and shipping wine from inside and outside of this State directly to residents of this State. As part of its report, the Commission shall provide all of the following information:

- (A) The amount of State excise and sales tax revenues generated.
- (B) The amount of licensing fees received.
- (C) The number of cases of wine shipped from inside and outside of this

State directly to residents of this State.

(D) The number of alcohol compliance operations conducted.

(E) The number of winery shipper's licenses issued.

(F) The number of each of the following: reported violations; cease and desist notices issued by the Commission; notices of violations issued by the Commission and to the Department of Revenue; and notices and complaints of violations to law enforcement officials, including, without limitation, the Illinois Attorney General and the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(15) As a means to reduce the underage consumption of alcoholic liquors, the Commission shall conduct alcohol compliance operations to investigate whether businesses that are soliciting, selling, and shipping wine from inside or outside of this State directly to residents of this State are licensed by this State or are selling or attempting to sell wine to persons under 21 years of age in violation of this Act.

(16) The Commission shall, in addition to notifying any appropriate law enforcement agency, submit notices of complaints or violations of Sections 6-29 and 6-29.1 by persons who do not hold a winery shipper's license under this Act to the Illinois Attorney General and to the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(17)(A) A person licensed to make wine under the laws of another state who has a winery shipper's license under this Act and annually produces less than 25,000 gallons of wine or a person who has a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license under this Act and annually produces less than 25,000 gallons of wine may make application to the Commission for a self-distribution exemption to allow the sale of not more than 5,000 gallons of the exemption holder's wine to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, such person shall state (1) the date it was established; (2) its volume of production and sales for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its wine; and (5) that it will comply with the liquor and revenue laws of the United States, this State, and any other state where it is licensed.

(C) The Commission shall approve the application for a self-distribution exemption if such person: (1) is in compliance with State revenue and liquor laws; (2) is not a member of any affiliated group that produces more than 25,000 gallons of wine per annum or produces any other alcoholic liquor; (3) will not annually produce for sale more than 25,000 gallons of wine; and (4) will not annually sell more than 5,000 gallons of its wine to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the Commission its production of wine in the previous 12 months and its anticipated production and sales for the next 12 months. The Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or liquor law of Illinois, exceeded production of 25,000 gallons of wine in any calendar year, or become part of an affiliated group producing more than 25,000 gallons of wine or any other alcoholic liquor.

(E) Except in hearings for violations of this Act or Public Act 95-634 or a bona fide investigation by duly sworn law enforcement officials, the Commission, or its agents, the Commission shall maintain the production and sales information of a self-distribution exemption holder as confidential and shall not release such information to any person.

(F) The Commission shall issue regulations governing self-distribution exemptions consistent with this Section and this Act.

(G) Nothing in this subsection (17) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois distributor.

(H) It is the intent of this subsection (17) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system it is necessary to create an exception for smaller makers of wine as their wines are frequently adjusted in varietals, mixes, vintages, and taste to find and create market niches sometimes too small for distributor or importing distributor business strategies. Limited self-distribution rights will afford and allow smaller makers of wine access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(18)(A) A class 1 brewer licensee, who must also be either a licensed brewer or licensed non-resident dealer and annually manufacture less than 930,000 gallons of beer, may make application to the State Commission for a self-distribution exemption to allow the sale of not more than 232,500 gallons of the exemption holder's beer to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, the class 1 brewer licensee shall state (1) the date it was established; (2) its volume of beer manufactured and sold for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its beer; and (5) that it will comply with the alcoholic beverage and revenue laws of the United States, this State, and any other state where it is licensed.

(C) Any application submitted shall be posted on the State Commission's website at least 45 days prior to action by the State Commission. The State Commission shall approve the application for a self-distribution exemption if the class 1 brewer licensee: (1) is in compliance with the State, revenue, and alcoholic beverage laws; (2) is not a member of any affiliated group that manufactures more than 930,000 gallons of beer per annum or produces any other alcoholic beverages; (3) shall not annually manufacture for sale more than 930,000 gallons of beer; (4) shall not annually sell more than 232,500 gallons of its beer to retail licensees; and (5) has relinquished any brew pub license held by the licensee, including any ownership interest it held in the licensed brew pub.

(D) A self-distribution exemption holder shall annually certify to the State Commission its manufacture of beer during the previous 12 months and its anticipated manufacture and sales of beer for the next 12 months. The State Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds that the exemption holder has made a material misrepresentation in its application, violated a revenue or alcoholic beverage law of Illinois, exceeded the manufacture of 930,000 gallons of beer in any calendar year or became part of an affiliated group manufacturing more than 930,000 gallons of beer or any other alcoholic beverage.

(E) The State Commission shall issue rules and regulations governing self-distribution exemptions consistent with this Act.

(F) Nothing in this paragraph (18) shall prohibit a self-distribution exemption holder from entering into or simultaneously having a distribution agreement with a licensed Illinois importing distributor or a distributor. If a self-distribution exemption holder enters into a distribution agreement and has assigned distribution rights to an importing distributor or distributor, then the self-distribution exemption holder's distribution rights in the assigned territories shall cease in a reasonable time not to exceed 60 days.

(G) It is the intent of this paragraph (18) to promote and continue orderly markets. The General Assembly finds that in order to preserve Illinois' regulatory distribution system, it is necessary to create an exception for smaller manufacturers in order to afford and allow such smaller manufacturers of beer access to the marketplace in order to develop a customer base without impairing the integrity of the 3-tier system.

(b) On or before April 30, 1999, the Commission shall present a written report to the Governor and the General Assembly that shall be based on a study of the impact of Public Act 90-739 on the business of soliciting, selling, and shipping alcoholic liquor from outside of this State directly to residents of this State.

As part of its report, the Commission shall provide the following information:

(i) the amount of State excise and sales tax revenues generated as a result of Public Act 90-739;

(ii) the amount of licensing fees received as a result of Public Act 90-739;

(iii) the number of reported violations, the number of cease and desist notices issued by the Commission, the number of notices of violations issued to the Department of Revenue, and the number of notices and complaints of violations to law enforcement officials.

(Source: P.A. 99-78, eff. 7-20-15; 99-448, eff. 8-24-15; 100-134, eff. 8-18-17; 100-201, eff. 8-18-17.)

(235 ILCS 5/5-6)

Sec. 5-6. FDA grant funds. Grant funds received from the Food and Drug Administration of the U.S. Department of Health and Human Services for conducting unannounced investigations of Illinois tobacco vendors shall be deposited into the Dram Shop Fund until June 30, 2018.

(Source: P.A. 90-9, eff. 7-1-97.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Weaver, **Senate Bill No. 2767** having been printed, 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 Althoff, **Senate Bill No. 2777** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Public Health.

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

On motion of Senator Althoff, **Senate Bill No. 2806** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Environment and Conservation.

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

On motion of Senator McConnaughay, **Senate Bill No. 2808** having been printed, was taken up, read by title a second time.

Senator McConnaughay offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2808

AMENDMENT NO. 1. Amend Senate Bill 2808 by replacing everything after the enacting clause with the following:

"Section 5. The Alzheimer's Disease and Related Dementias Services Act is amended by changing Sections 15, 30, and 35 as follows:

(410 ILCS 406/15)

(For Act repeal see Section 90)

Sec. 15. Applicability. Programs covered by this Act include, but are not limited to, health care facilities licensed or certified by the Assisted Living and Shared Housing Act; Life Care Facilities Act; Nursing Home Care Act; ~~Specialized Mental Health Rehabilitation Act of 2013~~; Home Health, Home Services, and Home Nursing Agency Licensing Act; and Hospice Program Licensing Act ~~; and End Stage Renal Disease Facility Act~~. This Act does not apply to physicians licensed to practice medicine in all its branches. (Source: P.A. 99-822, eff. 8-15-16.)

(410 ILCS 406/30)

(For Act repeal see Section 90)

Sec. 30. Staff training.

(a) Staff with direct access to clients with Alzheimer's disease or a related dementia hired prior to the adoption of rules implementing this Act shall receive a minimum of 6 hours of initial training within 90 days after the effective date of this Act using an Alzheimer's disease and related dementias services curriculum compiled ~~certified~~ by the Department, except as provided in subsection (c).

(b) Staff with direct access to clients with Alzheimer's disease or a related dementia hired after the adoption of rules implementing this Act shall complete a minimum of 6 hours of initial training in the first 60 days of employment using an Alzheimer's disease and related dementias services curriculum compiled ~~certified~~ by the Department, except as provided in subsection (c).

(c) Subsections (a) and (b) shall not apply to the following:

(1) staff who received at least 6 hours of comparable training in compliance with licensure or certified training requirements; and

(2) staff temporarily hired or temporarily detailed by a facility licensed under the Nursing Home Care Act to permit the facility to meet statutory staffing requirements.

(d) An Alzheimer's disease and related dementias services curriculum compiled ~~certified~~ by the Department and published on the Department's website must include at a minimum the following topics: understanding dementia, effectively communicating with individuals with dementia, assisting individuals with dementia in performing activities of daily living, problem solving with individuals with dementia who exhibit challenging behavior, fundamentals of dementia care, safe environments, and managing the activities of individuals with dementia.

(e) An individual who received training consistent with the requirements of this Section while employed by another program or through an educational institution or an individual with 3 or more years of experience working with Alzheimer's disease and related dementias services may petition the Department

for a waiver of the initial training requirements set forth in this Section. The Department shall evaluate each request on a case by case basis.

(f) Upon the adoption of rules implementing this Act, staff with direct access to clients with dementia shall receive 3 hours of advanced training on caring for individuals with Alzheimer's disease and related dementias each year.

(g) Upon the adoption of rules implementing this Act, Alzheimer's disease and related dementias services program employers shall maintain training records and make them available to the Department on request.

(Source: P.A. 99-822, eff. 8-15-16.)

(410 ILCS 406/35)

(For Act repeal see Section 90)

Sec. 35. ~~Supervisor of services Program director.~~ Upon the adoption of rules implementing this Act, in addition to the training required under Section 30 of this Act, a manager, supervisor, or person with the chief responsibility of oversight of the director of an Alzheimer's disease and related dementias services within an entity program shall complete an Alzheimer's disease and related dementias services curriculum from a list compiled by the Department or have 5 years of experience as a director of an Alzheimer's disease and related dementias services program.

(Source: P.A. 99-822, eff. 8-15-16.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator McConaughay offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2808

AMENDMENT NO. 2. Amend Senate Bill 2808, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1 on page 1, line 12, by replacing "Life Care Facilities Act;" with "~~Life Care Facilities Act;~~"; and

on page 2, by replacing lines 6 through 12 with the following:

"(a) ~~(Blank). Staff with direct access to clients with Alzheimer's disease or a related dementia hired prior to the adoption of rules implementing this Act shall receive a minimum of 6 hours of initial training within 90 days after the effective date of this Act using Alzheimer's disease and related dementias services certified by the Department, except as provided in subsection (e);~~ and

on page 2, line 20, by replacing "Subsections (a) and" with "Subsection ~~Subsections (a) and~~"; and

on page 3, by replacing lines 14 through 21 with the following:

"(c) ~~(Blank). An individual who received training consistent with the requirements of this Section while employed by another program or through an educational institution or an individual with 3 or more years of experience working with Alzheimer's disease and related dementias services may petition the Department for a waiver of the initial training requirements set forth in this Section. The Department shall evaluate each request on a case by case basis.~~"

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.

On motion of Senator Barickman, **Senate Bill No. 2811** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 2830** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **Senate Bill No. 2834** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Tracy, **Senate Bill No. 2850** having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Althoff, **Senate Bill No. 2851** having been printed, was taken up, read by title a second time.

Committee Amendment Nos. 1 and 2 were held in the Committee on Assignments.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

AMENDMENT NO. 3 TO SENATE BILL 2851

AMENDMENT NO. 3. Amend Senate Bill 2851 by replacing everything after the enacting clause with the following:

"Section 5. The Uniform Health Care Service Benefits Information Card Act is amended by changing Sections 10 and 15 as follows:

(215 ILCS 139/10)

Sec. 10. Definitions. As used in this Act, the following terms have the meanings given in this Section.

"Department" means the Department of Insurance.

"Director" means the Director of Insurance.

"Health benefit plan" means an accident and health insurance policy or certificate subject to the Illinois Insurance Code, a voluntary health services plan subject to the Voluntary Health Services Plans Act, a health maintenance organization subscriber contract subject to the Health Maintenance Organization Act, a plan provided by a multiple employer welfare arrangement, a dental service plan subject to the Dental Service Plan Act, or a plan provided by another benefit arrangement. Without limitation, "health benefit plan" does not mean any of the following types of insurance:

(1) accident;

(2) credit;

(3) disability income;

(4) long-term or nursing home care;

(5) specified disease;

(6) ~~dental~~ or vision;

(7) coverage issued as a supplement to liability insurance;

(8) medical payments under automobile or homeowners;

(9) insurance under which benefits are payable with or without regard to fault as statutorily required to be contained in any liability policy or equivalent self-insurance;

(10) hospital income or indemnity; and

(11) self-insured health benefit plans under the federal Employee Retirement Income Security Act of 1974.

(Source: P.A. 92-106, eff. 1-1-02.)

(215 ILCS 139/15)

Sec. 15. Uniform health care benefit information cards required.

(a) A health benefit plan that issues a card or other technology and provides coverage for health care services including prescription drugs or devices also referred to as health care benefits and an administrator of such a plan including, but not limited to, third-party administrators for self-insured plans and state-administered plans shall issue to its insureds a card or other technology containing uniform health care benefit information. The health care benefit information card or other technology shall specifically identify and display the following mandatory data elements on the card:

(1) processor control number, if required for claims adjudication;

(2) group number;

(3) card issuer identifier;

(4) cardholder ID number; and

(5) cardholder name.

(b) The uniform health care benefit information card or other technology shall specifically identify and display the following mandatory data elements on the back of the card:

(1) claims submission names and addresses; and

(2) help desk telephone numbers and names.

(b-5) A uniform health care benefit information card or other technology for a health benefit plan offering dental coverage shall include a statement that the health benefit plan offering dental coverage is fully insured and subject to Illinois law.

(c) A new uniform health care benefit information card or other technology shall be issued by a health benefit plan upon enrollment and reissued upon any change in the insured's coverage that affects mandatory data elements contained on the card.

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(d) Notwithstanding subsections (a), (b), and (c) of this Section, a discounted health care services plan administrator shall issue to its beneficiaries a card containing the following mandatory data elements:

- (1) an Internet website for beneficiaries to access up-to-date lists of preferred providers;
- (2) a toll-free help desk number for beneficiaries and providers to access up-to-date lists of preferred providers and additional information about the discounted health care services plan;
- (3) the name or logo of the provider network;
- (4) a group number, if necessary for the processing of benefits;
- (5) a cardholder ID number;
- (6) the cardholder's name or a space to permit the cardholder to print his or her name, if the cardholder pays a periodic charge for use of the card;
- (7) a processor control number, if required for claims adjudication; and
- (8) a statement that the plan is not insurance.

(e) As used in this Section, "discounted health care services plan administrator" means any person, partnership, or corporation, other than an insurer, health service corporation, limited health service organization holding a certificate of authority under the Limited Health Service Organization Act, or health maintenance organization holding a certificate of authority under the Health Maintenance Organization Act that arranges, contracts with, or administers contracts with a provider whereby insureds or beneficiaries are provided an incentive to use health care services provided by health care services providers under a discounted health care services plan in which there are no other incentives, such as copayment, coinsurance, or any other reimbursement differential, for beneficiaries to utilize the provider. "Discounted health care services plan administrator" also includes any person, partnership, or corporation, other than an insurer, health service corporation, limited health service organization holding a certificate of authority under the Limited Health Service Organization Act, or health maintenance organization holding a certificate of authority under the Health Maintenance Organization Act that enters into a contract with another administrator to enroll beneficiaries or insureds in a preferred provider program marketed as an independently identifiable program based on marketing materials or member benefit identification cards.

(Source: P.A. 96-1326, eff. 1-1-11.)".

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 2866** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

Floor Amendment No. 2 was postponed in the Committee on Public Health.

Senator Holmes offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2866

AMENDMENT NO. 3. Amend Senate Bill 2866 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-617 as follows:

(20 ILCS 2310/2310-617)

Sec. 2310-617. Human papillomavirus vaccine.

(a) As used in this Section, "eligible individual" means a female child under the age of 18, and beginning on January 1, 2020, a male child under the age of 18, who is a resident of Illinois who: (1) is not entitled to receive a human papillomavirus (HPV) vaccination at no cost as a benefit under a plan of health insurance, a managed care plan, or a plan provided by a health maintenance organization, a health services plan corporation, or a similar entity, and (2) meets the requirements established by the Department of Public Health by rule.

(b) Subject to appropriation, the Department of Public Health shall establish and administer a program, commencing no later than July 1, 2011, under which any eligible individual shall, upon the eligible individual's request, receive a series of HPV vaccinations as medically indicated, at no cost to the eligible individual.

(c) The Department of Public Health shall adopt rules for the administration and operation of the program, including, but not limited to: determination of the HPV vaccine formulation to be administered

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and the method of administration; eligibility requirements and eligibility determinations; and standards and criteria for acquisition and distribution of the HPV vaccine and related supplies. The Department may enter into contracts or agreements with public or private entities for the performance of such duties under the program as the Department may deem appropriate to carry out this Section and its rules adopted under this Section.

(Source: P.A. 95-422, eff. 8-24-07.)

Section 10. The Communicable Disease Prevention Act is amended by changing Section 2e as follows:
(410 ILCS 315/2e)

Sec. 2e. HPV-related Cervical cancer prevention.

(a) Notwithstanding the provisions of Section 2 of this Act, ~~beginning August 1, 2007,~~ the Department of Public Health must provide all ~~female~~ students who are entering sixth grade and their parents or legal guardians written information about the link between human papillomavirus (HPV) and cervical, vulvar, vaginal, penile, anal, and oropharyngeal cancers in males and females, as applicable, and the availability of a HPV vaccine so that they may be protected before ever being exposed to the virus cervical cancer and the availability of a HPV vaccine.

(b) The Director of Public Health shall prescribe the content of the information required in subsection (a) of this Section.

(c) In order to provide for the expeditious and timely implementation of the provisions of this amendatory Act of the 95th General Assembly, the Department of Public Health shall adopt emergency rules in accordance with Section 5-45 of the Illinois Administrative Procedure Act to the extent necessary to administer the Department's responsibilities under this amendatory Act of the 95th General Assembly. The adoption of emergency rules authorized by this subsection (c) is deemed to be necessary for the public interest, safety, and welfare.

(d) In order to provide for the expeditious and timely implementation of the provisions of this amendatory Act of the 100th General Assembly, the Department of Public Health shall adopt emergency rules in accordance with Section 5-45 of the Illinois Administrative Procedure Act to the extent necessary to administer the Department's responsibilities under this amendatory Act of the 100th General Assembly no later than July 1, 2019. The adoption of emergency rules authorized by this subsection (d) is deemed to be necessary for the public interest, safety, and welfare.

(Source: P.A. 95-422, eff. 8-24-07.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Weaver, **Senate Bill No. 2875** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **Senate Bill No. 2877** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2877

AMENDMENT NO. 1. Amend Senate Bill 2877 on page 2, line 4, after "applicant", by inserting "for licensure as a barber"; and

on page 4, line 10, after "applicant", by inserting "for licensure as a cosmetologist"; and

on page 7, line 14, after "applicant", by inserting "for licensure as an esthetician"; and

on page 10, line 10, after "applicant", by inserting "for licensure as a nail technician".

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

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On motion of Senator Aquino, **Senate Bill No. 2881** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Nybo, **Senate Bill No. 2885** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **Senate Bill No. 2908** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **Senate Bill No. 2914** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 2919** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2919

AMENDMENT NO. 1. Amend Senate Bill 2919 by replacing everything after the enacting clause with the following:

"Section 5. The Corporate Accountability for Tax Expenditures Act is amended by changing Section 10 as follows:

(20 ILCS 715/10)

Sec. 10. Unified Economic Development Budget.

(a) For each State fiscal year ending on or after June 30, 2005, the Department of Revenue shall submit an annual Unified Economic Development Budget to the General Assembly. The Unified Economic Development Budget shall be due within 3 months after the end of the fiscal year, and shall present all types of development assistance granted ~~during the prior fiscal year~~, including:

(1) The aggregate amount of uncollected or diverted State tax revenues resulting from each type of development assistance provided in the tax statutes, as reported to the Department of Revenue ~~for tax years beginning during the third preceding calendar on tax returns filed during the fiscal year.~~

(2) All State development assistance ~~granted during the prior fiscal year.~~

(b) All data contained in the Unified Economic Development Budget presented to the General Assembly shall be fully subject to the Freedom of Information Act.

(c) The Department of Revenue shall submit a report of the amounts in subdivision (a)(1) of this Section to the Department, which may append such report to the Unified Economic Development Budget rather than separately reporting such amounts.

(Source: P.A. 93-552, eff. 8-20-03.)

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

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

On motion of Senator Clayborne, **Senate Bill No. 2923** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 2925** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2925

AMENDMENT NO. 1. Amend Senate Bill 2925 on page 2, line 14, by deleting the comma; and on page 2, by replacing lines 15 and 16 with "and conflict resolution techniques:".

Committee Amendment No. 2 was postponed in the Committee on Education.

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

On motion of Senator Tracy, **Senate Bill No. 2960** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **Senate Bill No. 2961** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **Senate Bill No. 2962** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **Senate Bill No. 2963** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Agriculture, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2963

AMENDMENT NO. 1. Amend Senate Bill 2963 on page 1, line 15, by replacing "owner, or the name and" with "owner ; or the".

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

On motion of Senator T. Cullerton, **Senate Bill No. 2970** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 2996** having been printed, was taken up, read by title a second time

Committee Amendment No. 1 was held in the Committee on Assignments.

The following amendment was offered in the Committee on Public Health, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 2996

AMENDMENT NO. 2. Amend Senate Bill 2996 by replacing everything after the enacting clause with the following:

"Section 5. The Lead Poisoning Prevention Act is amended by changing Sections 2, 7, and 14 as follows: (410 ILCS 45/2) (from Ch. 111 1/2, par. 1302)

Sec. 2. Definitions. As used in this Act:

"Child care facility" means any structure used by a child care provider licensed by the Department of Children and Family Services or public or private school structure frequented by children 6 years of age or younger.

"Childhood Lead Risk Questionnaire" means the questionnaire developed by the Department for use by physicians and other health care providers to determine risk factors for children 6 years of age or younger residing in areas designated as low risk for lead exposure.

"Delegate agency" means a unit of local government or health department approved by the Department to carry out the provisions of this Act.

"Department" means the Department of Public Health.

"Director" means the Director of Public Health.

"Dwelling unit" means an individual unit within a residential building used as living quarters for one household.

"Elevated blood lead level" means a blood lead level in excess of ~~the those considered within the permissible~~ limits as established under State ~~and federal~~ rules.

"Exposed surface" means any interior or exterior surface of a regulated facility.

"High risk area" means an area in the State determined by the Department to be high risk for lead exposure for children 6 years of age or younger. The Department may consider, but is not limited to, the following factors to determine a high risk area: age and condition (using Department of Housing and Urban Development definitions of "slum" and "blighted") of housing, proximity to highway traffic or heavy local

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traffic or both, percentage of housing determined as rental or vacant, proximity to industry using lead, established incidence of elevated blood lead levels in children, percentage of population living below 200% of federal poverty guidelines, and number of children residing in the area who are 6 years of age or younger.

"Lead abatement" means any approved work practices that will permanently eliminate lead exposure or remove the lead-bearing substances in a regulated facility. The Department shall establish by rule which work practices are approved or prohibited for lead abatement.

"Lead abatement contractor" means any person or entity licensed by the Department to perform lead abatement and mitigation.

"Lead abatement supervisor" means any person employed by a lead abatement contractor and licensed by the Department to perform lead abatement and lead mitigation and to supervise lead workers who perform lead abatement and lead mitigation.

"Lead abatement worker" means any person employed by a lead abatement contractor and licensed by the Department to perform lead abatement and mitigation.

"Lead activities" means the conduct of any lead services, including, lead inspection, lead risk assessment, lead mitigation, or lead abatement work or supervision in a regulated facility.

"Lead-bearing substance" means any item containing or coated with lead such that the lead content is more than six-hundredths of one percent (0.06%) lead by total weight; or any dust on surfaces or in furniture or other nonpermanent elements of the regulated facility; or any paint or other surface coating material containing more than five-tenths of one percent (0.5%) lead by total weight (calculated as lead metal) in the total non-volatile content of liquid paint; or lead-bearing substances containing greater than one milligram per square centimeter or any lower standard for lead content in residential paint as may be established by federal law or rule; or more than 1 milligram per square centimeter in the dried film of paint or previously applied substance; or item or dust on item containing lead in excess of the amount specified in the rules authorized by this Act or a lower standard for lead content as may be established by federal law or rule. "Lead-bearing substance" does not include firearm ammunition or components as defined by the Firearm Owners Identification Card Act.

"Lead hazard" means a lead-bearing substance that poses an immediate health hazard to humans.

"Lead hazard screen" means a lead risk assessment that involves limited dust and paint sampling for lead-bearing substances and lead hazards. This service is used as a screening tool designed to determine if further lead investigative services are required for the regulated facility.

"Lead inspection" means a surface-by-surface investigation to determine the presence of lead-based paint.

"Lead inspector" means an individual who has been trained by a Department-approved training program and is licensed by the Department to conduct lead inspections; to sample for the presence of lead in paint, dust, soil, and water; and to conduct compliance investigations.

"Lead mitigation" means the remediation, in a manner described in Section 9, of a lead hazard so that the lead-bearing substance does not pose an immediate health hazard to humans.

"Lead poisoning" means ~~the condition of having an elevated blood lead level, blood lead levels in excess of those considered safe under State and federal rules.~~

"Lead risk assessment" means an on-site investigation to determine the existence, nature, severity, and location of lead hazards. "Lead risk assessment" includes any lead sampling and visual assessment associated with conducting a lead risk assessment and lead hazard screen and all lead sampling associated with compliance investigations.

"Lead risk assessor" means an individual who has been trained by a Department-approved training program and is licensed by the Department to conduct lead risk assessments, lead inspections, and lead hazard screens; to sample for the presence of lead in paint, dust, soil, water, and sources for lead-bearing substances; and to conduct compliance investigations.

"Lead training program provider" means any person providing Department-approved lead training in Illinois to individuals seeking licensure in accordance with the Act.

"Low risk area" means an area in the State determined by the Department to be low risk for lead exposure for children 6 years of age or younger. The Department may consider the factors named in "high risk area" to determine low risk areas.

"Owner" means any person, who alone, jointly, or severally with others:

(a) Has legal title to any regulated facility, with or without actual possession of the regulated facility, or

(b) Has charge, care, or control of the regulated facility as owner or agent of the owner, or as executor, administrator, trustee, or guardian of the estate of the owner.

"Person" means any individual, partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, State agency, or any other legal entity, or their legal representative, agent, or assign.

"Regulated facility" means a residential building or child care facility.

"Residential building" means any room, group of rooms, or other interior areas of a structure designed or used for human habitation; common areas accessible by inhabitants; and the surrounding property or structures.

(Source: P.A. 98-690, eff. 1-1-15.)

(410 ILCS 45/7) (from Ch. 111 1/2, par. 1307)

Sec. 7. Reports of lead poisoning required; lead information to remain confidential; disclosure prohibited. Every physician who diagnoses, or a health care provider, nurse, hospital administrator, or public health officer who has verified information of the existence of a blood lead test result for any child or pregnant person shall report the result to the Department. ~~Results identifying an elevated blood lead level in excess of the permissible limits set forth in rules adopted by the Department~~ shall be reported to the Department within 48 hours of receipt of verification. Reports shall include the name, address, laboratory results, date of birth, and any other information about the child or pregnant person deemed essential by the Department. Directors of clinical laboratories must report to the Department, within 48 hours of receipt of verification, all blood lead analyses ~~equal to or above an elevated blood lead level above permissible limits set forth in rule~~ performed in their facility. The information included in the clinical laboratories report shall include, but not be limited to, the child's name, address, date of birth, name of physician ordering analysis, and specimen type. All blood lead levels less than ~~an elevated blood lead level the permissible limits set forth in rule~~ must be reported to the Department in accordance with rules adopted by the Department. These rules shall not require reporting in less than 30 days after the end of the month in which the results are obtained. All information obtained by the Department from any source and all information, data, reports, e-mails, letters, and other documents generated by the Department or any of its delegate agencies concerning any person subject to this Act receiving a blood lead test shall be treated in the same manner as information subject to the provisions of Part 21 of Article VIII of the Code of Civil Procedure and shall not be disclosed. This prohibition on disclosure extends to all information and reports obtained or created by the Department or any of its delegate agencies concerning any regulated facility that has been identified as a potential lead hazard or a source of lead poisoning. This prohibition on disclosure does not prevent the Department or its delegates from using any information it obtains civilly, criminally, or administratively to prosecute any person who violates this Act, nor does it prevent the Department or its delegates from disclosing any certificate of compliance, notice, or mitigation order issued pursuant to this Act. Any physician, nurse, hospital administrator, director of a clinical laboratory, public health officer, or allied health professional making a report in good faith shall be immune from any civil or criminal liability that otherwise might be incurred from the making of a report.

(Source: P.A. 98-690, eff. 1-1-15.)

(410 ILCS 45/14) (from Ch. 111 1/2, par. 1314)

Sec. 14. Departmental rules and activities. The Department shall establish and publish rules governing permissible limits of lead in and about regulated facilities.

No later than 180 days after the effective date of this amendatory Act of the 100th General Assembly, the Department shall submit proposed amended rules to the Joint Committee on Administrative Rules to update: the definition of elevated blood lead level to be in accordance with the most recent childhood blood lead level reference value from the federal Centers for Disease Control and Prevention; the current requirements for the inspection of regulated facilities occupied by children based on the updated definition of elevated blood lead level or the history of lead hazards; and any other existing rules that will assist the Department in its efforts to prevent, reduce, or mitigate the negative impact of instances of lead poisoning among children. The changes made to this Section by this amendatory Act of the 100th General Assembly do not preclude subsequent rulemaking by the Department.

The Department shall also initiate activities that:

(a) Either provide for or support the monitoring and validation of all medical laboratories and private and public hospitals that perform lead determination tests on human blood or other tissues.

(b) Subject to Section 7.2 of this Act, provide laboratory testing of blood specimens for lead content to any physician, hospital, clinic, free clinic, municipality, or private organization that cannot secure or provide the services through other sources. The Department shall not assume responsibility for blood lead analysis required in programs currently in operation.

(c) Develop or encourage the development of appropriate programs and studies to identify

sources of lead intoxication and assist other entities in the identification of lead in children's blood and the sources of that intoxication.

(d) Provide technical assistance and consultation to local, county, or regional governmental or private agencies for the promotion and development of lead poisoning prevention programs.

(e) Provide recommendations by the Department on the subject of identification, case management, and treatment of lead poisoning.

(f) Maintain a clearinghouse of information, and will develop additional educational materials, on (i) lead hazards to children, (ii) lead poisoning prevention, (iii) blood lead testing, (iv) lead mitigation, lead abatement, and disposal, and (v) health hazards during lead abatement. The Department shall make this information available to the general public.

(Source: P.A. 98-690, eff. 1-1-15.)".

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

On motion of Senator McConchie, **Senate Bill No. 3009** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3009

AMENDMENT NO. 1. Amend Senate Bill 3009 on page 2, by replacing lines 10 through 18 with the following:

"notice shall be provided to the township supervisor of the township in which the cemetery is located. Upon receiving notice of a vacancy, the ~~and thereupon said~~ presiding officer of the county board or, in cases in which the township supervisor is the appointing authority, the township supervisor with the advice and consent of the township board shall appoint some suitable person or persons to fill such vacancy or vacancies; and that thereafter the presiding officer of the county board in which said cemetery association is located or, in cases in which the township supervisor is the appointing authority, the township supervisor of the township in which the cemetery association is located shall always appoint some suitable person or persons interested in said cemetery association through family interments or who are citizens of the State of Illinois. If a township in which the township supervisor has the appointment authority under this Section is dissolved, the appointment authority shall vest in the presiding officer of the county board and the cemetery association shall provide notice of vacancies to the presiding officer to the county board of the county in which the cemetery association is located. A township does not assume any financial responsibility with respect to a cemetery association because of the appointment authority granted by this Section."

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

On motion of Senator McConaughay, **Senate Bill No. 3027** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3027

AMENDMENT NO. 1. Amend Senate Bill 3027 as follows:

on page 3, line 26, after "shall", by inserting ", at the direction of the Director of the Governor's Office of Management and Budget."; and

on page 4, line 2, after "Act", by inserting ", or be deposited into the fund from which such expenditures were paid".

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

[April 18, 2018]

On motion of Senator Muñoz, **Senate Bill No. 3019** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

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

AMENDMENT NO. 2 TO SENATE BILL 3019

AMENDMENT NO. 2. Amend Senate Bill 3019 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Sections 5-1, 6-4, 6-6, 6-8, and 8-1 as follows:

(235 ILCS 5/5-1) (from Ch. 43, par. 115)

Sec. 5-1. Licenses issued by the Illinois Liquor Control Commission shall be of the following classes:

(a) Manufacturer's license - Class 1. Distiller, Class 2. Rectifier, Class 3. Brewer, Class 4. First Class Wine Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6. First Class Winemaker, Class 7. Second Class Winemaker, Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class 10. Class 1 Brewer, Class 11. Class 2 Brewer,

(b) Distributor's license,

(c) Importing Distributor's license,

(d) Retailer's license,

(e) Special Event Retailer's license (not-for-profit),

(f) Railroad license,

(g) Boat license,

(h) Non-Beverage User's license,

(i) Wine-maker's premises license,

(j) Airplane license,

(k) Foreign importer's license,

(l) Broker's license,

(m) Non-resident dealer's license,

(n) Brew Pub license,

(o) Auction liquor license,

(p) Caterer retailer license,

(q) Special use permit license,

(r) Winery shipper's license,

(s) Craft distiller tasting permit.

No person, firm, partnership, corporation, or other legal business entity that is engaged in the manufacturing of wine may concurrently obtain and hold a wine-maker's license and a wine manufacturer's license.

(a) A manufacturer's license shall allow the manufacture, importation in bulk, storage, distribution and sale of alcoholic liquor to persons without the State, as may be permitted by law and to licensees in this State as follows:

Class 1. A Distiller may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.

Class 2. A Rectifier, who is not a distiller, as defined herein, may make sales and deliveries of alcoholic liquor to rectifiers, importing distributors, distributors, retailers and non-beverage users and to no other licensees.

Class 3. A Brewer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under subsection (e) of Section 6-4 of this Act.

Class 4. A first class wine-manufacturer may make sales and deliveries of up to 50,000 gallons of wine to manufacturers, importing distributors and distributors, and to no other licensees.

Class 5. A second class wine manufacturer may make sales and deliveries of more than 50,000 gallons of wine to manufacturers, importing distributors and distributors and to no other licensees.

Class 6. A first-class wine-maker's license shall allow the manufacture of up to 50,000 gallons of wine per year, and the storage and sale of such wine to distributors in the State and to persons without the State, as may be permitted by law. A person who, prior to June 1, 2008 (the effective date of Public Act 95-634), is a holder of a first-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with Public Act 95-634.

[April 18, 2018]

Class 7. A second-class wine-maker's license shall allow the manufacture of between 50,000 and 150,000 gallons of wine per year, and the storage and sale of such wine to distributors in this State and to persons without the State, as may be permitted by law. A person who, prior to June 1, 2008 (the effective date of Public Act 95-634), is a holder of a second-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with Public Act 95-634.

Class 8. A limited wine-manufacturer may make sales and deliveries not to exceed 40,000 gallons of wine per year to distributors, and to non-licensees in accordance with the provisions of this Act.

Class 9. A craft distiller license shall allow the manufacture of up to 100,000 gallons of spirits by distillation per year and the storage of such spirits. If a craft distiller licensee, including a craft distiller licensee who holds more than one craft distiller license, is not affiliated with any other manufacturer of spirits, then the craft distiller licensee may sell such spirits to distributors in this State and up to 2,500 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the Commission pursuant to Section 6-4 of this Act. A craft distiller license holder may store such spirits at a non-contiguous licensed location, but at no time shall a craft distiller license holder directly or indirectly produce in the aggregate more than 100,000 gallons of spirits per year.

A craft distiller licensee may hold more than one craft distiller's license. However, a craft distiller that holds more than one craft distiller license shall not manufacture, in the aggregate, more than 100,000 gallons of spirits by distillation per year and shall not sell, in the aggregate, more than 2,500 gallons of such spirits to non-licensees in accordance with an exemption approved by the State Commission pursuant to Section 6-4 of this Act.

Any craft distiller licensed under this Act who on July 28, 2010 (the effective date of Public Act 96-1367) was licensed as a distiller and manufactured no more spirits than permitted by this Section shall not be required to pay the initial licensing fee.

Class 10. A class 1 brewer license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 930,000 gallons of beer per year provided that the class 1 brewer licensee does not manufacture more than a combined 930,000 gallons of beer per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 930,000 gallons of beer per year or any other alcoholic liquor. A class 1 brewer licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (18) of subsection (a) of Section 3-12 of this Act.

Class 11. A class 2 brewer license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 3,720,000 gallons of beer per year provided that the class 2 brewer licensee does not manufacture more than a combined 3,720,000 gallons of beer per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or any other alcoholic liquor. A class 2 brewer licensee may make sales and deliveries to importing distributors and distributors, but shall not make sales or deliveries to any other licensee. If the State Commission provides prior approval, a class 2 brewer licensee may annually transfer up to 3,720,000 gallons of beer manufactured by that class 2 brewer licensee to the premises of a licensed class 2 brewer wholly owned and operated by the same licensee.

(a-1) A manufacturer which is licensed in this State to make sales or deliveries of alcoholic liquor to licensed distributors or importing distributors and which enlists agents, representatives, or individuals acting on its behalf who contact licensed retailers on a regular and continual basis in this State must register those agents, representatives, or persons acting on its behalf with the State Commission.

Registration of agents, representatives, or persons acting on behalf of a manufacturer is fulfilled by submitting a form to the Commission. The form shall be developed by the Commission and shall include the name and address of the applicant, the name and address of the manufacturer he or she represents, the territory or areas assigned to sell to or discuss pricing terms of alcoholic liquor, and any other questions deemed appropriate and necessary. All statements in the forms required to be made by law or by rule shall be deemed material, and any person who knowingly misstates any material fact under oath in an application is guilty of a Class B misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions, or suppression of material facts in the securing of a registration are grounds for suspension or revocation of the registration. The State Commission shall post a list of registered agents on the Commission's website.

(b) A distributor's license shall allow the wholesale purchase and storage of alcoholic liquors and sale of alcoholic liquors to licensees in this State and to persons without the State, as may be permitted by law. No person licensed as a distributor shall be granted a non-resident dealer's license.

(c) An importing distributor's license may be issued to and held by those only who are duly licensed distributors, upon the filing of an application by a duly licensed distributor, with the Commission and the

Commission shall, without the payment of any fee, immediately issue such importing distributor's license to the applicant, which shall allow the importation of alcoholic liquor by the licensee into this State from any point in the United States outside this State, and the purchase of alcoholic liquor in barrels, casks or other bulk containers and the bottling of such alcoholic liquors before resale thereof, but all bottles or containers so filled shall be sealed, labeled, stamped and otherwise made to comply with all provisions, rules and regulations governing manufacturers in the preparation and bottling of alcoholic liquors. The importing distributor's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers and foreign importers only. No person licensed as an importing distributor shall be granted a non-resident dealer's license.

(d) A retailer's license shall allow the licensee to sell and offer for sale at retail, only in the premises specified in the license, alcoholic liquor for use or consumption, but not for resale in any form. Nothing in Public Act 95-634 shall deny, limit, remove, or restrict the ability of a holder of a retailer's license to transfer, deliver, or ship alcoholic liquor to the purchaser for use or consumption subject to any applicable local law or ordinance. Any retail license issued to a manufacturer shall only permit the manufacturer to sell beer at retail on the premises actually occupied by the manufacturer. For the purpose of further describing the type of business conducted at a retail licensed premises, a retailer's licensee may be designated by the State Commission as (i) an on premise consumption retailer, (ii) an off premise sale retailer, or (iii) a combined on premise consumption and off premise sale retailer.

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).

(e) A special event retailer's license (not-for-profit) shall permit the licensee to purchase alcoholic liquors from an Illinois licensed distributor (unless the licensee purchases less than \$500 of alcoholic liquors for the special event, in which case the licensee may purchase the alcoholic liquors from a licensed retailer) and shall allow the licensee to sell and offer for sale, at retail, alcoholic liquors for use or consumption, but not for resale in any form and only at the location and on the specific dates designated for the special event in the license. An applicant for a special event retailer license must (i) furnish with the application: (A) a resale number issued under Section 2c of the Retailers' Occupation Tax Act or evidence that the applicant is registered under Section 2a of the Retailers' Occupation Tax Act, (B) a current, valid exemption identification number issued under Section 1g of the Retailers' Occupation Tax Act, and a certification to the Commission that the purchase of alcoholic liquors will be a tax-exempt purchase, or (C) a statement that the applicant is not registered under Section 2a of the Retailers' Occupation Tax Act, and does not hold an exemption number under Section 1g of the Retailers' Occupation Tax Act, in which event the Commission shall set forth on the special event retailer's license a statement to that effect; (ii) submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance in the maximum limits; and (iii) show proof satisfactory to the State Commission that the applicant has obtained local authority approval.

Nothing in this Act prohibits an Illinois licensed distributor from offering credit or a refund for unused, salable alcoholic liquors to a holder of a special event retailer's license or from the special event retailer's licensee accepting the credit or refund of alcoholic liquors at the conclusion of the event specified in the license.

(f) A railroad license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on a club, buffet, lounge or dining car operated on an electric, gas or steam railway in this State; and provided further, that railroad licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. A railroad license shall also permit the licensee to sell or dispense alcoholic liquors on any club, buffet, lounge or dining car operated on an electric, gas or steam railway regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A license shall be obtained for each car in which such sales are made.

(g) A boat license shall allow the sale of alcoholic liquor in individual drinks, on any passenger boat regularly operated as a common carrier on navigable waters in this State or on any riverboat operated under the Riverboat Gambling Act, which boat or riverboat maintains a public dining room or restaurant thereon.

(h) A non-beverage user's license shall allow the licensee to purchase alcoholic liquor from a licensed manufacturer or importing distributor, without the imposition of any tax upon the business of such licensed

manufacturer or importing distributor as to such alcoholic liquor to be used by such licensee solely for the non-beverage purposes set forth in subsection (a) of Section 8-1 of this Act, and such licenses shall be divided and classified and shall permit the purchase, possession and use of limited and stated quantities of alcoholic liquor as follows:

Class 1, not to exceed	500 gallons
Class 2, not to exceed	1,000 gallons
Class 3, not to exceed	5,000 gallons
Class 4, not to exceed	10,000 gallons
Class 5, not to exceed	50,000 gallons

(i) A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license not more than 50,000 gallons of the first-class wine-maker's wine that is made at the first-class wine-maker's licensed premises per year for use or consumption, but not for resale in any form. A wine-maker's premises license shall allow a licensee who concurrently holds a second-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license up to 100,000 gallons of the second-class wine-maker's wine that is made at the second-class wine-maker's licensed premises per year for use or consumption but not for resale in any form. A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license or a second-class wine-maker's license to sell and offer for sale at retail at the premises specified in the wine-maker's premises license, for use or consumption but not for resale in any form, any beer, wine, and spirits purchased from a licensed distributor. Upon approval from the State Commission, a wine-maker's premises license shall allow the licensee to sell and offer for sale at (i) the wine-maker's licensed premises and (ii) at up to 2 additional locations for use and consumption and not for resale. Each location shall require additional licensing per location as specified in Section 5-3 of this Act. A wine-maker's premises licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(j) An airplane license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on an airplane; and provided further, that airplane licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. An airplane licensee shall also permit the sale or dispensing of alcoholic liquors on any passenger airplane regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A single airplane license shall be required of an airline company if liquor service is provided on board aircraft in this State. The annual fee for such license shall be as determined in Section 5-3.

(k) A foreign importer's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers only, and to import alcoholic liquor other than in bulk from any point outside the United States and to sell such alcoholic liquor to Illinois licensed importing distributors and to no one else in Illinois; provided that (i) the foreign importer registers with the State Commission every brand of alcoholic liquor that it proposes to sell to Illinois licensees during the license period, (ii) the foreign importer complies with all of the provisions of Section 6-9 of this Act with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the foreign importer complies with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(l) (i) A broker's license shall be required of all persons who solicit orders for, offer to sell or offer to supply alcoholic liquor to retailers in the State of Illinois, or who offer to retailers to ship or cause to be shipped or to make contact with distillers, rectifiers, brewers or manufacturers or any other party within or without the State of Illinois in order that alcoholic liquors be shipped to a distributor, importing distributor or foreign importer, whether such solicitation or offer is consummated within or without the State of Illinois.

No holder of a retailer's license issued by the Illinois Liquor Control Commission shall purchase or receive any alcoholic liquor, the order for which was solicited or offered for sale to such retailer by a broker unless the broker is the holder of a valid broker's license.

The broker shall, upon the acceptance by a retailer of the broker's solicitation of an order or offer to sell or supply or deliver or have delivered alcoholic liquors, promptly forward to the Illinois Liquor Control Commission a notification of said transaction in such form as the Commission may by regulations prescribe.

(ii) A broker's license shall be required of a person within this State, other than a retail licensee, who, for a fee or commission, promotes, solicits, or accepts orders for alcoholic liquor, for use or consumption and not for resale, to be shipped from this State and delivered to residents outside of this State by an express company, common carrier, or contract carrier. This Section does not apply to any person who promotes, solicits, or accepts orders for wine as specifically authorized in Section 6-29 of this Act.

A broker's license under this subsection (l) shall not entitle the holder to buy or sell any alcoholic liquors for his own account or to take or deliver title to such alcoholic liquors.

This subsection (l) shall not apply to distributors, employees of distributors, or employees of a manufacturer who has registered the trademark, brand or name of the alcoholic liquor pursuant to Section 6-9 of this Act, and who regularly sells such alcoholic liquor in the State of Illinois only to its registrants thereunder.

Any agent, representative, or person subject to registration pursuant to subsection (a-1) of this Section shall not be eligible to receive a broker's license.

(m) A non-resident dealer's license shall permit such licensee to ship into and warehouse alcoholic liquor into this State from any point outside of this State, and to sell such alcoholic liquor to Illinois licensed foreign importers and importing distributors and to no one else in this State; provided that (i) said non-resident dealer shall register with the Illinois Liquor Control Commission each and every brand of alcoholic liquor which it proposes to sell to Illinois licensees during the license period, (ii) it shall comply with all of the provisions of Section 6-9 hereof with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the non-resident dealer shall comply with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers. No person licensed as a non-resident dealer shall be granted a distributor's or importing distributor's license.

(n) A brew pub license shall allow the licensee to only (i) manufacture up to 155,000 gallons of beer per year only on the premises specified in the license, (ii) make sales of the beer manufactured on the premises or, with the approval of the Commission, beer manufactured on another brew pub licensed premises that is wholly owned and operated by the same licensee to importing distributors, distributors, and to non-licensees for use and consumption, (iii) store the beer upon the premises, (iv) sell and offer for sale at retail from the licensed premises for off-premises consumption no more than 155,000 gallons per year so long as such sales are only made in-person, (v) sell and offer for sale at retail for use and consumption on the premises specified in the license any form of alcoholic liquor purchased from a licensed distributor or importing distributor, and (vi) with the prior approval of the Commission, annually transfer no more than 155,000 gallons of beer manufactured on the premises to a licensed brew pub wholly owned and operated by the same licensee.

A brew pub licensee shall not under any circumstance sell or offer for sale beer manufactured by the brew pub licensee to retail licensees.

A person who holds a class 2 brewer license may simultaneously hold a brew pub license if the class 2 brewer (i) does not, under any circumstance, sell or offer for sale beer manufactured by the class 2 brewer to retail licensees; (ii) does not hold more than 3 brew pub licenses in this State; (iii) does not manufacture more than a combined 3,720,000 gallons of beer per year, including the beer manufactured at the brew pub; and (iv) is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or any other alcoholic liquor.

Notwithstanding any other provision of this Act, a licensed brewer, class 2 brewer, or non-resident dealer who before July 1, 2015 manufactured less than 3,720,000 gallons of beer per year and held a brew pub license on or before July 1, 2015 may (i) continue to qualify for and hold that brew pub license for the licensed premises and (ii) manufacture more than 3,720,000 gallons of beer per year and continue to qualify for and hold that brew pub license if that brewer, class 2 brewer, or non-resident dealer does not simultaneously hold a class 1 brewer license and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or that produces any other alcoholic liquor.

(o) A caterer retailer license shall allow the holder to serve alcoholic liquors as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal, either on or off-site whether licensed or unlicensed.

(p) An auction liquor license shall allow the licensee to sell and offer for sale at auction wine and spirits for use or consumption, or for resale by an Illinois liquor licensee in accordance with provisions of this Act. An auction liquor license will be issued to a person and it will permit the auction liquor licensee to hold the auction anywhere in the State. An auction liquor license must be obtained for each auction at least 14 days in advance of the auction date.

(q) A special use permit license shall allow an Illinois licensed retailer to transfer a portion of its alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created, and to sell or offer for sale at retail, only in the premises specified in the license hereby created, the transferred alcoholic liquor for use or consumption, but not for resale in any form. A special use permit license may be granted for the following time periods: one day or less; 2 or more days to a maximum of 15 days per location in any 12-month period. An applicant for the special use permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(r) A winery shipper's license shall allow a person with a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license or who is licensed to make wine under the laws of another state to ship wine made by that licensee directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Prior to receiving a winery shipper's license, an applicant for the license must provide the Commission with a true copy of its current license in any state in which it is licensed as a manufacturer of wine. An applicant for a winery shipper's license must also complete an application form that provides any other information the Commission deems necessary. The application form shall include all addresses from which the applicant for a winery shipper's license intends to ship wine, including the name and address of any third party, except for a common carrier, authorized to ship wine on behalf of the manufacturer. The application form shall include an acknowledgement consenting to the jurisdiction of the Commission, the Illinois Department of Revenue, and the courts of this State concerning the enforcement of this Act and any related laws, rules, and regulations, including authorizing the Department of Revenue and the Commission to conduct audits for the purpose of ensuring compliance with Public Act 95-634, and an acknowledgement that the wine manufacturer is in compliance with Section 6-2 of this Act. Any third party, except for a common carrier, authorized to ship wine on behalf of a first-class or second-class wine manufacturer's licensee, a first-class or second-class wine-maker's licensee, a limited wine manufacturer's licensee, or a person who is licensed to make wine under the laws of another state shall also be disclosed by the winery shipper's licensee, and a copy of the written appointment of the third-party wine provider, except for a common carrier, to the wine manufacturer shall be filed with the State Commission as a supplement to the winery shipper's license application or any renewal thereof. The winery shipper's license holder shall affirm under penalty of perjury, as part of the winery shipper's license application or renewal, that he or she only ships wine, either directly or indirectly through a third-party provider, from the licensee's own production.

Except for a common carrier, a third-party provider shipping wine on behalf of a winery shipper's license holder is the agent of the winery shipper's license holder and, as such, a winery shipper's license holder is responsible for the acts and omissions of the third-party provider acting on behalf of the license holder. A third-party provider, except for a common carrier, that engages in shipping wine into Illinois on behalf of a winery shipper's license holder shall consent to the jurisdiction of the State Commission and the State. Any third-party, except for a common carrier, holding such an appointment shall, by February 1 of each calendar year and upon request by the State Commission or the Department of Revenue, file with the State Commission a statement detailing each shipment made to an Illinois resident. The statement shall include the name and address of the third-party provider filing the statement, the time period covered by the statement, and the following information:

- (1) the name, address, and license number of the winery shipper on whose behalf the shipment was made;
- (2) the quantity of the products delivered; and
- (3) the date and address of the shipment.

If the Department of Revenue or the State Commission requests a statement under this paragraph, the third-party provider must provide that statement no later than 30 days after the request is made. Any books, records, supporting papers, and documents containing information and data relating to a statement under this paragraph shall be kept and preserved for a period of 3 years, unless their destruction sooner is authorized, in writing, by the Director of Revenue, and shall be open and available to inspection by the Director of Revenue or the State Commission or any duly authorized officer, agent, or employee of the State Commission or the Department of Revenue, at all times during business hours of the day. Any person who violates any provision of this paragraph or any rule of the State Commission for the administration and enforcement of the provisions of this paragraph is guilty of a Class C misdemeanor. In case of a continuing violation, each day's continuance thereof shall be a separate and distinct offense.

The State Commission shall adopt rules as soon as practicable to implement the requirements of Public Act 99-904 and shall adopt rules prohibiting any such third-party appointment of a third-party provider,

except for a common carrier, that has been deemed by the State Commission to have violated the provisions of this Act with regard to any winery shipper licensee.

A winery shipper licensee must pay to the Department of Revenue the State liquor gallonage tax under Section 8-1 for all wine that is sold by the licensee and shipped to a person in this State. For the purposes of Section 8-1, a winery shipper licensee shall be taxed in the same manner as a manufacturer of wine. A licensee who is not otherwise required to register under the Retailers' Occupation Tax Act must register under the Use Tax Act to collect and remit use tax to the Department of Revenue for all gallons of wine that are sold by the licensee and shipped to persons in this State. If a licensee fails to remit the tax imposed under this Act in accordance with the provisions of Article VIII of this Act, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act. If a licensee fails to properly register and remit tax under the Use Tax Act or the Retailers' Occupation Tax Act for all wine that is sold by the winery shipper and shipped to persons in this State, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act.

A winery shipper licensee must collect, maintain, and submit to the Commission on a semi-annual basis the total number of cases per resident of wine shipped to residents of this State. A winery shipper licensed under this subsection (r) must comply with the requirements of Section 6-29 of this Act.

Pursuant to paragraph (5.1) or (5.3) of subsection (a) of Section 3-12, the State Commission may receive, respond to, and investigate any complaint and impose any of the remedies specified in paragraph (1) of subsection (a) of Section 3-12.

As used in this subsection, "third-party provider" means any entity that provides fulfillment house services, including warehousing, packaging, distribution, order processing, or shipment of wine, but not the sale of wine, on behalf of a licensed winery shipper.

(s) A craft distiller tasting permit license shall allow an Illinois licensed craft distiller to transfer a portion of its alcoholic liquor inventory from its craft distiller licensed premises to the premises specified in the license hereby created and to conduct a sampling, only in the premises specified in the license hereby created, of the transferred alcoholic liquor in accordance with subsection (c) of Section 6-31 of this Act. The transferred alcoholic liquor may not be sold or resold in any form. An applicant for the craft distiller tasting permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(Source: P.A. 99-448, eff. 8-24-15; 99-642, eff. 7-28-16; 99-800, eff. 8-12-16; 99-902, eff. 8-26-16; 99-904, eff. 1-1-17; 100-17, eff. 6-30-17; 100-201, eff. 8-18-17.)

(235 ILCS 5/6-4) (from Ch. 43, par. 121)

Sec. 6-4. (a) No person licensed by any licensing authority as a distiller, or a wine manufacturer, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of such person shall be issued an importing distributor's or distributor's license, nor shall any person licensed by any licensing authority as an importing distributor, distributor or retailer, or any subsidiary or affiliate thereof, or any officer or associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of such person be issued a distiller's license, a craft distiller's license, or a wine manufacturer's license; and no person or persons licensed as a distiller or craft distiller by any licensing authority shall have any interest, directly or indirectly, with such distributor or importing distributor.

However, an importing distributor or distributor, which on January 1, 1985 is owned by a brewer, or any subsidiary or affiliate thereof or any officer, associate, member, partner, representative, employee, agent or shareholder owning more than 5% of the outstanding shares of the importing distributor or distributor referred to in this paragraph, may own or acquire an ownership interest of more than 5% of the outstanding shares of a wine manufacturer and be issued a wine manufacturer's license by any licensing authority.

(b) The foregoing provisions shall not apply to any person licensed by any licensing authority as a distiller or wine manufacturer, or to any subsidiary or affiliate of any distiller or wine manufacturer who shall have been heretofore licensed by the State Commission as either an importing distributor or distributor during the annual licensing period expiring June 30, 1947, and shall actually have made sales regularly to retailers.

(c) Provided, however, that in such instances where a distributor's or importing distributor's license has been issued to any distiller or wine manufacturer or to any subsidiary or affiliate of any distiller or wine manufacturer who has, during the licensing period ending June 30, 1947, sold or distributed as such licensed distributor or importing distributor alcoholic liquors and wines to retailers, such distiller or wine manufacturer or any subsidiary or affiliate of any distiller or wine manufacturer holding such distributor's or importing distributor's license may continue to sell or distribute to retailers such alcoholic liquors and

wines which are manufactured, distilled, processed or marketed by distillers and wine manufacturers whose products it sold or distributed to retailers during the whole or any part of its licensing periods; and such additional brands and additional products may be added to the line of such distributor or importing distributor, provided, that such brands and such products were not sold or distributed by any distributor or importing distributor licensed by the State Commission during the licensing period ending June 30, 1947, but can not sell or distribute to retailers any other alcoholic liquors or wines.

(d) It shall be unlawful for any distiller licensed anywhere to have any stock ownership or interest in any distributor's or importing distributor's license wherein any other person has an interest therein who is not a distiller and does not own more than 5% of any stock in any distillery. Nothing herein contained shall apply to such distillers or their subsidiaries or affiliates, who had a distributor's or importing distributor's license during the licensing period ending June 30, 1947, which license was owned in whole by such distiller, or subsidiaries or affiliates of such distiller.

(e) Any person licensed as a brewer, class 1 brewer, or class 2 brewer shall be permitted to sell on the licensed premises to non-licensees for on or off-premises consumption for the premises in which he or she actually conducts such business beer manufactured by the brewer, class 1 brewer, or class 2 brewer. Such sales shall be limited to on-premises, in-person sales only, for lawful consumption on or off premises. Such authorization shall be considered a privilege granted by the brewer license and, other than a manufacturer of beer as stated above, no manufacturer or distributor or importing distributor, excluding airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative, employee or agent, or shareholder shall be issued a retailer's license, nor shall any person having a retailer's license, excluding airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act, or any subsidiary or affiliate thereof, or any officer, associate, member, partner, representative or agent, or shareholder be issued a manufacturer's license or importing distributor's license.

A manufacturer of beer that imports or transfers beer into this State must comply with Sections 6-8 and 8-1 of this Act.

A person who holds a class 1 or class 2 brewer license and is authorized by this Section to sell beer to non-licensees shall not sell beer to non-licensees from more than 3 total brewer or commonly owned brew pub licensed locations in this State. The class 1 or class 2 brewer shall designate to the State Commission the brewer or brew pub locations from which it will sell beer to non-licensees.

A person licensed as a craft distiller, including a person who holds more than one craft distiller license, not affiliated with any other person manufacturing spirits may be authorized by the Commission to sell up to 2,500 gallons of spirits produced by the person to non-licensees for on or off-premises consumption for the premises in which he or she actually conducts business permitting only the retail sale of spirits manufactured at such premises. Such sales shall be limited to on-premises, in-person sales only, for lawful consumption on or off premises, and such authorization shall be considered a privilege granted by the craft distiller license. A craft distiller licensed for retail sale shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

A craft distiller license holder shall not deliver any alcoholic liquor to any non-licensee off the licensed premises. A craft distiller shall affirm in its annual craft distiller's license application that it does not produce more than 100,000 gallons of distilled spirits annually and that the craft distiller does not sell more than 2,500 gallons of spirits to non-licensees for on or off-premises consumption. In the application, which shall be sworn under penalty of perjury, the craft distiller shall state the volume of production and sales for each year since the craft distiller's establishment.

(f) (Blank).

(g) Notwithstanding any of the foregoing prohibitions, a limited wine manufacturer may sell at retail at its manufacturing site for on or off premises consumption and may sell to distributors. A limited wine manufacturer licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(h) The changes made to this Section by Public Act 99-47 shall not diminish or impair the rights of any person, whether a distiller, wine manufacturer, agent, or affiliate thereof, who requested in writing and submitted documentation to the State Commission on or before February 18, 2015 to be approved for a retail license pursuant to what has heretofore been subsection (f); provided that, on or before that date, the State Commission considered the intent of that person to apply for the retail license under that subsection and, by recorded vote, the State Commission approved a resolution indicating that such a license application could be lawfully approved upon that person duly filing a formal application for a retail license and if that person, within 90 days of the State Commission appearance and recorded vote, first filed an application with the appropriate local commission, which application was subsequently approved by the

appropriate local commission prior to consideration by the State Commission of that person's application for a retail license. It is further provided that the State Commission may approve the person's application for a retail license or renewals of such license if such person continues to diligently adhere to all representations made in writing to the State Commission on or before February 18, 2015, or thereafter, or in the affidavit filed by that person with the State Commission to support the issuance of a retail license and to abide by all applicable laws and duly adopted rules.

(Source: P.A. 99-47, eff. 7-15-15; 99-448, eff. 8-24-15; 99-642, eff. 7-28-16; 99-902, eff. 8-26-16; 100-201, eff. 8-18-17.)

(235 ILCS 5/6-6) (from Ch. 43, par. 123)

Sec. 6-6. Except as otherwise provided in this Act no manufacturer or distributor or importing distributor shall, directly or indirectly, sell, supply, furnish, give or pay for, or loan or lease, any furnishing, fixture or equipment on the premises of a place of business of another licensee authorized under this Act to sell alcoholic liquor at retail, either for consumption on or off the premises, nor shall he or she, directly or indirectly, pay for any such license, or advance, furnish, lend or give money for payment of such license, or purchase or become the owner of any note, mortgage, or other evidence of indebtedness of such licensee or any form of security therefor, nor shall such manufacturer, or distributor, or importing distributor, directly or indirectly, be interested in the ownership, conduct or operation of the business of any licensee authorized to sell alcoholic liquor at retail, nor shall any manufacturer, or distributor, or importing distributor be interested directly or indirectly or as owner or part owner of said premises or as lessee or lessor thereof, in any premises upon which alcoholic liquor is sold at retail.

No manufacturer or distributor or importing distributor shall, directly or indirectly or through a subsidiary or affiliate, or by any officer, director or firm of such manufacturer, distributor or importing distributor, furnish, give, lend or rent, install, repair or maintain, to or for any retail licensee in this State, any signs or inside advertising materials except as provided in this Section and Section 6-5. With respect to retail licensees, other than any government owned or operated auditorium, exhibition hall, recreation facility or other similar facility holding a retailer's license as described in Section 6-5, a manufacturer, distributor, or importing distributor may furnish, give, lend or rent and erect, install, repair and maintain to or for any retail licensee, for use at any one time in or about or in connection with a retail establishment on which the products of the manufacturer, distributor or importing distributor are sold, the following signs and inside advertising materials as authorized in subparts (i), (ii), (iii), and (iv):

(i) Permanent outside signs shall ~~cost be limited to one outside sign, per brand, in place and in use at any one time, costing not more than \$3,000 per manufacturer~~ cost not more than \$893, exclusive of erection, installation, repair and maintenance costs, and permit fees and shall bear only the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbols commonly associated with and generally used in identifying the product including, but not limited to, "cold beer", "on tap", "carry out", and "packaged liquor".

(ii) Temporary outside signs shall ~~include, but not be limited to, be limited to one temporary outside sign per brand. Examples of temporary outside signs are banners, flags, pennants, streamers, and other items~~

of a temporary and non-permanent nature, and shall cost not more than \$1,000 per manufacturer. Each temporary outside sign must include the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbol commonly associated with and generally used in identifying the product. Temporary outside signs may also include, for example, the product, price, packaging, date or dates of a promotion and an announcement of a retail licensee's specific sponsored event, if the temporary outside sign is intended to promote a product, and provided that the announcement of the retail licensee's event and the product promotion are held simultaneously. However, temporary outside signs may not include names, slogans, markings, or logos that relate to the retailer. Nothing in this subpart (ii) shall prohibit a distributor or importing distributor from bearing the cost of creating or printing a temporary outside sign for the retail licensee's specific sponsored event or from bearing the cost of creating or printing a temporary sign for a retail licensee containing, for example, community goodwill expressions, regional sporting event announcements, or seasonal messages, provided that the primary purpose of the temporary outside sign is to highlight, promote, or advertise the product. In addition, temporary outside signs provided by the manufacturer to the distributor or importing distributor may also include, for example, subject to the limitations of this Section, preprinted community goodwill expressions, sporting event announcements, seasonal messages, and manufacturer promotional announcements. However, a distributor or importing distributor shall not bear the cost of such manufacturer preprinted signs.

(iii) Permanent inside signs, whether visible from the outside or the inside of the

premises, include, but are not limited to: alcohol lists and menus that may include names, slogans, markings, or logos that relate to the retailer; neons; illuminated signs; clocks; table lamps; mirrors; tap handles; decalcomanias; window painting; and window trim. All neons, illuminated signs, clocks, table lamps, mirrors, and tap handles are the property of the manufacturer and shall be returned to the manufacturer or its agent upon request. All permanent inside signs in place and in use at any one time shall cost in the aggregate not more than ~~\$6,000~~ \$2000 per manufacturer. A permanent inside sign must include the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbol commonly associated with and generally used in identifying the product. However, permanent inside signs may not include names, slogans, markings, or logos that relate to the retailer. For the purpose of this subpart (iii), all permanent inside signs may be displayed in an adjacent courtyard or patio commonly referred to as a "beer garden" that is a part of the retailer's licensed premises.

(iv) Temporary inside signs shall include, but are not limited to, lighted chalk boards, acrylic table tent beverage or hors d'oeuvre list holders, banners, flags, pennants, streamers, and inside advertising materials such as posters, placards, bowling sheets, table tents, inserts for acrylic table tent beverage or hors d'oeuvre list holders, sports schedules, or similar printed or illustrated materials and product displays, such as display racks, bins, barrels, or similar items, the primary function of which is to temporarily hold and display alcoholic beverages; however, such items, for example, as coasters, trays, napkins, glassware and cups shall not be deemed to be inside signs or advertising materials and may only be sold to retailers at fair market value, which shall be no less than the cost of the item to the manufacturer, distributor, or importing distributor. All temporary inside signs and inside advertising materials in place and in use at any one time shall cost in the aggregate not more than ~~\$1,000~~ \$325 per manufacturer. Nothing in this subpart (iv) prohibits a distributor or importing distributor from paying the cost of printing or creating any temporary inside banner or inserts for acrylic table tent beverage or hors d'oeuvre list holders for a retail licensee, provided that the primary purpose for the banner or insert is to highlight, promote, or advertise the product. For the purpose of this subpart (iv), all temporary inside signs and inside advertising materials may be displayed in an adjacent courtyard or patio commonly referred to as a "beer garden" that is a part of the retailer's licensed premises.

~~A "cost adjustment factor" shall be used to periodically update the dollar limitations prescribed in subparts (i), (iii), and (iv). The Commission shall establish the adjusted dollar limitation on an annual basis beginning in January, 1997. The term "cost adjustment factor" means a percentage equal to the change in the Bureau of Labor Statistics Consumer Price Index or 5%, whichever is greater. The restrictions contained in this Section 6-6 do not apply to signs, or promotional or advertising materials furnished by manufacturers, distributors or importing distributors to a government owned or operated facility holding a retailer's license as described in Section 6-5.~~

No distributor or importing distributor shall directly or indirectly or through a subsidiary or affiliate, or by any officer, director or firm of such manufacturer, distributor or importing distributor, furnish, give, lend or rent, install, repair or maintain, to or for any retail licensee in this State, any signs or inside advertising materials described in subparts (i), (ii), (iii), or (iv) of this Section except as the agent for or on behalf of a manufacturer, provided that the total cost of any signs and inside advertising materials including but not limited to labor, erection, installation and permit fees shall be paid by the manufacturer whose product or products said signs and inside advertising materials advertise and except as follows:

A distributor or importing distributor may purchase from or enter into a written agreement with a manufacturer or a manufacturer's designated supplier and such manufacturer or the manufacturer's designated supplier may sell or enter into an agreement to sell to a distributor or importing distributor permitted signs and advertising materials described in subparts (ii), (iii), or (iv) of this Section for the purpose of furnishing, giving, lending, renting, installing, repairing, or maintaining such signs or advertising materials to or for any retail licensee in this State. Any purchase by a distributor or importing distributor from a manufacturer or a manufacturer's designated supplier shall be voluntary and the manufacturer may not require the distributor or the importing distributor to purchase signs or advertising materials from the manufacturer or the manufacturer's designated supplier.

A distributor or importing distributor shall be deemed the owner of such signs or advertising materials purchased from a manufacturer or a manufacturer's designated supplier.

The provisions of Public Act 90-373 concerning signs or advertising materials delivered by a manufacturer to a distributor or importing distributor shall apply only to signs or advertising materials delivered on or after August 14, 1997.

A manufacturer, distributor, or importing distributor may furnish free social media advertising to a retail licensee if the social media advertisement does not contain the retail price of any alcoholic liquor and the social media advertisement complies with any applicable rules or regulations issued by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury. A manufacturer,

distributor, or importing distributor may list the names of one or more unaffiliated retailers in the advertisement of alcoholic liquor through social media. Nothing in this Section shall prohibit a retailer from communicating with a manufacturer, distributor, or importing distributor on social media or sharing media on the social media of a manufacturer, distributor, or importing distributor. A retailer may request free social media advertising from a manufacturer, distributor, or importing distributor. Nothing in this Section shall prohibit a manufacturer, distributor, or importing distributor from sharing, reposting, or otherwise forwarding a social media post by a retail licensee, so long as the sharing, reposting, or forwarding of the social media post does not contain the retail price of any alcoholic liquor. No manufacturer, distributor, or importing distributor shall pay or reimburse a retailer, directly or indirectly, for any social media advertising services, except as specifically permitted in this Act. No retailer shall accept any payment or reimbursement, directly or indirectly, for any social media advertising services offered by a manufacturer, distributor, or importing distributor, except as specifically permitted in this Act. For the purposes of this Section, "social media" means a service, platform, or site where users communicate with one another and share media, such as pictures, videos, music, and blogs, with other users free of charge.

No person engaged in the business of manufacturing, importing or distributing alcoholic liquors shall, directly or indirectly, pay for, or advance, furnish, or lend money for the payment of any license for another. Any licensee who shall permit or assent, or be a party in any way to any violation or infringement of the provisions of this Section shall be deemed guilty of a violation of this Act, and any money loaned contrary to a provision of this Act shall not be recovered back, or any note, mortgage or other evidence of indebtedness, or security, or any lease or contract obtained or made contrary to this Act shall be unenforceable and void.

This Section shall not apply to airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act.

(Source: P.A. 98-756, eff. 7-16-14; 99-448, eff. 8-24-15.)

(235 ILCS 5/6-8) (from Ch. 43, par. 125)

Sec. 6-8. Each manufacturer or importing distributor or foreign importer shall keep an accurate record of all alcoholic liquors manufactured, distributed, sold, used, or delivered by him in this State during each month, showing therein to whom sold, and shall furnish a copy thereof or a report thereon to the State Commission, as the State Commission may, request.

Each importing distributor or manufacturer to whom alcoholic liquors imported into this State have been consigned shall effect possession and physical control thereof by storing such alcoholic liquors in the premises wherein such importing distributor or manufacturer is licensed to engage in such business as an importing distributor or manufacturer and to make such alcoholic liquors together with accompanying invoices, bills of lading and receiving tickets available for inspection by an agent or representative of the Department of Revenue and of the State Commission.

All alcoholic liquor imported into this State must be off-loaded from the common carrier, vehicle, or mode of transportation by which the alcoholic liquor was delivered into this State. The alcoholic liquor shall be stored at the licensed premises of the importing distributor before sale and delivery to licensees in this State. A distributor or importing distributor, upon application to the Commission, may secure a waiver of the provisions of this Section for purposes of delivering beer directly to a licensee holding or otherwise participating in a special event sponsored by a unit of government or a not-for-profit organization.

A manufacturer of beer that imports or transfers beer into this State must comply with the provisions of this Section.

(Source: P.A. 88-535.)

(235 ILCS 5/8-1)

Sec. 8-1. A tax is imposed upon the privilege of engaging in business as a manufacturer or as an importing distributor of alcoholic liquor other than beer at the rate of \$0.185 per gallon until September 1, 2009 and \$0.231 per gallon beginning September 1, 2009 for cider containing not less than 0.5% alcohol by volume nor more than 7% alcohol by volume, \$0.73 per gallon until September 1, 2009 and \$1.39 per gallon beginning September 1, 2009 for wine other than cider containing less than 7% alcohol by volume, and \$4.50 per gallon until September 1, 2009 and \$8.55 per gallon beginning September 1, 2009 on alcohol and spirits manufactured and sold or used by such manufacturer, or as agent for any other person, or sold or used by such importing distributor, or as agent for any other person. A tax is imposed upon the privilege of engaging in business as a manufacturer of beer or as an importing distributor of beer at the rate of \$0.185 per gallon until September 1, 2009 and \$0.231 per gallon beginning September 1, 2009 on all beer manufactured and sold or used by such manufacturer, or as agent for any other person, or sold or used by such importing distributor, or as agent for any other person. Any brewer manufacturing beer in this State shall be entitled to and given a credit or refund of 75% of the tax imposed on each gallon of beer up to 4.9

million gallons per year in any given calendar year for tax paid or payable on beer produced and sold in the State of Illinois.

For the purpose of this Section, "cider" means any alcoholic beverage obtained by the alcohol fermentation of the juice of apples or pears including, but not limited to, flavored, sparkling, or carbonated cider.

The credit or refund created by this Act shall apply to all beer taxes in the calendar years 1982 through 1986.

The increases made by this amendatory Act of the 91st General Assembly in the rates of taxes imposed under this Section shall apply beginning on July 1, 1999.

A tax at the rate of 1¢ per gallon on beer and 48¢ per gallon on alcohol and spirits is also imposed upon the privilege of engaging in business as a retailer or as a distributor who is not also an importing distributor with respect to all beer and all alcohol and spirits owned or possessed by such retailer or distributor when this amendatory Act of 1969 becomes effective, and with respect to which the additional tax imposed by this amendatory Act upon manufacturers and importing distributors does not apply. Retailers and distributors who are subject to the additional tax imposed by this paragraph of this Section shall be required to inventory such alcoholic liquor and to pay this additional tax in a manner prescribed by the Department.

The provisions of this Section shall be construed to apply to any importing distributor engaging in business in this State, whether licensed or not.

However, such tax is not imposed upon any such business as to any alcoholic liquor shipped outside Illinois by an Illinois licensed manufacturer or importing distributor, nor as to any alcoholic liquor delivered in Illinois by an Illinois licensed manufacturer or importing distributor to a purchaser for immediate transportation by the purchaser to another state into which the purchaser has a legal right, under the laws of such state, to import such alcoholic liquor, nor as to any alcoholic liquor other than beer sold by one Illinois licensed manufacturer or importing distributor to another Illinois licensed manufacturer or importing distributor to the extent to which the sale of alcoholic liquor other than beer by one Illinois licensed manufacturer or importing distributor to another Illinois licensed manufacturer or importing distributor is authorized by the licensing provisions of this Act, nor to alcoholic liquor whether manufactured in or imported into this State when sold to a "non-beverage user" licensed by the State for use in the manufacture of any of the following when they are unfit for beverage purposes:

Patent and proprietary medicines and medicinal, antiseptic, culinary and toilet preparations;

Flavoring extracts and syrups and food products;

Scientific, industrial and chemical products, excepting denatured alcohol;

Or for scientific, chemical, experimental or mechanical purposes;

Nor is the tax imposed upon the privilege of engaging in any business in interstate commerce or otherwise, which business may not, under the Constitution and Statutes of the United States, be made the subject of taxation by this State.

The tax herein imposed shall be in addition to all other occupation or privilege taxes imposed by the State of Illinois or political subdivision thereof.

If any alcoholic liquor manufactured in or imported into this State is sold to a licensed manufacturer or importing distributor by a licensed manufacturer or importing distributor to be used solely as an ingredient in the manufacture of any beverage for human consumption, the tax imposed upon such purchasing manufacturer or importing distributor shall be reduced by the amount of the taxes which have been paid by the selling manufacturer or importing distributor under this Act as to such alcoholic liquor so used to the Department of Revenue.

If any person received any alcoholic liquors from a manufacturer or importing distributor, with respect to which alcoholic liquors no tax is imposed under this Article, and such alcoholic liquor shall thereafter be disposed of in such manner or under such circumstances as may cause the same to become the base for the tax imposed by this Article, such person shall make the same reports and returns, pay the same taxes and be subject to all other provisions of this Article relating to manufacturers and importing distributors.

Nothing in this Article shall be construed to require the payment to the Department of the taxes imposed by this Article more than once with respect to any quantity of alcoholic liquor sold or used within this State.

No tax is imposed by this Act on sales of alcoholic liquor by Illinois licensed foreign importers to Illinois licensed importing distributors.

All of the proceeds of the additional tax imposed by Public Act 96-34 shall be deposited by the Department into the Capital Projects Fund. The remainder of the tax imposed by this Act shall be deposited by the Department into the General Revenue Fund.

A manufacturer of beer that imports or transfers beer into this State must comply with the provisions of this Section with regard to the beer imported into this State.

The provisions of this Section 8-1 are severable under Section 1.31 of the Statute on Statutes. (Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; 96-1000, eff. 7-2-10.)

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

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

On motion of Senator Muñoz, **Senate Bill No. 3022** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McConnaughay, **Senate Bill No. 3028** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **Senate Bill No. 3035** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Financial Institutions, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3035

AMENDMENT NO. 1. Amend Senate Bill 3035 by replacing everything after the enacting clause with the following:

"Section 5. The Residential Mortgage License Act of 1987 is amended by changing Sections 2-2, 2-4, 4-8, 4-8.3, and 5-9 as follows:

(205 ILCS 635/2-2)

Sec. 2-2. Application process; investigation; fee.

(a) The Secretary shall issue a license upon completion of all of the following:

(1) The filing of an application for license with the Director or the Nationwide Mortgage Licensing System and Registry as approved by the Director.

(2) The filing with the Secretary of a listing of judgments entered against, and bankruptcy petitions by, the license applicant for the preceding 10 years.

(3) The payment, in certified funds, of investigation and application fees, the total of which shall be in an amount equal to \$2,700 annually.

(4) Except for a broker applying to renew a license, the filing of an audited balance sheet including all footnotes prepared by a certified public accountant in accordance with generally accepted accounting principles and generally accepted auditing standards which evidences that the applicant meets the net worth requirements of Section 3-5. Notwithstanding the requirements of this subsection, an applicant that is a subsidiary may submit audited consolidated financial statements of its parent, intermediary parent, or ultimate parent as long as the consolidated statements are supported by consolidating statements which include the applicant's financial statement. If the consolidating statements are unaudited, the applicant's chief financial officer shall attest to the applicant's financial statements disclosed in the consolidating statements.

(5) The filing of proof satisfactory to the Secretary Commissioner that the applicant, the members thereof if

the applicant is a partnership or association, the members or managers thereof that retain any authority or responsibility under the operating agreement if the applicant is a limited liability company, or the officers thereof if the applicant is a corporation have 3 years experience preceding application in real estate finance. Instead of this requirement, the applicant and the applicant's officers or members, as applicable, may satisfactorily complete a program of education in real estate finance and fair lending, as approved by the Secretary Commissioner, prior to receiving the initial license. The Secretary Commissioner shall adopt promulgate rules regarding proof of experience requirements and educational requirements and the satisfactory completion of those requirements. The Secretary Commissioner may establish by rule a list of duly licensed professionals and others who may be exempt from this requirement.

(6) An investigation of the application ~~requirements required by Section 2-4~~, which investigation must allow the Secretary Commissioner to issue positive

findings stating that the financial responsibility, experience, character, and general fitness of the license applicant and of the members thereof if the license applicant is a partnership or association, of the

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officers and directors thereof if the license applicant is a corporation, and of the managers and members that retain any authority or responsibility under the operating agreement if the license applicant is a limited liability company are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly and efficiently within the purpose of this Act. If the Secretary Commissioner shall not so find, he or she shall not issue such license, and he or she shall notify the license applicant of the denial.

The Secretary Commissioner may impose conditions on a license if the Secretary Commissioner determines that the conditions are necessary or appropriate. These conditions shall be imposed in writing and shall continue in effect for the period prescribed by the Secretary Commissioner.

(b) All licenses shall be issued to the license applicant.

Upon receipt of such license, a residential mortgage licensee shall be authorized to engage in the business regulated by this Act. Such license shall remain in full force and effect until it expires without renewal, is surrendered by the licensee or revoked or suspended as hereinafter provided.

(Source: P.A. 98-1081, eff. 1-1-15; 99-15, eff. 1-1-16.)

(205 ILCS 635/2-4) (from Ch. 17, par. 2322-4)

Sec. 2-4. Prohibited acts and practices for licensees. Avertments of Licensee. It is a violation of this Act for a licensee subject to this Act to Each application for license shall be accompanied by the following averments stating that the applicant:

(a) fail to Will maintain at least one full service office within the State of Illinois if required to do so pursuant to

Section 3-4 of this Act;

(b) fail to Will maintain staff reasonably adequate to meet the requirements of Section 3-4 of this Act;

(c) fail to Will keep and maintain for 36 months the same written records as required by the federal Equal Credit Opportunity Act, and any other information required by regulations of the Secretary Commissioner regarding any home mortgage in the course of the conduct of its residential mortgage business;

(d) fail to Will file with the Secretary Commissioner or Nationwide Mortgage Licensing System and Registry as applicable,

when due, any report or reports which it is required to file under any of the provisions of this Act;

(e) engage Will not engage, whether as principal or agent, in the practice of rejecting residential mortgage

applications without reasonable cause, or varying terms or application procedures without reasonable cause, for home mortgages on real estate within any specific geographic area from the terms or procedures generally provided by the licensee within other geographic areas of the State;

(f) engage Will not engage in fraudulent home mortgage underwriting practices;

(g) make Will not make payment, whether directly or indirectly, of any kind to any in house or fee appraiser of any government or private money lending agency with which an application for a home mortgage has been filed for the purpose of influencing the independent judgment of the appraiser with respect to the value of any real estate which is to be covered by such home mortgage;

(h) fail to file Has filed tax returns (State and Federal) for the past 3 years or filed with the Secretary Commissioner an

accountant's or attorney's statement as to why no return was filed;

(i) engage Will not engage in any discrimination or redlining activities prohibited by Section 3-8 of this

Act;

(j) knowingly Will not knowingly make any false promises likely to influence or persuade, or pursue a course of

misrepresentation and false promises through agents, solicitors, advertising or otherwise;

(k) knowingly Will not knowingly misrepresent, circumvent or conceal, through whatever subterfuge or device, any of the material particulars or the nature thereof, regarding a transaction to which it is a party to the injury of another party thereto;

(l) fail to Will disburse funds in accordance with its agreements;

(m) commit Has not committed a crime against the law of this State, any other state or of the United States,

involving moral turpitude, fraudulent or dishonest dealing, and that no final judgment has been entered against it in a civil action upon grounds of fraud, misrepresentation or deceit which has not been previously reported to the Secretary Commissioner;

- (n) ~~fail to Will~~ account or deliver to the owner upon request any personal property such as money, fund, deposit, check, draft, mortgage, other document or thing of value which it is not in law or equity entitled to retain under the circumstances;
- (o) ~~engage Has not engaged~~ in any conduct which would be cause for denial of a license;
- (p) ~~become Has not become~~ insolvent;
- (q) ~~submit Has not submitted~~ an application for a license under this Act which contains a material misstatement;
- (r) ~~demonstrate Has not demonstrated~~ by course of conduct, negligence or incompetence in performing any act for which it is required to hold a license under this Act;
- (s) ~~fail to Will~~ advise the Secretary Commissioner in writing, or the Nationwide Mortgage Licensing System and Registry, as applicable, of any changes to the information submitted on the most recent application for license or averments of record within 30 days of said change. The written notice must be signed in the same form as the application for license being amended;
- (t) ~~fail to Will~~ comply with the provisions of this Act, or with any lawful order, rule or regulation made or issued under the provisions of this Act;
- (u) ~~fail to Will~~ submit to periodic examination by the Secretary Commissioner as required by this Act;
- (v) ~~fail to Will~~ advise the Secretary Commissioner in writing of judgments entered against, and bankruptcy petitions by, the license applicant within 5 days of occurrence;
- (w) ~~fail to Will~~ advise the Secretary Commissioner in writing within 30 days of any request made to a licensee under this Act to repurchase a loan in a manner that completely and clearly identifies to whom the request was made, the loans involved, and the reason therefor;
- (x) ~~fail to Will~~ advise the Secretary Commissioner in writing within 30 days of any request from any entity to repurchase a loan in a manner that completely and clearly identifies to whom the request was made, the loans involved, and the reason for the request;
- (y) ~~fail to Will~~ at all times act in a manner consistent with subsections (a) and (b) of Section 1-2 of this Act;
- (z) ~~knowingly Will not knowingly~~ hire or employ a loan originator who is not registered, or mortgage loan originator who is not licensed, with the Secretary Commissioner as required under Section 7-1 or Section 7-1A, as applicable, of this Act;
- (aa) ~~charge Will not charge~~ or collect advance payments from borrowers or homeowners for engaging in loan modification; ~~or and~~
- (bb) ~~structure Will not structure~~ activities or contracts to evade provisions of this Act.
- A licensee who fails to ~~fulfill obligations of an averment, to comply with this Section averments made,~~ or otherwise violates any of the ~~provisions of averments made under~~ this Section shall be subject to the penalties in Section 4-5 of this Act.
- (Source: P.A. 97-891, eff. 8-3-12; 98-1081, eff. 1-1-15.)
- (205 ILCS 635/4-8) (from Ch. 17, par. 2324-8)
- Sec. 4-8. Delinquency; examination.
- (a) ~~(Blank). The Commissioner shall obtain from the U.S. Department of Housing and Urban Development that Department's loan delinquency data.~~
- (b) The Secretary Commissioner shall conduct as part of an examination of each licensee a review of the licensee's loan delinquency data.
- This subsection shall not be construed as a limitation of the ~~Secretary's Commissioner's~~ examination authority under Section 4-2 of this Act or as otherwise provided in this Act. The Secretary Commissioner may require a licensee to provide loan delinquency data as the Secretary Commissioner deems necessary for the proper enforcement of the Act.
- (c) The purpose of the examination under subsection (b) shall be to determine whether the loan delinquency data of the licensee has resulted from practices which deviate from sound and accepted mortgage underwriting practices, including, but not limited to, credit fraud, appraisal fraud, and property inspection fraud. For the purpose of conducting this examination, the Secretary Commissioner may accept materials prepared for the U.S. Department of Housing and Urban Development. At the conclusion of the

examination, the Secretary Commissioner shall make his or her findings available to the Residential Mortgage Board.

(d) The Secretary Commissioner, at his or her discretion, may hold public hearings, or at the direction of the Residential Mortgage Board, shall hold public hearings. Such testimony shall be by a homeowner or mortgagor or his agent, whose residential interest is affected by the activities of the residential mortgage licensee subject to such hearing. At such public hearing, a witness may present testimony on his or her behalf concerning only his or her home, or home mortgage or a witness may authorize a third party to appear on his or her behalf. The testimony shall be restricted to information and comments related to a specific residence or specific residential mortgage application or applications for a residential mortgage or residential loan transaction. The testimony must be preceded by either a letter of complaint or a completed consumer complaint form prescribed by the Secretary Commissioner.

(e) The Secretary Commissioner shall, at the conclusion of the public hearings, release his or her findings and shall also make public any action taken with respect to the licensee. The Secretary Commissioner shall also give full consideration to the findings of this examination whenever reapplication is made by the licensee for a new license under this Act.

(f) A licensee that is examined pursuant to subsection (b) shall submit to the Secretary Commissioner a plan which shall be designed to reduce that licensee's loan delinquencies. The plan shall be implemented by the licensee as approved by the Secretary Commissioner. A licensee that is examined pursuant to subsection (b) shall report monthly, for a one year period, one, 2, and 3 month loan delinquencies.

(g) Whenever the Secretary Commissioner finds that a licensee's loan delinquencies on insured mortgages is unusually high within a particular geographic area, he or she shall require that licensee to submit such information as is necessary to determine whether that licensee's practices have constituted credit fraud, appraisal fraud or property inspection fraud. The Secretary Commissioner shall promulgate such rules as are necessary to determine whether any licensee's loan delinquencies are unusually high within a particular area.

(Source: P.A. 99-15, eff. 1-1-16.)

(205 ILCS 635/4-8.3)

Sec. 4-8.3. Annual report of mortgage brokerage and servicing activity. On or before March 1 of each year or the date selected for Mortgage Call Reports under Section 4-9.1 of this Act, each licensee shall file a report with the Secretary Commissioner that discloses such information as the Secretary Commissioner requires. A licensee filing a Mortgage Call Report is not required to file an annual report. Exempt entities as defined in subsection (d) of Section 1-4 shall not file the annual report of mortgage and servicing activity required by this Section.

(Source: P.A. 96-112, eff. 7-31-09.)

(205 ILCS 635/5-9)

Sec. 5-9. Notice of change in loan terms.

(a) No licensee may fail to do either of the following:

(1) Provide timely notice to the borrower of any material change in the terms of the residential mortgage loan prior to the closing of the loan. For purposes of this Section, a "material change means" any of the following:

(A) A change in the type of loan being offered, such as a fixed or variable rate loan or a loan with a balloon payment.

(B) A change in the term of the loan, as reflected in the number of monthly payments due before a final payment is scheduled to be made.

(C) An increase in the interest rate of more than 0.15%, or an equivalent increase in the amount of discount points charged.

(D) An increase in the regular monthly payment of principal and interest of more than 5%.

(E) A change regarding the requirement or amount of escrow of taxes or insurance.

(F) A change regarding the requirement or payment, or both, of private mortgage insurance.

(2) Timely inform the borrower if any fees payable by the borrower to the licensee increase by more than 10% or \$100, whichever is greater.

(b) The disclosures required by this Section shall be deemed timely if the licensee provides the borrower with the revised information not later than 3 days after learning of the change or 24 hours before the residential mortgage loan is closed, whichever is earlier. If the licensee discloses a material change more than the 3 days after learning of the change but still 24 hours before the residential mortgage loan is closed, it will not be liable for penalties or forfeitures if the licensee cures in time for the borrower to avoid any damage.

(c) If an increase in the total amount of the fee to be paid by the borrower to the broker is not disclosed in accordance with this Section, the broker shall refund to the borrower the amount by which the fee was increased. If the fee is financed into the residential mortgage loan, the broker shall also refund to the borrower the interest charged to finance the fee.

(d) The requirements of this Section do not apply to a licensee providing a notice of change in loan terms pursuant to the federal Consumer Financial Protection Bureau's Know Before You Owe mortgage disclosure procedure pursuant to the federal Truth in Lending Act and amendments promulgated under 12 CFR 1026 and the federal Real Estate Settlement Procedures Act and amendments promulgated under 12 CFR 1024. Licensees limited to soliciting residential mortgage loan applications as approved by the Director under Title 38, Section 1050.2115(c)(1) of the Illinois Administrative Code are not required to provide the disclosures under this Section as long as the solicitor does not discuss the terms and conditions with the potential borrower.

(Source: P.A. 95-691, eff. 6-1-08.)

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

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

On motion of Senator Weaver, **Senate Bill No. 3036** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McConaughay, **Senate Bill No. 3041** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3041

AMENDMENT NO. 1. Amend Senate Bill 3041 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 18-195 as follows:

(35 ILCS 200/18-195)

Sec. 18-195. Limitation. Tax extensions made under Sections 18-45 and 18-105 are further limited by the provisions of this Law.

For those taxing districts that have levied in any previous levy year for any funds included in the aggregate extension, the county clerk shall extend a rate for the sum of these funds that is no greater than the limiting rate.

For those taxing districts that have never levied for any funds included in the aggregate extension, the county clerk shall extend an amount no greater than the amount approved by the voters in a referendum under Section 18-210.

If the county clerk is required to reduce the aggregate extension of a taxing district by provisions of this Law, the county clerk shall proportionally reduce the extension for each fund unless otherwise requested by the taxing district.

Upon written request of the corporate authority of a village, the county clerk shall calculate separate limiting rates for the library funds and for the aggregate of the other village funds in order to reduce the funds as may be required under provisions of this Law. In calculating the limiting rate for the library, the county clerk shall use only the part of the aggregate extension base applicable to the library, and for any rate increase or decrease factor under Section 18-230 the county clerk shall use only any new rate or rate increase applicable to the library funds and the part of the rate applicable to the library in determining factors under that Section. The county clerk shall calculate the limiting rate for all other village funds using only the part of the aggregate extension base not applicable to the library, and for any rate increase or decrease factor under Section 18-230 the county clerk shall use only any new rate or rate increase not applicable to the library funds and the part of the rate not applicable to the library in determining factors under that Section. If the county clerk is required to reduce the aggregate extension of the library portion of the levy, the county clerk shall proportionally reduce the extension for each library fund unless otherwise requested by the library board. If the county clerk is required to reduce the aggregate extension of the portion of the levy not applicable to the library, the county clerk shall proportionally reduce the extension for each fund not applicable to the library unless otherwise requested by the village.

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Beginning with the 1998 levy year upon written direction of a county or township community mental health board, the county clerk shall calculate separate limiting rates for the community mental health funds and for the aggregate of the other county or township funds in order to reduce the funds as may be required under provisions of this Law. In calculating the limiting rate for the community mental health funds, the county clerk shall use only the part of the aggregate extension base applicable to the community mental health funds; and for any rate increase or decrease factor under Section 18-230, the county clerk shall use only any new rate or rate increase applicable to the community mental health funds and the part of the rate applicable to the community mental health board in determining factors under that Section. The county clerk shall calculate the limiting rate for all other county or township funds using only the part of the aggregate extension base not applicable to community mental health funds; and for any rate increase or decrease factor under Section 18-230, the county clerk shall use only any new rate or rate increase not applicable to the community mental health funds and the part of the rate not applicable to the community mental health board in determining factors under that Section. If the county clerk is required to reduce the aggregate extension of the community mental health board portion of the levy, the county clerk shall proportionally reduce the extension for each community mental health fund unless otherwise directed by the community mental health board. If the county clerk is required to reduce the aggregate extension of the portion of the levy not applicable to the community mental health board, the county clerk shall proportionally reduce the extension for each fund not applicable to the community mental health board unless otherwise directed by the county or township.

If the governmental unit ~~county~~ is not subject to Section 1.1 or 1.2 of the Community County Care for Persons with Developmental Disabilities Act, then : (i) , beginning with the 2001 levy year for a county or township board before the effective date of this amendatory Act of the 100th General Assembly, upon written direction of a county or township board for care and treatment of persons with a developmental disability, the county clerk shall calculate separate limiting rates for the funds for persons with a developmental disability and for the aggregate of the other county or township funds in order to reduce the funds as may be required under provisions of this Law; and (ii) beginning with the levy year next following the effective date of this amendatory Act of the 100th General Assembly, upon written direction of the board of a governmental unit not covered under item (i) for care and treatment of persons with a developmental disability, the county clerk shall calculate separate limiting rates for the funds for persons with a developmental disability and for the aggregate of the other governmental unit funds in order to reduce the funds as may be required under provisions of this Law. If the governmental unit ~~county~~ is subject to Section 1.1 or 1.2 of the Community County Care for Persons with Developmental Disabilities Act, then, beginning with the levy year in which the voters approve the tax under Section 1.1 or 1.2 of that Act, the county clerk shall calculate separate limiting rates for the funds for persons with a developmental disability and for the aggregate of the other governmental unit ~~county or township~~ funds in order to reduce the funds as may be required under provisions of this Law. In calculating the limiting rate for the funds for persons with a developmental disability, the county clerk shall use only the part of the aggregate extension base applicable to the funds for persons with a developmental disability; and for any rate increase or decrease factor under Section 18-230, the county clerk shall use only any new rate or rate increase applicable to the funds for persons with a developmental disability and the part of the rate applicable to the board for care and treatment of persons with a developmental disability in determining factors under that Section. The county clerk shall calculate the limiting rate for all other governmental unit ~~county or township~~ funds using only the part of the aggregate extension base not applicable to funds for persons with a developmental disability; and for any rate increase or decrease factor under Section 18-230, the county clerk shall use only any new rate or rate increase not applicable to the funds for persons with a developmental disability and the part of the rate not applicable to the board for care and treatment of persons with a developmental disability in determining factors under that Section. If the county clerk is required to reduce the aggregate extension of the board for care and treatment of persons with a developmental disability portion of the levy, the county clerk shall proportionally reduce the extension for each fund for persons with a developmental disability unless otherwise directed by the board for care and treatment of persons with a developmental disability. If the county clerk is required to reduce the aggregate extension of the portion of the levy not applicable to the board for care and treatment of persons with a developmental disability, the county clerk shall proportionally reduce the extension for each fund not applicable to the board for care and treatment of persons with a developmental disability unless otherwise directed by the governmental unit ~~county or township~~.

As used in this Section, "governmental unit" has the meaning given to that term in Section 0.05 of the Community Care for Persons with Developmental Disabilities Act.

(Source: P.A. 96-1350, eff. 7-28-10.)

Section 10. The Counties Code is amended by changing Sections 5-1024 and 5-44020 as follows:
(55 ILCS 5/5-1024) (from Ch. 34, par. 5-1024)

Sec. 5-1024. Taxes. A county board may cause to be levied and collected annually, except as hereinafter provided, taxes for county purposes, including all purposes for which money may be raised by the county by taxation, in counties having 80,000 or more but less than 3,000,000 inhabitants at a rate not exceeding .25%, of the value as equalized or assessed by the Department of Revenue; in counties with less than 80,000 but more than 15,000 inhabitants at a rate not exceeding .27%, of the value as equalized or assessed by the Department of Revenue; in counties with less than 80,000 inhabitants which have authorized a tax by referendum under Section 7-2 of the Juvenile Court Act prior to the effective date of this amendatory Act of 1985, at a rate not exceeding .32%, of the value as equalized or assessed by the Department of Revenue; and in counties with 15,000 or fewer inhabitants at a rate not exceeding .37%, of the value as equalized or assessed by the Department of Revenue; and in counties having 3,000,000 or more inhabitants for each even numbered year, subject to the abatement requirements hereinafter provided, at a rate not exceeding .39% of the value, as equalized or assessed by the Department of Revenue, and for each odd numbered year, subject to the abatement requirements hereinafter provided, at a rate not exceeding .35% of the value as equalized or assessed by the Department of Revenue, except taxes for the payment of interest on and principal of bonded indebtedness heretofore duly authorized for the construction of State aid roads in the county as defined in "An Act to revise the law in relation to roads and bridges", approved June 27, 1913, or for the construction of county highways as defined in the Illinois Highway Code, and except taxes for the payment of interest on and principal of bonded indebtedness duly authorized without a vote of the people of the county, and except taxes authorized as additional by a vote of the people of the county, and except taxes for working cash fund purposes, and except taxes as authorized by Sections 5-601, 5-602, 5-603, 5-604 and 6-512 of the Illinois Highway Code, and except taxes authorized under Section 7 of the Village Library Act, and except taxes levied to pay the annual rent payments due under a lease entered into by the county with a Public Building Commission as authorized by Section 18 of the Public Building Commission Act, and except taxes levied under Division 6-3, and except taxes levied for general assistance for needy persons in counties under commission form of government and except taxes levied under the ~~Community County~~ Community Care for Persons with Developmental Disabilities Act, and except taxes levied under the Community Mental Health Act, and except taxes levied under Section 5-1025 to pay the expenses of elections and except taxes levied under "An Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties", approved September 21, 1973, and except taxes levied under Section 3a of the Revenue Act of 1939 for the purposes of helping to pay for the expenses of the assessor's office, and except taxes levied under Division 5-21, and except taxes levied pursuant to Section 19 of "The Illinois Emergency Services and Disaster Agency Act of 1975", as now or hereafter amended, and except taxes levied pursuant to Division 5-23, and except taxes levied under Section 5 of the County Shelter Care and Detention Home Act, and except taxes levied under the Children's Advocacy Center Act, and except taxes levied under Section 9-107 of the Local Governmental and Governmental Employees Tort Immunity Act.

Those taxes a county has levied and excepted from the rate limitation imposed by this Section or Section 25.05 of "An Act to revise the law in relation to counties", approved March 31, 1874, in reliance on this amendatory Act of 1994 are not invalid because of any provision of this Section that may be construed to or may have been construed to restrict or limit those taxes levied and those taxes are hereby validated. This validation of taxes levied applies to all cases pending on or after the effective date of this amendatory Act of 1994.

Nothing contained in this amendatory Act of 1994 shall be construed to affect the application of the Property Tax Extension Limitation Law.

Any tax levied for general assistance for needy persons in any county in addition to and in excess of the maximum levy permitted by this Section for general county purposes shall be paid into a special fund in the county treasury and used only for the purposes for which it is levied except that any excess in such fund over the amount needed for general assistance may be used for County Nursing Home purposes and shall not exceed .10% of the value, as equalized or assessed by the Department of Revenue. Any taxes levied for general assistance pursuant to this Section may also be used for the payment of warrants issued against and in anticipation of such taxes and accrued interest thereon and may also be used for the payment of costs of administering such general assistance.

In counties having 3,000,000 or more inhabitants, taxes levied for any year for any purpose or purposes, except amounts levied for the payment of bonded indebtedness or interest thereon and for pension fund purpose, and except taxes levied to pay the annual rent payments due under a lease entered into by the county with a Public Building Commission as authorized by Section 18 of the Public Building Commission

Act, are subject to the limitation that they shall not exceed the estimated amount of taxes to be levied for the year for the purpose or purposes as determined in accordance with Section 6-24001 and set forth in the annual appropriation bill of the county and in ascertaining the rate per cent that will produce the amount of any tax levied in any county, the county clerk shall not add to the tax or rate any sum or amount to cover the loss and cost of collecting the tax, except in the case of amounts levied for the payment of bonded indebtedness or interest thereon, and in the case of amounts levied for pension fund purposes, and except taxes levied to pay the annual rent payments due under a lease entered into by the county with a Public Building Commission as authorized by Section 18 of the Public Building Commission Act.

In counties having a population of 3,000,000 or more inhabitants, the county clerk shall in each even numbered year, before extending the county tax for the year, reduce the levy for county purposes for the year (exclusive of levies for payment of indebtedness and payment of interest on and principal of bonded indebtedness as aforesaid, and exclusive of county highway taxes as aforesaid, and exclusive of pension fund taxes, and except taxes levied to pay the annual rent payments due under a lease entered into by the county with a Public Building Commission as authorized by Section 18 of the Public Building Commission Act) in the manner described and in an amount to be determined as follows: If the amount received from the collection of the tax levied in the last preceding even numbered year for county purposes as aforesaid, as shown by the county treasurer's final settlement for the last preceding even numbered year and also by subsequent receipts of delinquent taxes for the county purposes fund levied for the last preceding even numbered year, equals or exceeds the amount produced by multiplying the rate extended for the county purposes for the last preceding even numbered year by the total assessed valuation of all property in the county used in the year for purposes of state and county taxes, and by deducting therefrom the amount appropriated to cover the loss and cost of collecting taxes to be levied for the county purposes fund for the last preceding even numbered year, the clerk in determining the rate per cent to be extended for the county purposes fund shall deduct from the amount of the levy certified to him for county purposes as aforesaid for even numbered years the amount received by the county clerk or withheld by the county treasurer from other municipal corporations within the county as their pro rata share of election expenses for the last preceding even numbered year, as authorized in Sections 13-11, 13-12, 13-13 and 16-2 of the Election Code, and the clerk in these counties shall extend only the net amount remaining after such deductions.

The foregoing limitations upon tax rates, insofar as they are applicable to counties having less than 3,000,000 inhabitants, may be increased or decreased under the referendum provisions of the General Revenue Law of Illinois and there shall be no limit on the rate of tax for county purposes that may be levied by a county so long as any increase in the rate is authorized by referendum in that county.

Any county having a population of less than 3,000,000 inhabitants that has determined to change its fiscal year may, as a means of effectuating a change, instead of levying taxes for a one-year period, levy taxes for a period greater or less than a year as may be necessary.

In counties having less than 3,000,000 inhabitants, in ascertaining the rate per cent that will produce the amount of any tax levied in that county, the County Clerk shall not add to the tax or rate any sum or amount to cover the loss and cost of collecting the tax except in the case of amounts levied for the payment of bonded indebtedness or interest thereon and in the case of amounts levied for pension fund purposes and except taxes levied to pay the annual rent payments due under a lease entered into by the county with a Public Building Commission as authorized by Section 18 of the Public Building Commission Act.

A county shall not have its maximum tax rate reduced as a result of a population increase indicated by the 1980 federal census.

(Source: P.A. 91-51, eff. 6-30-99.)

(55 ILCS 5/5-44020)

Sec. 5-44020. Definitions. In this Division 5-44:

"Fire protection jurisdiction" means a fire protection district, municipal fire department, or service organized under Section 5-1056.1 of the Counties Code, Sections 195 and 200 of the Township Code, Section 10-2.1 of the Illinois Municipal Code, or the Illinois Fire Protection District Act.

"Governing board" means the individual or individuals who constitute the corporate authorities of a unit of local government.

"Unit of local government" or "unit" means any unit of local government located entirely within one county, to which the county board chairman or county executive directly appoints a majority of its governing board with the advice and consent of the county board, but shall not include a fire protection district that directly employs any regular full-time employees, a conservation district organized under the Conservation District Act, a special district organized under the Water Commission Act of 1985, a community mental health board established under the Community Mental Health Board Act, or a board established under the ~~Community County~~ Care for Persons with Developmental Disabilities Act.

(Source: P.A. 99-709, eff. 8-5-16; 100-107, eff. 1-1-18.)

Section 15. The County Care for Persons with Developmental Disabilities Act is amended by changing Sections 0.01, 1, 1.1, 1.2, 3, 4, 5, 7, and 11 and by adding Sections 0.05 and 14 as follows:

(55 ILCS 105/0.01) (from Ch. 91 1/2, par. 200)

Sec. 0.01. Short title. This Act may be cited as the Community County Care for Persons with Developmental Disabilities Act.

(Source: P.A. 89-585, eff. 1-1-97.)

(55 ILCS 105/0.05 new)

Sec. 0.05. Definitions. As used in this Act:

"Governmental unit" means a county, municipality, or township.

"Person with a developmental disability" means any person or persons so diagnosed and as defined in the Mental Health and Developmental Disabilities Code. A board of directors operating under this Act may in their jurisdiction, by a majority vote, add to the definition of "person with a developmental disability".

(55 ILCS 105/1) (from Ch. 91 1/2, par. 201)

Sec. 1. Facilities or services; tax levy. Any governmental unit ~~county~~ may provide facilities or services for the benefit of its residents who are persons with intellectual or developmental disabilities and who are not eligible to participate in any such program conducted under Article 14 of the School Code, or may contract therefor with any privately or publicly operated entity which provides facilities or services either in or out of such governmental unit ~~county~~.

For such purpose, the governmental unit ~~county~~ ~~board~~ may levy an annual tax of not to exceed .1% upon all of the taxable property in the governmental unit ~~county~~ at the value thereof, as equalized or assessed by the Department of Revenue. Taxes first levied under this Section on or after the effective date of this amendatory Act of the 96th General Assembly are subject to referendum approval under Section 1.1 or 1.2 of this Act. Such tax shall be levied and collected in the same manner as other governmental unit ~~county~~ taxes, but shall not be included in any limitation otherwise prescribed as to the rate or amount of governmental unit ~~county~~ taxes but shall be in addition thereto and in excess thereof. When collected, such tax shall be paid into a special fund in the governmental unit's ~~county~~ treasury, to be designated as the "Fund for Persons With a Developmental Disability", and shall be used only for the purpose specified in this Section. The levying of this annual tax shall not preclude the governmental unit ~~county~~ from the use of other federal, State, or local funds for the purpose of providing facilities or services for the care and treatment of its residents who are intellectually disabled ~~mentally retarded~~ or under a developmental disability.

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

(55 ILCS 105/1.1)

Sec. 1.1. Petition for submission to referendum by governmental unit ~~county~~.

(a) ~~If, on and after the effective date of this amendatory Act of the 96th General Assembly,~~ the governmental unit's ~~county~~ board passes an ordinance or resolution as provided in Section 1 of this Act asking that an annual tax may be levied for the purpose of providing facilities or services set forth in that Section and so instructs the county clerk, the clerk shall certify the proposition to the proper election officials for submission at the governmental unit's next general ~~county~~ election. The proposition shall be in substantially the following form:

Shall (governmental unit) ~~County~~ levy an annual tax not to exceed 0.1% upon the equalized assessed value of all

taxable property in (governmental unit) ~~the county~~ for the purposes of providing facilities or services for the benefit of its residents who are persons with intellectual or developmental disabilities and who are not eligible to participate in any program provided under Article 14 of the School Code, 105 ILCS 5/14-1.01 et seq., including contracting for those facilities or services with any privately or publicly operated entity that provides those facilities or services either in or out of (governmental unit)? ~~the county?~~

(b) If a majority of the votes cast upon the proposition are in favor thereof, such tax levy shall be authorized and the governmental unit ~~county~~ shall levy a tax not to exceed the rate set forth in Section 1 of this Act.

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

(55 ILCS 105/1.2)

Sec. 1.2. Petition for submission to referendum by electors.

(a) Whenever a petition for submission to referendum by the electors which requests the establishment and maintenance of facilities or services for the benefit of its residents with a developmental disability and the levy of an annual tax not to exceed 0.1% upon all the taxable property in the governmental unit ~~county~~

at the value thereof, as equalized or assessed by the Department of Revenue, is signed by electors of the governmental unit ~~county~~ equal in number to at least 10% of the total votes cast for the office that received the greatest total number of votes at the last preceding general ~~county~~ election of the governmental unit and is presented to the county clerk, the clerk shall certify the proposition to the proper election authorities for submission at the governmental unit's next general ~~county~~ election. The proposition shall be in substantially the following form:

Shall (governmental unit) ~~County~~ levy an annual tax not to exceed 0.1% upon the equalized assessed value of all

taxable property in (governmental unit) ~~the county~~ for the purposes of establishing and maintaining facilities or services for the benefit of its residents who are persons with intellectual or developmental disabilities and who are not eligible to participate in any program provided under Article 14 of the School Code, 105 ILCS 5/14-1.01 et seq., including contracting for those facilities or services with any privately or publicly operated entity that provides those facilities or services either in or out of (governmental unit)? ~~the county?~~

(b) If a majority of the votes cast upon the proposition are in favor thereof, such tax levy shall be authorized and the governmental unit ~~county~~ shall levy a tax not to exceed the rate set forth in Section 1 of this Act.

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

(55 ILCS 105/3) (from Ch. 91 1/2, par. 203)

Sec. 3. Community ~~County~~ board for care and treatment of persons with a developmental disability.

(a) When any governmental unit ~~county~~ has authority to levy a tax for the purpose of this Act, the presiding officer of the governmental unit's ~~county~~ board with the advice and consent of the governmental unit's ~~county~~ board, shall appoint a board of 3 directors who shall administer this Act. The board shall be designated the "(name of governmental unit ~~county~~) ~~County~~ Board for Care and Treatment of Persons with a Developmental Disability". The original appointees shall be appointed for terms expiring, respectively, on June 30 in the first, second and third years following their appointment as designated by the appointing authority. All succeeding terms shall be for 3 years and appointments shall be made in like manner. Vacancies shall be filled in like manner for the balance of the unexpired term. Each director shall serve until his successor is appointed. Directors shall serve without compensation but shall be reimbursed for expenses reasonably incurred in the performance of their duties.

(b) The governmental unit's ~~county~~ board of any governmental unit ~~county~~ that has established a 3-member board under this Section may, by ordinance or resolution, provide that the governmental unit's ~~county~~ board for care and treatment of persons with a developmental disability in that governmental unit ~~county~~ shall consist of 5 members. Within 60 days after the ordinance or resolution is adopted, the presiding officer of the governmental unit ~~county~~, with the advice and consent of the governmental unit's ~~county~~ board, shall appoint the 2 additional members. One member shall serve for a term expiring on June 30 of the second year following his or her appointment, and one shall serve for a term expiring on June 30 of the third year following his or her appointment. Their successors shall serve for 3-year terms.

(Source: P.A. 96-295, eff. 8-11-09.)

(55 ILCS 105/4) (from Ch. 91 1/2, par. 204)

Sec. 4. The directors shall meet in July, annually, and elect one of their number as president and one as secretary, and shall elect such other officers as they deem necessary. They shall adopt such rules for the administration of this Act as may be proper and expedient. They shall report to the court, from time to time, a detailed statement of their administration.

The board shall have exclusive control of all money paid into the Fund for Persons with a Developmental Disability and shall draw upon the governmental unit's ~~county~~ treasurer for all or any part of that fund required by the board in the performance of its duties and exercise of its powers under this Act.

The board may establish, maintain, and equip facilities within the governmental unit ~~county~~, for the care and treatment of persons with a developmental disability together with such auxiliary facilities connected therewith as the board finds necessary. For those purposes, the board may acquire, to be held in its name, real and personal property within the governmental unit ~~county~~ by gift, grant, legacy, purchase, or lease and may occupy, purchase, lease, or erect an appropriate building or buildings for the use of such facilities and all related facilities and activities.

The board may provide for the care and treatment of persons with a developmental disability who are not residents of the governmental unit ~~county~~ and may establish and collect reasonable charges for such services.

(Source: P.A. 88-380; 88-388; 89-585, eff. 1-1-97.)

(55 ILCS 105/5) (from Ch. 91 1/2, par. 205)

Sec. 5. The board of directors may accept any donation of property for the purpose specified in Section 1, and shall pay over to the governmental unit's county treasurer any money so received, within 30 days of the receipt thereof.

(Source: Laws 1961, p. 3804.)

(55 ILCS 105/7) (from Ch. 91 1/2, par. 207)

Sec. 7. The rate at which the sums to be so charged as provided in Section 6 of this Act shall be calculated by the board of directors is the average per capita operating cost for all persons receiving the benefit of such facilities or services computed for each fiscal year; provided, that the board may, in its discretion, set the rate at a lesser amount than such average per capita cost. Less amounts may be accepted by the board when conditions warrant such action or when money is offered by persons not liable under Section 6. Any money received pursuant to this Section shall be paid into the governmental unit's county Fund for Persons with a Developmental Disability.

(Source: P.A. 88-380; 88-388.)

(55 ILCS 105/11) (from Ch. 91 1/2, par. 211)

Sec. 11. Upon request of the board of directors, the State's Attorney of the county in which a person who is liable for payment of maintenance charges resides shall file suit in the circuit court to collect the amount due. The court may order the payment of sums due for maintenance for such period or periods as the circumstances require. Such order may be entered against any or all such defendants and may be based upon the proportionate ability of each defendant to contribute to the payment of sums due. Orders for the payment of money may be enforced by attachment as for contempt against the persons of the defendants, and in addition as other judgments at law, and costs may be adjudged against the defendants and apportioned among them, but if the complaint is dismissed the costs shall be borne by the governmental unit county.

The provisions of the Civil Practice Law, and all amendments thereto, shall apply to and govern all actions instituted under the provisions of this Act.

(Source: P.A. 82-783.)

(55 ILCS 105/14 new)

Sec. 14. Amendatory changes. The changes made by this amendatory Act of the 100th General Assembly do not: (i) dissolve or discontinue a county community developmental disabilities board established on or before the effective date of this amendatory Act of the 100th General Assembly; (ii) affect any tax levied or fund operated by a county community developmental disabilities board; or (iii) affect in any other way a county community developmental disabilities board operated as it previously had been operating under this Act.

Section 98. Illinois Compiled Statutes reassignment. The Legislative Reference Bureau shall reassign the Community Care for Persons with Developmental Disabilities Act (formerly the County Care for Persons with Developmental Disabilities Act) to the location 50 ILCS 835/ in the Illinois Compiled Statutes and file appropriate documents with the Index Division of the Office of the Secretary of State in accordance with subsection (c) of Section 5.04 of the Legislative Reference Bureau Act."

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

On motion of Senator Mulroe, **Senate Bill No. 3051** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Connelly, **Senate Bill No. 3060** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Financial Institutions, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3060

AMENDMENT NO. 1. Amend Senate Bill 3060 on page 56, by replacing line 8 with the following: "Service by email is complete on the date of transmission to the email address of record. The Department shall adopt rules that specify the standard for confirming delivery of documents to the email address of record and, if delivery is not confirmed, what steps the Department will take to ensure that service to the email address of record or other means is accomplished. Until the rules required by this Section are adopted, the Department shall send a copy of the document via certified mail to the licensee's address of record."; and

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on page 58, by replacing lines 3 and 4 with the following:

"deposited in the U.S. mail. Service by email is complete on the date of transmission to the email address of record. The Department shall adopt rules that specify the standard for confirming delivery of documents to the email address of record and, if delivery is not confirmed, what steps the Department will take to ensure that service to the email address of record or other means is accomplished. Until the rules required by this Section are adopted, the Department shall send a copy of the document via certified mail to the licensee's address of record."; and

on page 106, by replacing line 4 with the following:

"Service by email is complete on the date of transmission to the email address of record. The Department shall adopt rules that specify the standard for confirming delivery of documents to the email address of record and, if delivery is not confirmed, what steps the Department will take to ensure that service to the email address of record or other means is accomplished. Until the rules required by this Section are adopted, the Department shall send a copy of the document via certified mail to the licensee's address of record."; and

on page 108, by replacing lines 10 and 11 with the following:

"notice is deposited in the U.S. Mail. Service by email is complete on the date of transmission to the email address of record. The Department shall adopt rules that specify the standard for confirming delivery of documents to the email address of record and, if delivery is not confirmed, what steps the Department will take to ensure that service to the email address of record or other means is accomplished. Until the rules required by this Section are adopted, the Department shall send a copy of the document via certified mail to the licensee's address of record.".

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

On motion of Senator Rooney, **Senate Bill No. 3071** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hastings, **Senate Bill No. 3075** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Human Services, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3075

AMENDMENT NO. 1. Amend Senate Bill 3075 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by adding Section 41 as follows:
(20 ILCS 505/41 new)

Sec. 41. Department of Children and Family Services to submit quarterly reports to the General Assembly.

(a) The Department of Children and Family Services shall, by January 1, April 1, July 1, and October 1 of each year, transmit to the General Assembly, a report that shall include the following information reflecting the period ending 15 days prior to the submission of the report:

(1) the number of assaults on or threats against employees in the line of duty by service region;

(2) the number of employee injuries resulting from assaults in the line of duty; and

(3) descriptions of the nature of each injury, the number of injuries requiring medical treatment, and the number of days off work per injury.

(b) The requirements in subsection (a) do not relieve the Department from the recordkeeping requirements of the Occupational Safety and Health Act.

(c) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

(2) inform each employee:

(A) of the procedure for reporting work-related assaults and injuries;

(B) of the right to report work-related assaults and injuries; and

(C) that the Department is prohibited from discharging or in any manner discriminating against employees for reporting work-related assaults and injuries; and

(3) not discharge, discipline, or in any manner discriminate against any employee for reporting a work-related assault or injury.

Section 10. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 4 as follows:

(20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

Sec. 4. Supervision of facilities and services; quarterly reports.

(a) To exercise executive and administrative supervision over all facilities, divisions, programs and services now existing or hereafter acquired or created under the jurisdiction of the Department, including, but not limited to, the following:

The Alton Mental Health Center, at Alton

The Clyde L. Choate Mental Health and Developmental Center, at Anna

The Chester Mental Health Center, at Chester

The Chicago-Read Mental Health Center, at Chicago

The Elgin Mental Health Center, at Elgin

The Metropolitan Children and Adolescents Center, at Chicago

The Jacksonville Developmental Center, at Jacksonville

The Governor Samuel H. Shapiro Developmental Center, at Kankakee

The Tinley Park Mental Health Center, at Tinley Park

The Warren G. Murray Developmental Center, at Centralia

The Jack Mabley Developmental Center, at Dixon

The Lincoln Developmental Center, at Lincoln

The H. Douglas Singer Mental Health and Developmental Center, at Rockford

The John J. Madden Mental Health Center, at Chicago

The George A. Zeller Mental Health Center, at Peoria

The Andrew McFarland Mental Health Center, at Springfield

The Adolf Meyer Mental Health Center, at Decatur

The William W. Fox Developmental Center, at Dwight

The Elisabeth Ludeman Developmental Center, at Park Forest

The William A. Howe Developmental Center, at Tinley Park

The Ann M. Kiley Developmental Center, at Waukegan.

(b) Beginning not later than July 1, 1977, the Department shall cause each of the facilities under its jurisdiction which provide in-patient care to comply with standards, rules and regulations of the Department of Public Health prescribed under Section 6.05 of the Hospital Licensing Act.

(b-5) The Department shall cause each of the facilities under its jurisdiction that provide in-patient care to comply with Section 6.25 of the Hospital Licensing Act.

(c) The Department shall issue quarterly reports to the General Assembly on admissions, deflections, discharges, bed closures, staff-resident ratios, census, average length of stay, and any adverse federal certification or accreditation findings, if any, for each State-operated facility for the mentally ill and for persons with developmental disabilities. The quarterly reports shall be issued by January 1, April 1, July 1, and October 1 of each year. The quarterly reports shall include the following information for each facility reflecting the period ending 15 days prior to the submission of the report:

(1) the number of employees;

(2) the number of workplace violence incidents that occurred, including the number that were a direct assault on employees by residents and the number that resulted from staff intervention in a resident altercation or other form of injurious behavior;

(3) the number of employees impacted in each incident; and

(4) the number of employee injuries resulting, descriptions of the nature of the injuries, the number of employee injuries requiring medical treatment at the facility, the number of employee injuries requiring outside medical treatment, and the number of days off work per injury.

(d) The requirements in subsection (c) do not relieve the Department from the recordkeeping requirements of the Occupational Safety and Health Act.

(e) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

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(2) inform each employee:(A) of the procedure for reporting work-related assaults and injuries;(B) of the right to report work-related assaults and injuries; and(C) that the Department is prohibited from discharging or in any manner discriminating against employees for reporting work-related assaults and injuries; and(3) not discharge, discipline, or in any manner discriminate against any employee for reporting a work-related assault or injury.

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

Section 15. The Unified Code of Corrections is amended by changing Sections 3-2.5-61 and 3-5-3.1 as follows:

(730 ILCS 5/3-2.5-61)

Sec. 3-2.5-61. Annual and other reports.

(a) The Director shall make an annual report to the Governor and General Assembly concerning persons committed to the Department, its institutions, facilities, and programs, of all moneys expended and received, and on what accounts expended and received no later than January 1 of each year. The report shall include the ethnic and racial background data, not identifiable to an individual, of all persons committed to the Department, its institutions, facilities, programs, and outcome measures established with the Juvenile Advisory Board.

(b) The Department of Juvenile Justice shall, by January 1, April 1, July 1, and October 1 of each year, transmit to the Governor and General Assembly, a report which shall include the following information:

(1) the number of youth in each of the Department's facilities and the number of youth on aftercare;

(2) the demographics of sex, age, race and ethnicity, classification of offense, and geographic location where the offense occurred;

(3) the educational and vocational programs provided at each facility and the number of residents participating in each program;

(4) the present capacity levels in each facility; and

(5) the ratio of the security staff to residents in each facility by federal Prison Rape Elimination Act (PREA) definitions; -

(6) the number of reported assaults on staff at each facility;(7) the number of reported incidents of youth sexual aggression towards staff at each facility including sexual assault, residents exposing themselves, sexual touching, and sexually offensive language; and(8) the number of staff injuries resulting from youth violence at each facility including descriptions of the nature and location of the injuries, the number of staff injuries requiring medical treatment at the facility, the number of staff injuries requiring outside medical treatment and the number of days off work per injury. For purposes of this Section, the definition of assault on staff includes, but is not limited to, kicking, punching, knocking down, harming or threatening to harm with improvised weapons, or throwing urine or feces at staff.

(c) The requirements in subsection (b) do not relieve the Department from the recordkeeping requirements of the Occupational Safety and Health Act.

(d) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

(2) inform each employee:(A) of the procedure for reporting work-related assaults and injuries;(B) of the right to report work-related assaults and injuries; and(C) that the Department is prohibited from discharging or in any manner discriminating against employees for reporting work-related assaults and injuries; and(3) not discharge, discipline or in any manner discriminate against any employee for reporting a work-related assault or injury.

(Source: P.A. 99-255, eff. 1-1-16.)

(730 ILCS 5/3-5-3.1) (from Ch. 38, par. 1003-5-3.1)

Sec. 3-5-3.1. As used in this Section, "facility" includes any facility of the Department of Corrections.

(a) The Department of Corrections shall, by January 1st, April 1st, July 1st, and October 1st of each year, transmit to the General Assembly, a report which shall include the following information reflecting the period ending fifteen days prior to the submission of the report: (1) the number of residents in all Department facilities indicating the number of residents in each listed facility; (2) a classification of each

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facility's residents by the nature of the offense for which each resident was committed to the Department; (3) the number of residents in maximum, medium, and minimum security facilities indicating the classification of each facility's residents by the nature of the offense for which each resident was committed to the Department; (4) the educational and vocational programs provided at each facility and the number of residents participating in each such program; (5) the present design and rated capacity levels in each facility; (6) the projected design and rated capacity of each facility six months and one year following each reporting date; (7) the ratio of the security staff guards to residents in each facility; (8) the ratio of total employees to residents in each facility; (9) the number of residents in each facility that are single-celled and the number in each facility that are double-celled; (10) information indicating the distribution of residents in each facility by the allocated floor space per resident; (11) a status of all capital projects currently funded by the Department, location of each capital project, the projected on-line dates for each capital project, including phase-in dates and full occupancy dates; (12) the projected adult prison facility populations of the Department for each of the succeeding twelve months following each reporting date, indicating all assumptions built into such population estimates; (13) the projected exits and projected admissions in each facility for each of the succeeding twelve months following each reporting date, indicating all assumptions built into such population estimate; ~~and~~ (14) the locations of all Department-operated or contractually operated community correctional centers, including the present design and rated capacity and population levels at each facility; (15) the number of reported assaults on employees at each facility; (16) the number of reported incidents of resident sexual aggression towards employees at each facility including sexual assault, residents exposing themselves, sexual touching, and sexually offensive language; and (17) the number of employee injuries resulting from resident violence at each facility including descriptions of the nature of the injuries, the number of injuries requiring medical treatment at the facility, the number of injuries requiring outside medical treatment and the number of days off work per injury. For purposes of this Section, the definition of assault on staff includes, but is not limited to, kicking, punching, knocking down, harming or threatening to harm with improvised weapons, or throwing urine or feces at staff.

(b) The requirements in subsection (a) do not relieve the Department from the recordkeeping requirements of the Occupational Safety and Health Act.

(c) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

(2) inform each employee:

(A) of the procedure for reporting work-related assaults and injuries;

(B) of the right to report work-related assaults and injuries; and

(C) that the Department is prohibited from discharging or in any manner discriminating against employees for reporting work-related assaults and injuries; and

(3) not discharge, discipline, or in any manner discriminate against any employee for reporting a work-related assault or injury.

(Source: P.A. 99-255, eff. 1-1-16.)

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

AMENDMENT NO. 2 TO SENATE BILL 3075

AMENDMENT NO. 2. Amend Senate Bill 3075, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, line 11, by replacing "transmit" with "electronically transmit"; and

on page 1, line 13, by replacing "report" with "electronic report"; and

on page 4, line 24, by replacing "reports" with "electronic reports"; and

on page 6, line 23, by replacing "report" with "electronic report"; and

on page 7, line 9, by replacing "transmit" with "electronically transmit"; and

on page 9, line 14, by replacing "transmit" with "electronically transmit".

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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.

On motion of Senator Silverstein, **Senate Bill No. 3079** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 3081** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on State Government, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3081

AMENDMENT NO. 1. Amend Senate Bill 3081 by replacing everything after the enacting clause with the following:

"Section 5. The Housing Authorities Act is amended by adding Section 25.06 as follows:
(310 ILCS 10/25.06 new)

Sec. 25.06. Waiting list information. Upon request by an applicant for a Housing Authority's public housing, a Housing Choice Voucher, or other housing owned or operated by a Housing Authority for which the Housing Authority manages a waiting list, the Housing Authority shall provide the applicant with information on that applicant's position on the waiting list within 10 business days."

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

On motion of Senator Holmes, **Senate Bill No. 3086** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **Senate Bill No. 3093** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3093

AMENDMENT NO. 1. Amend Senate Bill 3093 on page 7, by replacing lines 5 through 7 with the following:

"the facility, for paying property taxes on the property. For"; and

on page 7, line 24, after "owner", by inserting "or resident"; and

on page 8, by replacing lines 1 through 3 with the following:
"misdemeanor."; and

on page 9, immediately below line 25, by inserting the following:

"(l) The changes made to this Section by this amendatory Act of the 100th General Assembly are declarative of existing law."

Floor Amendment No. 2 was referred to the Committee on Revenue earlier today.

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

On motion of Senator Tracy, **Senate Bill No. 3096** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Labor, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3096

AMENDMENT NO. 1. Amend Senate Bill 3096 on page 7, by inserting immediately below line 16 the following:

"(820 ILCS 405/1900.2 rep.)

Section 10. The Unemployment Insurance Act is amended by repealing Section 1900.2."

Floor Amendment No. 2 was postponed in the Committee on Labor.

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

On motion of Senator Tracy, **Senate Bill No. 3097** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Agriculture, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3097

AMENDMENT NO. 1. Amend Senate Bill 3097 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Horse Racing Act of 1975 is amended by changing Sections 31 and 33.1 and by adding Section 3.31 as follows:

(230 ILCS 5/3.31 new)

Sec. 3.31. Illinois conceived and foaled. Notwithstanding any provision of this Act to the contrary, from January 1, 2018 until January 1, 2022, "Illinois conceived and foaled", as the term applies to a standardbred, includes a standardbred horse whose sire is a qualified Illinois stallion.

(230 ILCS 5/31) (from Ch. 8, par. 37-31)

Sec. 31. (a) The General Assembly declares that it is the policy of this State to encourage the breeding of standardbred horses in this State and the ownership of such horses by residents of this State in order to provide for: sufficient numbers of high quality standardbred horses to participate in harness racing meetings in this State, and to establish and preserve the agricultural and commercial benefits of such breeding and racing industries to the State of Illinois. It is the intent of the General Assembly to further this policy by the provisions of this Section of this Act.

(b) Each organization licensee conducting a harness racing meeting pursuant to this Act shall provide for at least two races each race program limited to Illinois conceived and foaled horses. A minimum of 6 races shall be conducted each week limited to Illinois conceived and foaled horses. No horses shall be permitted to start in such races unless duly registered under the rules of the Department of Agriculture.

(c) Conditions of races under subsection (b) shall be commensurate with past performance, quality and class of Illinois conceived and foaled horses available. If, however, sufficient competition cannot be had among horses of that class on any day, the races may, with consent of the Board, be eliminated for that day and substitute races provided.

(d) There is hereby created a special fund of the State Treasury to be known as the Illinois Standardbred Breeders Fund.

During the calendar year 1981, and each year thereafter, except as provided in subsection (g) of Section 27 of this Act, eight and one-half per cent of all the monies received by the State as privilege taxes on harness racing meetings shall be paid into the Illinois Standardbred Breeders Fund.

(e) The Illinois Standardbred Breeders Fund shall be administered by the Department of Agriculture with the assistance and advice of the Advisory Board created in subsection (f) of this Section.

(f) The Illinois Standardbred Breeders Fund Advisory Board is hereby created. The Advisory Board shall consist of the Director of the Department of Agriculture, who shall serve as Chairman; the Superintendent of the Illinois State Fair; a member of the Illinois Racing Board, designated by it; a representative of the largest association of Illinois standardbred owners and breeders, recommended by it; a representative of a statewide association representing agricultural fairs in Illinois, recommended by it, such representative to be from a fair at which Illinois conceived and foaled racing is conducted; a representative of the organization licensees conducting harness racing meetings, recommended by them; a representative of the Breeder's Committee of the association representing the largest number of standardbred owners, breeders, trainers, caretakers, and drivers, recommended by it; and a representative of the association representing the largest number of standardbred owners, breeders, trainers, caretakers, and drivers, recommended by it. Advisory Board members shall serve for 2 years commencing January 1 of each odd numbered year. If representatives of the largest association of Illinois standardbred owners and breeders, a statewide association of agricultural fairs in Illinois, the association representing the largest number of standardbred owners, breeders, trainers, caretakers, and drivers, a member of the Breeder's Committee of the association representing the largest number of standardbred owners, breeders, trainers, caretakers, and drivers, and the organization licensees conducting harness racing meetings have not been recommended by January 1 of each odd numbered year, the Director of the Department of Agriculture

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shall make an appointment for the organization failing to so recommend a member of the Advisory Board. Advisory Board members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of their official duties.

(g) No monies shall be expended from the Illinois Standardbred Breeders Fund except as appropriated by the General Assembly. Monies appropriated from the Illinois Standardbred Breeders Fund shall be expended by the Department of Agriculture, with the assistance and advice of the Illinois Standardbred Breeders Fund Advisory Board for the following purposes only:

1. To provide purses for races limited to Illinois conceived and foaled horses at the State Fair.

2. To provide purses for races limited to Illinois conceived and foaled horses at county fairs.

3. To provide purse supplements for races limited to Illinois conceived and foaled horses conducted by associations conducting harness racing meetings.

4. No less than 75% of all monies in the Illinois Standardbred Breeders Fund shall be expended for purses in 1, 2 and 3 as shown above.

5. In the discretion of the Department of Agriculture to provide awards to harness breeders of Illinois conceived and foaled horses which win races conducted by organization licensees conducting harness racing meetings. A breeder is the owner of a mare at the time of conception. No more than 10% of all monies appropriated from the Illinois Standardbred Breeders Fund shall be expended for such harness breeders awards. No more than 25% of the amount expended for harness breeders awards shall be expended for expenses incurred in the administration of such harness breeders awards.

6. To pay for the improvement of racing facilities located at the State Fair and County fairs.

7. To pay the expenses incurred in the administration of the Illinois Standardbred Breeders Fund.

8. To promote the sport of harness racing.

(h) Whenever the Governor finds that the amount in the Illinois Standardbred Breeders Fund is more than the total of the outstanding appropriations from such fund, the Governor shall notify the State Comptroller and the State Treasurer of such fact. The Comptroller and the State Treasurer, upon receipt of such notification, shall transfer such excess amount from the Illinois Standardbred Breeders Fund to the General Revenue Fund.

(i) A sum equal to 12 1/2% of the first prize money of every purse won by an Illinois conceived and foaled horse shall be paid by the organization licensee conducting the horse race meeting to the breeder of such winning horse from the organization licensee's share of the money wagered. Such payment shall not reduce any award to the owner of the horse or reduce the taxes payable under this Act. Such payment shall be delivered by the organization licensee at the end of each race meeting.

(j) The Department of Agriculture shall, by rule, with the assistance and advice of the Illinois Standardbred Breeders Fund Advisory Board:

1. Qualify stallions for Illinois Standardbred Breeders Fund breeding; such stallion

shall be owned by a resident of the State of Illinois or by an Illinois corporation all of whose shareholders, directors, officers and incorporators are residents of the State of Illinois. Such stallion shall stand for service at and within the State of Illinois at the time of a foal's conception, and such stallion must not stand for service at any place, nor may semen from such stallion be transported, outside the State of Illinois during that calendar year in which the foal is conceived and that the owner of the stallion was for the 12 months prior, a resident of Illinois. However, from January 1, 2018 until January 1, 2022, semen from an Illinois stallion may be transported outside the State of Illinois. The articles of agreement of any partnership, joint venture, limited partnership, syndicate, association or corporation and any bylaws and stock certificates must contain a restriction that provides that the ownership or transfer of interest by any one of the persons a party to the agreement can only be made to a person who qualifies as an Illinois resident.

2. Provide for the registration of Illinois conceived and foaled horses and no such horse shall compete in the races limited to Illinois conceived and foaled horses unless registered with the Department of Agriculture. The Department of Agriculture may prescribe such forms as may be necessary to determine the eligibility of such horses. No person shall knowingly prepare or cause preparation of an application for registration of such foals containing false information. A mare (dam) must be in the ~~State state~~ at least 30 days prior to foaling or remain in the State at least 30 days at the time of foaling. However, the requirement that a mare (dam) must be in the State at least 30 days before

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foaling or remain in the State at least 30 days at the time of foaling shall not be in effect from January 1, 2018 until January 1, 2022. Beginning with the 1996 breeding season and for foals of 1997 and thereafter, a foal conceived by transported fresh semen may be eligible for Illinois conceived and foaled registration provided all breeding and foaling requirements are met. The stallion must be qualified for Illinois Standardbred Breeders Fund breeding at the time of conception and the mare must be inseminated within the State of Illinois. The foal must be dropped in Illinois and properly registered with the Department of Agriculture in accordance with this Act. However, from January 1, 2018 until January 1, 2022, the requirement for a mare to be inseminated within the State of Illinois and the requirement for a foal to be dropped in Illinois are inapplicable.

3. Provide that at least a 5 day racing program shall be conducted at the State Fair each year, which program shall include at least the following races limited to Illinois conceived and foaled horses: (a) a two year old Trot and Pace, and Filly Division of each; (b) a three year old Trot and Pace, and Filly Division of each; (c) an aged Trot and Pace, and Mare Division of each.

4. Provide for the payment of nominating, sustaining and starting fees for races promoting the sport of harness racing and for the races to be conducted at the State Fair as provided in subsection (j) 3 of this Section provided that the nominating, sustaining and starting payment required from an entrant shall not exceed 2% of the purse of such race. All nominating, sustaining and starting payments shall be held for the benefit of entrants and shall be paid out as part of the respective purses for such races. Nominating, sustaining and starting fees shall be held in trust accounts for the purposes as set forth in this Act and in accordance with Section 205-15 of the Department of Agriculture Law (20 ILCS 205/205-15).

5. Provide for the registration with the Department of Agriculture of Colt Associations or county fairs desiring to sponsor races at county fairs.

(k) The Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board, may allocate monies for purse supplements for such races. In determining whether to allocate money and the amount, the Department of Agriculture shall consider factors, including but not limited to, the amount of money appropriated for the Illinois Standardbred Breeders Fund program, the number of races that may occur, and an organizational licensee's purse structure. The organizational licensee shall notify the Department of Agriculture of the conditions and minimum purses for races limited to Illinois conceived and foaled horses to be conducted by each organizational licensee conducting a harness racing meeting for which purse supplements have been negotiated.

(l) All races held at county fairs and the State Fair which receive funds from the Illinois Standardbred Breeders Fund shall be conducted in accordance with the rules of the United States Trotting Association unless otherwise modified by the Department of Agriculture.

(m) At all standardbred race meetings held or conducted under authority of a license granted by the Board, and at all standardbred races held at county fairs which are approved by the Department of Agriculture or at the Illinois or DuQuoin State Fairs, no one shall jog, train, warm up or drive a standardbred horse unless he or she is wearing a protective safety helmet, with the chin strap fastened and in place, which meets the standards and requirements as set forth in the 1984 Standard for Protective Headgear for Use in Harness Racing and Other Equestrian Sports published by the Snell Memorial Foundation, or any standards and requirements for headgear the Illinois Racing Board may approve. Any other standards and requirements so approved by the Board shall equal or exceed those published by the Snell Memorial Foundation. Any equestrian helmet bearing the Snell label shall be deemed to have met those standards and requirements.

(Source: P.A. 99-756, eff. 8-12-16.)

(230 ILCS 5/33.1) (from Ch. 8, par. 37-33.1)

Sec. 33.1. (a) The Department of Agriculture shall be responsible for investigating and determining the eligibility of mares and Illinois conceived and foaled horses and Illinois foaled horses to participate in Illinois conceived and foaled and Illinois foaled races. The Department of Agriculture shall also qualify stallions to participate in the Illinois Standardbred and Thoroughbred programs.

(b) The Director of the Department of Agriculture or his authorized agent is authorized to conduct hearings, administer oaths, and issue subpoenas to carry out his responsibilities concerning the Illinois Standardbred and Thoroughbred programs as set forth in Sections 30 and 31.

(c) The Director of the Department of Agriculture or his authorized agent shall, after a hearing, affirm or deny the qualification of a stallion for the Illinois Standardbred or Thoroughbred program. The decision of the Director of the Department of Agriculture or his authorized agent shall be subject to judicial review under the Administrative Review Law. The term "administrative decision" shall have the meaning ascribed to it in Section 3-101 of the Administrative Review Law.

(d) If the determination is made that a standardbred stallion is not owned by a resident of the State of Illinois or that a transfer of ownership is a subterfuge to qualify a standardbred stallion under the Act, or that a standardbred stallion owner, manager, or person associated with him or her has knowingly participated in the arrangements for transporting semen from a standardbred stallion registered under this Act out-of-state, the Director of the Department of Agriculture or his authorized agent shall immediately publish notice of such fact in publications devoted to news concerning standardbred horses, announcing the disqualification of such stallion or his foals. From January 1, 2018 until January 1, 2022, the Director of Agriculture or his or her authorized agent shall not publish notice announcing the disqualification of such stallion or his foals on the basis that a stallion owner, manager, or person associated with him or her has knowingly participated in the arrangements for transporting semen from a standardbred stallion registered under this Act out of State. If any person owning any stallion, mare or foal is found by the Director of the Department of Agriculture or his authorized agent to have willfully violated any provision of this Act or to have made any false statements concerning such person's stallion, mare or foal, then no animal owned by such person is eligible to participate in any events conducted pursuant to Sections 30 and 31.

(e) Any person who is served with a subpoena, issued by the Director of the Department of Agriculture or his authorized agent, to appear and testify or to produce documents and who refuses or neglects to testify or produce documents relevant to the investigation, as directed in the subpoenas, may be punished as provided in this Section.

(f) Any circuit court of this State, upon petition by the Director of the Department of Agriculture or his authorized agent, may compel the attendance of witnesses, the production of documents and giving the testimony required by this Section in the same manner as the production of evidence may be compelled in any other judicial proceeding before such court. Any person who willfully swears or affirms falsely in any proceeding conducted pursuant to this Section is guilty of perjury.

(g) The fees of witnesses for attendance and travel in the course of any investigation shall be the same as the fees of witnesses before the circuit courts of this State.

(h) The Department shall have authority to promulgate rules and regulations for the enforcement of Sections 30, 31 and 33.1 of this Act. Conditions and purses shall not be subject to Section 5-40 of the Illinois Administrative Procedure Act but shall be set and published from time to time.

(Source: P.A. 88-45; 89-16, eff. 5-30-95.)

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

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

On motion of Senator Bivins, **Senate Bill No. 3105** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3105

AMENDMENT NO. 1. Amend Senate Bill 3105 by replacing everything after the enacting clause with the following:

"Section 5. The Abused and Neglected Child Reporting Act is amended by changing Section 7.2 as follows:

(325 ILCS 5/7.2) (from Ch. 23, par. 2057.2)

Sec. 7.2. The Department shall establish a Child Protective Service Unit within each geographic region as designated by the Director of the Department. The Child Protective Service Unit shall perform those functions assigned by this Act to it and only such others that would further the purposes of this Act. It shall have a sufficient staff of qualified personnel to fulfill the purpose of this Act and be organized in such a way as to maximize the continuity of responsibility, care and service of the individual workers toward the individual children and families.

The Child Protective Service Unit shall designate members of each unit to receive specialty training to serve as special consultants to unit staff and the public in the areas of child sexual abuse, child deaths and injuries, and out-of-home investigations.

If a child protective investigator of a Child Protective Service Unit is unable to obtain assistance from other unit members when responding to a high-risk report of child abuse or neglect and the child protective

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investigator has a reasonable belief or suspicion that a subject named in the report has the potential for violence, the child protective investigator may request assistance from local law enforcement officers to be provided at a mutually available time. Law enforcement officers shall, upon request, make all reasonable efforts to assist the child protective investigator in receiving law enforcement assistance from any other police jurisdiction that is outside the accompanying officers' primary jurisdiction.
(Source: P.A. 85-1440.)

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

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

On motion of Senator McConaughay, **Senate Bill No. 3107** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **Senate Bill No. 3108** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **Senate Bill No. 3109** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3109

AMENDMENT NO. 1. Amend Senate Bill 3109 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by changing Section 2105-15 and by adding Section 2105-140 as follows:
(20 ILCS 2105/2105-15)

Sec. 2105-15. General powers and duties.

(a) The Department has, subject to the provisions of the Civil Administrative Code of Illinois, the following powers and duties:

(1) To authorize examinations in English to ascertain the qualifications and fitness of applicants to exercise the profession, trade, or occupation for which the examination is held.

(2) To prescribe rules and regulations for a fair and wholly impartial method of examination of candidates to exercise the respective professions, trades, or occupations.

(3) To pass upon the qualifications of applicants for licenses, certificates, and authorities, whether by examination, by reciprocity, or by endorsement.

(4) To prescribe rules and regulations defining, for the respective professions, trades, and occupations, what shall constitute a school, college, or university, or department of a university, or other institution, reputable and in good standing, and to determine the reputability and good standing of a school, college, or university, or department of a university, or other institution, reputable and in good standing, by reference to a compliance with those rules and regulations; provided, that no school, college, or university, or department of a university, or other institution that refuses admittance to applicants solely on account of race, color, creed, sex, sexual orientation, or national origin shall be considered reputable and in good standing.

(5) To conduct hearings on proceedings to revoke, suspend, refuse to renew, place on probationary status, or take other disciplinary action as authorized in any licensing Act administered by the Department with regard to licenses, certificates, or authorities of persons exercising the respective professions, trades, or occupations and to revoke, suspend, refuse to renew, place on probationary status, or take other disciplinary action as authorized in any licensing Act administered by the Department with regard to those licenses, certificates, or authorities.

The Department shall issue a monthly disciplinary report.

The Department shall deny any license or renewal authorized by the Civil Administrative Code of Illinois to any person who has defaulted on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State; however, the Department may issue a license or renewal if the aforementioned persons have established a satisfactory repayment record as determined by the Illinois Student Assistance Commission or other

appropriate governmental agency of this State. Additionally, beginning June 1, 1996, any license issued by the Department may be suspended or revoked if the Department, after the opportunity for a hearing under the appropriate licensing Act, finds that the licensee has failed to make satisfactory repayment to the Illinois Student Assistance Commission for a delinquent or defaulted loan. For the purposes of this Section, "satisfactory repayment record" shall be defined by rule.

The Department shall refuse to issue or renew a license to, or shall suspend or revoke a license of, any person who, after receiving notice, fails to comply with a subpoena or warrant relating to a paternity or child support proceeding. However, the Department may issue a license or renewal upon compliance with the subpoena or warrant.

The Department, without further process or hearings, shall revoke, suspend, or deny any license or renewal authorized by the Civil Administrative Code of Illinois to a person who is certified by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) as being more than 30 days delinquent in complying with a child support order or who is certified by a court as being in violation of the Non-Support Punishment Act for more than 60 days. The Department may, however, issue a license or renewal if the person has established a satisfactory repayment record as determined by the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) or if the person is determined by the court to be in compliance with the Non-Support Punishment Act. The Department may implement this paragraph as added by Public Act 89-6 through the use of emergency rules in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For purposes of the Illinois Administrative Procedure Act, the adoption of rules to implement this paragraph shall be considered an emergency and necessary for the public interest, safety, and welfare.

(6) To transfer jurisdiction of any realty under the control of the Department to any other department of the State Government or to acquire or accept federal lands when the transfer, acquisition, or acceptance is advantageous to the State and is approved in writing by the Governor.

(7) To formulate rules and regulations necessary for the enforcement of any Act administered by the Department.

(8) To exchange with the Department of Healthcare and Family Services information that may be necessary for the enforcement of child support orders entered pursuant to the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support of Spouse and Children Act, the Non-Support Punishment Act, the Revised Uniform Reciprocal Enforcement of Support Act, the Uniform Interstate Family Support Act, the Illinois Parentage Act of 1984, or the Illinois Parentage Act of 2015. Notwithstanding any provisions in this Code to the contrary, the Department of Professional Regulation shall not be liable under any federal or State law to any person for any disclosure of information to the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid) under this paragraph (8) or for any other action taken in good faith to comply with the requirements of this paragraph (8).

(8.5) To accept continuing education credit for mandated reporter training on how to recognize and report child abuse offered by the Department of Children and Family Services and completed by any person who holds a professional license issued by the Department and who is a mandated reporter under the Abused and Neglected Child Reporting Act. The Department shall adopt any rules necessary to implement this paragraph.

(9) To perform other duties prescribed by law.

(a-5) Except in cases involving default on an educational loan or scholarship provided by or guaranteed by the Illinois Student Assistance Commission or any governmental agency of this State or in cases involving delinquency in complying with a child support order or violation of the Non-Support Punishment Act and notwithstanding anything that may appear in any individual licensing Act or administrative rule, no person or entity whose license, certificate, or authority has been revoked as authorized in any licensing Act administered by the Department may apply for restoration of that license, certification, or authority until 3 years after the effective date of the revocation.

(b) (Blank).

(c) For the purpose of securing and preparing evidence, and for the purchase of controlled substances, professional services, and equipment necessary for enforcement activities, recoupment of investigative costs, and other activities directed at suppressing the misuse and abuse of controlled substances, including those activities set forth in Sections 504 and 508 of the Illinois Controlled Substances Act, the Director and agents appointed and authorized by the Director may expend sums from the Professional Regulation Evidence Fund that the Director deems necessary from the amounts appropriated for that purpose. Those sums may be advanced to the agent when the Director deems that procedure to be in the public interest. Sums for the purchase of controlled substances, professional services, and equipment necessary for enforcement activities and other activities as set forth in this Section shall be advanced to the agent who

is to make the purchase from the Professional Regulation Evidence Fund on vouchers signed by the Director. The Director and those agents are authorized to maintain one or more commercial checking accounts with any State banking corporation or corporations organized under or subject to the Illinois Banking Act for the deposit and withdrawal of moneys to be used for the purposes set forth in this Section; provided, that no check may be written nor any withdrawal made from any such account except upon the written signatures of 2 persons designated by the Director to write those checks and make those withdrawals. Vouchers for those expenditures must be signed by the Director. All such expenditures shall be audited by the Director, and the audit shall be submitted to the Department of Central Management Services for approval.

(d) Whenever the Department is authorized or required by law to consider some aspect of criminal history record information for the purpose of carrying out its statutory powers and responsibilities, then, upon request and payment of fees in conformance with the requirements of Section 2605-400 of the Department of State Police Law (20 ILCS 2605/2605-400), the Department of State Police is authorized to furnish, pursuant to positive identification, the information contained in State files that is necessary to fulfill the request.

(e) The provisions of this Section do not apply to private business and vocational schools as defined by Section 15 of the Private Business and Vocational Schools Act of 2012.

(f) (Blank).

(f-5) Notwithstanding anything that may appear in any individual licensing statute or administrative rule, the Department shall allow an applicant to provide his or her individual taxpayer identification number as an alternative to providing a social security number when applying for a license.

(g) Notwithstanding anything that may appear in any individual licensing statute or administrative rule, the Department shall deny any license application or renewal authorized under any licensing Act administered by the Department to any person who has failed to file a return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirement of any such tax Act are satisfied; however, the Department may issue a license or renewal if the person has established a satisfactory repayment record as determined by the Illinois Department of Revenue. For the purpose of this Section, "satisfactory repayment record" shall be defined by rule.

In addition, a complaint filed with the Department by the Illinois Department of Revenue that includes a certification, signed by its Director or designee, attesting to the amount of the unpaid tax liability or the years for which a return was not filed, or both, is prima facie evidence of the licensee's failure to comply with the tax laws administered by the Illinois Department of Revenue. Upon receipt of that certification, the Department shall, without a hearing, immediately suspend all licenses held by the licensee. Enforcement of the Department's order shall be stayed for 60 days. The Department shall provide notice of the suspension to the licensee by mailing a copy of the Department's order to the licensee's address of record or emailing a copy of the order to the licensee's email address of record. The notice shall advise the licensee that the suspension shall be effective 60 days after the issuance of the Department's order unless the Department receives, from the licensee, a request for a hearing before the Department to dispute the matters contained in the order.

Any suspension imposed under this subsection (g) shall be terminated by the Department upon notification from the Illinois Department of Revenue that the licensee is in compliance with all tax laws administered by the Illinois Department of Revenue.

The Department may promulgate rules for the administration of this subsection (g).

(h) The Department may grant the title "Retired", to be used immediately adjacent to the title of a profession regulated by the Department, to eligible retirees. For individuals licensed under the Medical Practice Act of 1987, the title "Retired" may be used in the profile required by the Patients' Right to Know Act. The use of the title "Retired" shall not constitute representation of current licensure, registration, or certification. Any person without an active license, registration, or certificate in a profession that requires licensure, registration, or certification shall not be permitted to practice that profession.

(i) Within 180 days after December 23, 2009 (the effective date of Public Act 96-852), the Department shall promulgate rules which permit a person with a criminal record, who seeks a license or certificate in an occupation for which a criminal record is not expressly a per se bar, to apply to the Department for a non-binding, advisory opinion to be provided by the Board or body with the authority to issue the license or certificate as to whether his or her criminal record would bar the individual from the licensure or certification sought, should the individual meet all other licensure requirements including, but not limited to, the successful completion of the relevant examinations.

(Source: P.A. 99-85, eff. 1-1-16; 99-227, eff. 8-3-15; 99-330, eff. 8-10-15; 99-642, eff. 7-28-16; 99-933, eff. 1-27-17; 100-262, eff. 8-22-17; revised 10-4-17.)

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(20 ILCS 2105/2105-140 new)

Sec. 2105-140. Licensure; immigration status. No person shall be denied a license, certificate, limited permit, or registration issued by the Department solely based on his or her citizenship status or immigration status. The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code. Nothing in this Section shall affect the requirements to obtain a professional license that are not directly related to citizenship status or immigration status. Nothing in this Section shall be construed to grant eligibility for obtaining any public benefit other than a professional license issued by the Department.

Section 10. The School Code is amended by changing Section 21B-15 as follows:

(105 ILCS 5/21B-15)

Sec. 21B-15. Qualifications of educators.

(a) No one may be licensed to teach or supervise or be otherwise employed in the public schools of this State who is not of good character and at least 19 years of age.

In determining good character under this Section, the State Superintendent of Education shall take into consideration the disciplinary actions of other states or national entities against certificates or licenses issued by those states and held by individuals from those states. In addition, any felony conviction of the applicant may be taken into consideration; however, no one may be licensed to teach or supervise in the public schools of this State who has been convicted of (i) an offense set forth in subsection (b) of Section 21B-80 of this Code until 7 years following the end of the sentence for the criminal offense or (ii) an offense set forth in subsection (c) of Section 21B-80 of this Code. Unless the conviction is for an offense set forth in Section 21B-80 of this Code, an applicant must be permitted to submit character references or other written material before such a conviction or other information regarding the applicant's character may be used by the State Superintendent of Education as a basis for denying the application.

(b) No person otherwise qualified shall be denied the right to be licensed or to receive training for the purpose of becoming an educator because of a physical disability, including, but not limited to, visual and hearing disabilities; nor shall any school district refuse to employ a teacher on such grounds, provided that the person is able to carry out the duties of the position for which he or she applies.

(c) No person may be granted or continue to hold an educator license who has knowingly altered or misrepresented his or her qualifications, in this State or any other state, in order to acquire or renew the license. Any other license issued under this Article held by the person may be suspended or revoked by the State Educator Preparation and Licensure Board, depending upon the severity of the alteration or misrepresentation.

(d) No one may teach or supervise in the public schools nor receive for teaching or supervising any part of any public school fund who does not hold an educator license granted by the State Superintendent of Education as provided in this Article. However, the provisions of this Article do not apply to a member of the armed forces who is employed as a teacher of subjects in the Reserve Officers' Training Corps of any school, nor to an individual teaching a dual credit course as provided for in the Dual Credit Quality Act.

(e) Notwithstanding any other provision of this Code, the school board of a school district may grant to a teacher of the district a leave of absence with full pay for a period of not more than one year to permit the teacher to teach in a foreign state under the provisions of the Exchange Teacher Program established under Public Law 584, 79th Congress, and Public Law 402, 80th Congress, as amended. The school board granting the leave of absence may employ, with or without pay, a national of the foreign state wherein the teacher on the leave of absence is to teach if the national is qualified to teach in that foreign state and if that national is to teach in a grade level similar to the one that was taught in the foreign state. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt rules as may be necessary to implement this subsection (e).

(f) No person shall be denied a license issued under this Article solely based on his or her citizenship status or immigration status. The General Assembly finds and declares that this subsection (f) is a state law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code. Nothing in this subsection shall affect the requirements to obtain a license that are not directly related to citizenship status or immigration status. Nothing in this subsection shall be construed to grant eligibility for obtaining any public benefit other than a license issued under this Article.

(Source: P.A. 99-667, eff. 7-29-16; 100-13, eff. 7-1-17.)

Section 15. The Pharmacy Practice Act is amended by changing Section 6 as follows:

(225 ILCS 85/6) (from Ch. 111, par. 4126)

(Section scheduled to be repealed on January 1, 2020)

Sec. 6. Each individual seeking licensure as a registered pharmacist shall make application to the Department and shall provide evidence of the following:

1. ~~(blank); that he or she is a United States citizen or legally admitted alien;~~
2. that he or she has not engaged in conduct or behavior determined to be grounds for discipline under this Act;
3. that he or she is a graduate of a first professional degree program in pharmacy of a university recognized and approved by the Department;
4. that he or she has successfully completed a program of practice experience under the direct supervision of a pharmacist in a pharmacy in this State, or in any other State; and
5. that he or she has passed an examination recommended by the Board of Pharmacy and authorized by the Department.

The Department shall issue a license as a registered pharmacist to any applicant who has qualified as aforesaid and who has filed the required applications and paid the required fees in connection therewith; and such registrant shall have the authority to practice the profession of pharmacy in this State. (Source: P.A. 95-689, eff. 10-29-07.)

Section 20. The Attorney Act is amended by changing Section 2 as follows:
(705 ILCS 205/2) (from Ch. 13, par. 2)

Sec. 2. Licensing of noncitizens.

(a) No person shall be prohibited from receiving a license solely based on his or her citizenship status or immigration status because ~~he or she is not a citizen of the United States. The General Assembly finds and declares that this subsection (a) is a state law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.~~

(b) Nothing in this Section shall affect the requirements to obtain a license that are not directly related to citizenship status or immigration status. Nothing in this Section shall be construed to grant eligibility for obtaining any public benefit other than a license to practice law. The Supreme Court of this State may grant a license to a person who, in addition to fulfilling the requirements to practice law within this State, satisfies the following requirements:

~~(1) the United States Department of Homeland Security has approved the person's request for Deferred Action for Childhood Arrivals;~~

~~(2) the person's Deferred Action for Childhood Arrivals has not expired or has been properly renewed;~~
and

~~(3) the person has a current and valid employment authorization document issued by the United States Citizenship and Immigration Service.~~

~~The General Assembly finds and declares that this subsection (b) is a state law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.~~

(c) The Illinois Supreme Court may promulgate any orders or rules necessary to implement this amendatory Act of the 100th General Assembly ~~this amendatory Act of the 99th General Assembly.~~ (Source: P.A. 99-419, eff. 1-1-16.)"

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

On motion of Senator Hunter, **Senate Bill No. 3115** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **Senate Bill No. 3117** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 3119** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3119

AMENDMENT NO. 1. Amend Senate Bill 3119 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 7-109 as follows:

[April 18, 2018]

(40 ILCS 5/7-109) (from Ch. 108 1/2, par. 7-109)
Sec. 7-109. Employee.

(1) "Employee" means any person who:

(a) 1. Receives earnings as payment for the performance of personal services or official duties out of the general fund of a municipality, or out of any special fund or funds controlled by a municipality, or by an instrumentality thereof, or a participating instrumentality, including, in counties, the fees or earnings of any county fee office; and

2. Under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee with a municipality, or any instrumentality thereof, or a participating instrumentality, including aldermen, county supervisors and other persons (excepting those employed as independent contractors) who are paid compensation, fees, allowances or other emolument for official duties, and, in counties, the several county fee offices.

(b) Serves as a township treasurer appointed under the School Code, as heretofore or hereafter amended, and who receives for such services regular compensation as distinguished from per diem compensation, and any regular employee in the office of any township treasurer whether or not his earnings are paid from the income of the permanent township fund or from funds subject to distribution to the several school districts and parts of school districts as provided in the School Code, or from both such sources; or is the chief executive officer, chief educational officer, chief fiscal officer, or other employee of a Financial Oversight Panel established pursuant to Article 1H of the School Code, other than a superintendent or certified school business official, except that such person shall not be treated as an employee under this Section if that person has negotiated with the Financial Oversight Panel, in conjunction with the school district, a contractual agreement for exclusion from this Section.

(c) Holds an elective office in a municipality, instrumentality thereof or participating instrumentality.

(2) "Employee" does not include persons who:

(a) Are eligible for inclusion under any of the following laws:

1. "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund", approved May 27, 1915, as amended;

2. Articles 15 and 16 of this Code.

However, such persons shall be included as employees to the extent of earnings that are not eligible for inclusion under the foregoing laws for services not of an instructional nature of any kind.

However, any member of the armed forces who is employed as a teacher of subjects in the Reserve Officers Training Corps of any school and who is not certified under the law governing the certification of teachers shall be included as an employee.

(b) Are designated by the governing body of a municipality in which a pension fund is required by law to be established for policemen or firemen, respectively, as performing police or fire protection duties, except that when such persons are the heads of the police or fire department and are not eligible to be included within any such pension fund, they shall be included within this Article; provided, that such persons shall not be excluded to the extent of concurrent service and earnings not designated as being for police or fire protection duties. However, (i) any head of a police department who was a participant under this Article immediately before October 1, 1977 and did not elect, under Section 3-109 of this Act, to participate in a police pension fund shall be an "employee", and (ii) any chief of police who became a participating employee under this Article before January 1, 2019 and who elects to participate in this Fund under Section 3-109.1 of this Code, regardless of whether such person continues to be employed as chief of police or is employed in some other rank or capacity within the police department, shall be an employee under this Article for so long as such person is employed to perform police duties by a participating municipality and has not lawfully rescinded that election.

(b-5) Were not participating employees under this Article before the effective date of this amendatory Act of the 100th General Assembly and participated as a chief of police in a fund under Article 3 and return to work in any capacity with the police department, with any oversight of the police department, or in an advisory capacity for the police department with the same municipality with which that pension was earned, regardless of whether they are considered an employee of the police department or are eligible for inclusion in the municipality's Article 3 fund.

(c) Are contributors to or eligible to contribute to a Taft-Hartley pension plan to which the participating municipality is required to contribute as the person's employer based on earnings from the municipality. Nothing in this paragraph shall affect service credit or creditable service for any period of service prior to the effective date of this amendatory Act of the 98th General Assembly, and this paragraph shall not apply to individuals who are participating in the Fund prior to the effective date of this amendatory Act of the 98th General Assembly.

[April 18, 2018]

(d) Become an employee of any of the following participating instrumentalities on or after the effective date of this amendatory Act of the 99th General Assembly: the Illinois Municipal League; the Illinois Association of Park Districts; the Illinois Supervisors, County Commissioners and Superintendents of Highways Association; an association, or not-for-profit corporation, membership in which is authorized under Section 85-15 of the Township Code; the United Counties Council; or the Will County Governmental League.

(3) All persons, including, without limitation, public defenders and probation officers, who receive earnings from general or special funds of a county for performance of personal services or official duties within the territorial limits of the county, are employees of the county (unless excluded by subsection (2) of this Section) notwithstanding that they may be appointed by and are subject to the direction of a person or persons other than a county board or a county officer. It is hereby established that an employer-employee relationship under the usual common law rules exists between such employees and the county paying their salaries by reason of the fact that the county boards fix their rates of compensation, appropriate funds for payment of their earnings and otherwise exercise control over them. This finding and this amendatory Act shall apply to all such employees from the date of appointment whether such date is prior to or after the effective date of this amendatory Act and is intended to clarify existing law pertaining to their status as participating employees in the Fund.
(Source: P.A. 99-830, eff. 1-1-17; 100-281, eff. 8-24-17.)

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

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

On motion of Senator Nybo, **Senate Bill No. 3120** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **Senate Bill No. 3126** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McConaughay, **Senate Bill No. 3134** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 3139** having been printed, was taken up, read by title a second time.

The following amendments were offered in the Committee on Government Reform, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3139

AMENDMENT NO. 1. Amend Senate Bill 3139 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Plain Language Task Force Act is amended by changing Sections 5, 10, 15, 20, and 25 and by adding Sections 30 and 35 as follows:

(20 ILCS 4090/5)

Sec. 5. Purpose. The mission of the Illinois Plain Language Task Force is to implement, monitor, and maintain the mission of this Act, including developing training requirements and other assistance, and to conduct a study on, and to propose any additional legislative measures designed to realize:

(1) the potential benefits of incorporating plain language in State government documents, statutes, and contracts into which the State enters; and

(2) how plain language principles might be incorporated into the statutes governing contracts among private parties so as to provide additional protections to Illinois consumers, to reduce litigation between private parties over the meaning of contractual terms, and to foster judicial economy.
(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/10)

Sec. 10. Definition. As used in this Act:

"Plain language" shall have the same meaning as "plain writing" as used in the federal Plain Writing Act of 2010, and subsequent guidance documents, including the Federal Plain Language Guidelines has the same meaning ascribed to it in the Executive Memorandum of the President of the United States,

[April 18, 2018]

mandating that Federal Agencies and Federal Administrative Rules employ plain language, issued June 1, 1998, namely that "plain language" documents have logical organization, easy-to-read design features, and use: (i) common, everyday words, except for necessary technical terms; (ii) "you" and other pronouns; (iii) the active voice; and (iv) short sentences.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/15)

Sec. 15. Task Force.

(a) The Illinois Plain Language Task Force is hereby created. The Illinois Plain Language Task Force shall be chaired by the Governor or his or her designee and shall consist of the following members: one member appointed by the Illinois Attorney General; one member appointed by the Senate President; one member appointed by the Minority Leader of the Senate; one member appointed by the Speaker of the House; one member appointed by the Minority Leader of the House; and 3 members appointed by the Governor, ~~one of whom represents the interests of the banking industry, one of whom represents the interests of the business community, and one of whom represents the interests of the consumers.~~

(b) Members of the Task Force must be appointed no later than 90 days after the effective date of this Act.

(c) If a vacancy occurs on the Task Force, it shall be filled according to the guidelines of the initial appointment.

(d) At the discretion of the chair, additional individuals may participate as non-voting members in the meetings of the Task Force.

(e) Members of the Illinois Plain Language Task Force shall serve without compensation. The Office of the Governor shall provide staff and administrative services to the Task Force.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/20)

Sec. 20. Duties. Once all members have been appointed, the Task Force shall meet not less than once each quarter following the effective date of this Act to carry out the duties prescribed in this Act. An initial report delineating the Task Force's findings, conclusions, and recommendations shall be submitted to the Illinois General Assembly no later than May 31, 2019, unless such initial report has already been submitted to the General Assembly prior to the effective date of this amendatory Act of the 100th General Assembly 9 months after the effective date of this Act. Thereafter, the Task Force shall make periodic recommendations on its own motion or at the urging of the Illinois General Assembly.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/25)

Sec. 25. Guidance. The Task Force shall be guided in its discussions on the subject of plain language by the federal Plain Writing Act of 2010 and subsequent guidance documents, including, but not limited to, the Federal Plain Language Guidelines the guidelines for plain language drafting promulgated by the President of the United States on June 1, 1998, which accompanied his plain language Executive Memorandum issued on the same day.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/30 new)

Sec. 30. Plain language State government communications. Recognizing the importance of plain language in communication with the public:

(1) the General Assembly shall draft legislation and other public facing documents using plain language; and

(2) the executive and judicial branches of State government are advised to make all efforts to draft executive orders, court documents, and other public facing documents using plain language.

(20 ILCS 4090/35 new)

Sec. 35. Construction. No provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any administrative or judicial action. There shall be no judicial review of compliance or noncompliance with any provision of this Act."

AMENDMENT NO. 2 TO SENATE BILL 3139

AMENDMENT NO. 2. Amend Senate Bill 3139 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Plain Language Task Force Act is amended by changing Sections 5, 10, 15, 20, and 25 and by adding Sections 30 and 35 as follows:

(20 ILCS 4090/5)

Sec. 5. Purpose. The mission of the Illinois Plain Language Task Force is to implement, monitor, and maintain the mission of this Act, including developing training requirements and other assistance, and to conduct a study on, and to propose any additional legislative measures designed to realize:

- (1) the potential benefits of incorporating plain language in State government documents, statutes, and contracts into which the State enters; and
- (2) how plain language principles might be incorporated into the statutes governing contracts among private parties so as to provide additional protections to Illinois consumers, to reduce litigation between private parties over the meaning of contractual terms, and to foster judicial economy.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/10)

Sec. 10. Definition. As used in this Act:

"Plain language" shall have the same meaning as "plain writing" as used in the federal Plain Writing Act of 2010, and subsequent guidance documents, including the Federal Plain Language Guidelines has the same meaning ascribed to it in the Executive Memorandum of the President of the United States, mandating that Federal Agencies and Federal Administrative Rules employ plain language, issued June 1, 1998, namely that "plain language" documents have logical organization, easy-to-read design features, and use: (i) common, everyday words, except for necessary technical terms; (ii) "you" and other pronouns; (iii) the active voice; and (iv) short sentences.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/15)

Sec. 15. Task Force.

(a) The Illinois Plain Language Task Force is hereby created. The Illinois Plain Language Task Force shall be chaired by the Governor or his or her designee and shall consist of the following members: one member appointed by the Illinois Attorney General; one member appointed by the Senate President; one member appointed by the Minority Leader of the Senate; one member appointed by the Speaker of the House; one member appointed by the Minority Leader of the House; and 3 members appointed by the Governor, ~~one of whom represents the interests of the banking industry, one of whom represents the interests of the business community, and one of whom represents the interests of the consumers.~~

(b) Members of the Task Force must be appointed no later than 90 days after the effective date of this Act.

(c) If a vacancy occurs on the Task Force, it shall be filled according to the guidelines of the initial appointment.

(d) At the discretion of the chair, additional individuals may participate as non-voting members in the meetings of the Task Force.

(e) Members of the Illinois Plain Language Task Force shall serve without compensation. The Office of the Governor shall provide staff and administrative services to the Task Force.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/20)

Sec. 20. Duties. Once all members have been appointed, the Task Force shall meet not less than once each quarter following the effective date of this Act to carry out the duties prescribed in this Act. An initial report delineating the Task Force's findings, conclusions, and recommendations shall be submitted to the Illinois General Assembly no later than May 31, 2019, unless such initial report has already been submitted to the General Assembly prior to the effective date of this amendatory Act of the 100th General Assembly ~~9 months after the effective date of this Act.~~ Thereafter, the Task Force shall make periodic recommendations on its own motion or at the urging of the Illinois General Assembly.

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/25)

Sec. 25. Guidance. The Task Force shall be guided in its discussions on the subject of plain language by the federal Plain Writing Act of 2010 and subsequent guidance documents, including, but not limited to, the Federal Plain Language Guidelines ~~the guidelines for plain language drafting promulgated by the President of the United States on June 1, 1998, which accompanied his plain language Executive Memorandum issued on the same day.~~

(Source: P.A. 96-350, eff. 8-13-09.)

(20 ILCS 4090/30 new)

Sec. 30. Plain language State government communications. Recognizing the importance of plain language in communication with the public:

(1) the General Assembly shall draft legislation and other public-facing documents using plain language when practicable; and

(2) the executive and judicial branches of State government are advised to make all efforts to draft executive orders, court documents, and other public facing documents using plain language.

(20 ILCS 4090/35 new)

Sec. 35. Construction. No provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any administrative or judicial action. There shall be no judicial review of compliance or noncompliance with any provision of this Act."

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.

On motion of Senator McConaughay, **Senate Bill No. 3141** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **Senate Bill No. 3151** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on State Government, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3151

AMENDMENT NO. 1. Amend Senate Bill 3151 on page 5, line 14, after "taxes," by inserting "employer payments under the Unemployment Insurance Act, or any combination thereof,".

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

On motion of Senator Althoff, **Senate Bill No. 3152** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **Senate Bill No. 3170** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 4706, sponsored by Senator Manar, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5031, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Assignments.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to Senate Bill 202
 Amendment No. 1 to Senate Bill 2345
 Amendment No. 1 to Senate Bill 2346
 Amendment No. 1 to Senate Bill 2363
 Amendment No. 2 to Senate Bill 2363
 Amendment No. 1 to Senate Bill 2376
 Amendment No. 3 to Senate Bill 2640
 Amendment No. 2 to Senate Bill 3062
 Amendment No. 2 to Senate Bill 3197
 Amendment No. 1 to Senate Bill 3261
 Amendment No. 2 to Senate Bill 3505
 Amendment No. 2 to Senate Bill 3507

MESSAGES FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 18, 2018

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 Linda Holmes to temporarily replace Senator Melinda Bush as a member of the Senate Licensed Activities and Pensions Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Licensed Activities and Pensions Committee.

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

cc: Senate Minority Leader William Brady

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

JOHN J. CULLERTON
SENATE PRESIDENT

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

April 18, 2018

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 Bill Cunningham to temporarily replace Senator Steven Landek 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 William Brady

[April 18, 2018]

COMMUNICATION FROM THE MINORITY LEADER

SPRINGFIELD OFFICE:
309G STATE HOUSE
SPRINGFIELD, ILLINOIS 62706
PHONE: 217/782-9407

DISTRICT OFFICE
2203 EASTLAND DRIVE, SUITE 3
BLOOMINGTON, ILLINOIS 61704
PHONE: 309/664-4440
FAX: 309/664-8597
BILLBRADY@SENATORBILLBRADY.COM

ILLINOIS STATE SENATE
BILL BRADY
SENATE REPUBLICAN LEADER
44th SENATE DISTRICT

April 18, 2018

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

Dear Mr. Secretary:

Pursuant to Rule 3-2 (c), I hereby appoint **Senator Chris Nybo** to temporarily replace **Senator Jason Barickman** 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/Bill Brady
Bill Brady
Illinois Senate Republican Leader
44th District

At the hour of 3:30 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, April 19, 2018, at 12:00 o'clock noon.

[April 18, 2018]