



SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

114TH LEGISLATIVE DAY

TUESDAY, APRIL 24, 2018

12:31 O'CLOCK P.M.

SENATE
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The Senate met pursuant to adjournment.
Senator Antonio Munóz, Chicago, Illinois, presiding.
Prayer by Pastor Curt Fleck, Civil Servant Ministries, Springfield, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Monday, April 23, 2018, be postponed, pending arrival of the printed Journal.
The motion prevailed.

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 24, 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 Terry Link to temporarily replace Senator Elgie Sims as a member of the Senate Judiciary Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Judiciary Committee.

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

cc: Senate Minority Leader 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 24, 2018

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Don Harmon to temporarily replace Senator James Clayborne as Chairman of the Senate Committee on Assignments. In addition, I hereby appoint Senator Mattie Hunter to temporarily replace Senator James Clayborne as a member of the Senate Committee on

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Assignments. These appointments will expire upon adjournment of the Senate Committee on Assignments on April 24, 2018.

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

cc: Senate Republican Leader Bill Brady

PRESENTATION OF RESOLUTION

Senator J. Cullerton offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 1638

WHEREAS, Methicillin-resistant Staphylococcus aureus (MRSA) is a type of bacteria that is resistant to treatment with the usual antibiotics and is the most common pathogen that causes Healthcare-Associated infections (HAIs) in the United States and around the world; and

WHEREAS, According to the U.S. Centers for Disease Control and Prevention (CDC), there were 80,400 invasive MRSA infections in 2011, and MRSA invasive infection rates do not include MRSA surgical site infections, which are 90% of all MRSA infections; including MRSA surgical site infection rates, the total number of MRSA healthcare-associated infections is 723,600; and

WHEREAS, The U.S. Centers for Disease Control and Prevention (CDC) lists MRSA as a serious threat that requires prompt and sustained action to prevent the spread of MRSA which can cause severe problems such as blood stream, surgical site, central-line, and pneumonia infections; severe cases can cause sepsis and death; and

WHEREAS, In 2015, the World Health Organization (WHO) warned that the overuse of antibiotics is fueling dangerously high resistant levels; the former global director of the WHO has stated that "The rise of antibiotic resistance is a global crisis", and "antimicrobial resistance (AMR) is on the rise in every region of the world"; and

WHEREAS, According to the Illinois Department of Health's (IDPH) 2015 data, there were 17,578 healthcare-associated MRSA (HA-MRSA) cases from Illinois hospitals, and Illinois continues to have an ongoing MRSA epidemic; 75% of the patients infected with MRSA were 50 years of age or older with higher mortality rates; community-associated MRSA (CA-MRSA) infection rates continue still to be an unreported disease; and

WHEREAS, The U.S. Veterans Administration (VA) has been universally screening all patients upon admission for MRSA in all of their 150 facilities since 2007 and has reduced their MRSA hospital infection rates by over 80%, with 49.4% in long-term care facilities; and

WHEREAS, Individuals infected with MRSA are most likely to have longer and more expensive hospital stays, with the average cost between \$35,000 to \$120,000; and

WHEREAS, MRSA is a major factor in the annual price tag for treating healthcare-associated infections in the United States; and

WHEREAS, Anyone, not just infected patients but also MRSA colonized carriers, can be a vehicle for transmission of MRSA through skin-to-skin or object contact; and

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WHEREAS, MRSA is a preventable disease with appropriate contact precautions, including strict adherence to hand hygiene and the decontamination of surfaces and the environment, along with a good antibiotic stewardship program in healthcare facilities; and

WHEREAS, Raising awareness of MRSA is important to the prevention of MRSA infections; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support the work of patient advocates and organizations such as the MRSA Survivors Network in educating, supporting, and providing hope for individuals and their families affected by community and healthcare-associated infections; and be it further

RESOLVED, That we acknowledge the 10th anniversary of World MRSA Day, October 2, and the 10th anniversary of World MRSA Awareness Month in October; and be it further

RESOLVED, That we declare October 2, 2018 as "MRSA Day" in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the MRSA Survivors Network as a symbol of our respect and esteem.

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 1 to Senate Bill 2367
 Senate Amendment No. 1 to Senate Bill 2407
 Senate Amendment No. 3 to Senate Bill 2429
 Senate Amendment No. 3 to Senate Bill 2628
 Senate Amendment No. 2 to Senate Bill 2662
 Senate Amendment No. 1 to Senate Bill 2834
 Senate Amendment No. 1 to Senate Bill 2951
 Senate Amendment No. 1 to Senate Bill 3023
 Senate Amendment No. 2 to Senate Bill 3179
 Senate Amendment No. 1 to Senate Bill 3232

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

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

Senate Amendment No. 2 to Senate Bill 574
 Senate Amendment No. 1 to Senate Bill 2368
 Senate Amendment No. 2 to Senate Bill 2481
 Senate Amendment No. 1 to Senate Bill 2677
 Senate Amendment No. 1 to Senate Bill 3247
 Senate Amendment No. 1 to Senate Bill 3261
 Senate Amendment No. 1 to Senate Bill 3398

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

MESSAGES FROM THE HOUSE

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

[April 24, 2018]

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

HOUSE BILL NO. 1010
A bill for AN ACT concerning elections.
HOUSE BILL NO. 4560
A bill for AN ACT concerning local government.
HOUSE BILL NO. 4665
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 4885
A bill for AN ACT concerning children.
HOUSE BILL NO. 5741
A bill for AN ACT concerning safety.
Passed the House, April 23, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1010, 4560, 4665, 4885 and 5741** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 4415
A bill for AN ACT concerning revenue.
HOUSE BILL NO. 4687
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 5042
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 5251
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 5611
A bill for AN ACT concerning State government.
Passed the House, April 23, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4415, 4687, 5042, 5251 and 5611** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 4843
A bill for AN ACT concerning ivory.
HOUSE BILL NO. 4922
A bill for AN ACT concerning business.
HOUSE BILL NO. 5497
A bill for AN ACT concerning regulation.
Passed the House, April 23, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4843, 4922 and 5497** were taken up, ordered printed and placed on first reading.

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READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1010, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4415, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4687, sponsored by Senator Bennett, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4843, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4922, sponsored by Senator Castro, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5042, sponsored by Senator Connelly, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5153, sponsored by Senator Tracy, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5251, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5497, sponsored by Senator Mulroe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5611, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5692, sponsored by Senator Anderson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5693, sponsored by Senator Anderson, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Bush, **Senate Bill No. 1335** 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 1335

AMENDMENT NO. 1. Amend Senate Bill 1335 on page 3, by replacing lines 16 through 20 with the following:

"(3) The secondary employer shall deduct an amount equal to 9.455% of the salaries and wages paid to the secondary employee and, concurrent with the certification of its report, shall pay the deducted amount to the primary employer's pension fund for deposit to the credit of the pension fund. This contribution shall be in addition to the contribution required under paragraph (2) of this subsection."; and

on page 4, line 3, after "under", by inserting "paragraphs (2) and (3) of".

Senator Bush offered the following amendment and moved its adoption:

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AMENDMENT NO. 2 TO SENATE BILL 1335

AMENDMENT NO. 2. Amend Senate Bill 1335 on page 2, line 19, after "government", by inserting "of 5,000 or more inhabitants".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1335

AMENDMENT NO. 3. Amend Senate Bill 1335 on page 3, by replacing lines 16 through 22 with the following:

"(3) The secondary employer shall deduct an amount equal to 9.455% of the salaries and wages paid to the secondary employee and, concurrent with the certification of its report, shall pay the deducted amount to the primary employer's pension fund for deposit to the credit of the pension fund. This contribution shall be in addition to the contribution required under paragraph (2) of this subsection."; and

on page 4, line 3, after "under", by inserting "paragraphs (2) and (3) of".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1, 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Biss, **Senate Bill No. 2213** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 2232** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2232

AMENDMENT NO. 1. Amend Senate Bill 2232 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Emergency Management Agency Act is amended by changing Section 7 as follows:

(20 ILCS 3305/7) (from Ch. 127, par. 1057)

Sec. 7. Emergency Powers of the Governor. ~~(a)~~ In the event of a disaster, as defined in Section 4, the Governor may, by proclamation declare that a disaster exists. Upon such proclamation, the Governor shall have and may exercise for a period not to exceed 30 days the following emergency powers; provided, however, that the lapse of the emergency powers shall not, as regards any act or acts occurring or committed within the ~~30-day~~ 30 days period, deprive any person, firm, corporation, political subdivision, or body politic of any right or rights to compensation or reimbursement which he, she, it, or they may have under the provisions of this Act:

(1) To suspend the provisions of any regulatory statute prescribing procedures for conduct of State business, or the orders, rules and regulations of any State agency and managed care contracts, if strict compliance with the provisions of any statute, order, rule, contract, or regulation would in any way prevent, hinder or delay necessary action, including emergency purchases, by the Illinois Emergency Management Agency, in coping with the disaster.

(2) To utilize all available resources of the State government as reasonably necessary to cope with the disaster and of each political subdivision of the State.

(3) To transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating disaster response and recovery programs.

(4) On behalf of this State to take possession of, and to acquire full title or a lesser specified interest in, any personal property as may be necessary to accomplish the objectives set forth in Section 2 of this Act, including: airplanes, automobiles, trucks, trailers, buses, and other vehicles; coal, oils, gasoline, and other fuels and means of propulsion; explosives, materials, equipment, and

supplies; animals and livestock; feed and seed; food and provisions for humans and animals; clothing and bedding; and medicines and medical and surgical supplies; and to take possession of and for a limited period occupy and use any real estate necessary to accomplish those objectives; but only upon the undertaking by the State to pay just compensation therefor as in this Act provided, and then only under the following provisions:

a. The Governor, or the person or persons as the Governor may authorize so to do, may forthwith take possession of property for and on behalf of the State; provided, however, that the Governor or persons shall simultaneously with the taking, deliver to the owner or his or her agent, if the identity of the owner or agency is known or readily ascertainable, a signed statement in writing, that shall include the name and address of the owner, the date and place of the taking, description of the property sufficient to identify it, a statement of interest in the property that is being so taken, and, if possible, a statement in writing, signed by the owner, setting forth the sum that he or she is willing to accept as just compensation for the property or use. Whether or not the owner or agent is known or readily ascertainable, a true copy of the statement shall promptly be filed by the Governor or the person with the Director, who shall keep the docket of the statements. In cases where the sum that the owner is willing to accept as just compensation is less than \$1,000, copies of the statements shall also be filed by the Director with, and shall be passed upon by an Emergency Management Claims Commission, consisting of 3 disinterested citizens who shall be appointed by the Governor, by and with the advice and consent of the Senate, within 20 days after the Governor's declaration of a disaster, and if the sum fixed by them as just compensation be less than \$1,000 and is accepted in writing by the owner, then the State Treasurer out of funds appropriated for these purposes, shall, upon certification thereof by the Emergency Management Claims Commission, cause the sum so certified forthwith to be paid to the owner. The Emergency Management Claims Commission is hereby given the power to issue appropriate subpoenas and to administer oaths to witnesses and shall keep appropriate minutes and other records of its actions upon and the disposition made of all claims.

b. When the compensation to be paid for the taking or use of property or interest therein is not or cannot be determined and paid under item a of this paragraph (4) ~~(a) above~~, a petition in the name of The People of the State of Illinois shall be promptly filed by the Director, which filing may be enforced by mandamus, in the circuit court of the county where the property or any part thereof was located when initially taken or used under the provisions of this Act praying that the amount of compensation to be paid to the person or persons interested therein be fixed and determined. The petition shall include a description of the property that has been taken, shall state the physical condition of the property when taken, shall name as defendants all interested parties, shall set forth the sum of money estimated to be just compensation for the property or interest therein taken or used, and shall be signed by the Director. The litigation shall be handled by the Attorney General for and on behalf of the State.

c. Just compensation for the taking or use of property or interest therein shall be promptly ascertained in proceedings and established by judgment against the State, that shall include, as part of the just compensation so awarded, interest at the rate of 6% per annum on the fair market value of the property or interest therein from the date of the taking or use to the date of the judgment; and the court may order the payment of delinquent taxes and special assessments out of the amount so awarded as just compensation and may make any other orders with respect to encumbrances, rents, insurance, and other charges, if any, as shall be just and equitable.

(5) When required by the exigencies of the disaster, to sell, lend, rent, give, or distribute all or any part of property so or otherwise acquired to the inhabitants of this State, or to political subdivisions of this State, or, under the interstate mutual aid agreements or compacts as are entered into under the provisions of subparagraph (5) of paragraph (c) of Section 6 to other states, and to account for and transmit to the State Treasurer all funds, if any, received therefor.

(6) To recommend the evacuation of all or part of the population from any stricken or threatened area within the State if the Governor deems this action necessary and to order the mandatory emergency evacuation of a long term care facility and facilities selected for the supportive living facilities program authorized by Section 5-5.01a of the Illinois Public Aid Code when it is determined, in consultation with the Director of Public Health, that evacuation is the best solution to eliminating the potential for harm. A long term care facility notified of a mandatory emergency evacuation order shall provide a list of resources needed to the Governor or his or her designee to safely implement the order.

(7) To prescribe routes, modes of transportation, and destinations in connection with evacuation.

(8) To control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein.

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(9) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

(10) To make provision for the availability and use of temporary emergency housing.

(11) A proclamation of a disaster shall activate the State Emergency Operations Plan, and political subdivision emergency operations plans applicable to the political subdivision or area in question and be authority for the deployment and use of any forces that the plan or plans apply and for use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled or arranged to be made available under this Act or any other provision of law relating to disasters.

(12) Control, restrict, and regulate by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale or distribution of food, feed, fuel, clothing and other commodities, materials, goods, or services; and perform and exercise any other functions, powers, and duties as may be necessary to promote and secure the safety and protection of the civilian population.

(13) During the continuance of any disaster the Governor is commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the Governor shall delegate or assign command authority to do so by orders issued at the time of the disaster.

(14) Prohibit increases in the prices of goods and services during a disaster.

(Source: P.A. 92-73, eff. 1-1-02; revised 9-28-17.)

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

Floor Amendment No. 2 was held in the Committee on Public Health.

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 Koehler, **Senate Bill No. 2262** 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. 2328** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2328

AMENDMENT NO. 1. Amend Senate Bill 2328 by replacing everything after the enacting clause with the following:

"Section 5. The Local Government Professional Services Selection Act is amended by changing Section 8 as follows:

(50 ILCS 510/8) (from Ch. 85, par. 6408)

Sec. 8. Emergencies; services under \$50,000 ~~Waiver of competition.~~

(a) A political subdivision may waive the requirements of Sections 4, 5, and 6 if it determines, by resolution, that an emergency situation exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than \$25,000.

(b) A political subdivision may develop an alternative process to the requirements of Sections 4, 5, and 6 for services costing at least \$25,000 but less than \$50,000. The alternative process shall establish guidelines for selection based on demonstrated competence and qualifications to perform the type of services required followed by a negotiation of the fee at a price determined by the political subdivision to be fair and reasonable after considering the estimated value, the scope, the complexity, and the nature of the services.

(Source: P.A. 87-1034.)"

Floor Amendment No. 2 was held in the Committee on Government Reform.

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 24, 2018]

On motion of Senator Murphy, **Senate Bill No. 2431** having been printed, was taken up, read by title a second time.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2431

AMENDMENT NO. 1. Amend Senate Bill 2431 on page 4, immediately below line 2, by inserting the following:

"(e-5) When any change occurs in use or ownership of property that has been granted a homestead exemption under this Section, the transferee shall notify the chief county assessment officer of the change in writing within 90 days after the change in use or ownership occurs. The chief county assessment officer shall ensure that, if the property ceases to qualify for the exemption under this Section as a result of the change in use or ownership, then the exemption shall be removed beginning with the next taxable year after the change occurs."

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 Manar, **Senate Bill No. 2569** 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. 2939** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was postponed in the Committee on Education.

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

On motion of Senator Van Pelt, **Senate Bill No. 2999** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Labor.

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

On motion of Senator Koehler, **Senate Bill No. 2817** 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 2817

AMENDMENT NO. 1. Amend Senate Bill 2817 on page 2, line 13, by replacing "\$50,000 ~~\$40,000~~" with "\$40,000"; and

on page 4, line 16, by replacing "\$50,000 ~~\$40,000~~" with "\$40,000"; and

on page 10, line 1, by replacing "\$50,000 ~~\$40,000~~" with "\$40,000"; and

on page 13, line 8, by replacing "\$50,000 ~~\$40,000~~" with "\$40,000"; and

on page 15, line 13, by replacing "\$50,000 ~~\$40,000~~" with "\$40,000"; and

on page 17, line 25, by replacing "\$50,000 ~~\$40,000~~" with "\$40,000"; and

on page 20, line 5, by replacing "\$50,000 ~~\$40,000~~" with "\$40,000"; and

on page 21, line 3, by replacing "\$20,000 ~~\$10,000~~" with "\$10,000"; and

on page 21, line 9, by replacing "\$20,000 ~~\$10,000~~" with "\$10,000".

Senator Koehler offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2817

AMENDMENT NO. 2. Amend Senate Bill 2817, AS AMENDED, by deleting line 4 on page 1 through line 10 on page 8.

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 Koehler, **Senate Bill No. 2824** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 3015** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3015

AMENDMENT NO. 1. Amend Senate Bill 3015 as follows:

on page 13, line 19, after "record", by inserting "and the school nurse"; and

on page 28, by deleting lines 16 and 17.

AMENDMENT NO. 2 TO SENATE BILL 3015

AMENDMENT NO. 2. Amend Senate Bill 3015 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 22-30 and 27A-5 as follows:
(105 ILCS 5/22-30)

Sec. 22-30. Self-administration and self-carry of asthma medication and epinephrine auto-injectors; administration of undesignated epinephrine auto-injectors; administration of an opioid antagonist; administration of undesignated asthma medication; asthma episode emergency response protocol.

(a) For the purpose of this Section only, the following terms shall have the meanings set forth below:

"Asthma action plan" means a written plan developed with a pupil's medical provider to help control the pupil's asthma. The goal of an asthma action plan is to reduce or prevent flare-ups and emergency department visits through day-to-day management and to serve as a student-specific document to be referenced in the event of an asthma episode.

"Asthma episode emergency response protocol" means a procedure to provide assistance to a pupil experiencing symptoms of wheezing, coughing, shortness of breath, chest tightness, or breathing difficulty.

~~"Asthma inhaler" means a quick-reliever asthma inhaler.~~

"Epinephrine auto-injector" means a single-use device used for the automatic injection of a pre-measured dose of epinephrine into the human body.

"Asthma medication" means quick-relief asthma medication, including albuterol or other short-acting bronchodilators, that is approved by the United States Food and Drug Administration for the treatment of respiratory distress. "Asthma medication" includes medication delivered through a device, including a metered dose inhaler with a reusable or disposable spacer or a nebulizer with a mouthpiece or mask a medicine, prescribed by (i) a physician licensed to practice medicine in all its branches, (ii) a licensed physician assistant with prescriptive authority, or (iii) a licensed advanced practice registered nurse with prescriptive authority for a pupil that pertains to the pupil's asthma and that has an individual prescription label.

"Opioid antagonist" means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration.

"Respiratory distress" means the perceived or actual presence of wheezing, coughing, shortness of breath, chest tightness, breathing difficulty, or any other symptoms consistent with asthma. Respiratory distress may be categorized as "mild-to-moderate" or "severe".

"School nurse" means a registered nurse working in a school with or without licensure endorsed in school nursing.

"Self-administration" means a pupil's discretionary use of his or her prescribed asthma medication or epinephrine auto-injector.

"Self-carry" means a pupil's ability to carry his or her prescribed asthma medication or epinephrine auto-injector.

"Standing protocol" may be issued by (i) a physician licensed to practice medicine in all its branches, (ii) a licensed physician assistant with prescriptive authority, or (iii) a licensed advanced practice registered nurse with prescriptive authority.

"Trained personnel" means any school employee or volunteer personnel authorized in Sections 10-22.34, 10-22.34a, and 10-22.34b of this Code who has completed training under subsection (g) of this Section to recognize and respond to anaphylaxis, an opioid overdose, or respiratory distress.

"Undesignated asthma medication" means asthma medication prescribed in the name of a school district, public school, charter school, or nonpublic school.

"Undesignated epinephrine auto-injector" means an epinephrine auto-injector prescribed in the name of a school district, public school, charter school, or nonpublic school.

(b) A school, whether public, charter, or nonpublic, must permit the self-administration and self-carry of asthma medication by a pupil with asthma or the self-administration and self-carry of an epinephrine auto-injector by a pupil, provided that:

(1) the parents or guardians of the pupil provide to the school (i) written authorization from the parents or guardians for (A) the self-administration and self-carry of asthma medication or (B) the self-carry of asthma medication or (ii) for (A) the self-administration and self-carry of an epinephrine auto-injector or (B) the self-carry of an epinephrine auto-injector, written authorization from the pupil's physician, physician assistant, or advanced practice registered nurse; and

(2) the parents or guardians of the pupil provide to the school (i) the prescription label, which must contain the name of the asthma medication, the prescribed dosage, and the time at which or circumstances under which the asthma medication is to be administered, or (ii) for the self-administration or self-carry of an epinephrine auto-injector, a written statement from the pupil's physician, physician assistant, or advanced practice registered nurse containing the following information:

(A) the name and purpose of the epinephrine auto-injector;

(B) the prescribed dosage; and

(C) the time or times at which or the special circumstances under which the epinephrine auto-injector is to be administered.

The information provided shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school's administrator.

(b-5) A school district, public school, charter school, or nonpublic school may authorize the provision of a student-specific or undesignated epinephrine auto-injector to a student or any personnel authorized under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 to administer an epinephrine auto-injector to the student, that meets the student's prescription on file.

(b-10) The school district, public school, charter school, or nonpublic school may authorize a school nurse or trained personnel to do the following: (i) provide an undesignated epinephrine auto-injector to a student for self-administration only or any personnel authorized under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, ~~or~~ plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 or individualized education program plan to administer to the student ; that meets the student's prescription on file; (ii) administer an undesignated epinephrine auto-injector that meets the prescription on file to any student who has an Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, ~~or~~ plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 or individualized education program plan that authorizes the use of an epinephrine auto-injector; (iii) administer an undesignated epinephrine auto-injector to any person that the school nurse or trained personnel in good faith believes is having an anaphylactic reaction; ~~and~~ (iv) administer an opioid antagonist to any person that the school nurse or trained personnel in good faith believes is having an opioid overdose ; (v) provide undesignated asthma medication to a student for self-administration only or to any personnel authorized under a student's Individual Health Care Action Plan or asthma action plan, plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or individualized education program plan to administer to the student that meets the student's prescription on file; (vi) administer undesignated asthma medication that meets the prescription on file to any student who has an Individual Health Care

Action Plan or asthma action plan, plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or individualized education program plan that authorizes the use of asthma medication; and (vii) administer undesignated asthma medication to any person that the school nurse or trained personnel believes in good faith is having respiratory distress.

(c) The school district, public school, charter school, or nonpublic school must inform the parents or guardians of the pupil, in writing, that the school district, public school, charter school, or nonpublic school and its employees and agents, including a physician, physician assistant, or advanced practice registered nurse providing standing protocol and a ~~or~~ prescription for school epinephrine auto-injectors, an opioid antagonist, or undesignated asthma medication, are to incur no liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication, an epinephrine auto-injector, or an opioid antagonist regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse. The parents or guardians of the pupil must sign a statement acknowledging that the school district, public school, charter school, or nonpublic school and its employees and agents are to incur no liability, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication, an epinephrine auto-injector, or an opioid antagonist regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse and that the parents or guardians must indemnify and hold harmless the school district, public school, charter school, or nonpublic school and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration of asthma medication, an epinephrine auto-injector, or an opioid antagonist regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse.

(c-5) When a school nurse or trained personnel administers an undesignated epinephrine auto-injector to a person whom the school nurse or trained personnel in good faith believes is having an anaphylactic reaction, ~~or~~ administers an opioid antagonist to a person whom the school nurse or trained personnel in good faith believes is having an opioid overdose, or administers undesignated asthma medication to a person whom the school nurse or trained personnel in good faith believes is having respiratory distress, notwithstanding the lack of notice to the parents or guardians of the pupil or the absence of the parents or guardians signed statement acknowledging no liability, except for willful and wanton conduct, the school district, public school, charter school, or nonpublic school and its employees and agents, and a physician, a physician assistant, or an advanced practice registered nurse providing standing protocol and a ~~or~~ prescription for undesignated epinephrine auto-injectors, an opioid antagonist, or undesignated asthma medication, are to incur no liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the use of an undesignated epinephrine auto-injector, ~~or~~ the use of an opioid antagonist, or the use of undesignated asthma medication, regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse.

(d) The permission for self-administration and self-carry of asthma medication or the self-administration and self-carry of an epinephrine auto-injector is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the requirements of this Section.

(e) Provided that the requirements of this Section are fulfilled, a pupil with asthma may self-administer and self-carry his or her asthma medication or a pupil may self-administer and self-carry an epinephrine auto-injector (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property or while being transported on a school bus.

(e-5) Provided that the requirements of this Section are fulfilled, a school nurse or trained personnel may administer an undesignated epinephrine auto-injector to any person whom the school nurse or trained personnel in good faith believes to be having an anaphylactic reaction (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property or while being transported on a school bus. A school nurse or trained personnel may carry undesignated epinephrine auto-injectors on his or her person while in school or at a school-sponsored activity.

(e-10) Provided that the requirements of this Section are fulfilled, a school nurse or trained personnel may administer an opioid antagonist to any person whom the school nurse or trained personnel in good faith believes to be having an opioid overdose (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property. A school nurse or trained

personnel may carry an opioid antagonist on his or her ~~their~~ person while in school or at a school-sponsored activity.

(e-15) If the requirements of this Section are met, a school nurse or trained personnel may administer undesignated asthma medication to any person whom the school nurse or trained personnel in good faith believes to be experiencing respiratory distress (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, including before-school or after-school care on school-operated property. A school nurse or trained personnel may carry undesignated asthma medication on his or her person while in school or at a school-sponsored activity.

(f) The school district, public school, charter school, or nonpublic school may maintain a supply of undesignated epinephrine auto-injectors in any secure location that is accessible before, during, and after school where an allergic person is most at risk, including, but not limited to, classrooms and lunchrooms. A physician, a physician assistant who has ~~been delegated~~ prescriptive authority in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice registered nurse who has ~~been delegated~~ prescriptive authority in accordance with Section 65-40 of the Nurse Practice Act may prescribe undesignated epinephrine auto-injectors in the name of the school district, public school, charter school, or nonpublic school to be maintained for use when necessary. Any supply of epinephrine auto-injectors shall be maintained in accordance with the manufacturer's instructions.

The school district, public school, charter school, or nonpublic school may maintain a supply of an opioid antagonist in any secure location where an individual may have an opioid overdose. A health care professional who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Alcoholism and Other Drug Abuse and Dependency Act may prescribe opioid antagonists in the name of the school district, public school, charter school, or nonpublic school, to be maintained for use when necessary. Any supply of opioid antagonists shall be maintained in accordance with the manufacturer's instructions.

The school district, public school, charter school, or nonpublic school may maintain a supply of asthma medication in any secure location that is accessible before, during, or after school where a person is most at risk, including, but not limited to, a classroom or the nurse's office. A physician, a physician assistant who has prescriptive authority under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice registered nurse who has prescriptive authority under Section 65-40 of the Nurse Practice Act may prescribe undesignated asthma medication in the name of the school district, public school, charter school, or nonpublic school to be maintained for use when necessary. Any supply of undesignated asthma medication must be maintained in accordance with the manufacturer's instructions.

(f-3) Whichever entity initiates the process of obtaining undesignated epinephrine auto-injectors and providing training to personnel for carrying and administering undesignated epinephrine auto-injectors shall pay for the costs of the undesignated epinephrine auto-injectors.

(f-5) Upon any administration of an epinephrine auto-injector, a school district, public school, charter school, or nonpublic school must immediately activate the EMS system and notify the student's parent, guardian, or emergency contact, if known.

Upon any administration of an opioid antagonist, a school district, public school, charter school, or nonpublic school must immediately activate the EMS system and notify the student's parent, guardian, or emergency contact, if known.

(f-10) Within 24 hours of the administration of an undesignated epinephrine auto-injector, a school district, public school, charter school, or nonpublic school must notify the physician, physician assistant, or advanced practice registered nurse who provided the standing protocol and a ~~or~~ prescription for the undesignated epinephrine auto-injector of its use.

Within 24 hours after the administration of an opioid antagonist, a school district, public school, charter school, or nonpublic school must notify the health care professional who provided the prescription for the opioid antagonist of its use.

Within 24 hours after the administration of undesignated asthma medication, a school district, public school, charter school, or nonpublic school must notify the student's parent or guardian or emergency contact, if known, and the physician, physician assistant, or advanced practice registered nurse who provided the standing protocol and a prescription for the undesignated asthma medication of its use. The district or school must follow up with the school nurse and may, with the consent of the child's parent or guardian, notify the child's health care provider of record, as determined under this Section, of its use.

(g) Prior to the administration of an undesignated epinephrine auto-injector, trained personnel must submit to the ~~their~~ school's administration proof of completion of a training curriculum to recognize and respond to anaphylaxis that meets the requirements of subsection (h) of this Section. Training must be

completed annually. The school district, public school, charter school, or nonpublic school must maintain records related to the training curriculum and trained personnel.

Prior to the administration of an opioid antagonist, trained personnel must submit to ~~the~~ the school's administration proof of completion of a training curriculum to recognize and respond to an opioid overdose, which curriculum must meet the requirements of subsection (h-5) of this Section. Training must be completed annually. Trained personnel must also submit to the school's administration proof of cardiopulmonary resuscitation and automated external defibrillator certification. The school district, public school, charter school, or nonpublic school must maintain records relating to the training curriculum and the trained personnel.

Prior to the administration of undesignated asthma medication, trained personnel must submit to the school's administration proof of completion of a training curriculum to recognize and respond to respiratory distress, which must meet the requirements of subsection (h-10) of this Section. Training must be completed annually, and the school district, public school, charter school, or nonpublic school must maintain records relating to the training curriculum and the trained personnel.

(h) A training curriculum to recognize and respond to anaphylaxis, including the administration of an undesignated epinephrine auto-injector, may be conducted online or in person.

Training shall include, but is not limited to:

- (1) how to recognize signs and symptoms of an allergic reaction, including anaphylaxis;
- (2) how to administer an epinephrine auto-injector; and
- (3) a test demonstrating competency of the knowledge required to recognize anaphylaxis and administer an epinephrine auto-injector.

Training may also include, but is not limited to:

- (A) a review of high-risk areas within a school and its related facilities;
- (B) steps to take to prevent exposure to allergens;
- (C) emergency follow-up procedures, including the importance of calling 911 or, if 911 is not available, other local emergency medical services;

(D) how to respond to a student with a known allergy, as well as a student with a previously unknown allergy; and

(E) other criteria as determined in rules adopted pursuant to this Section.

In consultation with statewide professional organizations representing physicians licensed to practice medicine in all of its branches, registered nurses, and school nurses, the State Board of Education shall make available resource materials consistent with criteria in this subsection (h) for educating trained personnel to recognize and respond to anaphylaxis. The State Board may take into consideration the curriculum on this subject developed by other states, as well as any other curricular materials suggested by medical experts and other groups that work on life-threatening allergy issues. The State Board is not required to create new resource materials. The State Board shall make these resource materials available on its Internet website.

(h-5) A training curriculum to recognize and respond to an opioid overdose, including the administration of an opioid antagonist, may be conducted online or in person. The training must comply with any training requirements under Section 5-23 of the Alcoholism and Other Drug Abuse and Dependency Act and the corresponding rules. It must include, but is not limited to:

- (1) how to recognize symptoms of an opioid overdose;
- (2) information on drug overdose prevention and recognition;
- (3) how to perform rescue breathing and resuscitation;
- (4) how to respond to an emergency involving an opioid overdose;
- (5) opioid antagonist dosage and administration;
- (6) the importance of calling 911 or, if 911 is not available, other local emergency medical services;
- (7) care for the overdose victim after administration of the overdose antagonist;
- (8) a test demonstrating competency of the knowledge required to recognize an opioid overdose and administer a dose of an opioid antagonist; and
- (9) other criteria as determined in rules adopted pursuant to this Section.

(h-10) A training curriculum to recognize and respond to respiratory distress, including the administration of undesignated asthma medication, may be conducted online or in person. The training must include, but is not limited to:

- (1) how to recognize symptoms of respiratory distress and how to distinguish respiratory distress from anaphylaxis;
- (2) how to respond to an emergency involving respiratory distress;
- (3) asthma medication dosage and administration;
- (4) the importance of calling 911 or, if 911 is not available, other local emergency medical services;

(5) a test demonstrating competency of the knowledge required to recognize respiratory distress and administer asthma medication; and

(6) other criteria as determined in rules adopted under this Section.

(i) Within 3 days after the administration of an undesignated epinephrine auto-injector by a school nurse, trained personnel, or a student at a school or school-sponsored activity, the school must report to the State Board of Education in a form and manner prescribed by the State Board the following information:

- (1) age and type of person receiving epinephrine (student, staff, visitor);
- (2) any previously known diagnosis of a severe allergy;
- (3) trigger that precipitated allergic episode;
- (4) location where symptoms developed;
- (5) number of doses administered;
- (6) type of person administering epinephrine (school nurse, trained personnel, student);

and

(7) any other information required by the State Board.

If a school district, public school, charter school, or nonpublic school maintains or has an independent contractor providing transportation to students who maintains a supply of undesignated epinephrine auto-injectors, then the school district, public school, charter school, or nonpublic school must report that information to the State Board of Education upon adoption or change of the policy of the school district, public school, charter school, nonpublic school, or independent contractor, in a manner as prescribed by the State Board. The report must include the number of undesignated epinephrine auto-injectors in supply.

(i-5) Within 3 days after the administration of an opioid antagonist by a school nurse or trained personnel, the school must report to the State Board of Education, in a form and manner prescribed by the State Board, the following information:

- (1) the age and type of person receiving the opioid antagonist (student, staff, or visitor);
- (2) the location where symptoms developed;
- (3) the type of person administering the opioid antagonist (school nurse or trained personnel); and
- (4) any other information required by the State Board.

(i-10) Within 3 days after the administration of undesignated asthma medication by a school nurse, trained personnel, or a student at a school or school-sponsored activity, the school must report to the State Board of Education, on a form and in a manner prescribed by the State Board of Education, the following information:

- (1) the age and type of person receiving the asthma medication (student, staff, or visitor);
- (2) any previously known diagnosis of asthma for the person;
- (3) the trigger that precipitated respiratory distress, if identifiable;
- (4) the location of where the symptoms developed;
- (5) the number of doses administered;
- (6) the type of person administering the asthma medication (school nurse, trained personnel, or student);
- (7) the outcome of the asthma medication administration; and
- (8) any other information required by the State Board.

(j) By October 1, 2015 and every year thereafter, the State Board of Education shall submit a report to the General Assembly identifying the frequency and circumstances of undesignated epinephrine and undesignated asthma medication administration during the preceding academic year. Beginning with the 2017 report, the report shall also contain information on which school districts, public schools, charter schools, and nonpublic schools maintain or have independent contractors providing transportation to students who maintain a supply of undesignated epinephrine auto-injectors. This report shall be published on the State Board's Internet website on the date the report is delivered to the General Assembly.

(j-5) Annually, each school district, public school, charter school, or nonpublic school shall request an asthma action plan from the parents or guardians of a pupil with asthma. If provided, the asthma action plan must be kept on file in the office of the school nurse or, in the absence of a school nurse, the school administrator. Copies of the asthma action plan may be distributed to appropriate school staff who interact with the pupil on a regular basis, and, if applicable, may be attached to the pupil's federal Section 504 plan or individualized education program plan.

(j-10) To assist schools with emergency response procedures for asthma, the State Board of Education, in consultation with statewide professional organizations with expertise in asthma management and a statewide organization representing school administrators, shall develop a model asthma episode emergency response protocol before September 1, 2016. Each school district, charter school, and

nonpublic school shall adopt an asthma episode emergency response protocol before January 1, 2017 that includes all of the components of the State Board's model protocol.

(j-15) Every 2 years, school personnel who work with pupils shall complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting. In consultation with statewide professional organizations with expertise in asthma management, the State Board of Education shall make available resource materials for educating school personnel about asthma and emergency response in the school setting.

(j-20) On or before October 1, 2016 and every year thereafter, the State Board of Education shall submit a report to the General Assembly and the Department of Public Health identifying the frequency and circumstances of opioid antagonist administration during the preceding academic year. This report shall be published on the State Board's Internet website on the date the report is delivered to the General Assembly.

(k) The State Board of Education may adopt rules necessary to implement this Section.

(l) Nothing in this Section shall limit the amount of epinephrine auto-injectors that any type of school or student may carry or maintain a supply of.

(Source: P.A. 99-173, eff. 7-29-15; 99-480, eff. 9-9-15; 99-642, eff. 7-28-16; 99-711, eff. 1-1-17; 99-843, eff. 8-19-16; 100-201, eff. 8-18-17; 100-513, eff. 1-1-18.)

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on April 16, 2003 (the effective date of Public Act 93-3), in all new applications to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by Public Act 93-3 do not apply to charter schools existing or approved on or before April 16, 2003 (the effective date of Public Act 93-3).

(b-5) In this subsection (b-5), "virtual-schooling" means a cyber school where students engage in online curriculum and instruction via the Internet and electronic communication with their teachers at remote locations and with students participating at different times.

From April 1, 2013 through December 31, 2016, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

On or before March 1, 2014, the Commission shall submit to the General Assembly a report on the effect of virtual-schooling, including without limitation the effect on student performance, the costs associated with virtual-schooling, and issues with oversight. The report shall include policy recommendations for virtual-schooling.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) For purposes of this subsection (d), "non-curricular health and safety requirement" means any health and safety requirement created by statute or rule to provide, maintain, preserve, or safeguard safe or healthful conditions for students and school personnel or to eliminate, reduce, or prevent threats to the health and safety of students and school personnel. "Non-curricular health and safety requirement" does not include any course of study or specialized instructional requirement for which the State Board has established goals and learning standards or which is designed primarily to impart knowledge and skills for students to master and apply as an outcome of their education.

A charter school shall comply with all non-curricular health and safety requirements applicable to public schools under the laws of the State of Illinois. On or before September 1, 2015, the State Board shall promulgate and post on its Internet website a list of non-curricular health and safety requirements that a charter school must meet. The list shall be updated annually no later than September 1. Any charter contract between a charter school and its authorizer must contain a provision that requires the charter school to follow the list of all non-curricular health and safety requirements promulgated by the State Board and any non-curricular health and safety requirements added by the State Board to such list during the term of the charter. Nothing in this subsection (d) precludes an authorizer from including non-curricular health and safety requirements in a charter school contract that are not contained in the list promulgated

by the State Board, including non-curricular health and safety requirements of the authorizing local school board.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. To ensure financial accountability for the use of public funds, on or before December 1 of every year of operation, each charter school shall submit to its authorizer and the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service. In addition, if deemed necessary for proper financial oversight of the charter school, an authorizer may require quarterly financial statements from each charter school.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, all federal and State laws and rules applicable to public schools that pertain to special education and the instruction of English learners, and its charter. A charter school is exempt from all other State laws and regulations in this Code governing public schools and local school board policies; however, a charter school is not exempt from the following:

(1) Sections 10-21.9 and 34-18.5 of this Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and 34-84a of this Code regarding discipline of students;

(3) the Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) the Abused and Neglected Child Reporting Act;

(5.5) subsection (b) of Section 10-23.12 and subsection (b) of Section 34-18.6 of this Code;

(6) the Illinois School Student Records Act;

(7) Section 10-17a of this Code regarding school report cards;

(8) the P-20 Longitudinal Education Data System Act;

(9) Section 27-23.7 of this Code regarding bullying prevention;

(10) Section 2-3.162 of this Code regarding student discipline reporting;

(11) Sections 22-80 and 27-8.1 of this Code; ~~and~~

(12) Sections 10-20.60 and 34-18.53 of this Code; ~~;~~

~~(13) (42) Sections 10-20.63 10-20.60 and 34-18.56 34-18.53 of this Code ;~~

~~(14) (42) Section 26-18 of this Code ; and~~

~~(15) Section 22-30 of this Code.~~

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after April 16, 2003 (the effective date of Public Act 93-3) and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on April 16, 2003 (the effective date of Public Act 93-3) and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the Commission, then the Commission charter school is its own local education agency.

(Source: P.A. 99-30, eff. 7-10-15; 99-78, eff. 7-20-15; 99-245, eff. 8-3-15; 99-325, eff. 8-10-15; 99-456, eff. 9-15-16; 99-642, eff. 7-28-16; 99-927, eff. 6-1-17; 100-29, eff. 1-1-18; 100-156, eff. 1-1-18; 100-163, eff. 1-1-18; 100-413, eff. 1-1-18; 100-468, eff. 6-1-18; revised 9-25-17.)"

AMENDMENT NO. 3 TO SENATE BILL 3015

AMENDMENT NO. 3. Amend Senate Bill 3015, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, as follows:

on page 14, line 6, by replacing "nurse" with "nurse, if available."

There being no further amendments, the foregoing Amendments Numbered 1, 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 2598** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **Senate Bill No. 2892** 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 2892

AMENDMENT NO. 1. Amend Senate Bill 2892 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 24-8 as follows:

(105 ILCS 5/24-8) (from Ch. 122, par. 24-8)

Sec. 24-8. Minimum salary. In fixing the salaries of teachers, school boards shall pay those who serve on a full-time basis not less than a rate for the school year that is based upon training completed in a recognized institution of higher learning, as follows: for the school year beginning July 1, 1980 and until June 30, 2019 thereafter, less than a bachelor's degree, \$9,000; 120 semester hours or more and a bachelor's degree, \$10,000; 150 semester hours or more and a master's degree, \$11,000. Beginning July 1, 2019, in fixing the salaries of teachers, a school board shall pay those who serve on a full-time basis a rate not less than \$40,000 per year.

Based upon previous public school experience in this State or any other state, territory, dependency or possession of the United States, or in schools operated by or under the auspices of the United States, teachers who serve on a full-time basis shall have their salaries increased to at least the following amounts above the starting salary for a teacher in such district in the same classification: with less than a bachelor's degree, \$750 after 5 years; with 120 semester hours or more and a bachelor's degree, \$1,000 after 5 years and \$1,600 after 8 years; with 150 semester hours or more and a master's degree, \$1,250 after 5 years, \$2,000 after 8 years and \$2,750 after 13 years.

For the purpose of this Section a teacher's salary shall include any amount paid by the school district on behalf of the teacher, as teacher contributions, to the Teachers' Retirement System of the State of Illinois. If a school board establishes a schedule for teachers' salaries based on education and experience, not inconsistent with this Section, all certificated nurses employed by that board shall be paid in accordance with the provisions of such schedule.

For purposes of this Section, a teacher who submits a certificate of completion to the school office prior to the first day of the school term shall be considered to have the degree stated in such certificate. (Source: P.A. 83-913.)"

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 Manar, **Senate Bill No. 2896** 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 Manar, **Senate Bill No. 3046** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **Senate Bill No. 3047** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3047

AMENDMENT NO. 1. Amend Senate Bill 3047 as follows:

on page 2, by replacing line 19 with "the General Revenue Fund and shall be subject to".

Floor Amendment Nos. 2 and 3 were postponed in the Committee on Higher Education.

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 Manar, **Senate Bill No. 3048** 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 3048

AMENDMENT NO. 2. Amend Senate Bill 3048 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-5 as follows:

(305 ILCS 5/5-5) (from Ch. 23, par. 5-5)

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant women, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

Notwithstanding any other provision of this Section, a comprehensive tobacco use cessation program that includes purchasing prescription drugs or prescription medical devices approved by the Food and

Drug Administration shall be covered under the medical assistance program under this Article for persons who are otherwise eligible for assistance under this Article.

Notwithstanding any other provision of this Code, reproductive health care that is otherwise legal in Illinois shall be covered under the medical assistance program for persons who are otherwise eligible for medical assistance under this Article.

Notwithstanding any other provision of this Code, the Illinois Department may not require, as a condition of payment for any laboratory test authorized under this Article, that a physician's handwritten signature appear on the laboratory test order form. The Illinois Department may, however, impose other appropriate requirements regarding laboratory test order documentation.

Upon receipt of federal approval of an amendment to the Illinois Title XIX State Plan for this purpose, the Department shall authorize the Chicago Public Schools (CPS) to procure a vendor or vendors to manufacture eyeglasses for individuals enrolled in a school within the CPS system. CPS shall ensure that its vendor or vendors are enrolled as providers in the medical assistance program and in any capitated Medicaid managed care entity (MCE) serving individuals enrolled in a school within the CPS system. Under any contract procured under this provision, the vendor or vendors must serve only individuals enrolled in a school within the CPS system. Claims for services provided by CPS's vendor or vendors to recipients of benefits in the medical assistance program under this Code, the Children's Health Insurance Program, or the Covering ALL KIDS Health Insurance Program shall be submitted to the Department or the MCE in which the individual is enrolled for payment and shall be reimbursed at the Department's or the MCE's established rates or rate methodologies for eyeglasses.

On and after July 1, 2012, the Department of Healthcare and Family Services may provide the following services to persons eligible for assistance under this Article who are participating in education, training or employment programs operated by the Department of Human Services as successor to the Department of Public Aid:

- (1) dental services provided by or under the supervision of a dentist; and
- (2) eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select.

Notwithstanding any other provision of this Code and subject to federal approval, the Department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist personally enrolling as a participating provider in the medical assistance program. A not-for-profit health clinic shall include a public health clinic or Federally Qualified Health Center or other enrolled provider, as determined by the Department, through which dental services covered under this Section are performed. The Department shall establish a process for payment of claims for reimbursement for covered dental services rendered under this provision.

The Illinois Department, by rule, may distinguish and classify the medical services to be provided only in accordance with the classes of persons designated in Section 5-2.

The Department of Healthcare and Family Services must provide coverage and reimbursement for amino acid-based elemental formulas, regardless of delivery method, for the diagnosis and treatment of (i) eosinophilic disorders and (ii) short bowel syndrome when the prescribing physician has issued a written order stating that the amino acid-based elemental formula is medically necessary.

The Illinois Department shall authorize the provision of, and shall authorize payment for, screening by low-dose mammography for the presence of occult breast cancer for women 35 years of age or older who are eligible for medical assistance under this Article, as follows:

- (A) A baseline mammogram for women 35 to 39 years of age.
- (B) An annual mammogram for women 40 years of age or older.
- (C) A mammogram at the age and intervals considered medically necessary by the woman's health care provider for women under 40 years of age and having a family history of breast cancer, prior personal history of breast cancer, positive genetic testing, or other risk factors.
- (D) A comprehensive ultrasound screening and MRI of an entire breast or breasts if a mammogram demonstrates heterogeneous or dense breast tissue, when medically necessary as determined by a physician licensed to practice medicine in all of its branches.
- (E) A screening MRI when medically necessary, as determined by a physician licensed to practice medicine in all of its branches.

All screenings shall include a physical breast exam, instruction on self-examination and information regarding the frequency of self-examination and its value as a preventative tool. For purposes of this Section, "low-dose mammography" means the x-ray examination of the breast using equipment dedicated specifically for mammography, including the x-ray tube, filter, compression device, and image receptor, with an average radiation exposure delivery of less than one rad per breast for 2 views of an average size breast. The term also includes digital mammography and includes breast tomosynthesis. As used in this

Section, the term "breast tomosynthesis" means a radiologic procedure that involves the acquisition of projection images over the stationary breast to produce cross-sectional digital three-dimensional images of the breast. If, at any time, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register or publishes a comment in the Federal Register or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Public Law 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of any coverage for breast tomosynthesis outlined in this paragraph, then the requirement that an insurer cover breast tomosynthesis is inoperative other than any such coverage authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of coverage for breast tomosynthesis set forth in this paragraph.

On and after January 1, 2016, the Department shall ensure that all networks of care for adult clients of the Department include access to at least one breast imaging Center of Imaging Excellence as certified by the American College of Radiology.

On and after January 1, 2012, providers participating in a quality improvement program approved by the Department shall be reimbursed for screening and diagnostic mammography at the same rate as the Medicare program's rates, including the increased reimbursement for digital mammography.

The Department shall convene an expert panel including representatives of hospitals, free-standing mammography facilities, and doctors, including radiologists, to establish quality standards for mammography.

On and after January 1, 2017, providers participating in a breast cancer treatment quality improvement program approved by the Department shall be reimbursed for breast cancer treatment at a rate that is no lower than 95% of the Medicare program's rates for the data elements included in the breast cancer treatment quality program.

The Department shall convene an expert panel, including representatives of hospitals, free standing breast cancer treatment centers, breast cancer quality organizations, and doctors, including breast surgeons, reconstructive breast surgeons, oncologists, and primary care providers to establish quality standards for breast cancer treatment.

Subject to federal approval, the Department shall establish a rate methodology for mammography at federally qualified health centers and other encounter-rate clinics. These clinics or centers may also collaborate with other hospital-based mammography facilities. By January 1, 2016, the Department shall report to the General Assembly on the status of the provision set forth in this paragraph.

The Department shall establish a methodology to remind women who are age-appropriate for screening mammography, but who have not received a mammogram within the previous 18 months, of the importance and benefit of screening mammography. The Department shall work with experts in breast cancer outreach and patient navigation to optimize these reminders and shall establish a methodology for evaluating their effectiveness and modifying the methodology based on the evaluation.

The Department shall establish a performance goal for primary care providers with respect to their female patients over age 40 receiving an annual mammogram. This performance goal shall be used to provide additional reimbursement in the form of a quality performance bonus to primary care providers who meet that goal.

The Department shall devise a means of case-managing or patient navigation for beneficiaries diagnosed with breast cancer. This program shall initially operate as a pilot program in areas of the State with the highest incidence of mortality related to breast cancer. At least one pilot program site shall be in the metropolitan Chicago area and at least one site shall be outside the metropolitan Chicago area. On or after July 1, 2016, the pilot program shall be expanded to include one site in western Illinois, one site in southern Illinois, one site in central Illinois, and 4 sites within metropolitan Chicago. An evaluation of the pilot program shall be carried out measuring health outcomes and cost of care for those served by the pilot program compared to similarly situated patients who are not served by the pilot program.

The Department shall require all networks of care to develop a means either internally or by contract with experts in navigation and community outreach to navigate cancer patients to comprehensive care in a timely fashion. The Department shall require all networks of care to include access for patients diagnosed with cancer to at least one academic commission on cancer-accredited cancer program as an in-network covered benefit.

Any medical or health care provider shall immediately recommend, to any pregnant woman who is being provided prenatal services and is suspected of drug abuse or is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act, referral to a local substance abuse treatment provider licensed by the Department of Human Services or to a licensed hospital which provides substance abuse treatment services. The Department of Healthcare and Family Services shall assure coverage for the cost of treatment

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of the drug abuse or addiction for pregnant recipients in accordance with the Illinois Medicaid Program in conjunction with the Department of Human Services.

All medical providers providing medical assistance to pregnant women under this Code shall receive information from the Department on the availability of services under the Drug Free Families with a Future or any comparable program providing case management services for addicted women, including information on appropriate referrals for other social services that may be needed by addicted women in addition to treatment for addiction.

The Illinois Department, in cooperation with the Departments of Human Services (as successor to the Department of Alcoholism and Substance Abuse) and Public Health, through a public awareness campaign, may provide information concerning treatment for alcoholism and drug abuse and addiction, prenatal health care, and other pertinent programs directed at reducing the number of drug-affected infants born to recipients of medical assistance.

Neither the Department of Healthcare and Family Services nor the Department of Human Services shall sanction the recipient solely on the basis of her substance abuse.

The Illinois Department shall establish such regulations governing the dispensing of health services under this Article as it shall deem appropriate. The Department should seek the advice of formal professional advisory committees appointed by the Director of the Illinois Department for the purpose of providing regular advice on policy and administrative matters, information dissemination and educational activities for medical and health care providers, and consistency in procedures to the Illinois Department.

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

The sponsor must negotiate formal written contracts with medical providers for physician services, inpatient and outpatient hospital care, home health services, treatment for alcoholism and substance abuse, and other services determined necessary by the Illinois Department by rule for delivery by Partnerships. Physician services must include prenatal and obstetrical care. The Illinois Department shall reimburse medical services delivered by Partnership providers to clients in target areas according to provisions of this Article and the Illinois Health Finance Reform Act, except that:

- (1) Physicians participating in a Partnership and providing certain services, which shall be determined by the Illinois Department, to persons in areas covered by the Partnership may receive an additional surcharge for such services.
- (2) The Department may elect to consider and negotiate financial incentives to encourage the development of Partnerships and the efficient delivery of medical care.
- (3) Persons receiving medical services through Partnerships may receive medical and case management services above the level usually offered through the medical assistance program.

Medical providers shall be required to meet certain qualifications to participate in Partnerships to ensure the delivery of high quality medical services. These qualifications shall be determined by rule of the Illinois Department and may be higher than qualifications for participation in the medical assistance program. Partnership sponsors may prescribe reasonable additional qualifications for participation by medical providers, only with the prior written approval of the Illinois Department.

Nothing in this Section shall limit the free choice of practitioners, hospitals, and other providers of medical services by clients. In order to ensure patient freedom of choice, the Illinois Department shall immediately promulgate all rules and take all other necessary actions so that provided services may be accessed from therapeutically certified optometrists to the full extent of the Illinois Optometric Practice Act of 1987 without discriminating between service providers.

The Department shall apply for a waiver from the United States Health Care Financing Administration to allow for the implementation of Partnerships under this Section.

The Illinois Department shall require health care providers to maintain records that document the medical care and services provided to recipients of Medical Assistance under this Article. Such records must be retained for a period of not less than 6 years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period then the records must be retained until the audit is completed and every exception is resolved. The Illinois Department shall require health care providers to make available, when authorized by the patient, in writing, the medical records in a timely fashion to other health care providers who are treating or serving persons eligible for Medical Assistance under this Article. All dispensers of medical services shall be required to maintain and retain business and professional records sufficient to fully and accurately document the nature, scope, details and receipt of the health care provided to persons eligible for medical

assistance under this Code, in accordance with regulations promulgated by the Illinois Department. The rules and regulations shall require that proof of the receipt of prescription drugs, dentures, prosthetic devices and eyeglasses by eligible persons under this Section accompany each claim for reimbursement submitted by the dispenser of such medical services. No such claims for reimbursement shall be approved for payment by the Illinois Department without such proof of receipt, unless the Illinois Department shall have put into effect and shall be operating a system of post-payment audit and review which shall, on a sampling basis, be deemed adequate by the Illinois Department to assure that such drugs, dentures, prosthetic devices and eyeglasses for which payment is being made are actually being received by eligible recipients. Within 90 days after September 16, 1984 (the effective date of Public Act 83-1439), the Illinois Department shall establish a current list of acquisition costs for all prosthetic devices and any other items recognized as medical equipment and supplies reimbursable under this Article and shall update such list on a quarterly basis, except that the acquisition costs of all prescription drugs shall be updated no less frequently than every 30 days as required by Section 5-5.12.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after July 22, 2013 (the effective date of Public Act 98-104), establish procedures to permit skilled care facilities licensed under the Nursing Home Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall, by July 1, 2016, test the viability of the new system and implement any necessary operational or structural changes to its information technology platforms in order to allow for the direct acceptance and payment of nursing home claims.

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after August 15, 2014 (the effective date of Public Act 98-963), establish procedures to permit ID/DD facilities licensed under the ID/DD Community Care Act and MC/DD facilities licensed under the MC/DD Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall have an additional 365 days to test the viability of the new system and to ensure that any necessary operational or structural changes to its information technology platforms are implemented.

The Illinois Department shall require all dispensers of medical services, other than an individual practitioner or group of practitioners, desiring to participate in the Medical Assistance program established under this Article to disclose all financial, beneficial, ownership, equity, surety or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions or other legal entities providing any form of health care services in this State under this Article.

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

Enrollment of a vendor shall be subject to a provisional period and shall be conditional for one year. During the period of conditional enrollment, the Department may terminate the vendor's eligibility to participate in, or may disenroll the vendor from, the medical assistance program without cause. Unless otherwise specified, such termination of eligibility or disenrollment is not subject to the Department's hearing process. However, a disenrolled vendor may reapply without penalty.

The Department has the discretion to limit the conditional enrollment period for vendors based upon category of risk of the vendor.

Prior to enrollment and during the conditional enrollment period in the medical assistance program, all vendors shall be subject to enhanced oversight, screening, and review based on the risk of fraud, waste, and abuse that is posed by the category of risk of the vendor. The Illinois Department shall establish the procedures for oversight, screening, and review, which may include, but need not be limited to: criminal and financial background checks; fingerprinting; license, certification, and authorization verifications; unscheduled or unannounced site visits; database checks; prepayment audit reviews; audits; payment caps; payment suspensions; and other screening as required by federal or State law.

The Department shall define or specify the following: (i) by provider notice, the "category of risk of the vendor" for each type of vendor, which shall take into account the level of screening applicable to a particular category of vendor under federal law and regulations; (ii) by rule or provider notice, the maximum length of the conditional enrollment period for each category of risk of the vendor; and (iii) by rule, the hearing rights, if any, afforded to a vendor in each category of risk of the vendor that is terminated or disenrolled during the conditional enrollment period.

To be eligible for payment consideration, a vendor's payment claim or bill, either as an initial claim or as a resubmitted claim following prior rejection, must be received by the Illinois Department, or its fiscal intermediary, no later than 180 days after the latest date on the claim on which medical goods or services were provided, with the following exceptions:

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(1) In the case of a provider whose enrollment is in process by the Illinois Department, the 180-day period shall not begin until the date on the written notice from the Illinois Department that the provider enrollment is complete.

(2) In the case of errors attributable to the Illinois Department or any of its claims processing intermediaries which result in an inability to receive, process, or adjudicate a claim, the 180-day period shall not begin until the provider has been notified of the error.

(3) In the case of a provider for whom the Illinois Department initiates the monthly billing process.

(4) In the case of a provider operated by a unit of local government with a population exceeding 3,000,000 when local government funds finance federal participation for claims payments.

For claims for services rendered during a period for which a recipient received retroactive eligibility, claims must be filed within 180 days after the Department determines the applicant is eligible. For claims for which the Illinois Department is not the primary payer, claims must be submitted to the Illinois Department within 180 days after the final adjudication by the primary payer.

In the case of long term care facilities, within 45 calendar days of receipt by the facility of required prescreening information, new admissions with associated admission documents shall be submitted through the Medical Electronic Data Interchange (MEDI) or the Recipient Eligibility Verification (REV) System or shall be submitted directly to the Department of Human Services using required admission forms. Effective September 1, 2014, admission documents, including all prescreening information, must be submitted through MEDI or REV. Confirmation numbers assigned to an accepted transaction shall be retained by a facility to verify timely submittal. Once an admission transaction has been completed, all resubmitted claims following prior rejection are subject to receipt no later than 180 days after the admission transaction has been completed.

Claims that are not submitted and received in compliance with the foregoing requirements shall not be eligible for payment under the medical assistance program, and the State shall have no liability for payment of those claims.

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

The Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, under which such agencies and departments shall share data necessary for medical assistance program integrity functions and oversight. The Illinois Department shall develop, in cooperation with other State departments and agencies, and in compliance with applicable federal laws and regulations, appropriate and effective methods to share such data. At a minimum, and to the extent necessary to provide data sharing, the Illinois Department shall enter into agreements with State agencies and departments, and is authorized to enter into agreements with federal agencies and departments, including but not limited to: the Secretary of State; the Department of Revenue; the Department of Public Health; the Department of Human Services; and the Department of Financial and Professional Regulation.

Beginning in fiscal year 2013, the Illinois Department shall set forth a request for information to identify the benefits of a pre-payment, post-adjudication, and post-edit claims system with the goals of streamlining claims processing and provider reimbursement, reducing the number of pending or rejected claims, and helping to ensure a more transparent adjudication process through the utilization of: (i) provider data verification and provider screening technology; and (ii) clinical code editing; and (iii) pre-pay, pre- or post-adjudicated predictive modeling with an integrated case management system with link analysis. Such a request for information shall not be considered as a request for proposal or as an obligation on the part of the Illinois Department to take any action or acquire any products or services.

The Illinois Department shall establish policies, procedures, standards and criteria by rule for the acquisition, repair and replacement of orthotic and prosthetic devices and durable medical equipment. Such rules shall provide, but not be limited to, the following services: (1) immediate repair or replacement of such devices by recipients; and (2) rental, lease, purchase or lease-purchase of durable medical equipment in a cost-effective manner, taking into consideration the recipient's medical prognosis, the extent of the recipient's needs, and the requirements and costs for maintaining such equipment. Subject to prior approval, such rules shall enable a recipient to temporarily acquire and use alternative or substitute

devices or equipment pending repairs or replacements of any device or equipment previously authorized for such recipient by the Department. Notwithstanding any provision of Section 5-5f to the contrary, the Department may, by rule, exempt certain replacement wheelchair parts from prior approval and, for wheelchairs, wheelchair parts, wheelchair accessories, and related seating and positioning items, determine the wholesale price by methods other than actual acquisition costs.

The Department shall require, by rule, all providers of durable medical equipment to be accredited by an accreditation organization approved by the federal Centers for Medicare and Medicaid Services and recognized by the Department in order to bill the Department for providing durable medical equipment to recipients. No later than 15 months after the effective date of the rule adopted pursuant to this paragraph, all providers must meet the accreditation requirement.

In order to promote environmental responsibility, meet the needs of recipients, and achieve significant cost savings, the Department or a managed care organization under contract with the Department may purchase used or refurbished durable medical equipment under this Section, except for prosthetic and orthotic devices as defined in the Orthotics, Prosthetics, and Pedorthics Practice Act, if the used or refurbished durable medical equipment: (i) is available; (ii) is less expensive, including shipping costs, than new durable medical equipment of the same type; (iii) is able to withstand at least 3 years of use; (iv) is cleaned, disinfected, sterilized, and safe in accordance with federal Food and Drug Administration regulations and guidance governing the reprocessing of medical devices in health care settings; and (v) equally meets the needs of the recipient.

The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department on Aging, to effect the following: (i) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (ii) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped; and (iii) notwithstanding any other provision of law, subject to federal approval, on and after July 1, 2012, an increase in the determination of need (DON) scores from 29 to 37 for applicants for institutional and home and community-based long term care; if and only if federal approval is not granted, the Department may, in conjunction with other affected agencies, implement utilization controls or changes in benefit packages to effectuate a similar savings amount for this population; and (iv) no later than July 1, 2013, minimum level of care eligibility criteria for institutional and home and community-based long term care; and (v) no later than October 1, 2013, establish procedures to permit long term care providers access to eligibility scores for individuals with an admission date who are seeking or receiving services from the long term care provider. In order to select the minimum level of care eligibility criteria, the Governor shall establish a workgroup that includes affected agency representatives and stakeholders representing the institutional and home and community-based long term care interests. This Section shall not restrict the Department from implementing lower level of care eligibility criteria for community-based services in circumstances where federal approval has been granted.

The Illinois Department shall develop and operate, in cooperation with other State Departments and agencies and in compliance with applicable federal laws and regulations, appropriate and effective systems of health care evaluation and programs for monitoring of utilization of health care services and facilities, as it affects persons eligible for medical assistance under this Code.

The Illinois Department shall report annually to the General Assembly, no later than the second Friday in April of 1979 and each year thereafter, in regard to:

- (a) actual statistics and trends in utilization of medical services by public aid recipients;
- (b) actual statistics and trends in the provision of the various medical services by medical vendors;
- (c) current rate structures and proposed changes in those rate structures for the various medical vendors; and
- (d) efforts at utilization review and control by the Illinois Department.

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The filing of one copy of the report with the Speaker, one copy with the Minority Leader and one copy with the Clerk of the House of Representatives, one copy with the President, one copy with the Minority Leader and one copy with the Secretary of the Senate, one copy with the Legislative Research Unit, and such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act shall be deemed sufficient to comply with this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

Because kidney transplantation can be an appropriate, cost effective alternative to renal dialysis when medically necessary and notwithstanding the provisions of Section 1-11 of this Code, beginning October 1, 2014, the Department shall cover kidney transplantation for noncitizens with end-stage renal disease who are not eligible for comprehensive medical benefits, who meet the residency requirements of Section 5-3 of this Code, and who would otherwise meet the financial requirements of the appropriate class of eligible persons under Section 5-2 of this Code. To qualify for coverage of kidney transplantation, such person must be receiving emergency renal dialysis services covered by the Department. Providers under this Section shall be prior approved and certified by the Department to perform kidney transplantation and the services under this Section shall be limited to services associated with kidney transplantation.

Notwithstanding any other provision of this Code to the contrary, on or after July 1, 2015, all FDA approved forms of medication assisted treatment prescribed for the treatment of alcohol dependence or treatment of opioid dependence shall be covered under both fee for service and managed care medical assistance programs for persons who are otherwise eligible for medical assistance under this Article and shall not be subject to any (1) utilization control, other than those established under the American Society of Addiction Medicine patient placement criteria, (2) prior authorization mandate, or (3) lifetime restriction limit mandate.

On or after July 1, 2015, opioid antagonists prescribed for the treatment of an opioid overdose, including the medication product, administration devices, and any pharmacy fees related to the dispensing and administration of the opioid antagonist, shall be covered under the medical assistance program for persons who are otherwise eligible for medical assistance under this Article. As used in this Section, "opioid antagonist" means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration.

Upon federal approval, the Department shall provide coverage and reimbursement for all drugs that are approved for marketing by the federal Food and Drug Administration and that are recommended by the federal Public Health Service or the United States Centers for Disease Control and Prevention for pre-exposure prophylaxis and related pre-exposure prophylaxis services, including, but not limited to, HIV and sexually transmitted infection screening, treatment for sexually transmitted infections, medical monitoring, assorted labs, and counseling to reduce the likelihood of HIV infection among individuals who are not infected with HIV but who are at high risk of HIV infection.

(Source: P.A. 99-78, eff. 7-20-15; 99-180, eff. 7-29-15; 99-236, eff. 8-3-15; 99-407 (see Section 20 of P.A. 99-588 for the effective date of P.A. 99-407); 99-433, eff. 8-21-15; 99-480, eff. 9-9-15; 99-588, eff. 7-20-16; 99-642, eff. 7-28-16; 99-772, eff. 1-1-17; 99-895, eff. 1-1-17; 100-201, eff. 8-18-17; 100-395, eff. 1-1-18; 100-449, eff. 1-1-18; 100-538, eff. 1-1-18; revised 10-26-17.)

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

Senator Manar offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 3048

AMENDMENT NO. 3. Amend Senate Bill 3048, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 23, by replacing lines 13 through 15 with the following: "equipment under this Section (excluding prosthetic and orthotic devices as defined in the Orthotics, Prosthetics, and Pedorthics Practice Act and complex rehabilitation technology products and services) if the used or refurbished durable".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

[April 24, 2018]

On motion of Senator Manar, **Senate Bill No. 3049** having been printed, was taken up, read by title a second time and ordered to a third reading.

ANNOUNCEMENT ON ATTENDANCE

Senator Althoff announced for the record that Senator Righter will be absent this week due to family business.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Steans, **Senate Bill No. 2547** 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 2547

AMENDMENT NO. 1. Amend Senate Bill 2547 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by adding Section 5f as follows:
(20 ILCS 505/5f new)

Sec. 5f. Payment rate increases for reimbursable services.

(a) For State Fiscal Year 2019, the Department shall increase reimbursement rates payable to each foster parent and to each private agency with a purchase of service contract or grant from the Department to an amount that equals the sum of all increases in general inflation during State Fiscal Years 2009 through 2018 as determined by the Consumer Price Index as published by the Bureau of Labor Statistics of the U.S. Department of Labor, less any rate increases previously provided by the Department. The contractual and grant services eligible for increased reimbursement rates under this Section include the following:

(1) Residential services, including child care institution, group home care, independent living services, or transitional living services.

(2) Specialized, adolescent, treatment, or other non-traditional or Home-of-Relative foster care.

(3) Traditional or Home-of-Relative foster care.

(4) Intact family services.

(5) Teen parenting services.

(6) Other supportive service grants or contracts.

(b) Beginning in State Fiscal Year 2020, and for every State Fiscal Year thereafter, the Department shall implement the rate reimbursement methodology outlined in 89 Ill. Adm. Code 356.5(f) when calculating and determining the payment rates for private agencies that contract with the Department to provide any of the services enumerated in 89 Ill Adm. Code 356.5(f) and in paragraph (1) of subsection (a) of this Section. Payment rates calculated and determined as provided in this Section shall include an amount equal to any increase in general inflation as determined by the Consumer Price Index.

For services listed under paragraphs (2) through (6) of subsection (a), the Department shall establish a rate model based upon staffing and service expectations for each type of care within 9 months of the start of State Fiscal Year 2019. For State Fiscal Year 2020 and for every State Fiscal Year thereafter, the rate shall be adjusted to an amount equal to any increase in general inflation as determined by the Consumer Price Index.

The Department shall increase each foster parent rate each year by an amount equal to any increase in general inflation as determined by the Consumer Price Index.

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.

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At the hour of 1:03 o'clock p.m., the Honorable John J. Cullerton, President of the Senate, presiding, for the introduction of a special guests.

At the hour of 1:16 o'clock p.m., Senator Muñoz, presiding, and the Senate resumed consideration of business.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Aquino, **Senate Bill No. 3220** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

Senator Haine asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3220**.

On motion of Senator Murphy, **Senate Bill No. 3222** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Link	Rezin
Anderson	Cunningham	Manar	Rose
Aquino	Curran	Martinez	Sandoval
Barickman	Fowler	McCann	Schimpf
Bennett	Haine	McCarter	Stadelman
Bertino-Tarrant	Harmon	McConnaughay	Steans
Biss	Harris	McGuire	Syverson
Bivins	Hastings	Morrison	Tracy
Brady	Holmes	Mulroe	Van Pelt

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Bush	Hunter	Muñoz	Weaver
Castro	Hutchinson	Murphy	Mr. President
Clayborne	Jones, E.	Nybo	
Collins	Koehler	Oberweis	
Connelly	Lightford	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 Koehler, **Senate Bill No. 3225** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

SENATE BILL RECALLED

On motion of Senator Weaver, **Senate Bill No. 3226** was recalled from the order of third reading to the order of second reading.

Senator Weaver offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3226

AMENDMENT NO. 1. Amend Senate Bill 3226 as follows:

on page 2, line 6, before "adopt", by inserting "initiate a rulemaking proceeding to".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Weaver offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3226

AMENDMENT NO. 2. Amend Senate Bill 3226 as follows:

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on page 2, line 3, by deleting "or associate degree"; and

on page 2, immediately below line 3, by inserting the following:

"(5) Apprentices in the program may earn postsecondary credit toward a certificate or degree, as applicable."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Weaver, **Senate Bill No. 3226** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

SENATE BILL RECALLED

On motion of Senator Rose, **Senate Bill No. 3232** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3232

AMENDMENT NO. 1. Amend Senate Bill 3232 on page 2, by replacing lines 23 and 24 with "is enrolled in a demonstration project that is not funded with general revenue funds and that is intended as a bridge to self-sufficiency by offering (i)"; and

on page 3, by replacing lines 7 and 8 with the following:

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"(a) Subject to the availability of funds provided for this purpose by the federal government, local philanthropic or charitable sources, or other private sources, there is created a 5-year demonstration project"; and

on page 3, line 11, after the period, by inserting "No general revenue funds may be used to fund the demonstration project created under this Section."; and

on page 5, immediately below line 10, by inserting the following:

"The reports to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 3232** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rose
Anderson	Curran	McCann	Sandoval
Aquino	Fowler	McCarter	Schimpf
Barickman	Haine	McConchie	Stadelman
Bennett	Harmon	McConaughay	Stevens
Bertino-Tarrant	Harris	McGuire	Syverson
Biss	Holmes	Mulroe	Tracy
Bivins	Hunter	Muñoz	Van Pelt
Brady	Hutchinson	Murphy	Weaver
Bush	Jones, E.	Nybo	Mr. President
Castro	Koehler	Oberweis	
Collins	Lightford	Raoul	
Connelly	Link	Rezin	
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 Harmon, **Senate Bill No. 3238** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Bennett, **Senate Bill No. 3240** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator McGuire, **Senate Bill No. 3242** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Fowler, **Senate Bill No. 3247** was recalled from the order of third reading to the order of second reading.

Senator Fowler offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3247

AMENDMENT NO. 1. Amend Senate Bill 3247 by deleting line 15 on page 5 through line 16 on page 7.

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 Fowler, **Senate Bill No. 3247** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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Castro	Jones, E.	Murphy	Weaver
Collins	Koehler	Nybo	Mr. President
Connelly	Lightford	Oberweis	
Cullerton, T.	Link	Raoul	

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

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

On motion of Senator Fowler, **Senate Bill No. 3254** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Hastings, **Senate Bill No. 3295** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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Collins	Koehler	Nybo	Mr. President
Connelly	Lightford	Oberweis	
Cullerton, T.	Link	Raoul	
Cunningham	Manar	Rezin	
Curran	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 Weaver, **Senate Bill No. 3302** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Anderson, **Senate Bill No. 3304** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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Brady	Hunter	Mulroe	Tracy
Bush	Hutchinson	Muñoz	Van Pelt
Castro	Jones, E.	Murphy	Weaver
Collins	Koehler	Nybo	Mr. President
Connelly	Lightford	Oberweis	
Cullerton, T.	Link	Raoul	

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

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

On motion of Senator Schimpf, **Senate Bill No. 3309** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

Senator Hutchinson asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 3309**.

On motion of Senator Koehler, **Senate Bill No. 3392** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Curran	Martinez	Rooney
Anderson	Fowler	McCann	Rose
Aquino	Haine	McCarter	Sandoval
Barickman	Harmon	McConchie	Schimpf
Bennett	Harris	McConnaughay	Stadelman

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Bertino-Tarrant	Hastings	McGuire	Steans
Biss	Holmes	Morrison	Syverson
Brady	Hunter	Mulroe	Tracy
Bush	Hutchinson	Muñoz	Van Pelt
Castro	Jones, E.	Murphy	Weaver
Collins	Koehler	Nybo	Mr. President
Connelly	Lightford	Oberweis	
Cullerton, T.	Link	Raoul	
Cunningham	Manar	Rezin	

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

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

On motion of Senator Althoff, **Senate Bill No. 3394** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Althoff, **Senate Bill No. 3395** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rose
Anderson	Curran	McCann	Sandoval
Aquino	Fowler	McCarter	Schimpf
Barickman	Haine	McConchie	Stadelman

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Bennett	Harmon	McConnaughay	Steans
Bertino-Tarrant	Harris	McGuire	Syverson
Biss	Hastings	Morrison	Tracy
Bivins	Holmes	Mulroe	Van Pelt
Brady	Hunter	Muñoz	Weaver
Bush	Hutchinson	Murphy	Mr. President
Castro	Jones, E.	Nybo	
Collins	Koehler	Oberweis	
Connelly	Link	Raoul	
Cullerton, T.	Manar	Rezin	

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

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

On motion of Senator Althoff, **Senate Bill No. 3399** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Collins, **Senate Bill No. 3402** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 43; NAY 1.

The following voted in the affirmative:

Althoff	Cunningham	Link	Raoul
Aquino	Curran	Manar	Rezin
Barickman	Harmon	Martinez	Rooney

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Bennett	Harris	McConnaughay	Sandoval
Bertino-Tarrant	Hastings	McGuire	Stadelman
Biss	Holmes	Morrison	Steans
Bush	Hunter	Mulroe	Syverson
Castro	Hutchinson	Muñoz	Van Pelt
Collins	Jones, E.	Murphy	Weaver
Connelly	Koehler	Nybo	Mr. President
Cullerton, T.	Lightford	Oberweis	

The following voted in the negative:

Tracy

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

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

On motion of Senator Aquino, **Senate Bill No. 3430** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Althoff, **Senate Bill No. 3445** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Mulroe, **Senate Bill No. 3464** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Raoul, **Senate Bill No. 3411** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Holmes, **Senate Bill No. 3491** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Hunter, **Senate Bill No. 3511** 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 33; NAYS 20.

The following voted in the affirmative:

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

The following voted in the negative:

Althoff	Curran	Oberweis	Tracy
Anderson	Fowler	Rezin	Weaver
Barickman	McCarter	Rooney	
Bivins	McConchie	Rose	
Brady	McConnaughay	Schimpf	
Connelly	Nybo	Syverson	

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

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

On motion of Senator Stadelman, **Senate Bill No. 3531** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Fowler	Martinez	Rose
Anderson	Haine	McConchie	Sandoval
Barickman	Harmon	McConnaughay	Schimpf
Bennett	Harris	McGuire	Stadelman
Bertino-Tarrant	Hastings	Morrison	Steans
Biss	Holmes	Mulroe	Syverson
Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Van Pelt
Castro	Jones, E.	Nybo	Weaver
Connelly	Koehler	Oberweis	Mr. President
Cullerton, T.	Lightford	Raoul	
Cunningham	Link	Rezin	
Curran	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 Collins, **Senate Bill No. 3536** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

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YEAS 50; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

McCarter

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

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

On motion of Senator Rose, **Senate Bill No. 3568** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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At the hour of 2:24 o'clock p.m., Senator Link, presiding.

On motion of Senator Bertino-Tarrant, **Senate Bill No. 43** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Curran

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. 293** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 48; NAYS None.

The following voted in the affirmative:

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

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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.

At the hour of 2:28 o'clock p.m., Senator Muñoz, presiding.

On motion of Senator Koehler, **Senate Bill No. 454** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Bush, **Senate Bill No. 574** 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 574

AMENDMENT NO. 1. Amend Senate Bill 574 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 21-103 as follows:
(735 ILCS 5/21-103) (from Ch. 110, par. 21-103)

Sec. 21-103. Notice by publication.

(a) Previous notice shall be given of the intended application by publishing a notice thereof in some newspaper published in the municipality in which the person resides if the municipality is in a county with a population under 2,000,000, or if the person does not reside in a municipality in a county with a population under 2,000,000, or if no newspaper is published in the municipality or if the person resides in a county with a population of 2,000,000 or more, then in some newspaper published in the county where the person resides, or if no newspaper is published in that county, then in some convenient newspaper

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published in this State. The notice shall be inserted for 3 consecutive weeks after filing, the first insertion to be at least 6 weeks before the return day upon which the petition is to be heard, and shall be signed by the petitioner or, in case of a minor, the minor's parent or guardian, and shall set forth the return day of court on which the petition is to be heard and the name sought to be assumed.

(b) The publication requirement of subsection (a) shall not be required in any application for a change of name involving a minor if, before making judgment under this Article, reasonable notice and opportunity to be heard is given to any parent whose parental rights have not been previously terminated and to any person who has physical custody of the child. If any of these persons are outside this State, notice and opportunity to be heard shall be given under Section 21-104.

(b-5) The publication requirement of subsection (a) is not required in any application for a change of name involving a person who files with the court a written declaration, made under penalty of perjury by a licensed health care professional or licensed mental health professional who has treated or evaluated the person seeking a change of name, stating that the person has an intersex condition or has undergone treatment that is clinically appropriate for that individual for the purpose of gender transition, based on contemporary medical standards.

(c) The Director of State Police or his or her designee may apply to the circuit court for an order directing that the notice and publication requirements of this Section be waived if the Director or his or her designee certifies that the name change being sought is intended to protect a witness during and following a criminal investigation or proceeding.

(d) The maximum rate charged for publication of a notice under this Section may not exceed the lowest classified rate paid by commercial users for comparable space in the newspaper in which the notice appears and shall include all cash discounts, multiple insertion discounts, and similar benefits extended to the newspaper's regular customers.

(Source: P.A. 100-520, eff. 1-1-18 (see Section 5 of P.A. 100-565 for the effective date of P.A. 100-520).)''.

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 574

AMENDMENT NO. 2. Amend Senate Bill 574, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, by replacing lines 17 through 26 with the following:

"(b-5) Upon motion, the court may issue an order directing that the notice and publication requirement be waived for a change of name involving a person who files with the court a written declaration that the person believes that publishing notice of the name change would put the person at risk of physical harm or discrimination. The person must provide evidence to support the claim that publishing notice of the name change would put the person at risk of physical harm or discrimination."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Bush, **Senate Bill No. 574** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Haine	McConchie	Schimpf

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

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

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

On motion of Senator Barickman, **Senate Bill No. 585** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Connelly, **Senate Bill No. 650** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rose
Anderson	Curran	Martinez	Sandoval
Aquino	Fowler	McCarter	Schimpf

[April 24, 2018]

Barickman	Haine	McConchie	Stadelman
Bennett	Harmon	McConnaughay	Steans
Bertino-Tarrant	Harris	McGuire	Syverson
Biss	Hastings	Mulroe	Tracy
Bivins	Holmes	Muñoz	Van Pelt
Brady	Hunter	Murphy	Weaver
Bush	Hutchinson	Nybo	Mr. President
Castro	Jones, E.	Oberweis	
Collins	Koehler	Raoul	
Connelly	Lightford	Rezin	
Cullerton, T.	Link	Rooney	

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

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

On motion of Senator Hutchinson, **Senate Bill No. 1829** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Rezin, **Senate Bill No. 2225** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rooney
Anderson	Curran	Martinez	Rose

[April 24, 2018]

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

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

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

On motion of Senator Hastings, **Senate Bill No. 2265** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

Senator Aquino asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 2265**.

On motion of Senator Tracy, **Senate Bill No. 2270** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

[April 24, 2018]

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

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

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

On motion of Senator Aquino, **Senate Bill No. 2285** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Link	Rezin
Anderson	Curran	Manar	Rooney
Aquino	Fowler	Martinez	Rose
Barickman	Haine	McConchie	Sandoval
Bennett	Harmon	McConnaughay	Schimpf
Bertino-Tarrant	Harris	McGuire	Stadelman
Biss	Hastings	Morrison	Steans
Brady	Holmes	Mulroe	Syverson
Bush	Hunter	Muñoz	Tracy
Castro	Hutchinson	Murphy	Van Pelt
Collins	Jones, E.	Nybo	Weaver
Connelly	Koehler	Oberweis	Mr. President
Cullerton, T.	Lightford	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 Hastings, **Senate Bill No. 2289** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

[April 24, 2018]

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

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

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

On motion of Senator Morrison, **Senate Bill No. 2295** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rose
Anderson	Curran	McCarter	Sandoval
Aquino	Fowler	McConchie	Schimpf
Barickman	Haine	McConnaughay	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Syverson
Biss	Hastings	Mulroe	Tracy
Bivins	Holmes	Muñoz	Van Pelt
Brady	Hunter	Murphy	Weaver
Bush	Hutchinson	Nybo	Mr. President
Castro	Koehler	Oberweis	
Collins	Lightford	Raoul	
Connelly	Link	Rezin	
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 Hutchinson, **Senate Bill No. 2298** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Link	Rezin
Anderson	Curran	Manar	Rooney
Aquino	Fowler	Martinez	Rose
Barickman	Haine	McConchie	Sandoval
Bennett	Harmon	McConnaughay	Schimpf
Bertino-Tarrant	Harris	McGuire	Stadelman
Biss	Hastings	Morrison	Steans
Bivins	Holmes	Mulroe	Syversen
Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Van Pelt
Castro	Jones, E.	Nybo	Mr. President
Collins	Koehler	Oberweis	
Cullerton, T.	Lightford	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 Syversen, **Senate Bill No. 2299** 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	Raoul
Anderson	Cunningham	Link	Rezin
Aquino	Curran	Manar	Rooney
Barickman	Fowler	McCarter	Rose
Bennett	Haine	McConchie	Sandoval
Bertino-Tarrant	Harmon	McConnaughay	Schimpf
Biss	Harris	McGuire	Stadelman
Bivins	Hastings	Morrison	Steans
Brady	Holmes	Mulroe	Syversen
Bush	Hunter	Muñoz	Tracy
Castro	Hutchinson	Murphy	Van Pelt
Collins	Jones, E.	Nybo	Mr. President
Connelly	Koehler	Oberweis	

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

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

LEGISLATIVE MEASURES FILED

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

Amendment No. 2 to Senate Bill 3133

[April 24, 2018]

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 274
 Amendment No. 1 to Senate Bill 370
 Amendment No. 1 to Senate Bill 458
 Amendment No. 1 to Senate Bill 564
 Amendment No. 1 to Senate Bill 2387
 Amendment No. 2 to Senate Bill 2411
 Amendment No. 1 to Senate Bill 2610
 Amendment No. 3 to Senate Bill 2651
 Amendment No. 2 to Senate Bill 2913
 Amendment No. 3 to Senate Bill 3186
 Amendment No. 3 to Senate Bill 3404

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Harmon, Chairperson of the Committee on Assignments, during its April 24, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Floor Amendment No. 1 to Senate Bill 564; Floor Amendment No. 3 to Senate Bill 3404.**

Environment and Conservation: **Floor Amendment No. 1 to Senate Bill 274; Committee Amendment No. 3 to Senate Bill 1597.**

Human Services: **Floor Amendment No. 1 to Senate Bill 458; Floor Amendment No. 3 to Senate Bill 1628; Floor Amendment No. 2 to Senate Bill 2424; Floor Amendment No. 1 to Senate Bill 3237.**

Judiciary: **Floor Amendment No. 1 to Senate Bill 544.**

Labor: **Floor Amendment No. 1 to Senate Bill 200.**

Local Government: **Floor Amendment No. 2 to Senate Bill 2619.**

Public Health: **Floor Amendment No. 2 to Senate Bill 2913; Floor Amendment No. 3 to Senate Bill 3062.**

Transportation: **Floor Amendment No. 1 to Senate Bill 2610.**

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

Floor Amendment No. 2 to Senate Bill 2411

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Raoul, **Senate Bill No. 2342** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

[April 24, 2018]

The following voted in the affirmative:

Althoff	Cullerton, T.	Lightford	Rezin
Anderson	Cunningham	Link	Rooney
Aquino	Curran	Manar	Rose
Barickman	Fowler	Martinez	Sandoval
Bennett	Haine	McConchie	Schimpf
Bertino-Tarrant	Harmon	McGuire	Stadelman
Biss	Harris	Morrison	Steans
Bivins	Hastings	Mulroe	Syversen
Brady	Holmes	Muñoz	Tracy
Bush	Hunter	Murphy	Van Pelt
Castro	Hutchinson	Nybo	Mr. President
Collins	Jones, E.	Oberweis	
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 Morrison, **Senate Bill No. 2350** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Hastings, **Senate Bill No. 2481** was recalled from the order of third reading to the order of second reading.

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2481

[April 24, 2018]

AMENDMENT NO. 2. Amend Senate Bill 2481 by replacing everything after the enacting clause with the following:

"Section 5. The Court of Claims Act is amended by changing Sections 8, 16, 18, 21, 22, and 24 as follows:

(705 ILCS 505/8) (from Ch. 37, par. 439.8)

Sec. 8. Court of Claims jurisdiction; deliberation periods. The court shall have exclusive jurisdiction to hear and determine the following matters:

(a) All claims against the State founded upon any law of the State of Illinois or upon any regulation adopted thereunder by an executive or administrative officer or agency; provided, however, the court shall not have jurisdiction (i) to hear or determine claims arising under the Workers' Compensation Act or the Workers' Occupational Diseases Act, or claims for expenses in civil litigation, or (ii) to review administrative decisions for which a statute provides that review shall be in the circuit or appellate court.

(b) All claims against the State founded upon any contract entered into with the State of Illinois.

(c) All claims against the State for time unjustly served in prisons of this State when the person imprisoned received a pardon from the governor stating that such pardon is issued on the ground of innocence of the crime for which he or she was imprisoned or he or she received a certificate of innocence from the Circuit Court as provided in Section 2-702 of the Code of Civil Procedure; provided, the amount of the award is at the discretion of the court; and provided, the court shall make no award in excess of the following amounts: for imprisonment of 5 years or less, not more than \$85,350; for imprisonment of 14 years or less but over 5 years, not more than \$170,000; for imprisonment of over 14 years, not more than \$199,150; and provided further, the court shall fix attorney's fees not to exceed 25% of the award granted. On or after the effective date of this amendatory Act of the 95th General Assembly, the court shall annually adjust the maximum awards authorized by this subsection (c) to reflect the increase, if any, in the Consumer Price Index For All Urban Consumers for the previous calendar year, as determined by the United States Department of Labor, except that no annual increment may exceed 5%. For the annual adjustments, if the Consumer Price Index decreases during a calendar year, there shall be no adjustment for that calendar year. The transmission by the Prisoner Review Board or the clerk of the circuit court of the information described in Section 11(b) to the clerk of the Court of Claims is conclusive evidence of the validity of the claim. The changes made by this amendatory Act of the 95th General Assembly apply to all claims pending on or filed on or after the effective date.

(d) All claims against the State for damages in cases sounding in tort, if a like cause of action would lie against a private person or corporation in a civil suit, and all like claims sounding in tort against the Medical Center Commission, the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Board of Trustees of the Illinois Mathematics and Science Academy; provided, that an award for damages in a case sounding in tort, other than certain cases involving the operation of a State vehicle described in this paragraph, shall not exceed the sum of ~~\$2,000,000~~ \$400,000 to or for the benefit of any claimant. The \$2,000,000 \$400,000 limit prescribed by this Section does not apply to an award of damages in any case sounding in tort arising out of the operation by a State employee of a vehicle owned, leased or controlled by the State. The defense that the State or the Medical Center Commission or the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Board of Trustees of the Illinois Mathematics and Science Academy is not liable for the negligence of its officers, agents, and employees in the course of their employment is not applicable to the hearing and determination of such claims. The changes to this Section made by this amendatory Act of the 100th General Assembly apply only to claims filed on or after July 1, 2015.

The court shall annually adjust the maximum awards authorized by this subsection to reflect the increase, if any, in the Consumer Price Index For All Urban Consumers for the previous calendar year, as determined by the United States Department of Labor. The Comptroller shall make the new amount resulting from each annual adjustment available to the public via the Comptroller's official website by January 31 of every year.

(e) All claims for recoupment made by the State of Illinois against any claimant.

[April 24, 2018]

(f) All claims pursuant to the Line of Duty Compensation Act. A claim under that Act must be heard and determined within one year after the application for that claim is filed with the Court as provided in that Act.

(g) All claims filed pursuant to the Crime Victims Compensation Act.

(h) All claims pursuant to the Illinois National Guardsman's Compensation Act. A claim under that Act must be heard and determined within one year after the application for that claim is filed with the Court as provided in that Act.

(i) All claims authorized by subsection (a) of Section 10-55 of the Illinois Administrative Procedure Act for the expenses incurred by a party in a contested case on the administrative level.

(Source: P.A. 95-970, eff. 9-22-08; 96-80, eff. 7-27-09.)

(705 ILCS 505/16) (from Ch. 37, par. 439.16)

Sec. 16. Concurrence of judges. Concurrence of 4 judges is necessary to the decision of any case, except that the signature of one judge is binding if a decision is entered in a lapsed appropriation claim in which a motion or stipulation has been filed or a decision is entered on a Crime Victims Compensation Act claim. The court provided, however, the court in its discretion may assign any case to a commissioner for hearing and final decision, subject to whatever right of review the court by rule may choose to exercise. In matters involving the award of emergency funds under the Crime Victims Compensation Act, the decision of one judge is necessary to award emergency funds.

(Source: P.A. 92-286, eff. 1-1-02.)

(705 ILCS 505/18) (from Ch. 37, par. 439.18)

Sec. 18. The court shall provide, by rule, for the maintenance of separate records of claims which arise solely due to lapsed appropriations and for claims for which amount of recovery sought is less than \$50,000 \$5,000. In all other cases, the court or Commissioner as the case may be, shall file with its clerk a written opinion in each case upon final disposition thereof. All opinions shall be compiled and published annually by the clerk of the court.

(Source: P.A. 90-492, eff. 8-17-97.)

(705 ILCS 505/21) (from Ch. 37, par. 439.21)

Sec. 21. The court is authorized to impose, by uniform rules, a fee of \$15 for the filing of a petition in any case in which the award sought is ~~more than \$50 and~~ less than \$1,000 and \$35 in any case in which the award sought is \$1,000 or more; and to charge and collect for copies of opinions or other documents filed in the Court of Claims such fees as may be prescribed by the rules of the Court. All fees and charges so collected shall be forthwith paid into the State Treasury.

A petitioner who is a prisoner in an Illinois Department of Corrections facility who files a pleading, motion, or other filing that purports to be a legal document against the State, the Illinois Department of Corrections, the Prisoner Review Board, or any of their officers or employees in which the court makes a specific finding that it is frivolous shall pay all filing fees and court costs in the manner provided in Article XXII of the Code of Civil Procedure.

In claims based upon lapsed appropriations or lost warrant or in claims filed under the Line of Duty Compensation Act, the Illinois National Guardsman's Compensation Act, or the Crime Victims Compensation Act or in claims filed by medical vendors for medical services rendered by the claimant to persons eligible for Medical Assistance under programs administered by the Department of Healthcare and Family Services, no filing fee shall be required.

The changes made to this Section by this amendatory Act of the 100th General Assembly apply only to claims filed on or after the effective date of this amendatory Act of the 100th General Assembly.

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

(705 ILCS 505/22) (from Ch. 37, par. 439.22)

Sec. 22. Every claim cognizable by the Court and not otherwise sooner barred by law shall be forever barred from prosecution therein unless it is filed with the Clerk of the Court within the time set forth as follows:

(a) All claims arising out of a contract must be filed within 5 years after it first accrues, saving to minors, and persons under legal disability at the time the claim accrues, in which cases the claim must be filed within 5 years from the time the disability ceases.

(b) All claims cognizable against the State by vendors of goods or services under "The Illinois Public Aid Code", approved April 11, 1967, as amended, must file within one year after the accrual of the cause of action, as provided in Section 11-13 of that Code.

(c) All claims arising under paragraph (c) of Section 8 of this Act must be automatically heard by the court within 120 days after the person asserting such claim is either issued a certificate of innocence from the Circuit Court as provided in Section 2-702 of the Code of Civil Procedure, or is granted a pardon by the Governor, whichever occurs later, without the person asserting the claim being required to file a

petition under Section 11 of this Act, except as otherwise provided by the Crime Victims Compensation Act. Any claims filed by the claimant under paragraph (c) of Section 8 of this Act must be filed within 2 years after the person asserting such claim is either issued a certificate of innocence as provided in Section 2-702 of the Code of Civil Procedure, or is granted a pardon by the Governor, whichever occurs later.

(d) All claims arising under paragraph (f) of Section 8 of this Act must be filed within the time set forth in Section 3 of the Line of Duty Compensation Act.

(e) All claims arising under paragraph (h) of Section 8 of this Act must be filed within one year of the date of the death of the guardsman or militiaman as provided in Section 3 of the "Illinois National Guardsman's and Naval Militiaman's Compensation Act", approved August 12, 1971, as amended.

(f) All claims arising under paragraph (g) of Section 8 of this Act must be filed within one year of the crime on which a claim is based as provided in Section 6.1 of the "Crime Victims Compensation Act", approved August 23, 1973, as amended.

(g) All claims arising from the Comptroller's refusal to issue a replacement warrant pursuant to Section 10.10 of the State Comptroller Act must be filed within 5 years after the date of the Comptroller's refusal issue date of such warrant.

(h) All other claims must be filed within 2 years after it first accrues, saving to minors, and persons under legal disability at the time the claim accrues, in which case the claim must be filed within 2 years from the time the disability ceases.

(i) The changes made by Public Act 86-458 this amendatory Act of 1989 shall apply to all warrants issued within the 5 year period preceding August 31, 1989 (the effective date of Public Act 86-458) this amendatory Act of 1989. The changes made to this Section by this amendatory Act of the 100th General Assembly apply to claims pending on the effective date of this amendatory Act of the 100th General Assembly and to claims filed thereafter.

(j) All time limitations established under this Act and the rules promulgated under this Act shall be binding and jurisdictional, except upon extension authorized by law or rule and granted pursuant to a motion timely filed.

(Source: P.A. 95-928, eff. 8-26-08; 95-970, eff. 9-22-08; 96-328, eff. 8-11-09.)

(705 ILCS 505/24) (from Ch. 37, par. 439.24)

Sec. 24. Payment of awards.

(1) From funds appropriated by the General Assembly for the purposes of this Section the Court may direct immediate payment of:

(a) All claims arising solely as a result of the lapsing of an appropriation out of which the obligation could have been paid.

(b) All claims pursuant to the Line of Duty Compensation Act.

(c) All claims pursuant to the "Illinois National Guardsman's and Naval Militiaman's Compensation Act", approved August 12, 1971, as amended.

(d) All claims pursuant to the "Crime Victims Compensation Act", approved August 23, 1973, as amended.

(d-5) All claims against the State for unjust imprisonment as provided in subsection (c) of Section 8 of this Act.

(e) All other claims wherein the amount of the award of the Court is less than ~~\$50,000~~ \$5,000.

(2) The court may, from funds specifically appropriated from the General Revenue Fund for this purpose, direct the payment of awards less than \$50,000 solely as a result of the lapsing of an appropriation originally made from any fund held by the State Treasurer. For any such award paid from the General Revenue Fund, the court shall thereafter seek an appropriation from the fund from which the liability originally accrued in reimbursement of the General Revenue Fund.

(3) In directing payment of a claim pursuant to the Line of Duty Compensation Act, the Court must direct the Comptroller to add an interest penalty if payment of a claim is not made within 6 months after a claim is filed in accordance with Section 3 of the Line of Duty Compensation Act and all information has been submitted as required under Section 4 of the Line of Duty Compensation Act. If payment is not issued within the 6-month period, an interest penalty of 1% of the amount of the award shall be added for each month or fraction thereof after the end of the 6-month period, until final payment is made. This interest penalty shall be added regardless of whether the payment is not issued within the 6-month period because of the appropriation process, the consideration of the matter by the Court, or any other reason.

(3.5) The interest penalty payment provided for in subsection (3) shall be added to all claims for which benefits were not paid as of the effective date of P.A. 95-928. The interest penalty shall be calculated starting from the effective date of P.A. 95-928, provided that the effective date of P.A. 95-928 is at least 6 months after the date on which the claim was filed in accordance with Section 3 of the Line of Duty Compensation Act. In the event that the date 6 months after the date on which the claim was filed is later

[April 24, 2018]

than the effective date of P.A. 95-928, the Court shall calculate the interest payment penalty starting from the date 6 months after the date on which the claim was filed in accordance with Section 3 of the Line of Duty Compensation Act. This subsection (3.5) of this amendatory Act of the 96th General Assembly is declarative of existing law.

(3.6) In addition to the interest payments provided for in subsections (3) and (3.5), the Court shall direct the Comptroller to add a "catch-up" payment to the claims of eligible claimants. For the purposes of this subsection (3.6), an "eligible claimant" is a claimant whose claim is not paid in the year in which it was filed. For purposes of this subsection (3.6), "catch-up" payment" is defined as the difference between the amount paid to claimants whose claims were filed in the year in which the eligible claimant's claim is paid and the amount paid to claimants whose claims were filed in the year in which the eligible claimant filed his or her claim. The "catch-up" payment is payable simultaneously with the claim award.

(4) From funds appropriated by the General Assembly for the purposes of paying claims under paragraph (c) of Section 8, the court must direct payment of each claim and the payment must be received by the claimant within 60 days after the date that the funds are appropriated for that purpose.

(Source: P.A. 95-928, eff. 8-26-08; 95-970, eff. 9-22-08; 96-328, eff. 8-11-09; 96-539, eff. 1-1-10.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Hastings, **Senate Bill No. 2481** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Oberweis

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

[April 24, 2018]

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

On motion of Senator Murphy, **Senate Bill No. 2556** 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 31; NAYS 17; Present 2.

The following voted in the affirmative:

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

The following voted in the negative:

Althoff	Curran	Nybo	Tracy
Anderson	Fowler	Oberweis	Weaver
Bivins	McCarter	Rezin	
Brady	McConchie	Rooney	
Connelly	McConnaughay	Rose	

The following voted present:

Barickman
Hastings

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 Lightford asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 2556**.

SENATE BILL RECALLED

On motion of Senator Bush, **Senate Bill No. 2367** 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 2367

AMENDMENT NO. 1. Amend Senate Bill 2367 by replacing everything after the enacting clause with the following:

"Section 5. If and only if Senate Bill 2834 and Senate Bill 3023 as amended by Senate Amendment No. 1 of the 100th General Assembly becomes law, then the Community-Law Enforcement Partnership for Deflection and Substance Use Disorder Treatment Act is amended by changing Section 25 as follows:

(S.B. 3023, 100th G.A., Sec. 25)

Sec. 25. Reporting and evaluation.

[April 24, 2018]

The Illinois Criminal Justice Information Authority, in conjunction with an association representing police chiefs and the Department of Human Services' Division of Substance Use Prevention and Recovery Alcoholism and Substance Abuse, shall within 6 months of the effective date of this Act:

(1) develop a set of minimum data to be collected from each deflection program and reported annually, beginning one year after the effective date of this Act, by the Illinois Criminal Justice Information Authority, including, but not limited to, demographic information on program participants, number of law enforcement encounters that result in a treatment referral, and time from law enforcement encounter to treatment engagement;

(2) develop a performance measurement system, including key performance indicators for deflection programs including, but not limited to, rate of treatment engagement at 30 days from the point of initial contact. Each program that receives funding for services under Section 35 of this Act shall include the performance measurement system in its local plan and report data quarterly to the Illinois Criminal Justice Information Authority for the purpose of evaluation of deflection programs in aggregate; and

(3) make all statistical data relative to deflection programs available to the Department of Human Services, Division of Substance Use Prevention and Recovery Alcoholism and Substance Abuse for inclusion in planning efforts for services to persons with criminal justice or law enforcement involvement.

(Source: 100SB3023enr.)."

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 Bush, **Senate Bill No. 2367** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

[April 24, 2018]

On motion of Senator Mulroe, **Senate Bill No. 2432** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator McConnaughay, **Senate Bill No. 2558** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Stadelman, **Senate Bill No. 2559** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 51; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Tracy

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

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

On motion of Senator Syverson, **Senate Bill No. 2573** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

[April 24, 2018]

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

POSTING NOTICE WAIVED

Senator Link moved to waive the six-day posting requirement on **Senate Bill No. 1597** so that the measure may be heard in the Committee on Environment and Conservation that is scheduled to meet April 26, 2018.

The motion prevailed.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Aquino, **Senate Bill No. 3560** 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 44; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

McCarter

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

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

POSTING NOTICE WAIVED

Senator T. Cullerton moved to waive the six-day posting requirement on **Senate Bill No. 3604** so that the measure may be heard in the Committee on Government Reform that is scheduled to meet April 25, 2018.

The motion prevailed.

At the hour of 3:44 o'clock p.m., Senator Lightford, presiding.

[April 24, 2018]

Senator Muñoz, Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the appointment messages.

The motion prevailed.

EXECUTIVE SESSION

Senator Muñoz submitted the following Motion in Writing:

MOTION TO COMPILE APPOINTMENT MESSAGES

Pursuant to Senate Rule 10-1(c), as the Chairman of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

- AM 1000185 (Employment Security Advisory Board)
- AM 1000192 (Teachers' Retirement System Board of Trustees)
- AMs 1000201, 1000241, 1000242 (Illinois Committee for Agricultural Education)
- AM 1000202 (Illinois Criminal Justice Information Authority)
- AM 1000203 (Illinois Children & Family Services Advisory Council)
- AM 1000205 (Illinois Housing Development Authority)
- AM 1000211 (Enterprise Zone Board)
- AM 1000261 (Labor Advisory Board)
- AM 1000272 (Workers' Compensation Advisory Board)
- AM 1000304 (State Board of Education)
- AM 1000306 (Charitable Trust Stabilization Committee)
- AM 1000315 (Public Guardian & Public Administrator – Lake County)
- AM 1000323 (Public Guardian & Public Administrator – Boone County)
- AM 1000324 (Public Guardian & Public Administrator – Winnebago County)
- AM 1000325 (Public Guardian & Public Administrator – Vermilion County)

Date: **April 24, 2018**

s/Senator Antonio Muñoz
ASSISTANT MAJORITY LEADER ANTONIO MUÑOZ
CHAIRMAN, EXECUTIVE APPOINTMENTS COMMITTEE

The foregoing Motion in Writing was ordered placed on the Senate Calendar.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000181, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

Appointment Message No. 1000181

Title of Office: Inspector General

Agency or Other Body: Department of Human Services

Start Date: May 13, 2017

End Date: January 21, 2019

Name: Michael McCotter

Residence: 7629 W. Catalpa Ave., Chicago, IL 60656

Annual Compensation: Determined by Agency

[April 24, 2018]

Per diem: Not Applicable

Nominee's Senator: Senator John G. Mulroe

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

YEAS 52; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000197, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000197

Title of Office: Director

Agency or Other Body: Illinois Department of Labor

Start Date: April 17, 2017

End Date: January 21, 2019

Name: Joseph Beyer

Residence: 5275 N. Lamont Ave., Chicago, IL 60630

Annual Compensation: \$124,090 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Ira I. Silverstein

[April 24, 2018]

Most Recent Holder of Office: Anna Hui

Superseded Appointment Message: AM 1000194

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 52; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000198, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000198

Title of Office: Member

Agency or Other Body: Employment Security Board of Review

Start Date: June 2, 2017

End Date: January 21, 2019

Name: Betty Coffrin

Residence: 1104 Tanglewood Dr., Charleston, IL 61920

Annual Compensation: \$15,000 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Dale A. Righter

Most Recent Holder of Office: Raymond Nice

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000199, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000199

Title of Office: Chief Procurement Officer for procurements committed by law to the jurisdiction or responsibility of the Capital Development Board

Agency or Other Body: Not Applicable

Start Date: June 2, 2017

End Date: June 30, 2020

Name: Arthur L. Moore Jr.

Residence: 1729 E. Griffiths Ave., Springfield, IL 62702

Annual Compensation: \$101,000

Per diem: Not Applicable

Nominee's Senator: Senator William E. Brady

Most Recent Holder of Office: Margaret L. van Dijk

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000200, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000200

Title of Office: Member

Agency or Other Body: Illinois Department of State Police Merit Board

Start Date: June 2, 2017

End Date: March 18, 2019

Name: Andrew Berlin

Residence: 20 Maple Hill Rd., Glencoe, IL 60022

Annual Compensation: \$23,700 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Earl Hernandez

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rooney
Anderson	Curran	Martinez	Rose
Aquino	Fowler	McCarter	Sandoval

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000301, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000301

Title of Office: Arbitrator

Agency or Other Body: Workers' Compensation Commission

Start Date: August 30, 2017

End Date: July 1, 2020

Name: Thomas Ciecko

Residence: 2228 N. 72nd Ct., Elmwood Park, IL 60707

Annual Compensation: \$115,840 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Robert Falcioni

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Link	Rezin
Anderson	Cunningham	Manar	Rooney
Aquino	Fowler	Martinez	Rose
Barickman	Haine	McCarter	Sandoval
Bennett	Harmon	McConnaughay	Schimpf
Bertino-Tarrant	Harris	McGuire	Stadelman
Biss	Hastings	Morrison	Steans
Bivins	Holmes	Mulroe	Syverson

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Brady	Hunter	Muñoz	Tracy
Bush	Hutchinson	Murphy	Van Pelt
Castro	Jones, E.	Nybo	Weaver
Collins	Koehler	Oberweis	Mr. President
Connelly	Lightford	Raoul	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000302, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000302

Title of Office: Arbitrator

Agency or Other Body: Workers' Compensation Commission

Start Date: August 30, 2017

End Date: July 1, 2020

Name: Robert M. Harris

Residence: 2537 Illinois Rd., Northbrook, IL 60062

Annual Compensation: \$115,840 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Milton Black

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000310, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000310

Title of Office: Arbitrator

Agency or Other Body: Workers' Compensation Commission

Start Date: October 2, 2017

End Date: July 1, 2020

Name: Tiffany Nicole Kay

Residence: 1606 E. 50th Pl., Apt. 8B, Chicago, IL 60615

Annual Compensation: \$115,840 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Kwame Raoul

Most Recent Holder of Office: Deborah Simpson

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000311, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000311

Title of Office: Arbitrator

Agency or Other Body: Workers' Compensation Commission

Start Date: October 2, 2017

End Date: July 1, 2020

Name: Charles M. Watts

Residence: 2318 W. Berteau Ave., Chicago, IL 60618

Annual Compensation: \$115,840 per annum

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Original Appointment

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 52; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000326, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000326

[April 24, 2018]

Title of Office: Public Administrator

Agency or Other Body: Cook County

Start Date: January 3, 2018

End Date: December 4, 2021

Name: Louis George Apostol

Residence: 2425 Fox Meadow Cir., Northfield, IL 60093

Annual Compensation: \$20,000 minimum per annum

Per diem: Not Applicable

Nominee's Senator: Senator Daniel Biss

Most Recent Holder of Office: David Epstein

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 52; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Mr. President

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000380, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

Appointment Message No. 1000380

[April 24, 2018]

Title of Office: Arbitrator

Agency or Other Body: Worker's Compensation Commission

Start Date: April 13, 2018

End Date: July 1, 2020

Name: Paul-Eric Seal

Residence: 300 Windsor Dr., Roselle, IL 60172

Annual Compensation: \$115,840

Per diem: Not Applicable

Nominee's Senator: Senator Laura M. Murphy

Most Recent Holder of Office: Robert Luedke

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 49; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

CONSIDERATION OF MOTION IN WRITING

Pursuant to Motion in Writing filed earlier today, Senator Muñoz moved to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

- AM 1000185 (Employment Security Advisory Board)
- AM 1000192 (Teachers' Retirement System Board of Trustees)
- AMs 1000201, 1000241, 1000242 (Illinois Committee for Agricultural Education)
- AM 1000202 (Illinois Criminal Justice Information Authority)
- AM 1000203 (Illinois Children & Family Services Advisory Council)
- AM 1000205 (Illinois Housing Development Authority)
- AM 1000211 (Enterprise Zone Board)

[April 24, 2018]

- AM 1000261 (Labor Advisory Board)
- AM 1000272 (Workers' Compensation Advisory Board)
- AM 1000304 (State Board of Education)
- AM 1000306 (Charitable Trust Stabilization Committee)
- AM 1000315 (Public Guardian & Public Administrator – Lake County)
- AM 1000323 (Public Guardian & Public Administrator – Boone County)
- AM 1000324 (Public Guardian & Public Administrator – Winnebago County)
- AM 1000325 (Public Guardian & Public Administrator – Vermilion County)

The motion prevailed.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred Appointment Message 1000185, 1000192, 1000201, 1000202, 1000203, 1000205, 1000211, 1000241, 1000242, 1000261, 1000272, 1000304, 1000306, 1000315, 1000323, 1000324 and 1000325, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

Appointment Message No. 1000185

Title of Office: Member (Employees)

Agency or Other Body: Employment Security Advisory Board

Start Date: May 13, 2017

End Date: January 21, 2019

Name: Timothy Drea

Residence: 8028 Wilson Terrace, Springfield, IL 62712

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000192

Title of Office: Trustee

Agency or Other Body: Teachers' Retirement System Board of Trustees

Start Date: May 13, 2017

End Date: July 14, 2018

Name: Matthew Hower

Residence: 936 Mallard Ct., Palatine, IL 60067

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Tom Rooney

Most Recent Holder of Office: Marcia Boone Campbell

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000201

Title of Office: Member

Agency or Other Body: Illinois Committee for Agricultural Education

Start Date: June 2, 2017

End Date: March 13, 2020

Name: Richard Steffen

Residence: 902 N. Pine St., El Paso, IL 61738

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jason A. Barickman

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000202

Title of Office: Member (Public Defender)

Agency or Other Body: Illinois Criminal Justice Information Authority

Start Date: June 2, 2017

End Date: January 21, 2019

Name: Carla Barnes

Residence: 2915 Blue Heron Rd., Normal, IL 61761

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jason A. Barickman

Most Recent Holder of Office: Randall Rosenbaum

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000203

Title of Office: Member

Agency or Other Body: Illinois Children and Family Services Advisory Council

[April 24, 2018]

Start Date: June 2, 2017

End Date: January 16, 2019

Name: Jennifer Hansen

Residence: 25601 91st St., Salem, WI 53168

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Derek Velazko

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000205

Title of Office: Member

Agency or Other Body: Illinois Housing Development Authority

Start Date: June 2, 2017

End Date: January 11, 2021

Name: Lorraine Hocker

Residence: 619 Partridge Dr., West Chicago, IL 60185

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Thomas Cullerton

Most Recent Holder of Office: Jeff Tinervin

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000211

Title of Office: Member

Agency or Other Body: Enterprise Zone Board

Start Date: June 9, 2017

End Date: March 31, 2021

Name: Larry Ivory

Residence: 2200 N. Ellis St., Peoria, IL 61604

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator David Koehler

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000241

Title of Office: Member

Agency or Other Body: Illinois Committee for Agricultural Education

Start Date: July 25, 2017

End Date: March 12, 2019

Name: James Harris

Residence: 2735 Harris Rd., Jacksonville, IL 62650

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Wm. Sam McCann

Most Recent Holder of Office: Mariah Dale-Anderson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000242

Title of Office: Member

Agency or Other Body: Illinois Committee for Agricultural Education

Start Date: July 25, 2017

End Date: March 12, 2020

Name: Brad Pilcher

Residence: 1330 E. 1300 North Rd., Roberts, IL 60962

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jason A. Barickman

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000261

Title of Office: Member (Management)

[April 24, 2018]

Agency or Other Body: Labor Advisory Board

Start Date: July 25, 2017

End Date: January 20, 2019

Name: Mark Grant

Residence: 21544 Altig Bridge Ave., Greenview, IL 62642

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator William E. Brady

Most Recent Holder of Office: Kim Clarke Maisch

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000272

Title of Office: Member (Employers)

Agency or Other Body: Workers' Compensation Advisory Board

Start Date: July 25, 2017

End Date: January 20, 2019

Name: Mark Grant

Residence: 21544 Altig Bridge Ave., Greenview, IL 62642

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator William E. Brady

Most Recent Holder of Office: Kim Clarke Maisch

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000304

Title of Office: Member

Agency or Other Body: State Board of Education

Start Date: July 21, 2017

End Date: January 9, 2019

Name: Susan Morrison

Residence: 19548 Timbered Estates Ln., Carlinville, IL 62626

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Andy Manar

Most Recent Holder of Office: Collin Hitt

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000306

Title of Office: Member

Agency or Other Body: Charitable Trust Stabilization Committee

Start Date: September 8, 2017

End Date: August 12, 2022

Name: Andreason LaSalle Brown

Residence: 1900 W. Touhy Ave., Unit 1B, Chicago, IL 60626

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Heather A. Steans

Most Recent Holder of Office: Ricardo Estrada

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000315

Title of Office: Public Guardian and Public Administrator

Agency or Other Body: Lake County

Start Date: December 4, 2017

End Date: December 4, 2021

Name: Keith Louis West

Residence: 762 Cherry Creek Dr., Grayslake, IL 60030

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Melinda Bush

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000323

[April 24, 2018]

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Boone County

Start Date: December 21, 2017

End Date: December 4, 2021

Name: Mary Gaziano

Residence: 4138 Linden Rd., Rockford, IL 61109

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: Sharon Rudy

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000324

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Winnebago County

Start Date: December 21, 2017

End Date: December 4, 2021

Name: Mary Gaziano

Residence: 4138 Linden Rd., Rockford, IL 61109

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Steve Stadelman

Most Recent Holder of Office: Sharon Rudy

Superseded Appointment Message: Not Applicable

Appointment Message No. 1000325

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Vermilion County

Start Date: January 1, 2018

End Date: December 4, 2021

Name: George Robert Weller

Residence: 1220 N. Logan Ave., Danville, IL 61832

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Scott M. Bennett

Most Recent Holder of Office: Matthew Myrick

Superseded Appointment Message: Not Applicable

Senator Muñoz moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

YEAS 50; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

On motion of Senator Muñoz, the Executive Session arose and the Senate resumed consideration of business.

Senator Lightford, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1639

Offered by Senator McGuire and all Senators:

Mourns the death of George T. Fehrenbacher, DDS, of Joliet.

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

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

SENATE RESOLUTION NO. 1640

WHEREAS, The Illinois Senate recognizes that the sequencing of the human genome is one of the most significant scientific accomplishments of the past hundred years and expresses support for the goals and ideals of Human Genome Month and DNA Day; and

[April 24, 2018]

WHEREAS, April 25, 2018 will be the 65th anniversary of the publication of the description of the double-helix structure of deoxyribonucleic acid (DNA) in Nature magazine by James D. Watson and Francis H.C. Crick, which is considered by many scientists to be one of the most significant scientific discoveries of the twentieth century; and

WHEREAS, Their discovery launched a field of inquiry that explained how DNA carries biological information in the genetic code and how this information is duplicated and passed from generation to generation, forming the stream of life that connects us all to our ancestors and to our descendants; and

WHEREAS, This field of inquiry in turn was crucial to the founding and continued growth of the field of biotechnology, which has led to historic scientific and economic advances for the world, advances in which the people of the United States have played a leading role and from which they have realized significant benefits; and

WHEREAS, April of 2018 marks the 15th anniversary of completion of the international Human Genome Project, a research effort led in the United States by the National Human Genome Research Institute to sequence the DNA base pairs of the human genome for the first time and make this information freely available to the public; and

WHEREAS, The Human Genome Project has provided an exemplary model for social responsibility in scientific research, by devoting significant resources to studying the ethical, legal, and social implications of the project; and

WHEREAS, The National Human Genome Research Institute has designated April of 2018 as "Human Genome Month" in celebration of the completion of the sequencing of the human genome and April 25, 2018 as "DNA Day" in celebration of the 65th anniversary of the publication of the description of the structure of DNA on April 25, 1953; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare April 25, 2018 as "DNA Day" in the State of Illinois; and be it further

RESOLVED, That schools, museums, cultural organizations, and other educational institutions are encouraged to recognize Human Genome Month and DNA Day with appropriate programs and activities centered on human genomics.

At the hour of 4:11 o'clock p.m., Senator Link, presiding.

At the hour of 4:16 o'clock p.m., Senator Lightford, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Harmon, Chairperson of the Committee on Assignments, during its April 24, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Floor Amendment No. 1 to Senate Bill 2362.**

Judiciary: **Floor Amendment No. 2 to Senate Bill 2411.**

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Harris, **Senate Bill No. 3148** having been printed, was taken up, read by title a second time.

[April 24, 2018]

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

AMENDMENT NO. 1 TO SENATE BILL 3148

AMENDMENT NO. 1. Amend Senate Bill 3148 on page 6, line 3, by replacing "12 8" with "8".

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

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 24, 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 Julie Morrison to temporarily replace Senator Toi Hutchinson as a member of the Senate Public Health Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Public Health Committee.

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

cc: Senate Minority Leader William Brady

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 24, 2018

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

[April 24, 2018]

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Rose to temporarily replace Senator Barickman as a member of the Senate Criminal Law Committee. This appointment is effective at 9:00 a.m. February 23, 2018 and shall automatically expire upon adjournment of the Senate Criminal Law Committee

Sincerely,
s/Bill Brady
Bill Brady
Illinois Senate Republican Leader
44th District

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

At the hour of 4:20 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 9:08 o'clock p.m., the Senate resumed consideration of business.
Senator Link, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Harmon, Chairperson of the Committee on Assignments, during its April 24, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Floor Amendment No. 1 to Senate Bill 2651; Floor Amendment No. 2 to Senate Bill 2651; Floor Amendment No. 3 to Senate Bill 2651; Floor Amendment No. 1 to Senate Bill 2970.**

Gaming: **Floor Amendment No. 2 to Senate Bill 3387.**

Insurance: **Committee Amendment No. 1 to Senate Bill 2444.**

Labor: **Floor Amendment No. 2 to Senate Bill 201.**

Licensed Activities and Pensions: **Committee Amendment No. 2 to Senate Bill 3133.**

Senator Harmon, Chairperson of the Committee on Assignments, during its April 24, 2018 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 3 to Senate Bill 3186

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

REPORTS FROM STANDING COMMITTEES

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **Senate Bill No. 2572**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

[April 24, 2018]

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

Senate Amendment No. 1 to Senate Bill 2344
 Senate Amendment No. 1 to Senate Bill 2345
 Senate Amendment No. 1 to Senate Bill 2351
 Senate Amendment No. 2 to Senate Bill 2527
 Senate Amendment No. 1 to Senate Bill 2693
 Senate Amendment No. 1 to Senate Bill 2838
 Senate Amendment No. 3 to Senate Bill 2925
 Senate Amendment No. 1 to Senate Bill 2939
 Senate Amendment No. 2 to Senate Bill 3418
 Senate Amendment No. 2 to Senate Bill 3466
 Senate Amendment No. 2 to Senate Bill 3507

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

Senator Haine, Vice-Chairperson of the Committee on Veterans Affairs, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 3547

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

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 457
 Senate Amendment No. 2 to Senate Bill 2232
 Senate Amendment No. 2 to Senate Bill 2332
 Senate Amendment No. 1 to Senate Bill 2777
 Senate Amendment No. 2 to Senate Bill 2889
 Senate Amendment No. 2 to Senate Bill 2913
 Senate Amendment No. 2 to Senate Bill 2952
 Senate Amendment No. 3 to Senate Bill 3062
 Senate Amendment No. 1 to Senate Bill 3290

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

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **Senate Bill No. 2657**, reported the same back with the recommendation that the bill do pass.

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

Senator Raoul, Chairperson of the Committee on Judiciary, to which was referred **Senate Bills Numbered 2562, 2953 and 3085**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

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

Senate Amendment No. 4 to Senate Bill 65
 Senate Amendment No. 1 to Senate Bill 544
 Senate Amendment No. 2 to Senate Bill 2411
 Senate Amendment No. 4 to Senate Bill 2560
 Senate Amendment No. 1 to Senate Bill 3052

[April 24, 2018]

Senate Amendment No. 2 to Senate Bill 3138

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

Senator Morrison, Chairperson of the Committee on Human Services, to which was referred **Senate Bill No. 2879**, reported the same back with the recommendation that the bill do pass.

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

Senator Morrison, Chairperson of the Committee on Human Services, to which was referred **Senate Bill No. 2846**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

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

Senate Amendment No. 3 to Senate Bill 1628

Senate Amendment No. 2 to Senate Bill 2424

Senate Amendment No. 1 to Senate Bill 3237

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **Senate Bill No. 3003**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

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

Senate Amendment No. 1 to Senate Bill 2293

Senate Amendment No. 2 to Senate Bill 2518

Senate Amendment No. 1 to Senate Bill 2610

Senate Amendment No. 2 to Senate Bill 3027

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

Senator Bennett, Chairperson of the Committee on Criminal Law, to which was referred **Senate Bills Numbered 1265 and 3104**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

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

Senate Amendment No. 1 to Senate Bill 560

Senate Amendment No. 1 to Senate Bill 561

Senate Amendment No. 2 to Senate Bill 563

Senate Amendment No. 1 to Senate Bill 564

Senate Amendment No. 1 to Senate Bill 2378

Senate Amendment No. 1 to Senate Bill 2789

Senate Amendment No. 3 to Senate Bill 3404

Senate Amendment No. 1 to Senate Bill 3489

Senate Amendment No. 1 to Senate Bill 3513

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

[April 24, 2018]

MESSAGES FROM THE HOUSE

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

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

HOUSE BILL NO. 1265

A bill for AN ACT concerning education.

HOUSE BILL NO. 4364

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 5141

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5155

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5157

A bill for AN ACT concerning civil law.

Passed the House, April 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 1265, 4364, 5141, 5155 and 5157** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 4226

A bill for AN ACT concerning education.

HOUSE BILL NO. 4345

A bill for AN ACT concerning government.

HOUSE BILL NO. 4346

A bill for AN ACT concerning education.

HOUSE BILL NO. 5148

A bill for AN ACT concerning education.

Passed the House, April 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4226, 4345, 4346 and 5148** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 4369

A bill for AN ACT concerning education.

HOUSE BILL NO. 4442

A bill for AN ACT concerning education.

HOUSE BILL NO. 4657

A bill for AN ACT concerning education.

HOUSE BILL NO. 4858

A bill for AN ACT concerning finance.

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HOUSE BILL NO. 4920

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5166

A bill for AN ACT concerning government.

Passed the House, April 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4369, 4442, 4657, 4858, 4920 and 5166** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL NO. 4469

A bill for AN ACT concerning elections.

HOUSE BILL NO. 4867

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5122

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5195

A bill for AN ACT concerning education.

HOUSE BILL NO. 5541

A bill for AN ACT concerning health.

HOUSE BILL NO. 5778

A bill for AN ACT concerning revenue.

Passed the House, April 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 4469, 4867, 5122, 5195, 5541 and 5778** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

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

HOUSE BILL NO. 5544

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5595

A bill for AN ACT concerning finance.

HOUSE BILL NO. 5682

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5784

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5786

A bill for AN ACT concerning education.

Passed the House, April 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bills Numbered 5544, 5595, 5682, 5784 and 5786** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mapes, Clerk:

[April 24, 2018]

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

SENATE BILL NO. 1830

A bill for AN ACT concerning criminal law.

Passed the House, April 24, 2018.

TIMOTHY D. MAPES, Clerk of the House

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Harmon, **Senate Bill No. 2211** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 2588** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 3237** having been printed, was taken up, read by title a second time.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3237

AMENDMENT NO. 1. Amend Senate Bill 3237 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Human Services Act is amended by changing Section 1-17 as follows:
(20 ILCS 1305/1-17)

Sec. 1-17. Inspector General.

(a) Nature and purpose. It is the express intent of the General Assembly to ensure the health, safety, and financial condition of individuals receiving services in this State due to mental illness, developmental disability, or both by protecting those persons from acts of abuse, neglect, or both by service providers. To that end, the Office of the Inspector General for the Department of Human Services is created to investigate and report upon allegations of the abuse, neglect, or financial exploitation of individuals receiving services within mental health facilities, developmental disabilities facilities, and community agencies operated, licensed, funded or certified by the Department of Human Services, but not licensed or certified by any other State agency.

(b) Definitions. The following definitions apply to this Section:

"Adult student with a disability" means an adult student, age 18 through 21, inclusive, with an Individual Education Program, other than a resident of a facility licensed by the Department of Children and Family Services in accordance with the Child Care Act of 1969. For purposes of this definition, "through age 21, inclusive", means through the day before the student's 22nd birthday.

"Agency" or "community agency" means (i) a community agency licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service, or (ii) a program licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service.

"Aggravating circumstance" means a factor that is attendant to a finding and that tends to compound or increase the culpability of the accused.

"Allegation" means an assertion, complaint, suspicion, or incident involving any of the following conduct by an employee, facility, or agency against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Day" means working day, unless otherwise specified.

"Deflection" means a situation in which an individual is presented for admission to a facility or agency, and the facility staff or agency staff do not admit the individual. "Deflection" includes triage, redirection, and denial of admission.

"Department" means the Department of Human Services.

"Developmental disability" means "developmental disability" as defined in the Mental Health and Developmental Disabilities Code.

"Egregious neglect" means a finding of neglect as determined by the Inspector General that (i) represents a gross failure to adequately provide for, or a callused indifference to, the health, safety, or medical needs

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of an individual and (ii) results in an individual's death or other serious deterioration of an individual's physical condition or mental condition.

"Employee" means any person who provides services at the facility or agency on-site or off-site. The service relationship can be with the individual or with the facility or agency. Also, "employee" includes any employee or contractual agent of the Department of Human Services or the community agency involved in providing or monitoring or administering mental health or developmental disability services. This includes but is not limited to: owners, operators, payroll personnel, contractors, subcontractors, and volunteers.

"Facility" or "State-operated facility" means a mental health facility or developmental disabilities facility operated by the Department.

"Financial exploitation" means taking unjust advantage of an individual's assets, property, or financial resources through deception, intimidation, or conversion for the employee's, facility's, or agency's own advantage or benefit.

"Finding" means the Office of Inspector General's determination regarding whether an allegation is substantiated, unsubstantiated, or unfounded.

"Health Care Worker Registry" or "Registry" means the Health Care Worker Registry under the Health Care Worker Background Check Act.

"Individual" means any person receiving mental health service, developmental disabilities service, or both from a facility or agency, while either on-site or off-site.

"Mental abuse" means the use of demeaning, intimidating, or threatening words, signs, gestures, or other actions by an employee about an individual and in the presence of an individual or individuals that results in emotional distress or maladaptive behavior, or could have resulted in emotional distress or maladaptive behavior, for any individual present.

"Mental illness" means "mental illness" as defined in the Mental Health and Developmental Disabilities Code.

"Mentally ill" means having a mental illness.

"Mitigating circumstance" means a condition that (i) is attendant to a finding, (ii) does not excuse or justify the conduct in question, but (iii) may be considered in evaluating the severity of the conduct, the culpability of the accused, or both the severity of the conduct and the culpability of the accused.

"Neglect" means an employee's, agency's, or facility's failure to provide adequate medical care, personal care, or maintenance and that, as a consequence, (i) causes an individual pain, injury, or emotional distress, (ii) results in either an individual's maladaptive behavior or the deterioration of an individual's physical condition or mental condition, or (iii) places the individual's health or safety at substantial risk.

"Person with a developmental disability" means a person having a developmental disability.

"Physical abuse" means an employee's non-accidental and inappropriate contact with an individual that causes bodily harm. "Physical abuse" includes actions that cause bodily harm as a result of an employee directing an individual or person to physically abuse another individual.

"Recommendation" means an admonition, separate from a finding, that requires action by the facility, agency, or Department to correct a systemic issue, problem, or deficiency identified during an investigation.

"Required reporter" means any employee who suspects, witnesses, or is informed of an allegation of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Secretary" means the Chief Administrative Officer of the Department.

"Sexual abuse" means any sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual behavior that results in sexual contact, intimate physical contact, sexual behavior, or intimate physical behavior. Sexual abuse also includes (i) an employee's actions that result in the sending or showing of sexually explicit images to an individual via computer, cellular phone, electronic mail, portable electronic device, or other media with or without contact with the individual or (ii) an employee's posting of sexually explicit images of an individual online or elsewhere whether or not there is contact with the individual.

"Sexually explicit images" includes, but is not limited to, any material which depicts nudity, sexual conduct, or sado-masochistic abuse, or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse.

"Substantiated" means there is a preponderance of the evidence to support the allegation.

"Unfounded" means there is no credible evidence to support the allegation.

"Unsubstantiated" means there is credible evidence, but less than a preponderance of evidence to support the allegation.

(c) Appointment. The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary and the Governor.

(d) Operation and appropriation. The Inspector General shall function independently within the Department with respect to the operations of the Office, including the performance of investigations and issuance of findings and recommendations. The appropriation for the Office of Inspector General shall be separate from the overall appropriation for the Department.

(e) Powers and duties. The Inspector General shall investigate reports of suspected mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation of individuals in any mental health or developmental disabilities facility or agency and shall have authority to take immediate action to prevent any one or more of the following from happening to individuals under its jurisdiction: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. Upon written request of an agency of this State, the Inspector General may assist another agency of the State in investigating reports of the abuse, neglect, or abuse and neglect of persons with mental illness, persons with developmental disabilities, or persons with both. To comply with the requirements of subsection (k) of this Section, the Inspector General shall also review all reportable deaths for which there is no allegation of abuse or neglect. Nothing in this Section shall preempt any duties of the Medical Review Board set forth in the Mental Health and Developmental Disabilities Code. The Inspector General shall have no authority to investigate alleged violations of the State Officials and Employees Ethics Act. Allegations of misconduct under the State Officials and Employees Ethics Act shall be referred to the Office of the Governor's Executive Inspector General for investigation.

(f) Limitations. The Inspector General shall not conduct an investigation within an agency or facility if that investigation would be redundant to or interfere with an investigation conducted by another State agency. The Inspector General shall have no supervision over, or involvement in, the routine programmatic, licensing, funding, or certification operations of the Department. Nothing in this subsection limits investigations by the Department that may otherwise be required by law or that may be necessary in the Department's capacity as central administrative authority responsible for the operation of the State's mental health and developmental disabilities facilities.

(g) Rulemaking authority. The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations as well as for initiating, conducting, and completing investigations based upon the nature of the allegation or allegations. The rules shall clearly establish that if 2 or more State agencies could investigate an allegation, the Inspector General shall not conduct an investigation that would be redundant to, or interfere with, an investigation conducted by another State agency. The rules shall further clarify the method and circumstances under which the Office of Inspector General may interact with the licensing, funding, or certification units of the Department in preventing further occurrences of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, and financial exploitation.

(h) Training programs. The Inspector General shall (i) establish a comprehensive program to ensure that every person authorized to conduct investigations receives ongoing training relative to investigation techniques, communication skills, and the appropriate means of interacting with persons receiving treatment for mental illness, developmental disability, or both mental illness and developmental disability, and (ii) establish and conduct periodic training programs for facility and agency employees concerning the prevention and reporting of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. Nothing in this Section shall be deemed to prevent the Office of Inspector General from conducting any other training as determined by the Inspector General to be necessary or helpful.

(i) Duty to cooperate.

(1) The Inspector General shall at all times be granted access to any facility or agency for the purpose of investigating any allegation, conducting unannounced site visits, monitoring compliance with a written response, or completing any other statutorily assigned duty. The Inspector General shall conduct unannounced site visits to each facility at least annually for the purpose of reviewing and making recommendations on systemic issues relative to preventing, reporting, investigating, and responding to all of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation.

(2) Any employee who fails to cooperate with an Office of the Inspector General investigation is in violation of this Act. Failure to cooperate with an investigation includes, but is not limited to, any one or more of the following: (i) creating and transmitting a false report to the Office of the Inspector General hotline, (ii) providing false information to an Office of the Inspector General Investigator during an investigation, (iii) colluding with other employees to cover up evidence, (iv)

colluding with other employees to provide false information to an Office of the Inspector General investigator, (v) destroying evidence, (vi) withholding evidence, or (vii) otherwise obstructing an Office of the Inspector General investigation. Additionally, any employee who, during an unannounced site visit or written response compliance check, fails to cooperate with requests from the Office of the Inspector General is in violation of this Act.

(j) Subpoena powers. The Inspector General shall have the power to subpoena witnesses and compel the production of all documents and physical evidence relating to his or her investigations and any hearings authorized by this Act. This subpoena power shall not extend to persons or documents of a labor organization or its representatives insofar as the persons are acting in a representative capacity to an employee whose conduct is the subject of an investigation or the documents relate to that representation. Any person who otherwise fails to respond to a subpoena or who knowingly provides false information to the Office of the Inspector General by subpoena during an investigation is guilty of a Class A misdemeanor.

(k) Reporting allegations and deaths.

(1) Allegations. If an employee witnesses, is told of, or has reason to believe an incident of mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation has occurred, the employee, agency, or facility shall report the allegation by phone to the Office of the Inspector General hotline according to the agency's or facility's procedures, but in no event later than 4 hours after the initial discovery of the incident, allegation, or suspicion of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. A required reporter as defined in subsection (b) of this Section who knowingly or intentionally fails to comply with these reporting requirements is guilty of a Class A misdemeanor.

(2) Deaths. Absent an allegation, a required reporter shall, within 24 hours after initial discovery, report by phone to the Office of the Inspector General hotline each of the following:

(i) Any death of an individual occurring within 14 calendar days after discharge or transfer of the individual from a residential program or facility.

(ii) Any death of an individual occurring within 24 hours after deflection from a residential program or facility.

(iii) Any other death of an individual occurring at an agency or facility or at any Department-funded site.

(3) Retaliation. It is a violation of this Act for any employee or administrator of an agency or facility to take retaliatory action against an employee who acts in good faith in conformance with his or her duties as a required reporter.

(l) Reporting to law enforcement.

(1) Reporting criminal acts. Within 24 hours after determining that there is credible evidence indicating that a criminal act may have been committed or that special expertise may be required in an investigation, the Inspector General shall notify the Department of State Police or other appropriate law enforcement authority, or ensure that such notification is made. The Department of State Police shall investigate any report from a State-operated facility indicating a possible murder, sexual assault, or other felony by an employee. All investigations conducted by the Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(2) Reporting allegations of adult students with disabilities. Upon receipt of a reportable allegation regarding an adult student with a disability, the Department's Office of the Inspector General shall determine whether the allegation meets the criteria for the Domestic Abuse Program under the Abuse of Adults with Disabilities Intervention Act. If the allegation is reportable to that program, the Office of the Inspector General shall initiate an investigation. If the allegation is not reportable to the Domestic Abuse Program, the Office of the Inspector General shall make an expeditious referral to the respective law enforcement entity. If the alleged victim is already receiving services from the Department, the Office of the Inspector General shall also make a referral to the respective Department of Human Services' Division or Bureau.

(m) Investigative reports. Upon completion of an investigation, the Office of Inspector General shall issue an investigative report identifying whether the allegations are substantiated, unsubstantiated, or unfounded. Within 10 business days after the transmittal of a completed investigative report substantiating an allegation, finding an allegation is unsubstantiated, or if a recommendation is made, the Inspector General shall provide the investigative report on the case to the Secretary and to the director of the facility or agency where any one or more of the following occurred: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. The director of the facility or agency shall be responsible for maintaining the confidentiality of the investigative report consistent with State and federal

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law. In a substantiated case, the investigative report shall include any mitigating or aggravating circumstances that were identified during the investigation. If the case involves substantiated neglect, the investigative report shall also state whether egregious neglect was found. An investigative report may also set forth recommendations. All investigative reports prepared by the Office of the Inspector General shall be considered confidential and shall not be released except as provided by the law of this State or as required under applicable federal law. Unsubstantiated and unfounded reports shall not be disclosed except as allowed under Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act. Raw data used to compile the investigative report shall not be subject to release unless required by law or a court order. "Raw data used to compile the investigative report" includes, but is not limited to, any one or more of the following: the initial complaint, witness statements, photographs, investigator's notes, police reports, or incident reports. If the allegations are substantiated, the accused shall be provided with a redacted copy of the investigative report. Death reports where there was no allegation of abuse or neglect shall only be released pursuant to applicable State or federal law or a valid court order.

(n) Written responses, clarification requests, and reconsideration requests.

(1) Written responses. Within 30 calendar days from receipt of a substantiated investigative report or an investigative report which contains recommendations, absent a reconsideration request, the facility or agency shall file a written response that addresses, in a concise and reasoned manner, the actions taken to: (i) protect the individual; (ii) prevent recurrences; and (iii) eliminate the problems identified. The response shall include the implementation and completion dates of such actions. If the written response is not filed within the allotted 30 calendar day period, the Secretary shall determine the appropriate corrective action to be taken.

(2) ~~Requests for clarification. Reconsideration requests.~~ The facility, agency, victim or guardian, or the subject employee may request that

~~the Office of Inspector General reconsider or clarify the finding or findings for which clarification is sought, its finding based upon additional information.~~

(3) Requests for reconsideration. The facility, agency, victim or guardian, or the subject employee may request that the Office of the Inspector General reconsider the finding or findings or the recommendations. A request for reconsideration shall be subject to a multi-layer review and shall include at least one reviewer who did not participate in the investigation or approval of the original investigative report. After the multi-layer review process has been completed, the Inspector General shall make the final determination on the reconsideration request. The investigation shall be reopened if the reconsideration determination finds that additional information is needed to complete the investigative record.

(o) Disclosure of the finding by the Inspector General. The Inspector General shall disclose the finding of an investigation to the following persons: (i) the Governor, (ii) the Secretary, (iii) the director of the facility or agency, (iv) the alleged victims and their guardians, (v) the complainant, and (vi) the accused. This information shall include whether the allegations were deemed substantiated, unsubstantiated, or unfounded.

(p) Secretary review. Upon review of the Inspector General's investigative report and any agency's or facility's written response, the Secretary shall accept or reject the written response and notify the Inspector General of that determination. The Secretary may further direct that other administrative action be taken, including, but not limited to, any one or more of the following: (i) additional site visits, (ii) training, (iii) provision of technical assistance relative to administrative needs, licensure or certification, or (iv) the imposition of appropriate sanctions.

(q) Action by facility or agency. Within 30 days of the date the Secretary approves the written response or directs that further administrative action be taken, the facility or agency shall provide an implementation report to the Inspector General that provides the status of the action taken. The facility or agency shall be allowed an additional 30 days to send notice of completion of the action or to send an updated implementation report. If the action has not been completed within the additional ~~30-day~~ 30-day period, the facility or agency shall send updated implementation reports every 60 days until completion. The Inspector General shall conduct a review of any implementation plan that takes more than 120 days after approval to complete, and shall monitor compliance through a random review of approved written responses, which may include, but are not limited to: (i) site visits, (ii) telephone contact, and (iii) requests for additional documentation evidencing compliance.

(r) Sanctions. Sanctions, if imposed by the Secretary under Subdivision (p)(iv) of this Section, shall be designed to prevent further acts of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation or some combination of one or more of those acts at a facility or agency, and may include any one or more of the following:

(1) Appointment of on-site monitors.

(2) Transfer or relocation of an individual or individuals.

(3) Closure of units.

(4) Termination of any one or more of the following: (i) Department licensing, (ii) funding, or (iii) certification.

The Inspector General may seek the assistance of the Illinois Attorney General or the office of any State's Attorney in implementing sanctions.

(s) Health Care Worker Registry.

(1) Reporting to the Registry. The Inspector General shall report to the Department of Public Health's Health Care Worker Registry, a public registry, the identity and finding of each employee of a facility or agency against whom there is a final investigative report containing a substantiated allegation of physical or sexual abuse, financial exploitation, or egregious neglect of an individual.

(2) Notice to employee. Prior to reporting the name of an employee, the employee shall be notified of the Department's obligation to report and shall be granted an opportunity to request an administrative hearing, the sole purpose of which is to determine if the substantiated finding warrants reporting to the Registry. Notice to the employee shall contain a clear and concise statement of the grounds on which the report to the Registry is based, offer the employee an opportunity for a hearing, and identify the process for requesting such a hearing. Notice is sufficient if provided by certified mail to the employee's last known address. If the employee fails to request a hearing within 30 days from the date of the notice, the Inspector General shall report the name of the employee to the Registry. Nothing in this subdivision (s)(2) shall diminish or impair the rights of a person who is a member of a collective bargaining unit under the Illinois Public Labor Relations Act or under any other federal labor statute.

(3) Registry hearings. If the employee requests an administrative hearing, the employee shall be granted an opportunity to appear before an administrative law judge to present reasons why the employee's name should not be reported to the Registry. The Department shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that the substantiated finding warrants reporting to the Registry. After considering all the evidence presented, the administrative law judge shall make a recommendation to the Secretary as to whether the substantiated finding warrants reporting the name of the employee to the Registry. The Secretary shall render the final decision. The Department and the employee shall have the right to request that the administrative law judge consider a stipulated disposition of these proceedings.

(4) Testimony at Registry hearings. A person who makes a report or who investigates a report under this Act shall testify fully in any judicial proceeding resulting from such a report, as to any evidence of abuse or neglect, or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged perpetrator of abuse or neglect, or the individual alleged as the victim in the report, and the person making or investigating the report. Testimony at hearings is exempt from the confidentiality requirements of subsection (f) of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act.

(5) Employee's rights to collateral action. No reporting to the Registry shall occur and no hearing shall be set or proceed if an employee notifies the Inspector General in writing, including any supporting documentation, that he or she is formally contesting an adverse employment action resulting from a substantiated finding by complaint filed with the Illinois Civil Service Commission, or which otherwise seeks to enforce the employee's rights pursuant to any applicable collective bargaining agreement. If an action taken by an employer against an employee as a result of a finding of physical abuse, sexual abuse, or egregious neglect is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement and if that employee's name has already been sent to the Registry, the employee's name shall be removed from the Registry.

(6) Removal from Registry. At any time after the report to the Registry, but no more than once in any 12-month period, an employee may petition the Department in writing to remove his or her name from the Registry. Upon receiving notice of such request, the Inspector General shall conduct an investigation into the petition. Upon receipt of such request, an administrative hearing will be set by the Department. At the hearing, the employee shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that removal of the name from the Registry is in the public interest. The parties may jointly request that the administrative law judge consider a stipulated disposition of these proceedings.

(t) Review of Administrative Decisions. The Department shall preserve a record of all proceedings at any formal hearing conducted by the Department involving Health Care Worker Registry hearings. Final administrative decisions of the Department are subject to judicial review pursuant to provisions of the Administrative Review Law.

(u) Quality Care Board. There is created, within the Office of the Inspector General, a Quality Care Board to be composed of 7 members appointed by the Governor with the advice and consent of the Senate. One of the members shall be designated as chairman by the Governor. Of the initial appointments made by the Governor, 4 Board members shall each be appointed for a term of 4 years and 3 members shall each be appointed for a term of 2 years. Upon the expiration of each member's term, a successor shall be appointed for a term of 4 years. In the case of a vacancy in the office of any member, the Governor shall appoint a successor for the remainder of the unexpired term.

Members appointed by the Governor shall be qualified by professional knowledge or experience in the area of law, investigatory techniques, or in the area of care of the mentally ill or care of persons with developmental disabilities. Two members appointed by the Governor shall be persons with a disability or a parent of a person with a disability. Members shall serve without compensation, but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

The Board shall meet quarterly, and may hold other meetings on the call of the chairman. Four members shall constitute a quorum allowing the Board to conduct its business. The Board may adopt rules and regulations it deems necessary to govern its own procedures.

The Board shall monitor and oversee the operations, policies, and procedures of the Inspector General to ensure the prompt and thorough investigation of allegations of neglect and abuse. In fulfilling these responsibilities, the Board may do the following:

- (1) Provide independent, expert consultation to the Inspector General on policies and protocols for investigations of alleged abuse, neglect, or both abuse and neglect.
- (2) Review existing regulations relating to the operation of facilities.
- (3) Advise the Inspector General as to the content of training activities authorized under this Section.
- (4) Recommend policies concerning methods for improving the intergovernmental relationships between the Office of the Inspector General and other State or federal offices.

(v) Annual report. The Inspector General shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of reports and investigations made under this Act for the prior fiscal year with respect to individuals receiving mental health or developmental disabilities services. The report shall detail the imposition of sanctions, if any, and the final disposition of any corrective or administrative action directed by the Secretary. The summaries shall not contain any confidential or identifying information of any individual, but shall include objective data identifying any trends in the number of reported allegations, the timeliness of the Office of the Inspector General's investigations, and their disposition, for each facility and Department-wide, for the most recent 3-year time period. The report shall also identify, by facility, the staff-to-patient ratios taking account of direct care staff only. The report shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

(w) Program audit. The Auditor General shall conduct a program audit of the Office of the Inspector General on an as-needed basis, as determined by the Auditor General. The audit shall specifically include the Inspector General's compliance with the Act and effectiveness in investigating reports of allegations occurring in any facility or agency. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its findings to the General Assembly no later than January 1 following the audit period.

(x) Nothing in this Section shall be construed to mean that an individual is a victim of abuse or neglect because of health care services appropriately provided or not provided by health care professionals.

(y) Nothing in this Section shall require a facility, including its employees, agents, medical staff members, and health care professionals, to provide a service to an individual in contravention of that individual's stated or implied objection to the provision of that service on the ground that that service conflicts with the individual's religious beliefs or practices, nor shall the failure to provide a service to an individual be considered abuse under this Section if the individual has objected to the provision of that service based on his or her religious beliefs or practices.

(Source: P.A. 99-143, eff. 7-27-15; 99-323, eff. 8-7-15; 99-642, eff. 7-28-16; 100-313, eff. 8-24-17; 100-432, eff. 8-25-17; revised 9-27-17.)"

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.

On motion of Senator Steans, **Senate Bill No. 2382** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was postponed in the Committee on Human Services.
There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Steans, **Senate Bill No. 2424** 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 2424

AMENDMENT NO. 1. Amend Senate Bill 2424 by replacing everything after the enacting clause with the following:

"Section 5. The Developmental Disability and Mental Disability Services Act is amended by adding Article VII-A as follows:

(405 ILCS 80/Art. VII-A heading new)

VII-A. DIVERSION FROM INSTITUTIONALIZATION HOMES PROGRAM

(405 ILCS 80/7A-1 new)

Sec. 7A-1. Diversion from Institutionalization Homes Program.

(a) The purposes of this Article are to:

(1) decrease the number of admissions to State-operated facilities;

(2) address the needs of individuals with intellectual disabilities or developmental disabilities who are at-risk of institutionalization due to significant behavioral challenges, some with a dual diagnosis of mental illness, by providing a community-based residential alternative to institutionalization consistent with their individual plans, and to transition these individuals back to a traditional community-integrated living arrangement or other community-based residential program;

(3) create greater capacity within the short-term stabilization homes by allowing individuals who need an extended period of treatment to transfer to a long-term stabilization home;

(4) stabilize the existing community-integrated living arrangement homes where the presence of individuals with complex behavioral challenges is disruptive to their housemates;

(5) allow individuals currently residing in State-operated facilities who need a higher level of supervision and treatment expertise not currently available within the community-integrated living arrangement rate methodology to return to the community; and

(6) curtail the growing number of community service providers who are declining to serve individuals with significant behavioral challenges.

(b) The Department shall establish the Diversion from Institutionalization Home Program consisting of at least 6 homes in various locations in this State in accordance with this Article and the following model:

(1) the Diversion from Institutionalization Home Model shall serve individuals with intellectual disabilities or developmental disabilities who are at-risk of institutionalization due to significant behavioral challenges, some with a dual diagnosis of mental illness, for a period ranging from one to 2 years, or longer if appropriate for the individual;

(2) the Program shall be regulated in accordance with the community-integrated living arrangement guidelines;

(3) each home shall support no more than 4 residents, each having his or her own bedroom;

(4) if, at any point, an individual, his or her guardian, or family caregivers, in conjunction with the provider and clinical staff, believe the individual is capable of participating in other community residential options, those opportunities shall be offered as they become available;

(5) providers shall be experienced and qualified to serve the population target by the Program;

(6) participating Program providers and the Department shall participate in an ongoing collaborative whereby best practices and treatment experiences would be shared;

(7) home locations shall be proposed by the provider in collaboration with other community stakeholders;

(8) staffing and financial resources shall be adequate to meet the needs of the individuals served, including their mental health needs;

(9) the staffing model shall allow for a high level of community integration and engagement and family involvement; and

(10) appropriate day services, staff training priorities, and home modifications shall be incorporated into the Program model.

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

Senator Steans offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2424

AMENDMENT NO. 2. Amend Senate Bill 2424, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Developmental Disability and Mental Disability Services Act is amended by adding Article VII-A as follows:

(405 ILCS 80/Art. VII-A heading new)

VII-A. DIVERSION FROM FACILITY-BASED CARE PROGRAM

(405 ILCS 80/7A-1 new)

Sec. 7A-1. Diversion from Facility-based Care Pilot Program.

(a) The purposes of this Article are to:

(1) decrease the number of admissions to State-operated facilities;

(2) address the needs of individuals receiving Home and Community Based Services (HCBS) with intellectual disabilities or developmental disabilities who are at risk of facility-based care due to significant behavioral challenges, some with a dual diagnosis of mental illness, by providing a community-based residential alternative to facility-based care consistent with their individual plans, and to transition these individuals back to a traditional community-integrated living arrangement or other HCBS community setting program;

(3) create greater capacity within the short-term stabilization homes by allowing individuals who need an extended period of treatment to transfer to a long-term stabilization home;

(4) stabilize the existing community-integrated living arrangement homes where the presence of individuals with complex behavioral challenges is disruptive to their housemates; and

(5) add support services to enhance community service providers who serve individuals with significant behavioral challenges.

(b) Subject to appropriation or the availability of other funds for these purposes at the discretion of the Department, the Department shall establish the Diversion from Facility-based Care Pilot Program consisting of at least 6 homes in various locations in this State in accordance with this Article and the following model:

(1) the Diversion from Facility-based Care Model shall serve individuals with intellectual disabilities or developmental disabilities who are currently receiving HCBS services and are at risk of facility-based care due to significant behavioral challenges, some with a dual diagnosis of mental illness, for a period ranging from one to 2 years, or longer if appropriate for the individual;

(2) the Program shall be regulated in accordance with the community-integrated living arrangement guidelines;

(3) each home shall support no more than 4 residents, each having his or her own bedroom;

(4) if, at any point, an individual, his or her guardian, or family caregivers, in conjunction with the provider and clinical staff, believe the individual is capable of participating in a HCBS service, those opportunities shall be offered as they become available; and

(5) providers shall have adequate resources, experience, and qualifications to serve the population target by the Program, as determined by the Department;

(6) participating Program providers and the Department shall participate in an ongoing collaborative whereby best practices and treatment experiences would be shared and utilized;

(7) home locations shall be proposed by the provider in collaboration with other community stakeholders;

(8) The Department, in collaboration with participating providers, by rule shall develop data collection and reporting requirements for participating community service providers. Beginning December 31, 2020 the Department shall submit an annual report electronically to the General Assembly and Governor that outlines the progress and effectiveness of the pilot program. The report to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct;

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(9) the staffing model shall allow for a high level of community integration and engagement and family involvement; and

(10) appropriate day services, staff training priorities, and home modifications shall be incorporated into the Program model, as allowed by HCBS authorization.

(c) This Section is repealed on January 1, 2023.

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

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 Murphy, **Senate Bill No. 2485** 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 2485

AMENDMENT NO. 1. Amend Senate Bill 2485 on page 5, by replacing lines 7 and 8 with the following:

"(1) If any unit owner shall fail or refuse to"; and

on page 5, line 26, after "encumbrances.", by inserting: "The board of managers shall not record or foreclose upon a lien under this subsection until after it provides the unit owner with written notice and an opportunity to be heard."; and

on page 10, line 3, after "any", by inserting "charges assessed against the unit owner's account, including attorney's"; and

on page 31, by replacing lines 12 through 16 with the following:

"(r) That the association has no authority to report adverse information to a credit reporting agency or initiate a collection proceeding, including, but not limited to, an action brought pursuant to Article IX of the Code of Civil Procedure, against a unit owner until the board of managers issues a 30-day written notice of delinquency, and an opportunity for a hearing is given to dispute any amounts due."

Floor Amendment No. 2 was held in the Committee on Assignments.

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. 2490** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Licensed Activities and Pensions.

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

On motion of Senator Murphy, **Senate Bill No. 2662** 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 2662

AMENDMENT NO. 1. Amend Senate Bill 2662 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Task Force on Human Services Contracting Act.

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

- (1) According to a 2010 survey, the State of Illinois had 7,625 contracts and grants with nonprofit human service providers.
- (2) Among all states, Illinois ranked at the bottom, that is number one, for the

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percentage of nonprofit human service providers with late payments.

(3) Illinois ranked third from the bottom, that is number 3, for the percentage of nonprofit human service providers having problems with changes to contracts and grants.

(4) Illinois ranked third from the bottom, that is number 3, for the percentage of nonprofit human service providers having problems with payments not covering full costs.

(5) State government relies heavily on nonprofit human service providers to deliver a range of essential services, from youth services to job training to services for older adults, but little is known about the effectiveness of the partnership.

(6) In 2016, Illinois Partners for Human Service conducted a research study and found that reimbursement rates in nearly every field have fallen behind the cost of living, steadily losing value; and that stagnant reimbursement rates present severe challenges, including difficulty covering operating costs, high employee turnover, and an inability to meet increased needs.

Section 10. Purpose. It is the purpose of this Act to create a task force to study State contracting with private nonprofit human service providers and the challenges faced by those providers, and to develop recommendations on how to improve the contracting relationship and partnership between State departments and agencies and private nonprofit human service providers so that they work effectively and efficiently to improve the well-being of Illinoisans.

Section 15. Task Force on State Contracting with Private Nonprofit Human Service Providers.

(a) The Task Force on State Contracting with Private Nonprofit Human Service Providers is created to study State contracting with private nonprofit human service providers and to develop recommendations on how to improve the contracting relationship and partnership between State departments and agencies and private nonprofit human service providers so that they work effectively and efficiently to improve the well-being of Illinoisans. The Task Force shall perform the following actions:

(1) Review data provided by State departments and agencies that contract with private nonprofit human service providers regarding the effectiveness of the system of service provision.

(2) Collect and review data on each of the following:

(A) Service system planning: the means by which State departments and agencies and private nonprofit human service providers assess needs, identify gaps, and establish system goals, especially the flow of information collected by the State departments and agencies and shared back with private nonprofit human service providers.

(B) Contract negotiation: the process by which State departments and agencies engage private nonprofit human service providers to provide specific services and achieve specific goals, especially the adequacy of time to review and adjust.

(C) Reimbursement rate methodologies: the processes by which State departments and agencies establish rates, the frequency of review and adjustment, and the adequacy of those rates to achieve the outcomes sought by the State.

(D) Monitoring of service and administration: the process by which State departments and agencies evaluate performance, especially the efficiency of data collection and review, and prevent or resolve processes and reports that are duplicative, costly, and wasteful of staff time and that slow the process of permanency and contribute to unnecessary staff turnover.

(E) Business processes: the means by which State departments and agencies provide approvals for services, activities, plans and changes, especially preventing the unnecessary delays that arise from delayed or slowed approvals, which also slow the process of permanency and unnecessarily add to the stress and trauma experience of children in State care.

(F) Timely payment: the process by which State departments and agencies make payments, including the timeliness of payments and the opportunities for appeal; and the court of claims process as it relates to human service contracting.

(3) In each of the study categories described in subparagraphs (A) through (F) of paragraph (2), develop recommendations on how to improve the contracting relationship and partnership between State departments and agencies and private nonprofit human service providers so that they work effectively and efficiently to improve the well-being of Illinoisans. The Task Force shall also issue specific recommendations on procedures that will improve the court of claims process, as it relates to human service contracting, to make it operate more expeditiously and efficiently.

(b) Members of the Task Force shall include:

(1) 2 legislative members appointed by the Speaker of the House of Representatives, one of whom shall be designated as Co-Chairperson;

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

Representatives;

(3) 2 legislative members appointed by the President of the Senate, one of whom shall be designated as Co-Chairperson;

(4) 2 legislative members appointed by the Senate Minority Leader;

(5) 6 members who are representatives of private nonprofit human service providers from each of the regions of the Department of Children and Family Services, appointed by the co-chairs;

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

(7) the Director of the Governor's Office of Management and Budget, or his or her designee;

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

(9) the executive director of Illinois Partners for Human Service, or his or her designee; and

(10) the president and chief executive officer of Forefront, or his or her designee.

(c) The Task Force may establish a method to gather testimony and input from individuals and organizations that are not members of the Task Force.

(d) The Office of the Auditor General shall provide administrative and other support to the Task Force.

(e) The Task Force shall submit a preliminary electronic report to the Auditor General, 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."

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2662

AMENDMENT NO. 2. Amend Senate Bill 2662, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Task Force on Human Services Contracting Act.

Section 5. Purpose. It is the purpose of this Act to create a task force to study State contracting with private nonprofit human service providers and the challenges faced by those providers and to develop recommendations on how to improve the contracting relationship and partnership between State departments and agencies and private nonprofit human service providers so that they work effectively and efficiently to improve the well-being of Illinoisans.

Section 10. Task Force on State Contracting with Private Nonprofit Human Service Providers.

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(1) Review data provided by State departments and agencies that contract with private nonprofit human service providers regarding the effectiveness of the system of service provision.

(2) Collect and review data on each of the following:

(A) Service system planning: the means by which State departments and agencies and private nonprofit human service providers assess needs, identify gaps, and establish system goals, especially the flow of information collected by the State departments and agencies and shared back with private nonprofit human service providers.

(B) Contract negotiation: the process by which State departments and agencies engage private nonprofit human service providers to provide specific services and achieve specific goals, especially the adequacy of time to review and adjust.

(C) Reimbursement rate methodologies: the processes by which State departments and agencies establish rates, the frequency of review and adjustment, and the adequacy of those rates to achieve the outcomes sought by the State.

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(D) Monitoring of service and administration: the process by which State departments and agencies evaluate performance, especially the efficiency of data collection and review, and prevent or resolve processes and reports that are duplicative, costly, and wasteful of staff time and that slow the process of permanency and contribute to unnecessary staff turnover.

(E) Business processes: the means by which State departments and agencies provide approvals for services, activities, plans and changes, especially preventing the unnecessary delays that arise from delayed or slowed approvals, which also slow the process of permanency and unnecessarily add to the stress and trauma experience of children in State care.

(F) Timely payment: the process by which State departments and agencies make payments, including the timeliness of payments and the opportunities for appeal; and the court of claims process as it relates to human service contracting.

(3) In each of the study categories described in subparagraphs (A) through (F) of paragraph (2), develop recommendations on how to improve the contracting relationship and partnership between State departments and agencies and private nonprofit human service providers so that they work effectively and efficiently to improve the well-being of Illinoisans. The Task Force shall also issue specific recommendations on procedures that will improve the court of claims process, as it relates to human service contracting, to make it operate more expeditiously and efficiently.

(b) The Task Force shall consist of persons representing nonprofit service providers that provide direct services to the State concerning child care and child welfare, mental health, developmental disabilities, domestic violence, early intervention, alcohol and substance abuse treatment, and other applicable nonprofit providers providing direct services at the community level. Members of the Task Force shall be appointed as follows:

(1) 7 members appointed by the President of the Senate, one of whom shall be designated as Co-Chairperson;

(2) 6 members appointed by the Senate Minority Leader;

(3) 7 members appointed by the Speaker of the House of Representatives, one of whom shall be designated as Co-Chairperson; and

(4) 6 members appointed by the Minority Leader of the House of Representatives.

In addition, the Director of Children and Family Services, the Director of Healthcare and Family Services, the Director of Human Services, the Director of Human Rights, and the Director, or his or her designee, of any other State agency that contracts for direct human services shall each serve as an ex officio member of the Task Force.

The Task Force shall also include at least 2, but no more than 3, members that represent organizations or agencies that provide research, analytics, and fiduciary analysis.

(c) The Task Force may establish a method to gather testimony and input from individuals and organizations that are not members of the Task Force.

(d) The Office of the Auditor General shall provide administrative and other support to the Task Force.

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

The reports to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct.

(f) The Task Force is dissolved on January 1, 2021.

Section 15. Repeal. This Act is repealed on January 1, 2021.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Althoff, **Senate Bill No. 2776** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Licensed Activities and Pensions.

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

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On motion of Senator Curran, **Senate Bill No. 2787** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Criminal Law.

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

On motion of Senator Murphy, **Senate Bill No. 2827** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **Senate Bill No. 2898** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **Senate Bill No. 2899** 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 Commerce and Economic Development, adopted and ordered printed:

AMENDMENT NO. 2 TO SENATE BILL 2899

AMENDMENT NO. 2. Amend Senate Bill 2899 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-705 as follows:

(20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

Sec. 605-705. Grants to local tourism and convention bureaus.

(a) To establish a grant program for local tourism and convention bureaus. The Department will develop and implement a program for the use of funds, as authorized under this Act, by local tourism and convention bureaus. For the purposes of this Act, bureaus eligible to receive funds are those local tourism and convention bureaus that are (i) either units of local government or incorporated as not-for-profit organizations; (ii) in legal existence for a minimum of 2 years before July 1, 2001; (iii) operating with a paid, full-time staff whose sole purpose is to promote tourism in the designated service area; and (iv) affiliated with one or more municipalities or counties that support the bureau with local hotel-motel taxes. After July 1, 2001, bureaus requesting certification in order to receive funds for the first time must be local tourism and convention bureaus that are (i) either units of local government or incorporated as not-for-profit organizations; (ii) in legal existence for a minimum of 2 years before the request for certification; (iii) operating with a paid, full-time staff whose sole purpose is to promote tourism in the designated service area; and (iv) affiliated with multiple municipalities or counties that support the bureau with local hotel-motel taxes. Each bureau receiving funds under this Act will be certified by the Department as the designated recipient to serve an area of the State. Notwithstanding the criteria set forth in this subsection (a), or any rule adopted under this subsection (a), the Director of the Department may provide for the award of grant funds to one or more entities if in the Department's judgment that action is necessary in order to prevent a loss of funding critical to promoting tourism in a designated geographic area of the State.

(b) To distribute grants to local tourism and convention bureaus from appropriations made from the Local Tourism Fund for that purpose. Of the amounts appropriated annually to the Department for expenditure under this Section prior to July 1, 2011, one-third of those monies shall be used for grants to convention and tourism bureaus in cities with a population greater than 500,000. The remaining two-thirds of the annual appropriation prior to July 1, 2011 shall be used for grants to convention and tourism bureaus in the remainder of the State, in accordance with a formula based upon the population served. Of the amounts appropriated annually to the Department for expenditure under this Section beginning July 1, 2011, 18% of such moneys shall be used for grants to convention and tourism bureaus in cities with a population greater than 500,000. Of the amounts appropriated annually to the Department for expenditure under this Section beginning July 1, 2011, 82% of such moneys shall be used for grants to convention bureaus in the remainder of the State, in accordance with a formula based upon the population served. ~~The Department may reserve up to 10% of total local tourism funds available for costs of administering the program to conduct audits of grants, to provide incentive funds to those bureaus that will conduct promotional activities designed to further the Department's statewide advertising campaign, to fund special statewide promotional activities, and to fund promotional activities that support an increased use of the State's parks or historic sites.~~ The Department shall require that any convention and tourism bureau

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receiving a grant under this Section that requires matching funds shall provide matching funds equal to no less than 50% of the grant amount. During fiscal year 2013, the Department shall reserve \$2,000,000 of the available local tourism funds for appropriation to the Historic Preservation Agency for the operation of the Abraham Lincoln Presidential Library and Museum and State historic sites.
(Source: P.A. 97-617, eff. 10-26-11; 97-732, eff. 6-30-12; 98-252, eff. 8-9-13.)

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

Floor Amendment No. 3 was held in the Committee on Commerce and Economic Development.

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 Bush, **Senate Bill No. 2952** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Public Health.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2952

AMENDMENT NO. 2. Amend Senate Bill 2952 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Controlled Substances Act is amended by changing Sections 316, 318, and 320 as follows:

(720 ILCS 570/316)

Sec. 316. Prescription Monitoring Program.

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

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

(A) The recipient's name and address.

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

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

(D) The date the controlled substance is dispensed.

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

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

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

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

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

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

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

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

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

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

(B) a computer diskette;

(C) a magnetic tape; or

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

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

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

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

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

(e) (Blank).

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

(g) The Department, in consultation with the Advisory Committee, shall adopt rules allowing licensed prescribers or pharmacists who have registered to access the Prescription Monitoring Program to authorize a licensed or non-licensed designee employed in that licensed prescriber's office or a licensed designee in a licensed pharmacist's pharmacy, and who has received training in the federal Health Insurance Portability and Accountability Act to consult the Prescription Monitoring Program on their behalf. The rules shall include reasonable parameters concerning a practitioner's authority to authorize a designee, and the eligibility of a person to be selected as a designee.

(Source: P.A. 99-480, eff. 9-9-15; 100-564, eff. 1-1-18.)

(720 ILCS 570/318)

Sec. 318. Confidentiality of information.

(a) Information received by the central repository under Section 316 and former Section 321 is confidential.

(a-1) To ensure the federal Health Insurance Portability and Accountability Act privacy of an individual's prescription data reported to the Prescription Monitoring Program received from a retail dispenser under this Act, the data shall be stored and isolated from any other database and remain under the full and complete control of the Prescription Monitoring Program.

(a-2) As an active step to address the current opioid crisis in this State and to prevent and reduce addiction resulting from a sports injury or an accident, the Prescription Monitoring Program and the Department of Public Health shall coordinate a continuous review of the Prescription Monitoring Program and the Department of Public Health data to determine if a patient may be at risk of opioid addiction. Each patient discharged from any medical facility with an International Classification of Disease, 10th edition code related to a sport or accident injury shall be subject to the data review. If the discharged patient is dispensed a controlled substance, the Prescription Monitoring Program shall alert the patient's prescriber and dispenser as to the addiction risk and urge each to follow the Centers for Disease Control and Prevention guidelines or his or her respective profession's treatment guidelines related to the patient's injury. This subsection (a-2), other than this sentence, is inoperative on or after January 1, 2024.

(b) The Department must carry out a program to protect the confidentiality of the information described in subsection (a). The Department may disclose the information to another person only under subsection (c), (d), or (f) and may charge a fee not to exceed the actual cost of furnishing the information.

(c) The Department may disclose confidential information described in subsection (a) to any person who is engaged in receiving, processing, or storing the information.

(d) The Department may release confidential information described in subsection (a) to the following persons:

(1) A governing body that licenses practitioners and is engaged in an investigation, an adjudication, or a prosecution of a violation under any State or federal law that involves a controlled substance.

(2) An investigator for the Consumer Protection Division of the office of the Attorney General, a prosecuting attorney, the Attorney General, a deputy Attorney General, or an investigator from the office of the Attorney General, who is engaged in any of the following activities involving controlled substances:

(A) an investigation;

(B) an adjudication; or

(C) a prosecution of a violation under any State or federal law that involves a controlled substance.

(3) A law enforcement officer who is:

(A) authorized by the Illinois State Police or the office of a county sheriff or State's Attorney or municipal police department of Illinois to receive information of the type requested for the purpose of investigations involving controlled substances; or

(B) approved by the Department to receive information of the type requested for the purpose of investigations involving controlled substances; and

(C) engaged in the investigation or prosecution of a violation under any State or federal law that involves a controlled substance.

(4) Select representatives of the Department of Children and Family Services through the indirect online request process. Access shall be established by an intergovernmental agreement between the Department of Children and Family Services and the Department of Human Services.

(e) Before the Department releases confidential information under subsection (d), the applicant must demonstrate in writing to the Department that:

(1) the applicant has reason to believe that a violation under any State or federal law that involves a controlled substance has occurred; and

(2) the requested information is reasonably related to the investigation, adjudication, or prosecution of the violation described in subdivision (1).

(f) The Department may receive and release prescription record information under Section 316 and former Section 321 to:

(1) a governing body that licenses practitioners;

(2) an investigator for the Consumer Protection Division of the office of the Attorney General, a prosecuting attorney, the Attorney General, a deputy Attorney General, or an investigator from the office of the Attorney General;

(3) any Illinois law enforcement officer who is:

(A) authorized to receive the type of information released; and

(B) approved by the Department to receive the type of information released; or

(4) prescription monitoring entities in other states per the provisions outlined in subsection (g) and (h) below;

confidential prescription record information collected under Sections 316 and 321 (now repealed) that identifies vendors or practitioners, or both, who are prescribing or dispensing large quantities of Schedule II, III, IV, or V controlled substances outside the scope of their practice, pharmacy, or business, as determined by the Advisory Committee created by Section 320.

(g) The information described in subsection (f) may not be released until it has been reviewed by an employee of the Department who is licensed as a prescriber or a dispenser and until that employee has certified that further investigation is warranted. However, failure to comply with this subsection (g) does not invalidate the use of any evidence that is otherwise admissible in a proceeding described in subsection (h).

(h) An investigator or a law enforcement officer receiving confidential information under subsection (c), (d), or (f) may disclose the information to a law enforcement officer or an attorney for the office of the Attorney General for use as evidence in the following:

(1) A proceeding under any State or federal law that involves a controlled substance.

(2) A criminal proceeding or a proceeding in juvenile court that involves a controlled substance.

(i) The Department may compile statistical reports from the information described in subsection (a). The reports must not include information that identifies, by name, license or address, any practitioner, dispenser, ultimate user, or other person administering a controlled substance.

(j) Based upon federal, initial and maintenance funding, a prescriber and dispenser inquiry system shall be developed to assist the health care community in its goal of effective clinical practice and to prevent patients from diverting or abusing medications.

(1) An inquirer shall have read-only access to a stand-alone database which shall contain records for the previous 12 months.

(2) Dispensers may, upon positive and secure identification, make an inquiry on a patient or customer solely for a medical purpose as delineated within the federal HIPAA law.

(3) The Department shall provide a one-to-one secure link and encrypted software necessary to establish the link between an inquirer and the Department. Technical assistance shall also be provided.

(4) Written inquiries are acceptable but must include the fee and the requestor's Drug Enforcement Administration license number and submitted upon the requestor's business stationery.

(5) As directed by the Prescription Monitoring Program Advisory Committee and the Clinical Director for the Prescription Monitoring Program, aggregate data that does not indicate any prescriber, practitioner, dispenser, or patient may be used for clinical studies.

(6) Tracking analysis shall be established and used per administrative rule.

(7) Nothing in this Act or Illinois law shall be construed to require a prescriber or dispenser to make use of this inquiry system.

(8) If there is an adverse outcome because of a prescriber or dispenser making an inquiry, which is initiated in good faith, the prescriber or dispenser shall be held harmless from any civil liability.

(k) The Department shall establish, by rule, the process by which to evaluate possible erroneous association of prescriptions to any licensed prescriber or end user of the Illinois Prescription Information Library (PIL).

(l) The Prescription Monitoring Program Advisory Committee is authorized to evaluate the need for and method of establishing a patient specific identifier.

(m) Patients who identify prescriptions attributed to them that were not obtained by them shall be given access to their personal prescription history pursuant to the validation process as set forth by administrative rule.

(n) The Prescription Monitoring Program is authorized to develop operational push reports to entities with compatible electronic medical records. The process shall be covered within administrative rule established by the Department.

(o) Hospital emergency departments and freestanding healthcare facilities providing healthcare to walk-in patients may obtain, for the purpose of improving patient care, a unique identifier for each shift to utilize the PIL system.

(p) The Prescription Monitoring Program shall automatically create a log-in to the inquiry system when a prescriber or dispenser obtains or renews his or her controlled substance license. The Department of Financial and Professional Regulation must provide the Prescription Monitoring Program with electronic access to the license information of a prescriber or dispenser to facilitate the creation of this profile. The Prescription Monitoring Program shall send the prescriber or dispenser information regarding the inquiry system, including instructions on how to log into the system, instructions on how to use the system to promote effective clinical practice, and opportunities for continuing education for the prescribing of controlled substances. The Prescription Monitoring Program shall also send to all enrolled prescribers, dispensers, and designees information regarding the unsolicited reports produced pursuant to Section 314.5 of this Act.

(q) A prescriber or dispenser may authorize a designee to consult the inquiry system established by the Department under this subsection on his or her behalf, provided that all the following conditions are met:

(1) the designee so authorized is employed by the same hospital or health care system; is employed by the same professional practice; or is under contract with such practice, hospital, or health care system;

(2) the prescriber or dispenser takes reasonable steps to ensure that such designee is sufficiently competent in the use of the inquiry system;

(3) the prescriber or dispenser remains responsible for ensuring that access to the inquiry system by the designee is limited to authorized purposes and occurs in a manner that protects the confidentiality of the information obtained from the inquiry system, and remains responsible for any breach of confidentiality; and

(4) the ultimate decision as to whether or not to prescribe or dispense a controlled substance remains with the prescriber or dispenser.

The Prescription Monitoring Program shall send to registered designees information regarding the inquiry system, including instructions on how to log onto the system.

(r) The Prescription Monitoring Program shall maintain an Internet website in conjunction with its prescriber and dispenser inquiry system. This website shall include, at a minimum, the following information:

(1) current clinical guidelines developed by health care professional organizations on the prescribing of opioids or other controlled substances as determined by the Advisory Committee;

(2) accredited continuing education programs related to prescribing of controlled substances;

(3) programs or information developed by health care professionals that may be used to assess patients or help ensure compliance with prescriptions;

- (4) updates from the Food and Drug Administration, the Centers for Disease Control and Prevention, and other public and private organizations which are relevant to prescribing;
- (5) relevant medical studies related to prescribing;
- (6) other information regarding the prescription of controlled substances; and
- (7) information regarding prescription drug disposal events, including take-back programs or other disposal options or events.

The content of the Internet website shall be periodically reviewed by the Prescription Monitoring Program Advisory Committee as set forth in Section 320 and updated in accordance with the recommendation of the advisory committee.

(s) The Prescription Monitoring Program shall regularly send electronic updates to the registered users of the Program. The Prescription Monitoring Program Advisory Committee shall review any communications sent to registered users and also make recommendations for communications as set forth in Section 320. These updates shall include the following information:

- (1) opportunities for accredited continuing education programs related to prescribing of controlled substances;
- (2) current clinical guidelines developed by health care professional organizations on the prescribing of opioids or other drugs as determined by the Advisory Committee;
- (3) programs or information developed by health care professionals that may be used to assess patients or help ensure compliance with prescriptions;
- (4) updates from the Food and Drug Administration, the Centers for Disease Control and Prevention, and other public and private organizations which are relevant to prescribing;
- (5) relevant medical studies related to prescribing;
- (6) other information regarding prescribing of controlled substances;
- (7) information regarding prescription drug disposal events, including take-back programs or other disposal options or events; and
- (8) reminders that the Prescription Monitoring Program is a useful clinical tool.

(Source: P.A. 99-480, eff. 9-9-15; 100-125, eff. 1-1-18.)

(720 ILCS 570/320)

Sec. 320. Advisory committee.

(a) There is created a Prescription Monitoring Program Advisory Committee to assist the Department of Human Services in implementing the Prescription Monitoring Program created by this Article and to advise the Department on the professional performance of prescribers and dispensers and other matters germane to the advisory committee's field of competence.

(b) The Prescription Monitoring Program Advisory Committee shall consist of 12 members appointed by the Clinical Director of the Prescription Monitoring Program. The Clinical Director of the Prescription Monitoring Program shall appoint members to serve on the advisory committee. The advisory committee shall be composed of prescribers and dispensers licensed to practice medicine in his or her respective profession as follows: 4 physicians licensed to practice medicine in all its branches; one advanced practice registered nurse; one physician assistant; one optometrist or ophthalmologist; one dentist; one podiatric physician; and 3 pharmacists. The Advisory Committee members serving on the effective date of this amendatory Act of the 100th General Assembly shall continue to serve until January 1, 2019. Prescriber and dispenser nominations for membership on the Committee shall be submitted by their respective professional associations. If there are more nominees than membership positions for a prescriber or dispenser category, as provided in this subsection (b), the Clinical Director of the Prescription Monitoring Program shall appoint a member or members for each profession as provided in this subsection (b), from the nominations to serve on the advisory committee. At the first meeting of the Committee in 2019 members shall draw lots for initial terms and 4 members shall serve 3 years, 4 members shall serve 2 years, and 4 members shall serve one year. Thereafter, members shall serve 3 year terms. Members may serve more than one term but no more than 3 terms. The Clinical Director of the Prescription Monitoring Program may appoint a representative of an organization representing a profession required to be appointed. The Clinical Director of the Prescription Monitoring Program shall serve as the Secretary chair of the committee.

(c) The advisory committee may appoint a chairperson and its other officers as it deems appropriate.

(d) The members of the advisory committee shall receive no compensation for their services as members of the advisory committee, unless appropriated by the General Assembly, but may be reimbursed for their actual expenses incurred in serving on the advisory committee.

(e) The advisory committee shall:

- (1) provide a uniform approach to reviewing this Act in order to determine whether changes should be recommended to the General Assembly;

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(2) review current drug schedules in order to manage changes to the administrative rules pertaining to the utilization of this Act;

(3) review the following: current clinical guidelines developed by health care professional organizations on the prescribing of opioids or other controlled substances; accredited continuing education programs related to prescribing and dispensing; programs or information developed by health care professional organizations that may be used to assess patients or help ensure compliance with prescriptions; updates from the Food and Drug Administration, the Centers for Disease Control and Prevention, and other public and private organizations which are relevant to prescribing and dispensing; relevant medical studies; and other publications which involve the prescription of controlled substances;

(4) make recommendations for inclusion of these materials or other studies which may be effective resources for prescribers and dispensers on the Internet website of the inquiry system established under Section 318;

(5) ~~semi-annually on at least a quarterly basis~~, review the content of the Internet website of the inquiry system established

pursuant to Section 318 to ensure this Internet website has the most current available information;

(6) ~~semi-annually on at least a quarterly basis~~, review opportunities for federal grants and other forms of funding to support

projects which will increase the number of pilot programs which integrate the inquiry system with electronic health records; and

(7) ~~semi-annually on at least a quarterly basis~~, review communication to be sent to all registered users of the inquiry system

established pursuant to Section 318, including recommendations for relevant accredited continuing education and information regarding prescribing and dispensing.

(f) ~~The Advisory Committee shall select from its members 7 members of the Peer Review Committee composed of: The Clinical Director of the Prescription Monitoring Program shall select 5 members, 3 physicians and 2 pharmacists, of the Prescription Monitoring Program Advisory Committee to serve as members of the peer review subcommittee.~~

(1) 2 physicians;

(2) one pharmacist;

(3) one dentist;

(4) one advanced practice registered nurse;

(5) one physician assistant; and

(6) one optometrist or ophthalmologist.

~~The purpose of the Peer Review Committee peer review subcommittee is to advise the Program on matters germane to the advisory committee's field of competence, establish a formal peer review of professional performance of prescribers and dispensers, and develop communications to transmit to prescribers and dispensers. The deliberations, information, and communications of the Peer Review Committee peer review subcommittee are privileged and confidential and shall not be disclosed in any manner except in accordance with current law.~~

(1) ~~The Peer Review Committee peer review subcommittee shall periodically review the data contained within the prescription monitoring~~

~~program to identify those prescribers or dispensers who may be prescribing or dispensing outside the currently accepted standard and practice standards in the course of their profession professional practice.~~

~~The Peer Review Committee member, whose profession is the same as the prescriber or dispenser being reviewed, shall prepare a preliminary report and recommendation for any non-action or action. The Prescription Monitoring Program Clinical Director and staff shall provide the necessary assistance and data as required.~~

(2) ~~The Peer Review Committee peer review subcommittee may identify prescribers or dispensers who may be prescribing outside the~~

~~currently accepted medical standards in the course of their professional practice and send the identified prescriber or dispenser a request for information regarding their prescribing or dispensing practices.~~

~~This request for information shall be sent via certified mail, return receipt requested. A prescriber or dispenser shall have 30 days to respond to the request for information.~~

(3) ~~The Peer Review Committee peer review subcommittee shall refer a prescriber or a dispenser to the Department of Financial and~~

~~Professional Regulation in the following situations:~~

~~(i) if a prescriber or dispenser does not respond to three successive requests for information;~~

(ii) in the opinion of a majority of members of the Peer Review Committee ~~peer-review subcommittee~~, the prescriber or dispenser

does not have a satisfactory explanation for the practices identified by the Peer Review Committee ~~peer review subcommittee~~ in its request for information; or

(iii) following communications with the Peer Review Committee ~~peer-review subcommittee~~, the prescriber or dispenser does not

sufficiently rectify the practices identified in the request for information in the opinion of a majority of the members of the Peer Review Committee ~~peer-review subcommittee~~.

(4) The Department of Financial and Professional Regulation may initiate an investigation and discipline in accordance with current laws and rules for any prescriber or dispenser referred by the peer review subcommittee.

(5) The Peer Review Committee ~~peer review subcommittee~~ shall prepare an annual report starting on July 1, 2017. This report shall

contain the following information: the number of times the Peer Review Committee ~~peer-review subcommittee~~ was convened; the number of prescribers or dispensers who were reviewed by the Peer Review Committee ~~peer review committee~~; the number of requests for information sent out by the Peer Review Committee ~~peer review subcommittee~~; and the number of prescribers or dispensers referred to the Department of Financial and Professional Regulation. The annual report shall be delivered electronically to the Department and to the General Assembly. The report to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct. The report prepared by the Peer Review Committee ~~peer review subcommittee~~ shall not identify any prescriber, dispenser, or patient.

(Source: P.A. 99-480, eff. 9-9-15; 100-513, eff. 1-1-18.)

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 Bush, **Senate Bill No. 3023** having been printed, was taken up, read by title a second time.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3023

AMENDMENT NO. 1. Amend Senate Bill 3023 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Community-Law Enforcement Partnership for Deflection and Substance Use Disorder Treatment Act.

Section 5. Purposes. The General Assembly hereby acknowledges that opioid use disorders, overdoses, and deaths in Illinois are persistent and growing concerns for Illinois communities. These concerns compound existing challenges to adequately address and manage substance use and mental health disorders. Law enforcement officers have a unique opportunity to facilitate connections to community-based behavioral health interventions that provide substance use treatment and can help save and restore lives; help reduce drug use, overdose incidence, criminal offending, and recidivism; and help prevent arrest and conviction records that destabilize health, families, and opportunities for community citizenship and self-sufficiency. These efforts are bolstered when pursued in partnership with licensed behavioral health treatment providers and community members or organizations. It is the intent of the General Assembly to authorize law enforcement to develop and implement collaborative deflection programs in Illinois that offer immediate pathways to substance use treatment and other services as an alternative to traditional case processing and involvement in the criminal justice system.

Section 10. Definitions. In this Act:

"Case management" means those services which will assist persons in gaining access to needed social, educational, medical, substance use and mental health treatment, and other services.

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"Community member or organization" means an individual volunteer, resident, public office, or a not-for-profit organization, religious institution, charitable organization, or other public body committed to the improvement of individual and family mental and physical well-being and the overall social welfare of the community, and may include persons with lived experience in recovery from substance use disorder, either themselves or as family members.

"Deflection program" means a program in which a peace officer or member of a law enforcement agency facilitates contact between an individual and a licensed substance use treatment provider or clinician for assessment and coordination of treatment planning. This facilitation includes defined criteria for eligibility and communication protocols agreed to by the law enforcement agency and the licensed treatment provider for the purpose of providing substance use treatment to those persons in lieu of arrest or further justice system involvement. Deflection programs may include, but are not limited to, the following types of responses:

- (1) a post-overdose deflection response initiated by a peace officer or law enforcement agency subsequent to emergency administration of medication to reverse an overdose, or in cases of severe substance use disorder with acute risk for overdose;
- (2) a self-referral deflection response initiated by an individual by contacting a peace officer or law enforcement agency in the acknowledgement of their substance use or disorder;
- (3) an active outreach deflection response initiated by a peace officer or law enforcement agency as a result of proactive identification of persons thought likely to have a substance use disorder;
- (4) an officer prevention deflection response initiated by a peace officer or law enforcement agency in response to a community call when no criminal charges are present; and
- (5) an officer intervention deflection response when criminal charges are present but held in abeyance pending engagement with treatment.

"Law enforcement agency" means a municipal police department or county sheriff's office of this State, the Department of State Police, or other law enforcement agency whose officers, by statute, are granted and authorized to exercise powers similar to those conferred upon any peace officer employed by a law enforcement agency of this State.

"Licensed treatment provider" means an organization licensed by the Department of Human Services to perform an activity or service, or a coordinated range of those activities or services, as the Department of Human Services may establish by rule, such as the broad range of emergency, outpatient, intensive outpatient, and residential services and care, including assessment, diagnosis, case management, medical, psychiatric, psychological and social services, medication-assisted treatment, care and counseling, and recovery support, which may be extended to persons to assess or treat substance use disorder or to families of those persons.

"Peace officer" means any peace officer or member of any duly organized State, county, or municipal peace officer unit, any police force of another State, or any police force whose members, by statute, are granted and authorized to exercise powers similar to those conferred upon any peace officer employed by a law enforcement agency of this State.

"Substance use disorder" means a pattern of use of alcohol or other drugs leading to clinical or functional impairment, in accordance with the definition in the Diagnostic and Statistical Manual of Mental Disorders (DSM-5), or in any subsequent editions.

"Treatment" means the broad range of emergency, outpatient, intensive outpatient, and residential services and care (including assessment, diagnosis, case management, medical, psychiatric, psychological and social services, medication-assisted treatment, care and counseling, and recovery support) which may be extended to persons who have substance use disorders, persons with mental illness, or families of those persons.

Section 15. Authorization.

(a) Any law enforcement agency may establish a deflection program subject to the provisions of this Act in partnership with one or more licensed providers of substance use disorder treatment services and one or more community members or organizations.

(b) The deflection program may involve a post-overdose deflection response, a self-referral deflection response, an active outreach deflection response, an officer prevention deflection response, or an officer intervention deflection response, or any combination of those.

(c) Nothing shall preclude the General Assembly from adding other responses to a deflection program, or preclude a law enforcement agency from developing a deflection program response based on a model unique and responsive to local issues, substance use or mental health needs, and partnerships, using sound and promising or evidence-based practices.

(c-5) Whenever appropriate and available, case management should be provided by a licensed treatment provider, and may be provided through peer recovery support approaches. Deflection program partners may identify other case management resources that meet the definition of case management if a licensed treatment provider or peer recovery support is not appropriate or available.

(d) To receive funding for activities as described in Section 35 of this Act, planning for the deflection program shall include:

(1) the involvement of one or more licensed treatment programs and one or more community member or organization; and

(2) an agreement with the Illinois Criminal Justice Information Authority to collect and evaluate relevant statistical data related to the program, as established by the Illinois Criminal Justice Information Authority in paragraph (2) of Section 25 of this Act.

Section 20. Procedure. The law enforcement agency, licensed treatment providers, and community members or organizations shall establish a local deflection program plan that includes protocols and procedures for participant identification, screening or assessment, treatment facilitation, reporting, and ongoing involvement of the law enforcement agency. Licensed substance use disorder treatment organizations shall adhere to 42 CFR Part 2 regarding confidentiality regulations for information exchange or release. Substance use disorder treatment services shall adhere to all regulations specified in Department of Human Services Administrative Rules, Parts 2060 and 2090.

Section 25. Reporting and evaluation.

The Illinois Criminal Justice Information Authority, in conjunction with an association representing police chiefs and the Department of Human Services' Division of Alcoholism and Substance Abuse, shall within 6 months of the effective date of this Act:

(1) develop a set of minimum data to be collected from each deflection program and reported annually, beginning one year after the effective date of this Act, by the Illinois Criminal Justice Information Authority, including, but not limited to, demographic information on program participants, number of law enforcement encounters that result in a treatment referral, and time from law enforcement encounter to treatment engagement;

(2) develop a performance measurement system, including key performance indicators for deflection programs including, but not limited to, rate of treatment engagement at 30 days from the point of initial contact. Each program that receives funding for services under Section 35 of this Act shall include the performance measurement system in its local plan and report data quarterly to the Illinois Criminal Justice Information Authority for the purpose of evaluation of deflection programs in aggregate; and

(3) make all statistical data relative to deflection programs available to the Department of Human Services, Division of Alcoholism and Substance Abuse for inclusion in planning efforts for services to persons with criminal justice or law enforcement involvement.

Section 30. Exemption from civil liability. The law enforcement agency or peace officer acting in good faith shall not, as the result of acts or omissions in providing services under Section 15 of this Act be liable for civil damages, unless the acts or omissions constitute willful and wanton misconduct.

Section 35. Funding.

(a) The General Assembly may appropriate funds to the Illinois Criminal Justice Information Authority for the purpose of reimbursing law enforcement agencies for services provided by deflection program partners as part of deflection programs subject to subsection (d) of Section 15 of this Act.

(b) The Illinois Criminal Justice Information Authority may adopt guidelines and requirements to direct the distribution of funds for reimbursable expenses related to deflection programs. Activities eligible for reimbursement under this Act may include, but are not limited to, the following:

(1) activities related to program administration, coordination, or management, including, but not limited to, the development of collaborative partnerships with licensed treatment providers and community members or organizations; collection of program data; or monitoring of compliance with a local deflection program plan;

(2) case management including case management provided prior to assessment, diagnosis, and engagement in treatment, as well as assistance navigating and gaining access to various treatment modalities and support services;

(3) peer recovery or recovery support services that include the perspectives of persons with the experience of recovering from a substance use disorder, either themselves or as family members;

(4) transportation to a licensed treatment provider or other program partner location;

(5) program evaluation activities.

(c) Specific linkage agreements with recovery support services or self-help entities may be a requirement of the program services protocols. All deflection programs shall encourage the involvement of key family members and significant others as a part of a family-based approach to treatment. All deflection programs are encouraged to use evidence-based practices and outcome measures in the provision of substance use disorder treatment and medication assisted treatment for persons with opioid use disorders."

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 Murphy, **Senate Bill No. 3062** 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 Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 3062

AMENDMENT NO. 3. Amend Senate Bill 3062 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 adding Section 2310-341 as follows:

(20 ILCS 2310/2310-341 new)

Sec. 2310-341. Bone marrow registry inquiry; information. Because information about bone marrow donation and registration, such as "Be the Match", is important to encourage donations, the Department shall develop and disseminate information regarding a bone marrow registry, including, but not limited to, the following:

(1) the need for bone marrow donations;

(2) patient populations that would benefit from bone marrow donations;

(3) how to join a bone marrow registry; and

(4) how to acquire a free buccal swab kit from a bone marrow registry.

The information under this Section may be disseminated in print, electronically, or in any other manner determined by the Department."

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 Aquino, **Senate Bill No. 3156** 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 Murphy, **Senate Bill No. 3179** 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 3179

AMENDMENT NO. 1. Amend Senate Bill 3179 on page 9, by replacing lines 15 through 22 with the following:

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"~~and~~ the appropriate means of interacting with persons receiving treatment for mental illness, developmental disability, or both mental illness and developmental disability in all settings, and community models of providing long-term services and supports for persons receiving treatment for mental illness, developmental disability, or both serious mental illness and developmental disability, and (ii) establish and".

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3179

AMENDMENT NO. 2. Amend Senate Bill 3179, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Department of Human Services Act is amended by changing Section 1-17 as follows:
(20 ILCS 1305/1-17)

Sec. 1-17. Inspector General.

(a) Nature and purpose. It is the express intent of the General Assembly to ensure the health, safety, and financial condition of individuals receiving services in this State due to mental illness, developmental disability, or both by protecting those persons from acts of abuse, neglect, or both by service providers. To that end, the Office of the Inspector General for the Department of Human Services is created to investigate and report upon allegations of the abuse, neglect, or financial exploitation of individuals receiving services within mental health facilities, developmental disabilities facilities, and community agencies operated, licensed, funded or certified by the Department of Human Services, but not licensed or certified by any other State agency.

(b) Definitions. The following definitions apply to this Section:

"Adult student with a disability" means an adult student, age 18 through 21, inclusive, with an Individual Education Program, other than a resident of a facility licensed by the Department of Children and Family Services in accordance with the Child Care Act of 1969. For purposes of this definition, "through age 21, inclusive", means through the day before the student's 22nd birthday.

"Agency" or "community agency" means (i) a community agency licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service, or (ii) a program licensed, funded, or certified by the Department, but not licensed or certified by any other human services agency of the State, to provide mental health service or developmental disabilities service.

"Aggravating circumstance" means a factor that is attendant to a finding and that tends to compound or increase the culpability of the accused.

"Allegation" means an assertion, complaint, suspicion, or incident involving any of the following conduct by an employee, facility, or agency against an individual or individuals: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Day" means working day, unless otherwise specified.

"Deflection" means a situation in which an individual is presented for admission to a facility or agency, and the facility staff or agency staff do not admit the individual. "Deflection" includes triage, redirection, and denial of admission.

"Department" means the Department of Human Services.

"Developmental disability" means "developmental disability" as defined in the Mental Health and Developmental Disabilities Code.

"Egregious neglect" means a finding of neglect as determined by the Inspector General that (i) represents a gross failure to adequately provide for, or a callused indifference to, the health, safety, or medical needs of an individual and (ii) results in an individual's death or other serious deterioration of an individual's physical condition or mental condition.

"Employee" means any person who provides services at the facility or agency on-site or off-site. The service relationship can be with the individual or with the facility or agency. Also, "employee" includes any employee or contractual agent of the Department of Human Services or the community agency involved in providing or monitoring or administering mental health or developmental disability services. This includes but is not limited to: owners, operators, payroll personnel, contractors, subcontractors, and volunteers.

"Facility" or "State-operated facility" means a mental health facility or developmental disabilities facility operated by the Department.

"Financial exploitation" means taking unjust advantage of an individual's assets, property, or financial resources through deception, intimidation, or conversion for the employee's, facility's, or agency's own advantage or benefit.

"Finding" means the Office of Inspector General's determination regarding whether an allegation is substantiated, unsubstantiated, or unfounded.

"Health Care Worker Registry" or "Registry" means the Health Care Worker Registry under the Health Care Worker Background Check Act.

"Individual" means any person receiving mental health service, developmental disabilities service, or both from a facility or agency, while either on-site or off-site.

"Mental abuse" means the use of demeaning, intimidating, or threatening words, signs, gestures, or other actions by an employee about an individual and in the presence of an individual or individuals that results in emotional distress or maladaptive behavior, or could have resulted in emotional distress or maladaptive behavior, for any individual present.

"Mental illness" means "mental illness" as defined in the Mental Health and Developmental Disabilities Code.

"Mentally ill" means having a mental illness.

"Mitigating circumstance" means a condition that (i) is attendant to a finding, (ii) does not excuse or justify the conduct in question, but (iii) may be considered in evaluating the severity of the conduct, the culpability of the accused, or both the severity of the conduct and the culpability of the accused.

"Neglect" means an employee's, agency's, or facility's failure to provide adequate medical care, personal care, or maintenance and that, as a consequence, (i) causes an individual pain, injury, or emotional distress, (ii) results in either an individual's maladaptive behavior or the deterioration of an individual's physical condition or mental condition, or (iii) places the individual's health or safety at substantial risk.

"Person with a developmental disability" means a person having a developmental disability.

"Physical abuse" means an employee's non-accidental and inappropriate contact with an individual that causes bodily harm. "Physical abuse" includes actions that cause bodily harm as a result of an employee directing an individual or person to physically abuse another individual.

"Recommendation" means an admonition, separate from a finding, that requires action by the facility, agency, or Department to correct a systemic issue, problem, or deficiency identified during an investigation.

"Required reporter" means any employee who suspects, witnesses, or is informed of an allegation of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation.

"Secretary" means the Chief Administrative Officer of the Department.

"Sexual abuse" means any sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual behavior that results in sexual contact, intimate physical contact, sexual behavior, or intimate physical behavior. Sexual abuse also includes (i) an employee's actions that result in the sending or showing of sexually explicit images to an individual via computer, cellular phone, electronic mail, portable electronic device, or other media with or without contact with the individual or (ii) an employee's posting of sexually explicit images of an individual online or elsewhere whether or not there is contact with the individual.

"Sexually explicit images" includes, but is not limited to, any material which depicts nudity, sexual conduct, or sado-masochistic abuse, or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse.

"Substantiated" means there is a preponderance of the evidence to support the allegation.

"Unfounded" means there is no credible evidence to support the allegation.

"Unsubstantiated" means there is credible evidence, but less than a preponderance of evidence to support the allegation.

(c) Appointment. The Governor shall appoint, and the Senate shall confirm, an Inspector General. The Inspector General shall be appointed for a term of 4 years and shall function within the Department of Human Services and report to the Secretary and the Governor.

(d) Operation and appropriation. The Inspector General shall function independently within the Department with respect to the operations of the Office, including the performance of investigations and issuance of findings and recommendations. The appropriation for the Office of Inspector General shall be separate from the overall appropriation for the Department.

(e) Powers and duties. The Inspector General shall investigate reports of suspected mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation of individuals in any mental health or developmental disabilities facility or agency and shall have authority to take immediate action to prevent any one or more of the following from happening to individuals under its jurisdiction: mental abuse,

physical abuse, sexual abuse, neglect, or financial exploitation. Upon written request of an agency of this State, the Inspector General may assist another agency of the State in investigating reports of the abuse, neglect, or abuse and neglect of persons with mental illness, persons with developmental disabilities, or persons with both. To comply with the requirements of subsection (k) of this Section, the Inspector General shall also review all reportable deaths for which there is no allegation of abuse or neglect. Nothing in this Section shall preempt any duties of the Medical Review Board set forth in the Mental Health and Developmental Disabilities Code. The Inspector General shall have no authority to investigate alleged violations of the State Officials and Employees Ethics Act. Allegations of misconduct under the State Officials and Employees Ethics Act shall be referred to the Office of the Governor's Executive Inspector General for investigation.

(f) Limitations. The Inspector General shall not conduct an investigation within an agency or facility if that investigation would be redundant to or interfere with an investigation conducted by another State agency. The Inspector General shall have no supervision over, or involvement in, the routine programmatic, licensing, funding, or certification operations of the Department. Nothing in this subsection limits investigations by the Department that may otherwise be required by law or that may be necessary in the Department's capacity as central administrative authority responsible for the operation of the State's mental health and developmental disabilities facilities.

(g) Rulemaking authority. The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations as well as for initiating, conducting, and completing investigations based upon the nature of the allegation or allegations. The rules shall clearly establish that if 2 or more State agencies could investigate an allegation, the Inspector General shall not conduct an investigation that would be redundant to, or interfere with, an investigation conducted by another State agency. The rules shall further clarify the method and circumstances under which the Office of Inspector General may interact with the licensing, funding, or certification units of the Department in preventing further occurrences of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, and financial exploitation.

(h) Training programs. The Inspector General shall (i) establish a comprehensive program to ensure that every person authorized to conduct investigations receives ongoing training relative to investigation techniques, communication skills, and the appropriate means of interacting with persons receiving treatment for mental illness, developmental disability, or both mental illness and developmental disability, and (ii) establish and conduct periodic training programs for facility and agency employees concerning the prevention and reporting of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. The Inspector General shall further ensure (i) every person authorized to conduct investigations at community agencies receives ongoing training in Title 59, Parts 115, 116, and 119, and (ii) every person authorized to conduct investigations shall receive ongoing training in Title 59, Part 50. Nothing in this Section shall be deemed to prevent the Office of Inspector General from conducting any other training as determined by the Inspector General to be necessary or helpful.

(i) Duty to cooperate.

(1) The Inspector General shall at all times be granted access to any facility or agency for the purpose of investigating any allegation, conducting unannounced site visits, monitoring compliance with a written response, or completing any other statutorily assigned duty. The Inspector General shall conduct unannounced site visits to each facility at least annually for the purpose of reviewing and making recommendations on systemic issues relative to preventing, reporting, investigating, and responding to all of the following: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation.

(2) Any employee who fails to cooperate with an Office of the Inspector General investigation is in violation of this Act. Failure to cooperate with an investigation includes, but is not limited to, any one or more of the following: (i) creating and transmitting a false report to the Office of the Inspector General hotline, (ii) providing false information to an Office of the Inspector General Investigator during an investigation, (iii) colluding with other employees to cover up evidence, (iv) colluding with other employees to provide false information to an Office of the Inspector General investigator, (v) destroying evidence, (vi) withholding evidence, or (vii) otherwise obstructing an Office of the Inspector General investigation. Additionally, any employee who, during an unannounced site visit or written response compliance check, fails to cooperate with requests from the Office of the Inspector General is in violation of this Act.

(j) Subpoena powers. The Inspector General shall have the power to subpoena witnesses and compel the production of all documents and physical evidence relating to his or her investigations and any hearings authorized by this Act. This subpoena power shall not extend to persons or documents of a labor

organization or its representatives insofar as the persons are acting in a representative capacity to an employee whose conduct is the subject of an investigation or the documents relate to that representation. Any person who otherwise fails to respond to a subpoena or who knowingly provides false information to the Office of the Inspector General by subpoena during an investigation is guilty of a Class A misdemeanor.

(k) Reporting allegations and deaths.

(1) Allegations. If an employee witnesses, is told of, or has reason to believe an incident of mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation has occurred, the employee, agency, or facility shall report the allegation by phone to the Office of the Inspector General hotline according to the agency's or facility's procedures, but in no event later than 4 hours after the initial discovery of the incident, allegation, or suspicion of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. A required reporter as defined in subsection (b) of this Section who knowingly or intentionally fails to comply with these reporting requirements is guilty of a Class A misdemeanor.

(2) Deaths. Absent an allegation, a required reporter shall, within 24 hours after initial discovery, report by phone to the Office of the Inspector General hotline each of the following:

(i) Any death of an individual occurring within 14 calendar days after discharge or transfer of the individual from a residential program or facility.

(ii) Any death of an individual occurring within 24 hours after deflection from a residential program or facility.

(iii) Any other death of an individual occurring at an agency or facility or at any Department-funded site.

(3) Retaliation. It is a violation of this Act for any employee or administrator of an agency or facility to take retaliatory action against an employee who acts in good faith in conformance with his or her duties as a required reporter.

(l) Reporting to law enforcement.

(1) Reporting criminal acts. Within 24 hours after determining that there is credible evidence indicating that a criminal act may have been committed or that special expertise may be required in an investigation, the Inspector General shall notify the Department of State Police or other appropriate law enforcement authority, or ensure that such notification is made. The Department of State Police shall investigate any report from a State-operated facility indicating a possible murder, sexual assault, or other felony by an employee. All investigations conducted by the Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(2) Reporting allegations of adult students with disabilities. Upon receipt of a reportable allegation regarding an adult student with a disability, the Department's Office of the Inspector General shall determine whether the allegation meets the criteria for the Domestic Abuse Program under the Abuse of Adults with Disabilities Intervention Act. If the allegation is reportable to that program, the Office of the Inspector General shall initiate an investigation. If the allegation is not reportable to the Domestic Abuse Program, the Office of the Inspector General shall make an expeditious referral to the respective law enforcement entity. If the alleged victim is already receiving services from the Department, the Office of the Inspector General shall also make a referral to the respective Department of Human Services' Division or Bureau.

(m) Investigative reports. Upon completion of an investigation, the Office of Inspector General shall issue an investigative report identifying whether the allegations are substantiated, unsubstantiated, or unfounded. Within 10 business days after the transmittal of a completed investigative report substantiating an allegation, finding an allegation is unsubstantiated, or if a recommendation is made, the Inspector General shall provide the investigative report on the case to the Secretary and to the director of the facility or agency where any one or more of the following occurred: mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation. The director of the facility or agency shall be responsible for maintaining the confidentiality of the investigative report consistent with State and federal law. In a substantiated case, the investigative report shall include any mitigating or aggravating circumstances that were identified during the investigation. If the case involves substantiated neglect, the investigative report shall also state whether egregious neglect was found. An investigative report may also set forth recommendations. All investigative reports prepared by the Office of the Inspector General shall be considered confidential and shall not be released except as provided by the law of this State or as required under applicable federal law. Unsubstantiated and unfounded reports shall not be disclosed except as allowed under Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act. Raw data used to compile the investigative report shall not be subject to release unless required by

law or a court order. "Raw data used to compile the investigative report" includes, but is not limited to, any one or more of the following: the initial complaint, witness statements, photographs, investigator's notes, police reports, or incident reports. If the allegations are substantiated, the accused shall be provided with a redacted copy of the investigative report. Death reports where there was no allegation of abuse or neglect shall only be released pursuant to applicable State or federal law or a valid court order.

(n) Written responses and reconsideration requests.

(1) Written responses. Within 30 calendar days from receipt of a substantiated investigative report or an investigative report which contains recommendations, absent a reconsideration request, the facility or agency shall file a written response that addresses, in a concise and reasoned manner, the actions taken to: (i) protect the individual; (ii) prevent recurrences; and (iii) eliminate the problems identified. The response shall include the implementation and completion dates of such actions. If the written response is not filed within the allotted 30 calendar day period, the Secretary shall determine the appropriate corrective action to be taken.

(2) Reconsideration requests. The facility, agency, victim or guardian, or the subject employee may request that the Office of Inspector General reconsider or clarify its finding based upon additional information.

(o) Disclosure of the finding by the Inspector General. The Inspector General shall disclose the finding of an investigation to the following persons: (i) the Governor, (ii) the Secretary, (iii) the director of the facility or agency, (iv) the alleged victims and their guardians, (v) the complainant, and (vi) the accused. This information shall include whether the allegations were deemed substantiated, unsubstantiated, or unfounded.

(p) Secretary review. Upon review of the Inspector General's investigative report and any agency's or facility's written response, the Secretary shall accept or reject the written response and notify the Inspector General of that determination. The Secretary may further direct that other administrative action be taken, including, but not limited to, any one or more of the following: (i) additional site visits, (ii) training, (iii) provision of technical assistance relative to administrative needs, licensure or certification, or (iv) the imposition of appropriate sanctions.

(q) Action by facility or agency. Within 30 days of the date the Secretary approves the written response or directs that further administrative action be taken, the facility or agency shall provide an implementation report to the Inspector General that provides the status of the action taken. The facility or agency shall be allowed an additional 30 days to send notice of completion of the action or to send an updated implementation report. If the action has not been completed within the additional 30-day ~~30-day~~ period, the facility or agency shall send updated implementation reports every 60 days until completion. The Inspector General shall conduct a review of any implementation plan that takes more than 120 days after approval to complete, and shall monitor compliance through a random review of approved written responses, which may include, but are not limited to: (i) site visits, (ii) telephone contact, and (iii) requests for additional documentation evidencing compliance.

(r) Sanctions. Sanctions, if imposed by the Secretary under Subdivision (p)(iv) of this Section, shall be designed to prevent further acts of mental abuse, physical abuse, sexual abuse, neglect, egregious neglect, or financial exploitation or some combination of one or more of those acts at a facility or agency, and may include any one or more of the following:

(1) Appointment of on-site monitors.

(2) Transfer or relocation of an individual or individuals.

(3) Closure of units.

(4) Termination of any one or more of the following: (i) Department licensing, (ii) funding, or (iii) certification.

The Inspector General may seek the assistance of the Illinois Attorney General or the office of any State's Attorney in implementing sanctions.

(s) Health Care Worker Registry.

(1) Reporting to the Registry. The Inspector General shall report to the Department of Public Health's Health Care Worker Registry, a public registry, the identity and finding of each employee of a facility or agency against whom there is a final investigative report containing a substantiated allegation of physical or sexual abuse, financial exploitation, or egregious neglect of an individual.

(2) Notice to employee. Prior to reporting the name of an employee, the employee shall be notified of the Department's obligation to report and shall be granted an opportunity to request an administrative hearing, the sole purpose of which is to determine if the substantiated finding warrants reporting to the Registry. Notice to the employee shall contain a clear and concise statement of the grounds on which the report to the Registry is based, offer the employee an opportunity for a hearing,

and identify the process for requesting such a hearing. Notice is sufficient if provided by certified mail to the employee's last known address. If the employee fails to request a hearing within 30 days from the date of the notice, the Inspector General shall report the name of the employee to the Registry. Nothing in this subdivision (s)(2) shall diminish or impair the rights of a person who is a member of a collective bargaining unit under the Illinois Public Labor Relations Act or under any other federal labor statute.

(3) Registry hearings. If the employee requests an administrative hearing, the employee shall be granted an opportunity to appear before an administrative law judge to present reasons why the employee's name should not be reported to the Registry. The Department shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that the substantiated finding warrants reporting to the Registry. After considering all the evidence presented, the administrative law judge shall make a recommendation to the Secretary as to whether the substantiated finding warrants reporting the name of the employee to the Registry. The Secretary shall render the final decision. The Department and the employee shall have the right to request that the administrative law judge consider a stipulated disposition of these proceedings.

(4) Testimony at Registry hearings. A person who makes a report or who investigates a report under this Act shall testify fully in any judicial proceeding resulting from such a report, as to any evidence of abuse or neglect, or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged perpetrator of abuse or neglect, or the individual alleged as the victim in the report, and the person making or investigating the report. Testimony at hearings is exempt from the confidentiality requirements of subsection (f) of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act.

(5) Employee's rights to collateral action. No reporting to the Registry shall occur and no hearing shall be set or proceed if an employee notifies the Inspector General in writing, including any supporting documentation, that he or she is formally contesting an adverse employment action resulting from a substantiated finding by complaint filed with the Illinois Civil Service Commission, or which otherwise seeks to enforce the employee's rights pursuant to any applicable collective bargaining agreement. If an action taken by an employer against an employee as a result of a finding of physical abuse, sexual abuse, or egregious neglect is overturned through an action filed with the Illinois Civil Service Commission or under any applicable collective bargaining agreement and if that employee's name has already been sent to the Registry, the employee's name shall be removed from the Registry.

(6) Removal from Registry. At any time after the report to the Registry, but no more than once in any 12-month period, an employee may petition the Department in writing to remove his or her name from the Registry. Upon receiving notice of such request, the Inspector General shall conduct an investigation into the petition. Upon receipt of such request, an administrative hearing will be set by the Department. At the hearing, the employee shall bear the burden of presenting evidence that establishes, by a preponderance of the evidence, that removal of the name from the Registry is in the public interest. The parties may jointly request that the administrative law judge consider a stipulated disposition of these proceedings.

(t) Review of Administrative Decisions. The Department shall preserve a record of all proceedings at any formal hearing conducted by the Department involving Health Care Worker Registry hearings. Final administrative decisions of the Department are subject to judicial review pursuant to provisions of the Administrative Review Law.

(u) Quality Care Board. There is created, within the Office of the Inspector General, a Quality Care Board to be composed of 7 members appointed by the Governor with the advice and consent of the Senate. One of the members shall be designated as chairman by the Governor. Of the initial appointments made by the Governor, 4 Board members shall each be appointed for a term of 4 years and 3 members shall each be appointed for a term of 2 years. Upon the expiration of each member's term, a successor shall be appointed for a term of 4 years. In the case of a vacancy in the office of any member, the Governor shall appoint a successor for the remainder of the unexpired term.

Members appointed by the Governor shall be qualified by professional knowledge or experience in the area of law, investigatory techniques, or in the area of care of the mentally ill or care of persons with developmental disabilities. Two members appointed by the Governor shall be persons with a disability or a parent of a person with a disability. Members shall serve without compensation, but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

The Board shall meet quarterly, and may hold other meetings on the call of the chairman. Four members shall constitute a quorum allowing the Board to conduct its business. The Board may adopt rules and regulations it deems necessary to govern its own procedures.

The Board shall monitor and oversee the operations, policies, and procedures of the Inspector General to ensure the prompt and thorough investigation of allegations of neglect and abuse. In fulfilling these responsibilities, the Board may do the following:

(1) Provide independent, expert consultation to the Inspector General on policies and protocols for investigations of alleged abuse, neglect, or both abuse and neglect.

(2) Review existing regulations relating to the operation of facilities.

(3) Advise the Inspector General as to the content of training activities authorized under this Section.

(4) Recommend policies concerning methods for improving the intergovernmental relationships between the Office of the Inspector General and other State or federal offices.

(v) Annual report. The Inspector General shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of reports and investigations made under this Act for the prior fiscal year with respect to individuals receiving mental health or developmental disabilities services. The report shall detail the imposition of sanctions, if any, and the final disposition of any corrective or administrative action directed by the Secretary. The summaries shall not contain any confidential or identifying information of any individual, but shall include objective data identifying any trends in the number of reported allegations, the timeliness of the Office of the Inspector General's investigations, and their disposition, for each facility and Department-wide, for the most recent 3-year time period. The report shall also identify, by facility, the staff-to-patient ratios taking account of direct care staff only. The report shall also include detailed recommended administrative actions and matters for consideration by the General Assembly.

(w) Program audit. The Auditor General shall conduct a program audit of the Office of the Inspector General on an as-needed basis, as determined by the Auditor General. The audit shall specifically include the Inspector General's compliance with the Act and effectiveness in investigating reports of allegations occurring in any facility or agency. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its findings to the General Assembly no later than January 1 following the audit period.

(x) Nothing in this Section shall be construed to mean that an individual is a victim of abuse or neglect because of health care services appropriately provided or not provided by health care professionals.

(y) Nothing in this Section shall require a facility, including its employees, agents, medical staff members, and health care professionals, to provide a service to an individual in contravention of that individual's stated or implied objection to the provision of that service on the ground that that service conflicts with the individual's religious beliefs or practices, nor shall the failure to provide a service to an individual be considered abuse under this Section if the individual has objected to the provision of that service based on his or her religious beliefs or practices.

(Source: P.A. 99-143, eff. 7-27-15; 99-323, eff. 8-7-15; 99-642, eff. 7-28-16; 100-313, eff. 8-24-17; 100-432, eff. 8-25-17; revised 9-27-17.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Steans, **Senate Bill No. 3249** having been printed, was taken up, read by title a second time.

Senator Steans offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3249

AMENDMENT NO. 1. Amend Senate Bill 3249 as follows:

on page 5, by replacing lines 17 through 20 with the following:

"(b) The State Board of Education may post on its publicly accessible Internet website recommended resources and education materials that may be used by a school board for development of instruction under this Section."; and

on page 5, by deleting lines 23 through 25.

[April 24, 2018]

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 Murphy, **Senate Bill No. 3507** 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 3507

AMENDMENT NO. 1. Amend Senate Bill 3507 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 22-33 as follows:

(105 ILCS 5/22-33 new)

Sec. 22-33. Self-administration of pancreatic enzyme replacement therapy.

(a) In this Section:

"Emergency care plan" means a student-specific action plan developed by a school district, public school, or nonpublic school to facilitate quick and appropriate responses to an emergency in a school setting.

"Individualized health care plan" means a written plan of care developed by a school district, public school, or nonpublic school that outlines the provisions of a student's health care services and that is intended to achieve specific student outcomes.

"Pancreatic insufficiency" means a disorder of the digestive system. "Pancreatic insufficiency" may include the diagnosis of cystic fibrosis, a chronic disease that affects an individual's lungs and digestive system.

(b) A school district, public school, or nonpublic school must permit a student diagnosed with a pancreatic insufficiency to self-administer and self-manage his or her pancreatic enzyme replacement therapy if the parent or guardian of the student provides the school with written authorization for the student's self-administration and self-management of the therapy and written authorization for the therapy from the student's physician, physician assistant, or advanced practice registered nurse. Information received by a school district or school under this subsection (b) shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school's administrator.

(c) Each school district, public school, or nonpublic school shall adopt an emergency care plan that may be part of a student's individualized health care plan developed under subsection (d) this Section and that includes all of the following:

(1) A plan of action in the event a student is unable to self-administer or self-manage his or her pancreatic enzyme replacement therapy.

(2) The situations in which a school must call 911.

(d) Each school district, public school, or nonpublic school shall develop an individualized health care plan for a student subject to this Section. The school district or school must develop the plan in collaboration with the student's physician, parent or guardian, and other school personnel to determine how to manage the student's pancreatic insufficiency while in school, participating in a school-sponsored activity, or in transit to or from school or a school-sponsored activity. The plan must be student-specific and must include all of the following:

(1) The student's health status, risks, concerns, and strengths.

(2) Any diagnoses from the student's physician or a school nurse.

(3) Any interventions performed on the student by school personnel.

(4) Training for school personnel.

(5) A list of goals that meet the health care needs of the student and protect the safety of all students from the misuse or abuse of pancreatic enzyme replacement therapy medication."

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3507

AMENDMENT NO. 2. Amend Senate Bill 3507, AS AMENDED, as follows:

in Section 5, Sec. 22-33, immediately below the end of subsec. (d), by inserting the following:

[April 24, 2018]

"(e) Any disclosure of information under this Section shall not constitute a violation of the federal Health Insurance Portability and Accountability Act of 1996 or any regulations promulgated under that Act.

(f) Any records created under this Section must be maintained in a confidential manner consistent with the federal Health Insurance Portability and Accountability Act of 1996."

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 Steans, **Senate Bill No. 3508** 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. 2542** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Van Pelt, **Senate Bill No. 1265** 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 1265

AMENDMENT NO. 1. Amend Senate Bill 1265 by replacing everything after the enacting clause with the following:

"Section 5. The Juvenile Court Act of 1987 is amended by adding Section 5-175 as follows:

(705 ILCS 405/5-175 new)

Sec. 5-175. Justice for Juveniles Program.

(a) The General Assembly recognizes the complex legal challenges faced by juveniles who are arrested for serious offenses. The statements and decisions made by juveniles while detained have consequences which will shape areas of their lives that the juveniles have yet to experience. The General Assembly further acknowledges that the juvenile brain has not completely developed, which may hinder understanding of legal rights without the assistance of legal counsel.

(b) In this Section:

"Eligible offense" means an offense that if committed by an adult would be a violation of Section 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012.

"Juvenile" means a minor who was under the age of 18 years of age at the time of the commission of the eligible offense.

(c) The Chief Judge of each judicial circuit may establish a Justice for Juveniles Program, which would require that juveniles arrested or detained for eligible offenses be represented by legal counsel throughout the entire custodial interrogation of the juvenile. If a Chief Judge establishes a Justice for Juveniles Program, any oral, written, or sign language statement of a juvenile made without the presence of legal counsel during a custodial interrogation on or after the effective date of the Program shall be inadmissible as evidence against the juvenile in a proceeding under this Act or in a proceeding under the Criminal Code of 1961 or the Criminal Code of 2012."

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 Sandoval, **Senate Bill No. 2562** 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 2562

AMENDMENT NO. 1. Amend Senate Bill 2562 by replacing everything after the enacting clause with the following:

[April 24, 2018]

"Section 5. The Freedom from Drone Surveillance Act is amended by changing Section 15 and 35 as follows:

(725 ILCS 167/15)

Sec. 15. Exceptions. This Act does not prohibit the use of a drone by a law enforcement agency:

(1) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates that there is that risk.

(2) If a law enforcement agency first obtains a search warrant based on probable cause issued under Section 108-3 of the Code of Criminal Procedure of 1963. The warrant must be limited to a period of 45 days, renewable by the judge upon a showing of good cause for subsequent periods of 45 days.

(3) If a law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life, or to forestall the imminent escape of a suspect or the destruction of evidence. The use of a drone under this paragraph (3) is limited to a period of 48 hours. Within 24 hours of the initiation of the use of a drone under this paragraph (3), the chief executive officer of the law enforcement agency must report in writing the use of a drone to the local State's Attorney.

(4) If a law enforcement agency is attempting to locate a missing person, and is not also undertaking a criminal investigation.

(5) If a law enforcement agency is using a drone solely for crime scene and traffic crash scene photography. Crime scene and traffic crash photography must be conducted in a geographically confined and time-limited manner to document specific occurrences. The use of a drone under this paragraph (5) on private property requires either a search warrant based on probable cause under Section 108-3 of the Code of Criminal Procedure of 1963 or lawful consent to search. The use of a drone under this paragraph (5) on lands, highways, roadways, or areas belonging to this State or political subdivisions of this State does not require a search warrant or consent to search. Any law enforcement agency operating a drone under this paragraph (5) shall make every reasonable attempt to only photograph the crime scene or traffic crash scene and avoid other areas.

(6) If a law enforcement agency is using a drone during a disaster or public health emergency, as defined by Section 4 of the Illinois Emergency Management Agency Act. The use of a drone under this paragraph (6) does not require an official declaration of a disaster or public health emergency prior to use. A law enforcement agency may use a drone under this paragraph (6) to obtain information necessary for the determination of whether or not a disaster or public health emergency should be declared, to monitor weather or emergency conditions, to survey damage, or to otherwise coordinate response and recovery efforts. The use of a drone under this paragraph (6) is permissible during the disaster or public health emergency and during subsequent response and recovery efforts.

(7) If a law enforcement agency is using a drone to prepare for or monitor safety and security at a large-scale event, if drone usage is limited to legitimate public safety purposes, including, but not limited to, evaluating crowd size, density, or movement; assessing public safety vulnerabilities or weaknesses; determining appropriate staffing levels for law enforcement or other public safety personnel; or identifying possible criminal activity. In this paragraph (7), "large-scale event" means a publicly or privately held event reasonably estimated, at the inception of the event, to be attended by more than 100 persons at a sports or entertainment arena, stadium, convention hall, special event center, amusement facility, a special event area licensed or permitted for use under the authority of a unit of local government, or an event open to the public that takes place on a public way or government-owned property. A law enforcement agency that uses a drone under this paragraph (7) shall not equip the drone with tear gas canisters, stun gun technology, or any other dangerous or deadly weapon or fire a projectile from a drone. In this paragraph (7), "dangerous or deadly weapon" means any firearm, or other weapon, device, instrument, material, or substance, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury.

(Source: P.A. 98-569, eff. 1-1-14; 98-831, eff. 1-1-15.)

(725 ILCS 167/35)

Sec. 35. Reporting.

(a) If a law enforcement agency owns one or more drones, then subsequent to the effective date of this Act, it shall report in writing annually by April 1 to the Authority the following:

(1) the number of drones that the law enforcement agency # owns ; and

(2) the number of times in the previous year that the law enforcement agency has deployed a drone under each of the exceptions under Section 15 of this Act, including the exception used, the date of the deployment, and location of the deployment.

(b) On July 1 of each year, the Authority shall publish on its publicly available website a concise report that lists every law enforcement agency that owns a drone, and for each of those agencies, the number of drones that it owns.
(Source: P.A. 98-569, eff. 1-1-14.)

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 Castro, **Senate Bill No. 2846** 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 2846

AMENDMENT NO. 1. Amend Senate Bill 2846 by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by adding Section 65.105 as follows:

(110 ILCS 947/65.105 new)

Sec. 65.105. Grant for high risk students formerly in the care of the Department of Children and Family Services.

(a) Subject to the appropriation of funds for this purpose, the Commission shall each year receive and consider applications for grant assistance under this Section. An applicant is eligible for a grant under this Section if the Commission finds that the applicant:

(1) is a youth for whom the Department of Children and Family Services has court-ordered legal responsibility, a youth who aged out of care at age 18 or older, or a youth formerly under care who has been adopted and was the subject of an adoption assistance agreement or who has been placed in private guardianship and was the subject of a subsidized guardianship agreement;

(2) will have earned a high school diploma from an accredited institution or a high school equivalency certificate or will have met the State criteria for high school graduation, before the start of the academic year for which the student is applying for the grant;

(3) if enrolling as a first-time freshman, has not yet reached the age of 26; and

(4) will be, at the time of the payment of the grant, enrolled in an Illinois public university or community college.

(b) An applicant who is determined to be eligible for assistance under this Section shall receive, subject to appropriation, a grant to be applied to the applicant's tuition and fees and paid directly to the public institution of higher learning at which the applicant is enrolled. The amount of the grant shall be sufficient to pay the institution's tuition and fee costs that remain after applying any Monetary Award Program grant and federal Pell Grant to the student's account.

(c) A grant awarded under this Section may be renewed for a total of up to 5 years of full-time enrollment at a public institution of higher learning, including summer terms, so long as the student makes satisfactory progress toward completing his or her undergraduate degree. The age requirement and 5-year cap on grants under this Section shall be waived and eligibility for a grant shall be extended for any applicant or student whom the Commission determines was unable to enroll in a public institution of higher learning or complete an academic term because the applicant or student (i) was called into active duty with the United States Armed Forces, (ii) was deployed for service in the United States Public Health Service Commissioned Corps, or (iii) volunteered in the Peace Corps or AmeriCorps. The Commission shall extend eligibility for a qualifying applicant or student by the total number of months or years during which the applicant or student served on active duty with the United States Armed Forces, was deployed for service in the United States Public Health Service Commissioned Corps, or volunteered in the Peace Corps or AmeriCorps. The number of months an applicant or student served on active duty with the United States Armed Forces shall be rounded up to the next higher year to determine the maximum length of time to extend eligibility for the applicant or student.

(d) The General Assembly encourages the Commission and the Department of Children and Family Services to coordinate to simplify, to the extent feasible, the process of confirming applicant eligibility for a grant under this Section.

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(e) The Commission shall adopt rules to implement 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 Curran, **Senate Bill No. 2879** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **Senate Bill No. 3003** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Transportation.

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

AMENDMENT NO. 2 TO SENATE BILL 3003

AMENDMENT NO. 2. Amend Senate Bill 3003 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 6-106.1 as follows:
(625 ILCS 5/6-106.1) (from Ch. 95 1/2, par. 6-106.1)

Sec. 6-106.1. School bus driver permit.

(a) The Secretary of State shall issue a school bus driver permit to those applicants who have met all the requirements of the application and screening process under this Section to insure the welfare and safety of children who are transported on school buses throughout the State of Illinois. Applicants shall obtain the proper application required by the Secretary of State from their prospective or current employer and submit the completed application to the prospective or current employer along with the necessary fingerprint submission as required by the Department of State Police to conduct fingerprint based criminal background checks on current and future information available in the state system and current information available through the Federal Bureau of Investigation's system. Applicants who have completed the fingerprinting requirements shall not be subjected to the fingerprinting process when applying for subsequent permits or submitting proof of successful completion of the annual refresher course. Individuals who on July 1, 1995 (the effective date of Public Act 88-612) possess a valid school bus driver permit that has been previously issued by the appropriate Regional School Superintendent are not subject to the fingerprinting provisions of this Section as long as the permit remains valid and does not lapse. The applicant shall be required to pay all related application and fingerprinting fees as established by rule including, but not limited to, the amounts established by the Department of State Police and the Federal Bureau of Investigation to process fingerprint based criminal background investigations. All fees paid for fingerprint processing services under this Section shall be deposited into the State Police Services Fund for the cost incurred in processing the fingerprint based criminal background investigations. All other fees paid under this Section shall be deposited into the Road Fund for the purpose of defraying the costs of the Secretary of State in administering this Section. All applicants must:

1. be 21 years of age or older;
2. possess a valid and properly classified driver's license issued by the Secretary of State;
3. possess a valid driver's license, which has not been revoked, suspended, or canceled for 3 years immediately prior to the date of application, or have not had his or her commercial motor vehicle driving privileges disqualified within the 3 years immediately prior to the date of application;
4. successfully pass a written test, administered by the Secretary of State, on school bus operation, school bus safety, and special traffic laws relating to school buses and submit to a review of the applicant's driving habits by the Secretary of State at the time the written test is given;
5. demonstrate ability to exercise reasonable care in the operation of school buses in accordance with rules promulgated by the Secretary of State;
6. demonstrate physical fitness to operate school buses by submitting the results of a medical examination, including tests for drug use for each applicant not subject to such testing pursuant to federal law, conducted by a licensed physician, a licensed advanced practice registered nurse, or a licensed physician assistant within 90 days of the date of application according to standards promulgated by the Secretary of State;
7. affirm under penalties of perjury that he or she has not made a false statement or knowingly concealed a material fact in any application for permit;

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8. have completed an initial classroom course, including first aid procedures, in school bus driver safety as promulgated by the Secretary of State; and after satisfactory completion of said initial course an annual refresher course; such courses and the agency or organization conducting such courses shall be approved by the Secretary of State; failure to complete the annual refresher course, shall result in cancellation of the permit until such course is completed;

9. not have been under an order of court supervision for or convicted of 2 or more serious traffic offenses, as defined by rule, within one year prior to the date of application that may endanger the life or safety of any of the driver's passengers within the duration of the permit period;

10. not have been under an order of court supervision for or convicted of reckless driving, aggravated reckless driving, driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, or reckless homicide resulting from the operation of a motor vehicle within 3 years of the date of application;

11. not have been convicted of committing or attempting to commit any one or more of the following offenses: (i) those offenses defined in Sections ~~8-1, 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2, 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6, 11-9, 11-9.1, 11-9.1A, 11-9.3, 11-9.4, 11-9.4-1, 11-14, 11-14.1, 11-14.3, 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18, 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-30, 12-2.6, 12-3.05, 12-3.1, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9, 12-5.01, 12-5.3, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2, 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30, 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6, 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 24-3.8, 24-3.9, ~~31A-1, 31A-1.1, 33A-2, and 33D-1~~, and in subsection (b) of Section 8-1, and in subdivisions (a)(1), (a)(2), (b)(1), (c)(1), (c)(2), (c)(3), (c)(4), and (f)(1) of Section 12-3.05, and in subsection (a) and subsection (b), clause (1), of Section 12-4, and in subsection (A), clauses (a) and (b), of Section 24-3, and those offenses contained in Article 29D of the Criminal Code of 1961 or the Criminal Code of 2012; (ii) those offenses defined in the Cannabis Control Act except those offenses defined in subsections (a) and (b) of Section 4, and subsection (a) of Section 5 of the Cannabis Control Act; (iii) those offenses defined in the Illinois Controlled Substances Act; (iv) those offenses defined in the Methamphetamine Control and Community Protection Act; (v) any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this State would be punishable as one or more of the foregoing offenses; (vi) the offenses defined in Section 4.1 and 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; (vii) those offenses defined in Section 6-16 of the Liquor Control Act of 1934; and (viii) those offenses defined in the Methamphetamine Precursor Control Act;~~

12. not have been repeatedly involved as a driver in motor vehicle collisions or been repeatedly convicted of offenses against laws and ordinances regulating the movement of traffic, to a degree which indicates lack of ability to exercise ordinary and reasonable care in the safe operation of a motor vehicle or disrespect for the traffic laws and the safety of other persons upon the highway;

13. not have, through the unlawful operation of a motor vehicle, caused an accident resulting in the death of any person;

14. not have, within the last 5 years, been adjudged to be afflicted with or suffering from any mental disability or disease; and

15. consent, in writing, to the release of results of reasonable suspicion drug and alcohol testing under Section 6-106.1c of this Code by the employer of the applicant to the Secretary of State.

(b) A school bus driver permit shall be valid for a period specified by the Secretary of State as set forth by rule. It shall be renewable upon compliance with subsection (a) of this Section.

(c) A school bus driver permit shall contain the holder's driver's license number, legal name, residence address, zip code, and date of birth, a brief description of the holder and a space for signature. The Secretary of State may require a suitable photograph of the holder.

(d) The employer shall be responsible for conducting a pre-employment interview with prospective school bus driver candidates, distributing school bus driver applications and medical forms to be completed by the applicant, and submitting the applicant's fingerprint cards to the Department of State Police that are required for the criminal background investigations. The employer shall certify in writing to the Secretary of State that all pre-employment conditions have been successfully completed including the successful completion of an Illinois specific criminal background investigation through the Department of State Police and the submission of necessary fingerprints to the Federal Bureau of Investigation for criminal history information available through the Federal Bureau of Investigation system. The applicant

shall present the certification to the Secretary of State at the time of submitting the school bus driver permit application.

(e) Permits shall initially be provisional upon receiving certification from the employer that all pre-employment conditions have been successfully completed, and upon successful completion of all training and examination requirements for the classification of the vehicle to be operated, the Secretary of State shall provisionally issue a School Bus Driver Permit. The permit shall remain in a provisional status pending the completion of the Federal Bureau of Investigation's criminal background investigation based upon fingerprinting specimens submitted to the Federal Bureau of Investigation by the Department of State Police. The Federal Bureau of Investigation shall report the findings directly to the Secretary of State. The Secretary of State shall remove the bus driver permit from provisional status upon the applicant's successful completion of the Federal Bureau of Investigation's criminal background investigation.

(f) A school bus driver permit holder shall notify the employer and the Secretary of State if he or she is issued an order of court supervision for or convicted in another state of an offense that would make him or her ineligible for a permit under subsection (a) of this Section. The written notification shall be made within 5 days of the entry of the order of court supervision or conviction. Failure of the permit holder to provide the notification is punishable as a petty offense for a first violation and a Class B misdemeanor for a second or subsequent violation.

(g) Cancellation; suspension; notice and procedure.

(1) The Secretary of State shall cancel a school bus driver permit of an applicant whose criminal background investigation discloses that he or she is not in compliance with the provisions of subsection (a) of this Section.

(2) The Secretary of State shall cancel a school bus driver permit when he or she receives notice that the permit holder fails to comply with any provision of this Section or any rule promulgated for the administration of this Section.

(3) The Secretary of State shall cancel a school bus driver permit if the permit holder's restricted commercial or commercial driving privileges are withdrawn or otherwise invalidated.

(4) The Secretary of State may not issue a school bus driver permit for a period of 3 years to an applicant who fails to obtain a negative result on a drug test as required in item 6 of subsection (a) of this Section or under federal law.

(5) The Secretary of State shall forthwith suspend a school bus driver permit for a period of 3 years upon receiving notice that the holder has failed to obtain a negative result on a drug test as required in item 6 of subsection (a) of this Section or under federal law.

(6) The Secretary of State shall suspend a school bus driver permit for a period of 3 years upon receiving notice from the employer that the holder failed to perform the inspection procedure set forth in subsection (a) or (b) of Section 12-816 of this Code.

(7) The Secretary of State shall suspend a school bus driver permit for a period of 3 years upon receiving notice from the employer that the holder refused to submit to an alcohol or drug test as required by Section 6-106.1c or has submitted to a test required by that Section which disclosed an alcohol concentration of more than 0.00 or disclosed a positive result on a National Institute on Drug Abuse five-drug panel, utilizing federal standards set forth in 49 CFR 40.87.

The Secretary of State shall notify the State Superintendent of Education and the permit holder's prospective or current employer that the applicant has (1) failed a criminal background investigation or (2) is no longer eligible for a school bus driver permit; and of the related cancellation of the applicant's provisional school bus driver permit. The cancellation shall remain in effect pending the outcome of a hearing pursuant to Section 2-118 of this Code. The scope of the hearing shall be limited to the issuance criteria contained in subsection (a) of this Section. A petition requesting a hearing shall be submitted to the Secretary of State and shall contain the reason the individual feels he or she is entitled to a school bus driver permit. The permit holder's employer shall notify in writing to the Secretary of State that the employer has certified the removal of the offending school bus driver from service prior to the start of that school bus driver's next workshift. An employing school board that fails to remove the offending school bus driver from service is subject to the penalties defined in Section 3-14.23 of the School Code. A school bus contractor who violates a provision of this Section is subject to the penalties defined in Section 6-106.11.

All valid school bus driver permits issued under this Section prior to January 1, 1995, shall remain effective until their expiration date unless otherwise invalidated.

(h) When a school bus driver permit holder who is a service member is called to active duty, the employer of the permit holder shall notify the Secretary of State, within 30 days of notification from the permit holder, that the permit holder has been called to active duty. Upon notification pursuant to this subsection, (i) the Secretary of State shall characterize the permit as inactive until a permit holder renews

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the permit as provided in subsection (i) of this Section, and (ii) if a permit holder fails to comply with the requirements of this Section while called to active duty, the Secretary of State shall not characterize the permit as invalid.

(i) A school bus driver permit holder who is a service member returning from active duty must, within 90 days, renew a permit characterized as inactive pursuant to subsection (h) of this Section by complying with the renewal requirements of subsection (b) of this Section.

(j) For purposes of subsections (h) and (i) of this Section:

"Active duty" means active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

"Service member" means a member of the Armed Services or reserve forces of the United States or a member of the Illinois National Guard.

(k) A private carrier employer of a school bus driver permit holder, having satisfied the employer requirements of this Section, shall be held to a standard of ordinary care for intentional acts committed in the course of employment by the bus driver permit holder. This subsection (k) shall in no way limit the liability of the private carrier employer for violation of any provision of this Section or for the negligent hiring or retention of a school bus driver permit holder.

(Source: P.A. 99-148, eff. 1-1-16; 99-173, eff. 7-29-15; 99-642, eff. 7-28-16; 100-513, eff. 1-1-18.)"

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 Cunningham, **Senate Bill No. 3104** 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 3104

AMENDMENT NO. 1. Amend Senate Bill 3104 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 2012 is amended by changing Section 11-30 as follows:

(720 ILCS 5/11-30) (was 720 ILCS 5/11-9)

Sec. 11-30. Public indecency.

(a) Any person of the age of 17 years and upwards who performs any of the following acts in a public place or while confined in a penal institution, commits a public indecency:

(1) An act of sexual penetration or sexual conduct; or

(2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person.

Breast-feeding of infants is not an act of public indecency.

(a-5) For purposes of this Section, "penal institution" does not include a facility of the Department of Juvenile Justice or a juvenile detention facility.

(b) "Public place" for purposes of this Section means any place where the conduct may reasonably be expected to be viewed by others.

(c) Sentence.

Public indecency is a Class A misdemeanor. A person convicted of a third or subsequent violation for public indecency is guilty of a Class 4 felony. Public indecency is a Class 4 felony if committed by a person 18 years of age or older who is on or within 500 feet of elementary or secondary school grounds when children are present on the grounds.

(Source: P.A. 96-1098, eff. 1-1-11; 96-1551, eff. 7-1-11.)

Section 10. The Sex Offender Registration Act is amended by changing Section 2 as follows:

(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

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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 second violation or attempted violation of Section 11-30 (public indecency while confined in a penal institution) of the Criminal Code of 2012 committed 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.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1641

Offered by Senator Hutchinson and all Senators:

Mourns the death of Keith Scott Chalmers.

[April 24, 2018]

SENATE RESOLUTION NO. 1642

Offered by Senator Brady and all Senators:
Mourns the death of Merle David Engle of Bloomington.

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

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

SENATE JOINT RESOLUTION NO. 65

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who have served our country and, in doing so, have made the ultimate sacrifice for our nation; and

WHEREAS, The Gaultney brothers from LeRoy bravely served their country during World War II and gave the ultimate sacrifice; and

WHEREAS, Ralph Gaultney served in the U.S. Navy as a gunners mate, third class; he was assigned to the U.S.S. Arizona and was mortally wounded on December 7, 1941 during the attack on Pearl Harbor; he died on December 24, 1941 in the Navy Hospital at Pearl Harbor; and

WHEREAS, Leonard Gaultney also served in the U.S. Navy as a machinist's mate first class; he was assigned to the heavy cruiser U.S.S. Vincennes and died on August 9, 1942 when his ship was sunk during the naval battle of the Solomon Islands, Guadalcanal campaign; and

WHEREAS, David Gaultney served with the U.S. Marine Corps as a private first class; he was assigned to Company A, First Battalion, Third Division, Ninth Regiment and died on March 3, 1945 during the battle of Iwo Jima; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate Interstate 74 as it travels through LeRoy as the "Gaultney Brothers Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name the "Gaultney Brothers Memorial Highway"; and be it further

RESOLVED, That suitable copies of the is resolution be presented to the Gaultney family, the Mayor of LeRoy, and the Secretary of Transportation.

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

SENATE JOINT RESOLUTION NO. 66

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to the truly great individuals who have served their communities; and

WHEREAS, Trooper Ryan M. Albin grew up near Bellflower and graduated from Blue Ridge High School in Farmer City; Trooper Albin later earned a bachelor's degree from Eureka College; and

WHEREAS, On January 8, 2006, Trooper Albin joined the Illinois State Police after graduating from the Illinois State Police Academy; and

WHEREAS, In 2015, Trooper Albin was nominated as Officer of the Year for the Pontiac-based Illinois State Police District 6; he was also nominated for the same award for DeWitt County in 2009; and

WHEREAS, Trooper Albin was recognized for his efforts to curb drunk driving; he received awards for making more than 100 arrests in one year; and

WHEREAS, Trooper Albin was a member of the National Criminal Enforcement Association; he was a trustee for the Fraternal Order of Police; and

WHEREAS, On June 28, 2017, Trooper Albin was killed in a two-vehicle accident on I-74, just west of Farmer City; and

WHEREAS, Trooper Albin is survived by his parents; his two sisters; his daughter; and his son; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the section of Interstate 74 as it travels from mile post 155 to 160 near Farmer City as "Trooper Ryan M. Albin Memorial Highway"; and be it further

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Trooper Ryan M. Albin Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Trooper Ryan M. Albin and the Secretary of the Illinois Department of Transportation.

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

SENATE JOINT RESOLUTION NO. 67

WHEREAS, The Constitution of the State of Illinois provides for "the health, safety and welfare of the people" and the "opportunity for the fullest development of the individual"; and

WHEREAS, It has been demonstrated that due to deeply held religious, philosophical, or personal reasons, some families will always choose to give birth to their children at home; and

WHEREAS, There were 61,041 out-of-hospital births in the United States in 2015 with a 52% increase in out-of-hospital births and a 45% increase in home births since 2007; and

WHEREAS, 65% of U.S. home births in 2015 were attended by non-nurse midwives; and

WHEREAS, In Illinois, home births increased by 50% between 2007 and 2014; and

WHEREAS, All well-designed studies show that for low-risk women, planned home birth, attended by a trained maternity care provider, is as safe as hospital birth; and

WHEREAS, Over 50 trained Illinois home birth providers, including the last remaining Illinois home birth physician, have ceased providing home birth services since 1996; and

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WHEREAS, There now remain fewer than 10 legally recognized home birth practices (nurse-midwives) in Illinois, and these are located in only six of 102 Illinois counties (Lake, Cook, DuPage, Will, Peoria, and McLean); and

WHEREAS, Due to the scarcity of legal home birth providers, approximately 50% of the babies born at home in Illinois are born either with no skilled assistance at all (unassisted home birth), or they are born into the hands of underground community midwives; and

WHEREAS, Some of these underground midwives are nationally certified and credentialed, while others are not; and

WHEREAS, Underground community midwives have no legal access to life saving oxygen and anti-hemorrhage medications; and

WHEREAS, Underground community midwives have no means of legally completing newborn congenital heart disease screenings, hearing screenings and metabolic screening tests, and no means of legally filing accurate birth certificate information; and

WHEREAS, An underground system of care may cause parents and midwives to delay seeking hospital care in the event of an emergency; parents are afraid of Child Protective Service involvement; midwives are afraid of arrest; and

WHEREAS, Underground healthcare is never safe; and

WHEREAS, The above-mentioned increase in Illinois home births, the shortage of licensed home birth providers and the dangers associated with families resorting to underground healthcare, in effect, add up to a "Home Birth Maternity Care Crisis" in Illinois; and

WHEREAS, Illinois is surrounded on three sides by states (Wisconsin, Indiana, Missouri) that set educational standards for their community midwives, license and regulate them, allow them to have access to life-saving oxygen and medications, allow them to perform life-saving newborn screenings, and allow them to openly transport to a hospital in an emergency; and

WHEREAS, 33 of the 50 United States also protect their citizens in this way through licensure and regulation of community midwives; and

WHEREAS, Licensure in these states is based upon the requirement that the community midwife earn a Certified Professional Midwife (CPM) credential - the only healthcare credential requiring documented out-of-hospital training and experience; and

WHEREAS, States that license Certified Professional Midwives tend to have lower perinatal mortality rates; and

WHEREAS, More and more states are taking advantage of the cost-savings associated with home birth midwifery care to reduce state Medicaid expenditures; and

WHEREAS, The State of Illinois used to license community midwives under the Medical Practice Act from 1877 to 1963 and ceased renewing licenses in 1972; and

WHEREAS, Home birth mothers and families have been seeking a legislative solution to the Home Birth Maternity Care Crisis for nearly 40 years (since 1979); and

WHEREAS, All Illinois mothers and their newborns deserve access to safe maternity care regardless of place of birth; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we find it unacceptable that home birth mothers and babies in Illinois are without adequate maternity care providers; and be it further

[April 24, 2018]

RESOLVED, That it is in the State's best interest to assure its citizens access to all safe maternity care options; and be it further

RESOLVED, That Illinois families, in order to best meet personal needs and desires, are entitled freedom to choose among all safe, nationally recognized maternity care options, including home birth; and be it further

RESOLVED, That the Home Birth Maternity Care Crisis Study Committee is hereby created; and be it further

RESOLVED, That the Home Birth Maternity Care Crisis Study Committee be bipartisan; and be it further

RESOLVED, That the Home Birth Maternity Care Crisis Study Committee include 15 members as follows:

- (1) One appointed by the Secretary of the Department of Financial and Professional Regulation;
- (2) One appointed by the President of the Senate;
- (3) One appointed by the Minority Leader of the Senate;
- (4) One appointed by the Speaker of the House of Representatives;
- (5) One appointed by the Minority Leader of the Senate;
- (6) A representative of a statewide association representing professional midwives, appointed by the President of the Senate;
- (7) A representative of a national association representing professional midwives, appointed by the President of the Senate;
- (8) A representative of a statewide association representing advanced practice nursing, appointed by the President of the Senate;
- (9) A representative of a statewide association representing nurse-midwives, appointed by the Minority Leader of the Senate;
- (10) A representative of a statewide association representing hospitals, appointed by the Minority Leader of the Senate;
- (11) A representative of a statewide association representing doctors, appointed by the Speaker of the House of Representatives;
- (12) A representative of a statewide association representing pediatrics, appointed by the Speaker of the House of Representatives;
- (13) A representative of a statewide association representing obstetricians and gynecologists, appointed by the Minority Leader of the House of Representatives;
- (14) A representative of a statewide association representing trial lawyers, appointed by the Minority Leader of the House of Representatives; and
- (15) A representative of a statewide association representing a consumer organization, appointed by the Minority Leader of the House of Representatives; and be it further

RESOLVED That the Home Birth Maternity Care Crisis Study Committee shall meet monthly until such time that it is prepared to make a recommendation to the General Assembly, but that time shall be no later than October 19, 2018; and be it further

RESOLVED, That the report filed with the General Assembly shall be filed with the Secretary of the Senate and the Clerk of the House of Representatives in electronic form only, in the manner that the Secretary and Clerk shall direct; and be it further

RESOLVED, That the Office of the Secretary of the Department of Financial and Professional Regulation shall provide the Task Force with administrative and other support; and be it further

RESOLVED, That the Home Birth Maternity Care Crisis Study Committee will hear testimony from all interested parties; and be it further

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RESOLVED, That the Home Birth Maternity Care Crisis Study Committee will thoroughly consider the role that Certified Professional Midwives may have in helping to resolve the Home Birth Maternity Care Crisis; and be it further

RESOLVED, That the Home Birth Maternity Care Crisis Study Committee will recommend, to the General Assembly, a consumer-focused, evidence-based solution to the Illinois Home Birth Maternity Care Crisis which protects families from the dangers of having inadequate numbers of licensed home birth providers to care for them during the prenatal, intrapartum, and postpartum portions of their pregnancies, especially in the underserved communities of Illinois.

At the hour of 9:34 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, April 25, 2018, at 12:00 o'clock noon.