SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

122ND LEGISLATIVE DAY

THURSDAY, MAY 10, 2018

11:03 O'CLOCK A.M.

NO. 122
[May 10, 2018]

SENATE
Daily Journal Index
122nd Legislative Day

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

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 9, 2018, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

GOMB Partial Statement of Revenues, Expenditures and Transfers – UNAUDITED, Year to Date March 31, 2018, submitted by the Office of the Governor.

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

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 5212

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

Amendment No. 1 to House Bill 4711

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 276
Amendment No. 2 to Senate Bill 355
Amendment No. 1 to Senate Bill 2791

MESSAGES FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 10, 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 and I hereby appoint Senator Mattie Hunter to temporarily replace Senator James Clayborne as a member of the Senate Committee on Assignments. This appointment will expire upon adjournment of the Senate Committee on Assignments on May 10, 2018.

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

cc: Senate Republican Leader Bill Brady

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 10, 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 Emil Jones, III to temporarily replace Senator Patricia Van Pelt as a member of the Senate Commerce and Economic Development Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Commerce and Economic Development 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

May 10, 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 Scott Bennett to temporarily replace Senator Patricia Van Pelt as a member of the Senate Energy and Public Utilities Committee. This appointment is effective

immediately and will automatically expire upon adjournment of the Senate Energy and Public Utilities 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

May 10, 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 Don Harmon to temporarily replace Senator Michael Hastings as a member of the Senate Energy and Public Utilities Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Energy and Public Utilities 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

May 10, 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 Jennifer Bertino-Tarrant to temporarily replace Senator James F. Clayborne, Jr. as a member of the Senate Energy and Public Utilities Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Energy and Public Utilities 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

May 10, 2018

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the 3rd Reading deadline to May 11, 2018, for the following Senate bill:

3577.

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

cc: Senate Republican Leader Bill Brady

OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 10, 2018

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the committee and 3rd Reading deadlines to May 11, 2018, for the following Senate bills:

2347.

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

Senate President

cc: Senate Republican Leader Bill Brady

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 1718
Offered by Senator Righter and all Senators:
Mourns the death of Anthony Vincent Sheehan II.

SENATE RESOLUTION NO. 1719
Offered by Senator Althoff and all Senators:
Mourns the death of Charmaine J. "Charm" Hay, formerly of Wonder Lake and Fox Lake.

SENATE RESOLUTION NO. 1720
Offered by Senator Althoff and all Senators:
Mourns the death of Muriel A. Budzynski of Johnsburg.

SENATE RESOLUTION NO. 1721
Offered by Senator Althoff and all Senators:
Mourns the death of Guy F. De Vita.

SENATE RESOLUTION NO. 1722
Offered by Senator Althoff and all Senators:
Mourns the death of Frances Lena Freund of McHenry.

SENATE RESOLUTION NO. 1723
Offered by Senator Althoff and all Senators:
Mourns the death of John R. Sorensen of Woodstock.

SENATE RESOLUTION NO. 1724
Offered by Senator Althoff and all Senators:
Mourns the death of Kennith Joseph "Ken" Schuerr.

SENATE RESOLUTION NO. 1725
Offered by Senator Althoff and all Senators:
Mourns the death of Jerome L. "Jerry" Riley of Woodstock.

SENATE RESOLUTION NO. 1726
Offered by Senator Anderson and all Senators:
Mourns the death of James Joseph Lerch, Sr., of Rock Island.

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

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

SENATE RESOLUTION NO. 1716

WHEREAS, For the greater part of 20 years, the United States Government has used the 1996 National Defense Authorization Act to allow the Defense Secretary to give local law enforcement agencies the Defense Department's excess military equipment at no cost to the agency; and

WHEREAS, New and used material, including Mine-Resistant Ambush Protected vehicles and weapons determined by the Department of Defense to be "military grade" are transferred to local law enforcement; and

WHEREAS, The increased militarization of police throughout the United States has contributed to continuing abuses of police powers, which pose a serious threat to the constitutional rights of the American People, including residents of Illinois; and

WHEREAS, Militarized policing has deepened the divide between communities and police, reducing public trust in law enforcement officers; and

WHEREAS, The federal government and the State of Illinois have thus far failed to adequately provide reasonable long-lasting restrictions and oversight on the use of military grade weapons by police; and

WHEREAS, In 2015, then-President Barack H. Obama took steps to demilitarize local police by banning tracked armored vehicles, bayonets, grenade launchers, camouflage uniforms, and large-caliber weapons and ammunition; and

WHEREAS, In 2017, President Donald J. Trump rolled back the Obama-era demilitarization policies, thereby allowing military equipment, typically used for warfare, to once again be distributed to local police agencies; and

WHEREAS, The right for the governor of a state to declare martial law has been seen as a given power in his or her position during extreme circumstances; and

WHEREAS, The existence of war between a state and a limited number of its citizens in a small geographical area, stemming from a rebellious act against the government, does not invoke the necessity of martial law in that territory; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we strongly oppose the partisan impulses and the lack of adequate solutions surrounding the demilitarization of police agencies; and be it further

RESOLVED, That we do not believe the use of military grade weapons and gear by police, in either urban or rural settings, provides safety to the residents of those communities; and be it further

RESOLVED, That we urge the United States Congress to drastically reduce, if not eliminate, the amount of military equipment provided to local law enforcement agencies; and be it further

RESOLVED, That suspending ordinary law, more specifically as it pertains to searches and seizures, and replacing it with martial law holds no place in the State of Illinois, unless properly called for by the executive branch of the United States Government or the executive branch of the Illinois State Government; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, to all members of the United States Senate, all members of the United States House of Representatives, all members of the Illinois General Assembly, and the Governor of the State of Illinois.

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

SENATE RESOLUTION NO. 1717

WHEREAS, On November 29, 1947, the United Nations General Assembly voted to partition British Mandatory Palestine into a Jewish state and a Arab state, a decision welcomed by Jewish leadership and rejected by the Arab world; and

WHEREAS, On May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent state of Israel, and the United States government established full diplomatic relations after Israel's first election in 1949; and

WHEREAS, The desire of the Jewish people to establish an independent modern state of Israel is directly linked to the existence of the historic kingdom of Israel established in the land of Israel 3,000 years ago, with the city of Jerusalem as its capital both then and now; and

WHEREAS, For over 2,000 years, Jews living in other parts of the world maintained a profound spiritual and emotional connection to the Land of Israel, and there has been continuous Jewish presence in the land comprising the modern state of Israel; and

WHEREAS, The establishment of the modern state of Israel as a homeland for the Jewish people followed the destruction of much of European Jewry during the Holocaust; and

WHEREAS, Since its establishment 70 years ago, the modern State of Israel has rebuilt the nation, forged a new and dynamic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy burdens of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel; and

WHEREAS, The people of Israel, in the spirit of Israel's Declaration of Independence, have established a vibrant, pluralistic, democratic political system, which includes freedom of speech, association, and religion, a vigorously free press, free, fair, and open elections, the rule of law, a fully independent judiciary, and other democratic principles and practices; and

WHEREAS, Israel has developed some of the world's leading universities; and

WHEREAS, Israel has developed an advanced, entrepreneurial economy, is among the world's leaders of the high-tech industry, and is at the forefront of research and development in the fields of renewable energy sources and medicine; and

WHEREAS, Israel regularly sends humanitarian aid, search and rescue teams, mobile hospitals, and other emergency supplies, to help victims of disasters around the world; and

WHEREAS, Israel has taken in millions of Jews from countries throughout the world and sought to fully integrate them into Israeli society; and

WHEREAS, Israel, with courage and high ethical standards, has defended itself from repeated attacks since its independence, including by terrorist adversaries such as Hamas and Hezbollah that violate international law by using civilians as human shields; and

WHEREAS, Israel has established peaceful bilateral relations with Egypt and Jordan and has sought to achieve a secure peace with the Palestinians and Israel's other Arab neighbors; and

WHEREAS, For seven decades, the United States, Illinois, and Israel have maintained a special relationship based on mutually shared democratic and moral values, common strategic interests, and bonds of friendship and mutual respect; and

WHEREAS, The American people and people of Illinois feel a strong affinity for the Israeli people based on common values and shared cultural heritage; and

WHEREAS, The United States and Illinois continue to regard Israel as a trusted ally and vital strategic partner in the volatile Middle East; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the historic significance of the 70th anniversary of the reestablishment of the sovereign and independent state of Israel as a homeland for the Jewish people; and be it further

RESOLVED, That we reaffirm the bonds of friendship and cooperation which have existed between the United States, Illinois, and Israel for the past 70 years, and commit to strengthening those bonds; and be it further

RESOLVED, That we commend the people of Israel for their remarkable achievements in building a new state and a pluralistic, democratic society in the face of terrorism, as well as hostility, ostracism, and belligerence from many of their neighbors; and be it further

RESOLVED, That we reaffirm our support for Israel's right to defend itself against threats to its security and existence; and be it further

RESOLVED, That we reaffirm our enduring support for Israel as Israel pursues peace with its neighbors; and be it further

RESOLVED, That we extend the warmest congratulations and best wishes to the state of Israel and Israeli people for a peaceful and prosperous future.

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

SENATE JOINT RESOLUTION NO. 73

WHEREAS, The State of Illinois seeks to support development that enhances public safety, agriculture, industry, environmental health, and the overall economy of Illinois; and

WHEREAS, Levees are built with the intention of protecting against reoccurring flood damage; however, in some cases they can contribute to increased flood risks elsewhere; and

WHEREAS, The State should ensure that levees are designed and built in a more coordinated, systemic fashion; and

WHEREAS, The State currently has regulations that help ensure that levees are designed and built so as to not exacerbate the potential for flooding elsewhere; and

WHEREAS, Levees in Illinois and its neighboring states do not have uniform heights and no comprehensive policies provide a means to balance the impact of floodwater elevation fluctuations; and

WHEREAS, Comprehensive processes should be lawful and responsible so that economic growth can be feasibly accomplished while preserving the goal of this State to protect the people of Illinois from unmitigated flood damages; and

WHEREAS, The State of Illinois seeks to eliminate the need for costly flood fighting that often occurs during extreme flood events creating greater flood risk; creating a plan for water storage during flooding events to minimize damage and cost, recognizes the scientific evidence showing that major rain events that contribute to flooding are happening more frequently; and

WHEREAS, A streamlined process of state levee permitting needs to encourage and facilitate flood risk management and navigation improvements; and

WHEREAS, State regulatory processes should consider the regulatory processes of federal agencies; 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 there is created the Levee and Floodplain Review Task Force, whose purpose is the following:

1) Conduct a comprehensive review of State and federal laws and regulations establishing

the oversight and management of levees, floodwalls, and planned water storage areas in Illinois, Iowa, and Missouri; and

2) Develop recommendations to create and implement a plan for the long-term management of the State's levees, floodwalls, floodplains, and water storage areas that balances the needs of agriculture, industry, public safety, communities, the environment, and the overall economy of Illinois; and be it further

RESOLVED, That the Levee and Floodplain Review Task Force be comprised of 22 members in the following manner:

1) One member appointed by the Senate President, whom shall be designated as co-chairperson of the Task Force;

2) One member appointed by the Minority Leader of the Senate;

3) One member appointed by the Speaker of the House of Representatives;

4) One member appointed by the Minority Leader of the House of Representatives;

5) The Director of Natural Resources, or his or her designee;

6) The Director of the Illinois Emergency Management Agency or his or her designee;

7) The Secretary of Transportation, or his or her designee;

8) The Director of Agriculture, or his or her designee; and

9) 13 members appointed by the Director of Natural Resources in the following manner:

a. One member representing the Association of State Floodplain Managers;

b. One member representing American Rivers;

c. One member representing Prairie Rivers Network;

d. One member representing the Illinois Environmental Council;

e. One member representing the Illinois Chapter of the Sierra Club;

f. One member representing Illinois municipalities bordering the Mississippi River;

g. One member representing Illinois municipalities bordering the Illinois River;

h. One member representing the State's largest agricultural association;

i. One member representing the Upper Mississippi, Illinois, and Missouri Rivers Association;

j. One member representing levee districts in Illinois within the Mississippi Rivers and Tributaries project (MR&T);

k. One member representing levee districts in Illinois bordering the Mississippi River between St. Louis and Lock & Dam 19;

l. One member representing levee districts bordering the Mississippi River north of Lock & Dam 19;

m. One member representing levee districts boarding the Illinois River; and

n. One member representing the Upper Mississippi River Basin Association; and be it further

RESOLVED, That the Levee and Floodplain Review Task Force shall conduct its meetings in a public manner and complete its report by August 31, 2018; and be it further

RESOLVED, That we urge Il. Admin Code Title 17, Chapter 1, Subchapter h, Part 3700, Administrative Rule Changes developed by the Illinois Department of Natural Resources be delayed from the Joint Committee on Administrative Rule (JCAR) rulemaking process until August 31, 2018; and be it further

RESOLVED, That the Department of Natural Resources shall serve as facilitator for the Task Force; 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 suitable copies of this resolution be delivered to the General Assembly and Director of Natural Resources.

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 1 to Senate Bill 275

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

Senator Harmon, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 2477, 4469, 4508, 4808 and 4855,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator E. Jones III, Chairperson of the Committee on Licensed Activities and Pensions, to which was referred **House Bills Numbered 4643, 4661, 4688, 4811, 4953, 5110 and 5490,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Landek, Chairperson of the Committee on State Government, to which was referred **House Bills Numbered 1671, 4295, 4345, 4412, 4424, 4689, 4849, 4923, 5019, 5027, 5202, 5203, 5547, 5611, 5689 and 5814,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Landek, Chairperson of the Committee on State Government, to which was referred **House Bills Numbered 3040, 4348, 4420 and 4888,** 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 Steans, Chairperson of the Committee on Special Committee on Oversight of Medicaid Managed Care, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2447

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

Senator Steans, Chairperson of the Committee on Special Committee on Oversight of Medicaid Managed Care, to which was referred **House Bills Numbered 4096, 4650 and 4736,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Mulroe, Chairperson of the Committee on Insurance, to which was referred **House Bills Numbered 1336, 2617, 4516 and 4821,** 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 Hutchinson, Chairperson of the Committee on Revenue, to which was referred **Senate Resolution No. 1598,** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 1598** was placed on the Secretary's Desk.

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **House Bills Numbered 3418, 4536, 4724, 4920 and 5214,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **House Bill No. 4129,** 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 Harris, Chairperson of the Committee on Agriculture, to which was referred **House Bills Numbered 4231, 4234, 5029, 5317, 5459, 5477 and 5692,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Sims, Vice-Chairperson of the Committee on Appropriations II, to which was referred **Senate Bill No. 2312,** reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 3 to Senate Bill 2522

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

Senator Holmes, Chairperson of the Committee on Commerce and Economic Development, to which was referred **House Bills Numbered 4275, 4578, 4922, 4990 and 5253,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hunter, Vice-Chairperson of the Committee on Energy and Public Utilities, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2591
Senate Amendment No. 1 to Senate Bill 3577

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

Senator Koehler, Chairperson of the Committee on Environment and Conservation, to which was referred **Senate Resolutions numbered 1534 and 1600,** reported the same back with amendments having been adopted thereto, with the recommendation that the resolutions, as amended, be adopted.

Under the rules, **Senate Resolutions numbered 1534 and 1600** were placed on the Secretary's Desk.

Senator Koehler, Chairperson of the Committee on Environment and Conservation, to which was referred **Senate Joint Resolution No. 60,** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 60** was placed on the Secretary's Desk.

Senator Koehler, Chairperson of the Committee on Environment and Conservation, to which was referred **House Bills Numbered 4569, 4790, 4843 and 5741,** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Cunningham, Chairperson of the Committee on Telecommunications and Information Technology, to which was referred **House Bill No. 5752,** reported the same back with the recommendation that the bill do pass.

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

MESSAGE FROM THE HOUSE

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 97

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 gone above and beyond the call of duty to make the ultimate sacrifice for our nation; and

WHEREAS, Sgt. Don H. Lascelles was born and raised in Mason County; and

WHEREAS, Sgt. Lascelles graduated with honors from Balyki Community High School in 1965; and

WHEREAS, Sgt. Lascelles volunteered for the United States Army and served honorably in Vietnam; and

WHEREAS, Sgt. Lascelles was cited for valor in assuming command of his platoon in action against the enemy after his platoon leaders fell in battle, one seriously wounded and the other killed; as a result, he was awarded the Bronze Star with V device; and

WHEREAS, In further action on June 6, 1969, Sgt. Lascelles performed in a similar manner, protecting his men when he was mortally wounded; and

WHEREAS, Sgt. Lascelles was posthumously awarded a second Bronze Star with Oak Leaf Cluster; and

WHEREAS, Sgt. Lascelles is honored on the Vietnam War Memorial on the courthouse square in the City of Havana, the Vietnam Memorial in Springfield, and the National Vietnam Memorial in Washington, D.C.; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Illinois Route 78 in Mason County from the Illinois River in the City of Havana to the Sangamon River in the township of Lynchburg as the "Sgt. Don H. Lascelles 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 "Sgt. Don H. Lascelles Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Sgt. Lascelles and the Secretary of the Department of Transportation.

Adopted by the House, May 8, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 97 was referred to the Committee on Assignments.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Harmon, Chairperson of the Committee on Assignments, during its May 10, 2018 meeting, reported that the Committee recommends that **House Bill No. 4768** be re-referred from the Education Subcommittee on Special Issues to the Committee on Education.

Senator Harmon, Chairperson of the Committee on Assignments, during its May 10, 2018 meeting, reported that the Committee recommends that **Committee Amendments Numbered 1 and 2** to **House Bill No. 4768** be re-referred from the Education Subcommittee on Special Issues to the Committee on Education.

Human Services: **Floor Amendment No. 2 to Senate Bill 355**.

Judiciary: **Floor Amendment No. 2 to Senate Bill 2485**.

Licensed Activities and Pensions: **HOUSE BILL 5177**; **Committee Amendment No. 1 to House Bill 5212**.

State Government: **Floor Amendment No. 1 to Senate Bill 276**.

Senator Harmon, Chairperson of the Committee on Assignments, during its May 10, 2018 meeting, reported that **Floor Amendment No. 2 to Senate Bill No. 2804** has been re-referred from the Committee on Transportation to the Committee on Assignments.

Senator Harmon, Chairperson of the Committee on Assignments, during its May 10, 2018 meeting, to which was referred **Senate Bill No. 2347** on April 27, 2018, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 2347** was returned to the order of third reading.

Senator Harmon, Chairperson of the Committee on Assignments, during its May 10, 2018 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 2 to Senate Bill 2804

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

SENATE BILL RECALLED

On motion of Senator Murphy, **Senate Bill No. 2447** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2447

AMENDMENT NO. 1. Amend Senate Bill 2447 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Section 5-30.8 as follows:
(305 ILCS 5/5-30.8 new)

Sec. 5-30.8. Electronic file transfer. To preserve the quality of data and ensure productive oversight of Medicaid managed care organizations, the Department shall collect all regular reports required by contract or statute from managed care organizations through an electronic file transfer. Ad hoc reports can be collected in alternative manners.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Murphy, **Senate Bill No. 2447** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Righter
Anderson	Curran	Martinez	Rooney
Aquino	Fowler	McCarter	Sandoval
Barickman	Harmon	McConchie	Schimpf
Bennett	Holmes	McGuire	Sims
Biss	Hunter	Morrison	Stadelman
Bivins	Hutchinson	Mulroe	Steans
Brady	Jones, E.	Muñoz	Syverson
Bush	Koehler	Murphy	Tracy
Castro	Landek	Oberweis	Weaver
Connelly	Lightford	Raoul	Mr. President
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.

POSTING NOTICE WAIVED

Senator Holmes moved to waive the six-day posting requirement on **House Bill No. 4768** so that the measure may be heard in the Committee on Education that is scheduled to meet May 15, 2018.

The motion prevailed.

SENATE BILL RECALLED

On motion of Senator Stadelman, **Senate Bill No. 2522** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was postponed in the Committee on Commerce and Economic Development.

Senator Stadelman offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2522

AMENDMENT NO. _3_. Amend Senate Bill 2522, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 6-305 as follows:

(625 ILCS 5/6-305) (from Ch. 95 1/2, par. 6-305)

Sec. 6-305. Renting motor vehicle to another.

(a) No person shall rent a motor vehicle to any other person unless the latter person, or a driver designated by a nondriver with disabilities and meeting any minimum age and driver's record requirements that are uniformly applied by the person renting a motor vehicle, is then duly licensed hereunder or, in the case of a nonresident, then duly licensed under the laws of the State or country of his residence unless the State or country of his residence does not require that a driver be licensed.

(b) No person shall rent a motor vehicle to another until he has inspected the drivers license of the person to whom the vehicle is to be rented, or by whom it is to be driven, and compared and verified the signature thereon with the signature of such person written in his presence unless, in the case of a nonresident, the State or country wherein the nonresident resides does not require that a driver be licensed.

(c) No person shall rent a motorcycle to another unless the latter person is then duly licensed hereunder as a motorcycle operator, and in the case of a nonresident, then duly licensed under the laws of the State or country of his residence, unless the State or country of his residence does not require that a driver be licensed.

(c-1) A rental car company that rents a motor vehicle shall ensure that the renter is provided with an emergency telephone number to personnel capable of fielding roadside assistance and other customer service inquiries, including the ability to provide the caller with the telephone number of the location from which the vehicle was rented, if requested by the caller. If an owner's manual is not available in the vehicle at the time of the rental, an owner's manual for that vehicle or a similar model shall be accessible by the personnel answering the emergency telephone number for assistance with inquiries about the operation of the vehicle.

(d) (Blank).

(e) (Blank).

(f) Subject to subsection (l), any person who rents a motor vehicle to another shall only advertise, quote, and charge a rental rate that includes the entire amount except taxes, a mileage charge, and airport concession charge, if any, which a renter must pay to hire or lease the vehicle for the period of time to which the rental rate applies. The person must provide, on the request of the renter, based on the available information, an estimated total of the daily rental rate, including all applicable taxes, fees, and other charges, or an estimated total rental charge, based on the return date of the vehicle noted on the rental agreement. Further, if the rental agreement does not already provide an estimated total rental charge, the following statement must be included in the rental agreement:

"NOTICE: UNDER ILLINOIS LAW, YOU MAY REQUEST, BASED ON AVAILABLE INFORMATION, AN ESTIMATED

TOTAL DAILY RENTAL RATE, INCLUDING TAXES, FEES, AND OTHER CHARGES, OR AN ESTIMATED TOTAL RENTAL CHARGE, BASED ON THE VEHICLE RETURN DATE NOTED ON THIS AGREEMENT."

Such person shall not charge in addition to the rental rate, taxes, mileage charge, and airport concession charge, if any, any fee which must be paid by the renter as a condition of hiring or leasing the vehicle, such as, but not limited to, required fuel or airport surcharges, nor any fee for transporting the renter to the location where the rented vehicle will be delivered to the renter. In addition to the rental rate, taxes, mileage charge, and airport concession charge, if any, such person may charge for an item or service provided in connection with a particular rental transaction if the renter can avoid incurring the charge by choosing not to obtain or utilize the optional item or service. Items and services for which such person may impose an additional charge include, but are not limited to, optional insurance and accessories requested by the renter, service charges incident to the renter's optional return of the vehicle to a location other than the location where the vehicle was hired or leased, and charges for refueling the vehicle at the conclusion of the rental transaction in the event the renter did not return the vehicle with as much fuel as was in the fuel tank at the beginning of the rental. "Airport concession charge" means a charge or fee imposed and collected from a renter to reimburse the motor vehicle rental company for the concession fee it is required to pay to a local government corporate authority or airport authority to rent motor vehicles at the airport facility. The airport concession charge is in addition to any customer facility charge or any other charge.

(f-5) A rental car company that offers a renter the opportunity to use a transponder or other electronic tolling device shall notify the renter of the opportunity to use the device at or before the beginning of the rental agreement.

If a vehicle offered by a rental car company is equipped with a transponder or other electronic tolling device and the company fails to notify the renter of the option to use the device, the rental car company shall not:

(1) charge a renter a fee of more than $2 each day for the use of a transponder or other electronic tolling device; however, the company may recoup the actual cost incurred for any toll; and

(2) charge a renter a daily fee on any day the renter does not drive through an electronic toll or only drives through an electronic toll collection system for which no alternative payment option exists.

(g) Every person renting a motor vehicle to another shall keep a record of the registration number of the motor vehicle so rented, the name and address of the person to whom the vehicle is rented, the number of the license, if any, of said latter person, and the date and place when and where the license, if any, was issued. Such record shall be open to inspection by any police officer or designated agent of the Secretary of State.

(h) A person licensed as a new car dealer under Section 5-101 of this Code shall not be subject to the provisions of this Section regarding the rental of private passenger motor vehicles when providing, free of charge, temporary substitute vehicles for customers to operate during a period when a customer's vehicle, which is either leased or owned by that customer, is being repaired, serviced, replaced or otherwise made unavailable to the customer in accordance with an agreement with the licensed new car dealer or vehicle manufacturer, so long as the customer orally or in writing is made aware that the temporary substitute vehicle will be covered by his or her insurance policy and the customer shall only be liable to the extent of any amount deductible from such insurance coverage in accordance with the terms of the policy.

(i) This Section, except the requirements of subsection (g), also applies to rental agreements of 30 continuous days or less involving a motor vehicle that was delivered by an out of State person or business to a renter in this State.

(j) A public airport may, if approved by its local government corporate authorities or its airport authority, impose a customer facility charge upon customers of rental car companies for the purposes of financing, designing, constructing, operating, and maintaining consolidated car rental facilities and common use transportation equipment and facilities, which are used to transport the customer, connecting consolidated car rental facilities with other airport facilities.

Notwithstanding subsection (f) of this Section, the customer facility charge shall be collected by the rental car company as a separate charge, and clearly indicated as a separate charge on the rental agreement and invoice. Facility charges shall be immediately deposited into a trust account for the benefit of the airport and remitted at the direction of the airport, but not more often than once per month. The charge shall be uniformly calculated on a per-contract or per-day basis. Facility charges imposed by the airport may not exceed the reasonable costs of financing, designing, constructing, operating, and maintaining the consolidated car rental facilities and common use transportation equipment and facilities and may not be used for any other purpose.

Notwithstanding any other provision of law, the charges collected under this Section are not subject to retailer occupation, sales, use, or transaction taxes.

(k) When a rental car company states a rental rate in any of its rate advertisements, its proprietary computer reservation systems, or its in-person quotations intended to apply to an airport rental, a company that collects from its customers a customer facility charge for that rental under subsection (j) shall do all of the following:

(1) Clearly and conspicuously disclose in any radio, television, or other electronic media advertisements the existence and amount of the charge if the advertisement is intended for rentals at an airport imposing the charge or, if the advertisement covers an area with multiple airports with different charges, a range of amounts of customer facility charges if the advertisement is intended for rentals at an airport imposing the charge.

(2) Clearly and conspicuously disclose in any print rate advertising the existence and amount of the charge if the advertisement is intended for rentals at an airport imposing the charge or, if the print rate advertisement covers an area with multiple airports with different charges, a range of amounts of customer facility charges if the advertisement is intended for rentals at an airport imposing the charge.

(3) Clearly and conspicuously disclose the existence and amount of the charge in any telephonic, in-person, or computer-transmitted quotation from the rental car company's proprietary computer reservation system at the time of making an initial quotation of a rental rate if the quotation is made by a rental car company location at an airport imposing the charge and at the time of making a reservation of a rental car if the reservation is made by a rental car company location at an airport imposing the charge.

(4) Clearly and conspicuously display the charge in any proprietary computer-assisted

reservation or transaction directly between the rental car company and the customer, shown or referenced on the same page on the computer screen viewed by the customer as the displayed rental rate and in a print size not smaller than the print size of the rental rate.

(5) Clearly and conspicuously disclose and separately identify the existence and amount of the charge on its rental agreement.

(6) A rental car company that collects from its customers a customer facility charge under subsection (j) and engages in a practice which does not comply with subsections (f), (j), and (k) commits an unlawful practice within the meaning of the Consumer Fraud and Deceptive Business Practices Act.

(l) Notwithstanding subsection (f), any person who rents a motor vehicle to another may, in connection with the rental of a motor vehicle to (i) a business renter or (ii) a business program sponsor under the sponsor's business program, do the following:

(1) separately quote, by telephone, in person, or by computer transmission, additional charges for the rental; and

(2) separately impose additional charges for the rental.

(l-5) A person licensed under Section 5-101, 5-101.2, or 5-102 of this Code shall not participate in a rental-purchase agreement vehicle program unless the licensee retains the vehicle in his or her name and retains proof of proper vehicle registration under Chapter 3 of this Code and liability insurance under Section 7-601 of this Code. The licensee shall transfer ownership of the vehicle to the renter within 20 calendar days of the agreed-upon date of completion of the rental-purchase agreement. If the licensee fails to transfer ownership of the vehicle to the renter within the 20 calendar days, then the renter may apply for the vehicle's title to the Secretary of State by providing the Secretary the rental-purchase agreement, an application for title, the required title fee, and any other documentation the Secretary deems necessary to determine ownership of the vehicle. For purposes of this subsection (l-5), "rental-purchase agreement" has the meaning set forth in Section 1 of the Rental-Purchase Agreement Act.

(m) As used in this Section:

(1) "Additional charges" means charges other than: (i) a per period base rental rate; (ii) a mileage charge; (iii) taxes; or (iv) a customer facility charge.

(2) "Business program" means:

(A) a contract between a person who rents motor vehicles and a business program sponsor that establishes rental rates at which the person will rent motor vehicles to persons authorized by the sponsor; or

(B) a plan, program, or other arrangement established by a person who rents motor vehicles at the request of, or with the consent of, a business program sponsor under which the person offers to rent motor vehicles to persons authorized by the sponsor on terms that are not the same as those generally offered by the rental company to the public.

(3) "Business program sponsor" means any legal entity other than a natural person, including a corporation, limited liability company, partnership, government, municipality or agency, or a natural person operating a business as a sole proprietor.

(4) "Business renter" means any person renting a motor vehicle for business purposes or, for any business program sponsor, a person who is authorized by the sponsor to enter into a rental contract under the sponsor's business program. "Business renter" does not include a person renting as:

(A) a non-employee member of a not-for-profit organization;

(B) the purchaser of a voucher or other prepaid rental arrangement from a person, including a tour operator, engaged in the business of reselling those vouchers or prepaid rental arrangements to the general public;

(C) an individual whose car rental is eligible for reimbursement in whole or in part as a result of the person being insured or provided coverage under a policy of insurance issued by an insurance company; or

(D) an individual whose car rental is eligible for reimbursement in whole or in part as a result of the person purchasing motor vehicle repair services from a person licensed to perform those services.

(Source: P.A. 100-450, eff. 1-1-18.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Stadelman, **Senate Bill No. 2522** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Mr. President

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

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

SENATE BILL RECALLED

On motion of Senator Bennett, **Senate Bill No. 2591** was recalled from the order of third reading to the order of second reading.

Senator Bennett offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2591

AMENDMENT NO. 1. Amend Senate Bill 2591 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-12020 as follows:

(55 ILCS 5/5-12020)

Sec. 5-12020. Wind farms. Notwithstanding any other provision of law, a county may establish standards for wind farms and electric-generating wind devices. The standards may include, without limitation, the height of the devices and the number of devices that may be located within a geographic area. A county may also regulate the siting of wind farms and electric-generating wind devices in unincorporated areas of the county outside of the zoning jurisdiction of a municipality and the 1.5 mile radius surrounding the zoning jurisdiction of a municipality. There shall be at least one public hearing not more than 30 days prior to a siting decision by the county board. Notice of the hearing shall be published in a newspaper of general circulation in the county. A commercial wind energy facility owner, as defined in the Renewable ~~Wind~~ Energy Facilities Agricultural Impact Mitigation Act, must enter into an agricultural impact mitigation agreement with the Department of Agriculture prior to the date of the required public hearing. A commercial wind energy facility owner seeking an extension of a permit granted

by a county prior to July 24, 2015 (the effective date of Public Act 99-132) must enter into an agricultural impact mitigation agreement with the Department of Agriculture prior to a decision by the county to grant the permit extension. Counties may allow test wind towers to be sited without formal approval by the county board. Any provision of a county zoning ordinance pertaining to wind farms that is in effect before August 16, 2007 (the effective date of Public Act 95-203) may continue in effect notwithstanding any requirements of this Section.

A county may not require a wind tower or other renewable energy system that is used exclusively by an end user to be setback more than 1.1 times the height of the renewable energy system from the end user's property line.

(Source: P.A. 99-123, eff. 1-1-16; 99-132, eff. 7-24-15; 99-642, eff. 7-28-16.)

Section 10. The Illinois Municipal Code is amended by changing Section 11-13-26 as follows:

(65 ILCS 5/11-13-26)

Sec. 11-13-26. Wind farms. Notwithstanding any other provision of law:

(a) A municipality may regulate wind farms and electric-generating wind devices within its zoning jurisdiction and within the 1.5 mile radius surrounding its zoning jurisdiction. There shall be at least one public hearing not more than 30 days prior to a siting decision by the corporate authorities of a municipality. Notice of the hearing shall be published in a newspaper of general circulation in the municipality. A commercial wind energy facility owner, as defined in the Renewable ~~Wind~~ Energy Facilities Agricultural Impact Mitigation Act, must enter into an agricultural impact mitigation agreement with the Department of Agriculture prior to the date of the required public hearing. A commercial wind energy facility owner seeking an extension of a permit granted by a municipality prior to July 24, 2015 (the effective date of Public Act 99-132) must enter into an agricultural impact mitigation agreement with the Department of Agriculture prior to a decision by the municipality to grant the permit extension. A municipality may allow test wind towers to be sited without formal approval by the corporate authorities of the municipality. Test wind towers must be dismantled within 3 years of installation. For the purposes of this Section, "test wind towers" are wind towers that are designed solely to collect wind generation data.

(b) A municipality may not require a wind tower or other renewable energy system that is used exclusively by an end user to be setback more than 1.1 times the height of the renewable energy system from the end user's property line. A setback requirement imposed by a municipality on a renewable energy system may not be more restrictive than as provided under this subsection. This subsection is a limitation of home rule powers and functions under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 99-123, eff. 1-1-16; 99-132, eff. 7-24-15; 99-642, eff. 7-28-16.)

Section 15. The Wind Energy Facilities Agricultural Impact Mitigation Act is amended by changing Sections 1, 5, 10, and 15 as follows:

(505 ILCS 147/1)

Sec. 1. Short title. This Act may be cited as the Renewable ~~Wind~~ Energy Facilities Agricultural Impact Mitigation Act.

(Source: P.A. 99-132, eff. 7-24-15.)

(505 ILCS 147/5)

Sec. 5. Purpose. The primary purpose of this Act is to promote the State's welfare by protecting landowners during the construction and deconstruction of commercial renewable ~~wind~~ energy facilities.

(Source: P.A. 99-132, eff. 7-24-15.)

(505 ILCS 147/10)

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

"Abandonment of a commercial wind energy facility" means when deconstruction has not been completed within 18 months after the commercial wind energy facility reaches the end of its useful life. For purposes of this definition, a commercial wind energy facility will be presumed to have reached the end of its useful life if (1) no electricity is generated for a continuous period of 12 months and (2) the commercial wind energy facility owner fails, for a period of 6 consecutive months, to pay the landowner amounts owed in accordance with the underlying agreement.

"Abandonment of a commercial solar energy facility" means when deconstruction has not been completed within 12 months after the commercial solar energy facility reaches the end of its useful life. For purposes of this definition, a commercial solar energy facility shall be presumed to have reached the

end of its useful life if the commercial solar energy facility owner fails, for a period of 6 consecutive months, to pay the landowner amounts owed in accordance with the underlying agreement.

"Agricultural impact mitigation agreement" means an agreement between the commercial wind energy facility owner or the commercial solar energy facility owner and the Department of Agriculture described in Section 15 of this Act.

"Commercial renewable energy facility " means a commercial wind energy facility or commercial solar energy facility as defined in this Act.

"Commercial solar energy facility" means a solar energy conversion facility equal to or greater than 500 kilowatts in total nameplate capacity, including a solar energy conversion facility seeking an extension of a permit to construct granted by a county or municipality before the effective date of this amendatory Act of the 100th General Assembly. "Commercial solar energy facility" does not include a solar energy conversion facility: (1) for which a permit to construct has been issued before the effective date of this amendatory Act of the 100th General Assembly; (2) that is located on land owned by the commercial solar energy facility owner; (3) that was constructed before the effective date of this amendatory Act of the 100th General Assembly; or (4) that is located on the customer side of the customer's electric meter and is primarily used to offset that customer's electricity load and is limited in nameplate capacity to less than or equal to 2,000 kilowatts.

"Commercial solar energy facility owner" means a private commercial enterprise that owns a commercial solar energy facility. A commercial solar energy facility owner is not nor shall it be deemed to be a public utility as defined in the Public Utilities Act.

"Commercial wind energy facility" means a wind energy conversion facility of equal or greater than 500 kilowatts in total nameplate generating capacity. "Commercial wind energy facility" includes a wind energy conversion facility seeking an extension of a permit to construct granted by a county or municipality before the effective date of this Act. "Commercial wind energy facility" does not include a wind energy conversion facility: (1) that has submitted a complete permit application to a county or municipality and for which the hearing on the completed application has commenced on the date provided in the public hearing notice, which must be before the effective date of this Act; (2) for which a permit to construct has been issued before the effective date of this Act; or (3) that was constructed before the effective date of this Act.

"Commercial wind energy facility owner" means a private commercial enterprise that owns or operates a commercial wind energy facility. A commercial wind energy facility owner is not nor shall it be deemed to be a public utility as defined in the Public Utilities Act.

"Construction" means the installation, preparation for installation, or repair of a commercial renewable ~~wind~~ energy facility.

"County" means the county where the commercial renewable ~~wind~~ energy facility is located.

"Deconstruction" means the removal of a commercial renewable ~~wind~~ energy facility from the property of a landowner and the restoration of that property as provided in the agricultural impact mitigation agreement.

"Department" means the Department of Agriculture.

"Landowner" means any person (1) with an ownership interest in property that is used for agricultural purposes and (2) that is a party to an underlying agreement.

"Underlying agreement" means the written agreement with a landowner, including, but not limited to, an easement, option, lease, or license, under the terms of which another person has constructed, constructs, or intends to construct a commercial wind energy facility or commercial solar energy facility on the property of the landowner.

(Source: P.A. 99-132, eff. 7-24-15.)

(505 ILCS 147/15)

Sec. 15. Agricultural impact mitigation agreement.

(a) A commercial renewable ~~wind~~ energy facility owner of a commercial wind energy facility or a commercial solar energy facility that is located on landowner property shall enter into an agricultural impact mitigation agreement with the Department outlining construction and deconstruction standards and policies designed to preserve the integrity of any agricultural land that is impacted by commercial renewable ~~wind~~ energy facility construction and deconstruction. The construction and deconstruction of any commercial solar energy facility shall be in conformance with the Department's standard agricultural impact mitigation agreement referenced in subsection (f) of this Section. Except as provided in subsection (a-5) of this Section, the terms and conditions of the Department's standard agricultural impact mitigation agreement are subject to and may be modified by an underlying agreement between the landowner and the commercial solar energy facility owner.

(a-5) Prior to the commencement of construction, a commercial solar energy facility owner shall submit to the county in which the commercial solar facility is to be located a deconstruction plan. A commercial solar energy facility owner shall provide the county with an appropriate financial assurance mechanism consistent with the Department's standard agricultural impact mitigation agreement for and to assure deconstruction in the event of an abandonment of a commercial solar energy facility.

(b) The agricultural impact mitigation agreement for a commercial wind energy facility shall include, but is not limited to, such items as restoration of agricultural land affected by construction, deconstruction (including upon abandonment of a commercial wind energy facility), construction staging, and storage areas; support structures; aboveground facilities; guy wires and anchors; underground cabling depth; topsoil replacement; protection and repair of agricultural drainage tiles; rock removal; repair of compaction and rutting; land leveling; prevention of soil erosion; repair of damaged soil conservation practices; compensation for damages to private property; clearing of trees and brush; interference with irrigation systems; access roads; weed control; pumping of water from open excavations; advance notice of access to private property; indemnification of landowners; and deconstruction plans and financial assurance for deconstruction (including upon abandonment of a commercial wind energy facility).

(b-5) The agricultural impact mitigation agreement for a commercial solar energy facility shall include, but is not limited to, such items as restoration of agricultural land affected by construction, deconstruction (including upon abandonment of a commercial solar energy facility); support structures; aboveground facilities; guy wires and anchors; underground cabling depth; topsoil removal and replacement; rerouting and permanent repair of agricultural drainage tiles; rock removal; repair of compaction and rutting; construction during wet weather; land leveling; prevention of soil erosion; repair of damaged soil conservation practices; compensation for damages to private property; clearing of trees and brush; access roads; weed control; advance notice of access to private property; indemnification of landowners; and deconstruction plans and financial assurance for deconstruction (including upon abandonment of a commercial solar energy facility). The commercial solar energy facility owner shall enter into one agricultural impact mitigation agreement for each commercial solar energy facility.

(c) For commercial wind energy facility owners seeking a permit from a county or municipality for the construction of a commercial wind energy facility, the agricultural impact mitigation agreement shall be entered into prior to the public hearing required prior to a siting decision of a county or municipality regarding the commercial wind energy facility. The agricultural impact mitigation agreement is binding on any subsequent commercial wind energy facility owner that takes ownership of the commercial wind energy facility that is the subject of the agreement.

(c-5) A commercial solar energy facility owner shall, not less than 45 days prior to commencement of actual construction, submit to the Department a standard agricultural impact mitigation agreement as referenced in subsection (f) of this Section signed by the commercial solar energy facility owner and including all information required by the Department. The commercial solar energy facility owner shall provide either a copy of that submitted agreement or a copy of the fully executed project-specific agricultural impact mitigation agreement to the landowner not less than 30 days prior to the commencement of construction. The agricultural impact mitigation agreement is binding on any subsequent commercial solar energy facility owner that takes ownership of the commercial solar energy facility that is the subject of the agreement.

(d) If a commercial renewable ~~wind~~ energy facility owner seeks an extension of a permit granted by a county or municipality for the construction of a commercial wind energy facility prior to the effective date of this Act, the agricultural impact mitigation agreement shall be entered into prior to a decision by the county or municipality to grant the permit extension.

(e) The Department may ~~shall~~ adopt rules that are necessary and appropriate for the implementation and administration of agricultural impact mitigation agreements as required under this Act.

(f) The Department shall make available on its website a standard agricultural impact mitigation agreement applicable to all commercial solar energy facilities within 60 days after the effective date of this amendatory Act of the 100th General Assembly.

(g) Nothing in this amendatory Act of the 100th General Assembly and nothing in an agricultural impact mitigation agreement shall be construed to apply to or otherwise impair an underlying agreement for a commercial solar energy facility entered into prior to the effective date of this amendatory Act of the 100th General Assembly.

(Source: P.A. 99-132, eff. 7-24-15.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 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 Bennett, **Senate Bill No. 2591** 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	Manar	Righter
Anderson	Curran	Martinez	Rooney
Aquino	Fowler	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Harris	McGuire	Schimpf
Biss	Holmes	Morrison	Sims
Bivins	Hunter	Mulroe	Stadelman
Brady	Hutchinson	Muñoz	Steans
Bush	Jones, E.	Murphy	Syverson
Castro	Koehler	Nybo	Tracy
Collins	Landek	Oberweis	Weaver
Connelly	Lightford	Raoul	Mr. President
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 Sandoval, **Senate Bill No. 2598** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 47; NAYS None.

The following voted in the affirmative:

Althoff	Curran	Manar	Rooney
Anderson	Fowler	Martinez	Rose
Aquino	Harmon	McCarter	Sandoval
Barickman	Harris	McConchie	Schimpf
Bennett	Holmes	McGuire	Sims
Bivins	Hunter	Mulroe	Stadelman
Brady	Hutchinson	Muñoz	Steans
Bush	Jones, E.	Nybo	Syverson
Castro	Koehler	Oberweis	Tracy
Collins	Landek	Raoul	Weaver
Cullerton, T.	Lightford	Rezin	Mr. President
Cunningham	Link	Righter	

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

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

SENATE BILL RECALLED

On motion of Senator Steans, **Senate Bill No. 2898** was recalled from the order of third reading to the order of second reading.

Senator Steans offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2898

AMENDMENT NO. 1. Amend Senate Bill 2898 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 5-5.4h as follows:

(305 ILCS 5/5-5.4h)

Sec. 5-5.4h. Medicaid reimbursement for medically complex for the developmentally disabled facilities licensed under the MC/DD Act ~~long-term care facilities for persons under 22 years of age~~.

(a) Facilities licensed as medically complex for the developmentally disabled facilities ~~long-term care facilities for persons under 22 years of age~~ that serve severely and chronically ill ~~pediatric~~ patients shall have a specific reimbursement system designed to recognize the characteristics and needs of the patients they serve.

(b) For dates of services starting July 1, 2013 and until a new reimbursement system is designed, medically complex for the developmentally disabled facilities ~~long-term care facilities for persons under 22 years of age~~ that meet the following criteria:

(1) serve exceptional care patients; and

(2) have 30% or more of their patients receiving ventilator care;

shall receive Medicaid reimbursement on a 30-day expedited schedule.

(c) Subject to federal approval of changes to the Title XIX State Plan, for dates of services starting July 1, 2014 through March 31, 2019, medically complex for the developmentally disabled facilities ~~and until a new reimbursement system is designed, long-term care facilities for persons under 22 years of age~~ which meet the criteria in subsection (b) of this Section shall receive a per diem rate for clinically complex residents of $304. Clinically complex residents on a ventilator shall receive a per diem rate of $669. Subject to federal approval of changes to the Title XIX State Plan, for dates of services starting April 1, 2019, medically complex for the developmentally disabled facilities must be reimbursed an exceptional care per diem rate, instead of the base rate, for services to residents with complex or extensive medical needs. Exceptional care per diem rates must be paid for the conditions or services specified under subsection (f) at the following per diem rates: Tier 1 $326, Tier 2 $546, and Tier 3 $735.

(d) For ~~To qualify for the per diem rate of $669 for clinically complex~~ residents on a ventilator pursuant to subsection (c) or subsection (f), facilities shall have a policy documenting their method of routine assessment of a resident's weaning potential with interventions implemented noted in the resident's medical record.

(e) For services provided prior to April 1, 2019 and for ~~For~~ the purposes of this Section, a resident is considered clinically complex if the resident requires at least one of the following medical services:

(1) Tracheostomy care with dependence on mechanical ventilation for a minimum of 6 hours each day.

(2) Tracheostomy care requiring suctioning at least every 6 hours, room air mist or oxygen as needed, and dependence on one of the treatment procedures listed under paragraph (4) excluding the procedure listed in subparagraph (A) of paragraph (4).

(3) Total parenteral nutrition or other intravenous nutritional support and one of the treatment procedures listed under paragraph (4).

(4) The following treatment procedures apply to the conditions in paragraphs (2) and (3) of this subsection:

(A) Intermittent suctioning at least every 8 hours and room air mist or oxygen as needed.

(B) Continuous intravenous therapy including administration of therapeutic agents

necessary for hydration or of intravenous pharmaceuticals; or intravenous pharmaceutical administration of more than one agent via a peripheral or central line, without continuous infusion.

(C) Peritoneal dialysis treatments requiring at least 4 exchanges every 24 hours.

(D) Tube feeding via nasogastric or gastrostomy tube.

(E) Other medical technologies required continuously, which in the opinion of the attending physician require the services of a professional nurse.

(f) Complex or extensive medical needs for exceptional care reimbursement. The conditions and services used for the purposes of this Section have the same meanings as ascribed to those conditions and services under the Minimum Data Set (MDS) Resident Assessment Instrument (RAI) and specified in the most recent manual. Instead of submitting minimum data set assessments to the Department, medically complex for the developmentally disabled facilities must document within each resident's medical record the conditions or services using the minimum data set documentation standards and requirements to qualify for exceptional care reimbursement.

(1) Tier 1 reimbursement is for residents who are receiving at least 51% of their caloric intake via a feeding tube.

(2) Tier 2 reimbursement is for residents who are receiving tracheostomy care without a ventilator.

(3) Tier 3 reimbursement is for residents who are receiving tracheostomy care and ventilator care.

(g) For dates of services starting April 1, 2019, reimbursement calculations and direct payment for services provided by medically complex for the developmentally disabled facilities are the responsibility of the Department of Healthcare and Family Services instead of the Department of Human Services. Appropriations for medically complex for the developmentally disabled facilities must be shifted from the Department of Human Services to the Department of Healthcare and Family Services. Nothing in this Section prohibits the Department of Healthcare and Family Services from paying more than the rates specified in this Section. The rates in this Section must be interpreted as a minimum amount. Any reimbursement increases applied to providers licensed under the ID/DD Community Care Act must also be applied in an equivalent manner to medically complex for the developmentally disabled facilities.

(h) The Department of Healthcare and Family Services shall pay the rates in effect on March 31, 2019 until the changes made to this Section by this amendatory Act of the 100th General Assembly have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services.

(i) The Department of Healthcare and Family Services may adopt rules as allowed by the Illinois Administrative Procedure Act to implement this Section; however, the requirements of this Section must be implemented by the Department of Healthcare and Family Services even if the Department of Healthcare and Family Services has not adopted rules by the implementation date of April 1, 2019.
(Source: P.A. 98-104, eff. 7-22-13; 98-651, eff. 6-16-14.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Steans, **Senate Bill No. 2898** 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; NAY 1.

The following voted in the affirmative:

Althoff	Cunningham	Martinez	Rose
Anderson	Curran	McCarter	Sandoval
Aquino	Fowler	McConchie	Schimpf
Barickman	Harmon	McGuire	Sims

Bennett	Harris	Morrison	Stadelman
Biss	Holmes	Mulroe	Steans
Bivins	Hunter	Muñoz	Syverson
Brady	Hutchinson	Murphy	Tracy
Bush	Jones, E.	Nybo	Mr. President
Castro	Koehler	Oberweis	
Collins	Landek	Raoul	
Connelly	Link	Rezin	
Cullerton, T.	Manar	Rooney	

The following voted in the negative:

Righter

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

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

SENATE BILL RECALLED

On motion of Senator J. Cullerton, **Senate Bill No. 3488** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 2 TO SENATE BILL 3488

AMENDMENT NO. _2_. Amend Senate Bill 3488 as follows:

by replacing line 21 on page 1 through line 2 on page 2 with the following:

""Registry program" means a public, private, or joint public-private initiative: (1) for which particular individuals or groups of individuals, designated on the basis of their race, color, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, military status, order of protection status, pregnancy, or unfavorable discharge from military service, are required by law to register; and (2) whose primary purpose is to compile a list of individuals who fall within a demographic category identified by their race, color, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, military status, order of protection status, pregnancy, or unfavorable discharge from military service. "Registry program" does not include: (1) any initiative whose purpose is administration of services, benefits, contracts, or programs, including permits, licenses, and other regulatory programs; (2) the decennial census mandated by Article I, Section 2 of the United States Constitution; or (3) Selective Service registration as required under Chapter 49 of Title 50 of the United States Code."; and

on page 2, line 6, after "agency" by inserting ", or any personal demographic information in the agency's possession,".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

AMENDMENT NO. 3 TO SENATE BILL 3488

AMENDMENT NO. _3_. Amend Senate Bill 3488 as follows:

on page 2, line 11, after "information", by inserting "that is not otherwise publicly available"; and

on page 2, line 15, after "information", by inserting "that is not otherwise publicly available".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator J. Cullerton, **Senate Bill No. 3488** 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 39; NAYS None; Present 2.

The following voted in the affirmative:

Aquino	Cunningham	Lightford	Righter
Bennett	Curran	Link	Rooney
Bertino-Tarrant	Harmon	Manar	Rose
Biss	Harris	Martinez	Sandoval
Brady	Holmes	McGuire	Sims
Bush	Hunter	Morrison	Stadelman
Castro	Hutchinson	Mulroe	Steans
Collins	Jones, E.	Murphy	Syverson
Connelly	Koehler	Nybo	Mr. President
Cullerton, T.	Landek	Raoul	

The following voted present:

Althoff
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 Tracy, **Senate Bill No. 2271** was recalled from the order of third reading to the order of second reading.

Senator Tracy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2271

AMENDMENT NO. 2. Amend Senate Bill 2271 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 2012 is amended by changing Section 3-6 as follows:
(720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

Sec. 3-6. Extended limitations. The period within which a prosecution must be commenced under the provisions of Section 3-5 or other applicable statute is extended under the following conditions:

(a) A prosecution for theft involving a breach of a fiduciary obligation to the aggrieved person may be commenced as follows:

(1) If the aggrieved person is a minor or a person under legal disability, then during the minority or legal disability or within one year after the termination thereof.

(2) In any other instance, within one year after the discovery of the offense by an aggrieved person, or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense, and is not himself or herself a party to the offense; or in the absence of such

discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b) A prosecution for any offense based upon misconduct in office by a public officer or employee may be commenced within one year after discovery of the offense by a person having a legal duty to report such offense, or in the absence of such discovery, within one year after the proper prosecuting officer becomes aware of the offense. However, in no such case is the period of limitation so extended more than 3 years beyond the expiration of the period otherwise applicable.

(b-5) When the victim is under 18 years of age at the time of the offense, a prosecution for involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons and related offenses under Section 10-9 of this Code may be commenced within 25 years of the victim attaining the age of 18 years.

(c) (Blank).

(d) A prosecution for child pornography, aggravated child pornography, indecent solicitation of a child, soliciting for a juvenile prostitute, juvenile pimping, exploitation of a child, or promoting juvenile prostitution except for keeping a place of juvenile prostitution may be commenced within one year of the victim attaining the age of 18 years. However, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

(e) Except as otherwise provided in subdivision (j), a prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 11-0.1 of this Code, where the defendant was within a professional or fiduciary relationship or a purported professional or fiduciary relationship with the victim at the time of the commission of the offense may be commenced within one year after the discovery of the offense by the victim.

(f) A prosecution for any offense set forth in Section 44 of the ~~"~~Environmental Protection Act~~", approved June 29, 1970, as amended,~~ may be commenced within 5 years after the discovery of such an offense by a person or agency having the legal duty to report the offense or in the absence of such discovery, within 5 years after the proper prosecuting officer becomes aware of the offense.

(f-5) A prosecution for any offense set forth in Section 16-30 of this Code may be commenced within 5 years after the discovery of the offense by the victim of that offense.

(g) (Blank).

(h) (Blank).

(i) Except as otherwise provided in subdivision (j), a prosecution for criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse may be commenced within 10 years of the commission of the offense if the victim reported the offense to law enforcement authorities within 3 years after the commission of the offense.

Nothing in this subdivision (i) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(i-5) A prosecution for armed robbery, home invasion, kidnapping, or aggravated kidnaping may be commenced within 10 years of the commission of the offense if it arises out of the same course of conduct and meets the criteria under one of the offenses in subsection (i) of this Section.

(j) (1) When the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse may be commenced at any time.

(2) When the victim is under 18 years of age at the time of the offense, a prosecution for failure of a person who is required to report an alleged or suspected commission of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or felony criminal sexual abuse under the Abused and Neglected Child Reporting Act may be commenced within 20 years after the child victim attains 18 years of age.

(3) When the victim is under 18 years of age at the time of the offense, a prosecution for misdemeanor criminal sexual abuse may be commenced within 10 years after the child victim attains 18 years of age.

(4) Nothing in this subdivision (j) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section.

(j-5) A prosecution for armed robbery, home invasion, kidnapping, or aggravated kidnaping may be commenced at any time if it arises out of the same course of conduct and meets the criteria under one of the offenses in subsection (j) of this Section.

(k) (Blank).

(l) A prosecution for any offense set forth in Section 26-4 of this Code may be commenced within one year after the discovery of the offense by the victim of that offense.

(l-5) A prosecution for any offense involving sexual conduct or sexual penetration, as defined in Section 11-0.1 of this Code, in which the victim was 18 years of age or older at the time of the offense, may be

commenced within one year after the discovery of the offense by the victim when corroborating physical evidence is available. The charging document shall state that the statute of limitations is extended under this subsection (l-5) and shall state the circumstances justifying the extension. Nothing in this subsection (l-5) shall be construed to shorten a period within which a prosecution must be commenced under any other provision of this Section or Section 3-5 of this Code.

(m) The prosecution shall not be required to prove at trial facts which extend the general limitations in Section 3-5 of this Code when the facts supporting extension of the period of general limitations are properly pled in the charging document. Any challenge relating to the extension of the general limitations period as defined in this Section shall be exclusively conducted under Section 114-1 of the Code of Criminal Procedure of 1963.

(Source: P.A. 99-234, eff. 8-3-15; 99-820, eff. 8-15-16; 100-80, eff. 8-11-17; 100-318, eff. 8-24-17; 100-434, eff. 1-1-18; revised 10-5-17.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Tracy, **Senate Bill No. 2271** 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.	Link	Rooney
Anderson	Cunningham	Manar	Rose
Aquino	Curran	Martinez	Sandoval
Barickman	Fowler	McCarter	Schimpf
Bennett	Harmon	McGuire	Sims
Bertino-Tarrant	Harris	Morrison	Stadelman
Biss	Holmes	Mulroe	Steans
Bivins	Hunter	Murphy	Syverson
Brady	Hutchinson	Nybo	Tracy
Bush	Jones, E.	Oberweis	Weaver
Castro	Koehler	Raoul	Mr. President
Collins	Landek	Rezin	
Connelly	Lightford	Righter	

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

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

SENATE BILL RECALLED

On motion of Senator Tracy, **Senate Bill No. 2707** was recalled from the order of third reading to the order of second reading.

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

Senator Tracy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2707

AMENDMENT NO. 2. Amend Senate Bill 2707 by replacing everything after the enacting clause with the following:

"Section 5. The Personnel Code is amended by changing Section 11 as follows:
(20 ILCS 415/11) (from Ch. 127, par. 63b111)

Sec. 11. Hearing - disciplinary action. No officer or employee under jurisdiction B, relating to merit and fitness, who has been appointed under the rules and after examination, shall be removed discharged or demoted, or be suspended for a period of more than 30 days, in any 12 month period, except for cause, upon written charges approved by the Director of Central Management Services, and after an opportunity to be heard in his own defense if he makes written request to the Commission within 15 days after the serving of the written charges upon him. Upon the filing of such a request for a hearing, the Commission shall grant a hearing within 30 days. The time and place of the hearing shall be fixed by the Commission, and due notice thereof given the appointing officer and the employee. The hearing shall be public, and the officer or employee is entitled to call witnesses in his own defense and to have the aid of counsel. The finding and decision of the Commission, or the approval by the Commission of the finding and decision of the officer or board appointed by it to conduct such investigation, shall be rendered within 60 days after the receipt of the transcript of the proceedings, unless the Commission remands the matter back to the officer or board appointed to conduct such investigation for the purpose of taking additional evidence or soliciting additional argument. After receipt of the transcript of the proceedings after remand, or receipt of additional evidence or additional argument after remand, the Commission shall have an additional 60 days in which to render a finding and decision. If the finding and decision is not rendered within 60 days after receipt of the transcript of the proceedings, or within 60 days after receipt of the transcript of the proceedings after remand or 60 days after receipt of additional evidence or additional argument after remand, the employee shall be considered to be reinstated and shall receive full compensation for the period for which he was suspended. The finding and decision of the Commission or officer or board appointed by it to conduct investigation, when approved by the Commission, shall be certified to the Director, and shall be forthwith enforced by the Director. In making its finding and decision, or in approving the finding and decision of some officer or board appointed by it to conduct such investigation, the Civil Service Commission may, for disciplinary purposes, suspend an employee for a period of time not to exceed 90 days, and in no event to exceed a period of 120 days from the date of any suspension of such employee, pending investigation of such charges. If the Commission certifies a decision that an officer or employee is to be retained in his position and if it does not order a suspension for disciplinary purposes, the officer or employee shall receive full compensation for any period during which he was suspended pending the investigation of the charges.

Nothing in this Section shall limit the authority to suspend an employee for a reasonable period not exceeding 30 days, in any 12 month period.

Notwithstanding the provisions of this Section, an arbitrator of the Illinois Workers' Compensation Commission, appointed pursuant to Section 14 of the Workers' Compensation Act, may be removed by the Governor upon the recommendation of the Commission Review Board pursuant to Section 14.1 of such Act.

Notwithstanding the provisions of this Section, a policy making officer of a State agency, as defined in the Employee Rights Violation Act, shall be discharged from State employment as provided in the Employee Rights Violation Act, enacted by the 85th General Assembly.
(Source: P.A. 93-721, eff. 1-1-05.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Tracy, **Senate Bill No. 2707** 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	McGuire	Sims
Bennett	Harris	Morrison	Stadelman
Bertino-Tarrant	Holmes	Mulroe	Steans
Biss	Hunter	Muñoz	Syverson
Bivins	Hutchinson	Murphy	Tracy
Brady	Jones, E.	Nybo	Weaver
Bush	Koehler	Oberweis	Mr. President
Castro	Landek	Raoul	
Collins	Lightford	Rezin	
Connelly	Link	Righter	
Cullerton, T.	Manar	Rooney	

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

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

SENATE BILL RECALLED

On motion of Senator Righter, **Senate Bill No. 2804** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was withdrawn by the sponsor.

Senator Righter offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2804

AMENDMENT NO. 2. Amend Senate Bill 2804 by replacing everything after the enacting clause with the following:

"PART 5. NEW HARMONY BRIDGE INTERSTATE COMPACT ACT

Section 5-1. Short title. This Part may be cited as the New Harmony Bridge Interstate Compact Act. References in this Part to "this Act" mean this Part.

Section 5-5. Findings; intent. The General Assembly finds that the New Harmony Bridge, which crosses the Wabash River south of Interstate 64 and has an entrance span in Illinois and Indiana, is in need of rehabilitation. The White County Bridge Commission, a private entity created by Congress in 1941, lacks the resources necessary to rehabilitate and maintain the bridge. The New Harmony Bridge provides an important link between this State and Indiana. The rehabilitation and continued use of the New Harmony Bridge is essential to preserve and improve the public welfare and prosperity of the people of this State. It is in the best interests of the public welfare and public safety that this State and the State of Indiana work together to repair and maintain this historical bridge. The intent of this Act is to ensure that the New Harmony Bridge is rehabilitated and maintained so that it can meet the needs of motorists for years to come.

Section 5-10. Compact creating commission. No later than January 1, 2019, the Governor, by and with the advice and consent of the Senate, shall appoint 3 commissioners to enter into a compact on behalf of this State with the State of Indiana. If the Senate is not in session at the time for making appointments, the Governor shall make temporary appointments as in the case of a vacancy. No more than 2 members appointed by the Governor may be from the same political party. The 3 commissioners so appointed may act to enter into the following compact:

COMPACT BETWEEN ILLINOIS AND INDIANA CREATING THE NEW HARMONY BRIDGE BI-STATE COMMISSION

ARTICLE I

There is created the New Harmony Bridge Bi-State Commission, a body corporate and politic having the following powers and duties:

(1) Contingent upon the Commission's ability to secure federal financing, to engage in negotiations for the acceptance, rehabilitation, and continued use of the New Harmony Bridge connecting Illinois State Highway 14 to Indiana State Highway 66 at New Harmony, Indiana;

(2) Contingent upon the Commission's ability to secure federal financing, to assume the rights and responsibilities of the White County Bridge Commission as they relate to the New Harmony Bridge;

(3) To conduct and review studies, testimony, and other information provided by the Illinois and Indiana Departments of Transportation, including, but not limited to, the collection of studies and papers entitled "Quest for Rehabilitation, Finances, and Public Agency Governance for the White County Bridge Commission Successor", that was prepared in the search for preservation of the transportation network that maintains and enhances the vitality of the bi-state area communities;

(4) To secure financing, including, but not limited to, federal funding, for the rehabilitation and maintenance of the New Harmony Bridge;

(5) To establish and charge tolls for transit over the bridge in accordance with the provisions of this compact; and

(6) To perform all other necessary and incidental functions.

ARTICLE II

The rate of toll to be charged for transit over the New Harmony Bridge shall be adjusted by the Commission as to provide a fund sufficient to pay for the reasonable cost of maintenance, repairs, and operation (including the approaches to the bridge) under economical management, and also to provide a sinking fund sufficient to pay the principal and interest of any outstanding bonds. All tolls and other revenues derived from facilities of the Commission shall be used as provided in this Article II.

ARTICLE III

The Commission shall keep an accurate record of the cost of the bridge and of other expenses and of the daily revenues collected, and shall report annually to the Governor of each State setting forth in detail the operations and transactions conducted by the Commission under this agreement and other applicable laws.

ARTICLE IV

The membership of the Commission created by this compact shall consist of 10 voting members, appointed as follows:

(1) Five members shall be chosen by the State of Illinois: the 3 commissioners who were appointed by the Governor to enter into the compact, but no more than 2 of these appointees may be from the same political party; 1 member appointed by the White County Board; and 1 member appointed by the Mayor of Phillipstown.

(2) Five members shall be chosen by the State of Indiana: 3 members shall be appointed by the Governor and no more than 2 shall be from the same political party; one member shall be appointed by the appropriate county executive of Posey County; and one member shall be appointed by the appropriate town executive of New Harmony.

The members shall be chosen in the manner and for the terms fixed by the legislature of each State, except as provided by this compact.

ARTICLE V

(1) The Commission shall elect from its number a chairperson and vice-chairperson, and may appoint officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

(2) Unless otherwise determined by the legislatures of the State of Illinois and the State of Indiana, no action of the Commission shall be binding unless taken at a meeting at which at least 2 members from each State are present and unless a majority of the members from each State present at the meeting vote in favor of the action. Each State reserves the right to provide by law for the exercise of the veto power by the Governor over any action of any commissioner.

(3) The State of Illinois and the State of Indiana shall provide penalties for violations of any order, rule, or regulation of the Commission, and for the manner of enforcement.

ARTICLE VI

Contingent upon the Commission's ability to secure federal financing, the Commission is authorized and directed to proceed with the rehabilitation of the bridge as rapidly as economically practicable and is vested with all necessary and appropriate powers, not inconsistent with the constitution or the laws of the United States or of either the State of Illinois or the State of Indiana, to effect the same, except the power to assess or levy taxes.

ARTICLE VII

In witness thereof, we have here set our hands and seals under the authority vested in us by law.

(Signed)

In the Presence of:
(Signed)

Section 5-15. Signing and filing of compact; bi-state participation required. The compact shall, when signed by the signatories as provided by this Act, become binding upon the State of Illinois and shall be filed in the office of the Secretary of State, except the compact shall not become effective unless prior to the signing of the compact, the Indiana General Assembly passes legislation providing for the creation of the New Harmony Bridge Bi-State Commission under terms consistent with this Act.

Section 5-20. Filling of vacancies. A vacancy occurring in the office of an appointed commissioner shall be filled by appointment by the Governor for the unexpired term, as provided in Section 5-35.

Section 5-25. Appointment and qualifications of commissioners. The commissioners appointed by the Governor under Section 5-10 shall also be members of the New Harmony Bridge Bi-State Commission created by compact between the States of Illinois and Indiana.

The White County Board shall appoint one member and the Mayor of Phillipstown shall appoint one member to the New Harmony Bridge Bi-State Commission no later than 30 days after the Harmony Bridge Bi-State Commission is created.

Section 5-30. Tenure; successors. Of the commissioners first appointed under Section 5-10, one shall be appointed to serve for a term of one year, one for 2 years, and one for 3 years. At the expiration of the term of each commissioner and of each succeeding commissioner, the Governor shall appoint a successor who shall hold office for a term of 3 years. Each commissioner shall hold office until his or her successor has been appointed and qualified.

Section 5-35. Filling vacancies. A vacancy occurring in the office of an appointed commissioner shall be filled by appointment by the Governor, by and with the advice and consent of the Senate, for the unexpired term. In the case of a vacancy while the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when the Governor shall nominate a person to fill the office.

Section 5-40. Compensation and expenses of commissioners. The commissioners shall serve without compensation but shall be reimbursed for the necessary expenses incurred in the performance of their duties.

Section 5-45. Powers and duties of commissioners. The commissioners shall have the powers and duties and be subject to the limitations provided for in the compact entered between the State of Illinois and the State of Indiana to form the New Harmony Bridge Bi-State Commission, and, together with the commissioners from the State of Indiana, shall form the New Harmony Bridge Bi-State Commission.

Section 5-50. Repeal. If both the State of Illinois and the State of Indiana do not enter into the compact under Section 5-10 on or before December 31, 2019, then this Act is repealed on January 1, 2020. The Index Department of the Office of the Secretary of State shall notify the Clerk of the House of Representatives, the Secretary of the Senate, and the Legislative Reference Bureau by February 1, 2020 whether the State of Illinois and the State of Indiana entered into the compact on or before December 31, 2019.

PART 10. NEW HARMONY BRIDGE AUTHORITY ACT

Section 10-1. Short title. This Part may be cited as the New Harmony Bridge Authority Act. References in this Part to "this Act" mean this Part.

Section 10-5. Definitions. As used in this Act:

(1) "Bridge" means the White County bridge over the Wabash River that connects White County, Illinois, and Posey County, Indiana. "Bridge" includes all approaches and rights of way necessary or desirable for the operation and maintenance of the bridge.

(2) "Bridge authority" means the New Harmony River Bridge Authority created by Section 10-10.

(3) "Commission" refers to the White County bridge commission created by Congressional Act of April 12, 1941, Public Law 77-37, 55 Stat. 140.

Section 10-10. Authority establishment.

(a) If the State of Illinois and the State of Indiana do not enter into the compact creating the New Harmony Bridge Bi-State Commission on or before December 31, 2019, the New Harmony River Bridge Authority is established on January 1, 2020 as a body corporate and politic of the State for the purposes set forth in Section 10-30.

(b) The bridge authority has the power to make and enter into any contract that may be necessary to implement this Act only if federal funding or other non-State funding has been secured by the bridge authority to cover any necessary or incidental costs of the contract. The bridge authority's contract power includes the ability to enter into an agreement or contract with the State of Indiana or any governmental entity in the State of Indiana to:

(1) form a joint bridge authority; or

(2) grant to the bridge authority the power to own and operate assets in the state of Indiana that are transferred by the commission to the bridge authority.

Except as otherwise provided by this Act, a contract made by the bridge authority is not subject to approval or ratification by any other board, body, or officer.

(c) Subject to federal funding or other non-State funding, the bridge authority may exercise its powers with respect to the assets of the commission, if any, including the power to contract with an entity, public or private, established in Indiana, to the extent permitted by Indiana law.

Section 10-15. Members.

(a) The bridge authority shall be composed of the following individuals:

(1) Three members appointed by the Governor, no more than 2 of whom may be from the same political party.

(2) One member appointed by the White County Board.

(3) One member appointed by the Mayor of Phillipstown.

(b) If the bridge authority:

(1) forms a joint bridge authority between:

(A) the State and Indiana; or

(B) the State and an Indiana entity; or

(2) enters into an agreement with an Indiana entity to jointly act in implementing this Act;

then the joint bridge authority may determine the membership and term of office for any bridge authority member representing Indiana or an Indiana entity.

(c) Each bridge authority member, before beginning the member's duties, shall execute a bond payable to the State. The bond must:

(1) be in the sum of $15,000;

(2) be conditioned upon the member's faithful performance of the duties of the member's office; and

(3) account for all monies and property that may come into the member's possession or under the member's control.

The cost of the bond shall be paid by the bridge authority upon securing of federal funding or other non-State funding.

(d) If a member ceases to be qualified under this Section, the member forfeits the member's office.

(e) Bridge authority members are not entitled to salaries but may seek reimbursement for expenses incurred in the performance of their duties upon securing of federal funding or other non-State funding.

Section 10-20. Member terms and vacancies.

(a) An appointment to the bridge authority shall be for a term of 4 years. Each member appointed to the bridge authority:

(1) shall hold office for the term of the appointment;

(2) shall continue to serve after the expiration of the appointment until a successor is appointed and qualified;

(3) remains eligible for reappointment to the bridge authority if the requirements described in Section 10-15 of this Act remain met; and

(4) may be removed from office by the other members of the bridge authority with or

without cause.

(b) Members of the bridge authority shall fill vacancies for any unexpired term of a member or for any member appointed by the other members of the bridge authority as provided in this Section.

(c) A member of the bridge authority, including a member appointed under Section 10-15, may be reappointed.

Section 10-25. Meetings.

(a) The bridge authority shall hold an organizational meeting within 30 days after the initial appointment of the members and every January of each subsequent year. During each organizational meeting, the bridge authority must elect the following officers from existing bridge authority membership:

(1) A chair.

(2) A vice chair.

(3) A secretary treasurer.

(b) The bridge authority may adopt rules in order to implement this Section.

Section 10-30. Purpose. The bridge authority is established for the purpose of:

(1) inheriting the assets, duties, powers, and rights of the commission;

(2) accepting the transfer and ownership of the bridge and all interests of the commission in real and personal property;

(3) accepting or receiving all other assets of the commission; and

(4) equipping, financing, improving, maintaining, operating, reconstructing, rehabilitating, and restoring the bridge for use by motor vehicles, pedestrians, and other modes of transportation.

Section 10-35. Powers.

(a) Subject to adequate federal funding or other non-State funding, the bridge authority may:

(1) Accept the assets of the commission.

(2) Hold, exchange, lease, rent, sell (by conveyance by deed, land sale contract, or other instrument), use, or otherwise dispose of property acquired for the purpose of implementing this Act.

(3) Prescribe the duties and regulate the compensation of the employees of the bridge authority.

(4) Provide a pension and retirement system for employees of the bridge authority through use of the appropriate public employees' retirement fund.

(5) Contract for the alteration, construction, extension, improvement, rehabilitation, or restoration of the bridge.

(6) Accept grants, loans, and other forms of financial assistance from the federal government, the State, a unit of local government, a foundation, or any other source.

(7) Establish and revise, as necessary, any charge or toll assessed for transit over the bridge.

(8) Collect or cause to be collected any charge or toll assessed for transit over the bridge.

(b) The bridge authority may exercise any of the powers authorized by this Act in the state of Indiana to the extent provided:

(1) under Indiana law; or

(2) through a joint action taken with Indiana or an Indiana entity as described in Section 10-10 of this Act.

Section 10-40. Repeal. If both the State of Illinois and the State of Indiana enter into the compact under Section 5-10 of the New Harmony Bridge Interstate Compact Act on or before December 31, 2019, then this Act is repealed on January 1, 2020. The Index Department of the Office of the Secretary of State shall notify the Clerk of the House of Representatives, the Secretary of the Senate, and the Legislative Reference Bureau by February 1, 2020 whether the State of Illinois and the State of Indiana entered into the compact on or before December 31, 2019.

PART 99. EFFECTIVE DATE

Section 99-1. 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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Righter, **Senate Bill No. 2804** 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.	Link	Rezin
Anderson	Cunningham	Manar	Righter
Aquino	Curran	Martinez	Rose
Barickman	Fowler	McCann	Sandoval
Bennett	Harmon	McCarter	Schimpf
Bertino-Tarrant	Harris	McGuire	Sims
Biss	Holmes	Morrison	Stadelman
Bivins	Hunter	Mulroe	Steans
Brady	Hutchinson	Muñoz	Syverson
Bush	Jones, E.	Murphy	Tracy
Castro	Koehler	Nybo	Weaver
Collins	Landek	Oberweis	Mr. President
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.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Althoff, **House Bill No. 66** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Link	Rezin
Anderson	Cunningham	Manar	Righter
Aquino	Curran	Martinez	Rose
Barickman	Fowler	McCann	Schimpf
Bennett	Harmon	McCarter	Sims
Bertino-Tarrant	Harris	McConchie	Stadelman
Biss	Holmes	McGuire	Steans
Bivins	Hunter	Morrison	Tracy

Brady	Hutchinson	Mulroe	Weaver
Bush	Jones, E.	Muñoz	Mr. President
Castro	Koehler	Nybo	
Collins	Landek	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.

On motion of Senator Harris, **House Bill No. 201** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Murphy, **House Bill No. 1023** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

Bush	Koehler	Nybo	Mr. President
Castro	Landek	Oberweis	
Collins	Lightford	Raoul	
Connelly	Link	Rezin	
Cullerton, T.	Manar	Righter	

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

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

On motion of Senator Koehler, **House Bill No. 1439** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hutchinson, **House Bill No. 1464** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Martinez	Righter
Aquino	Fowler	McCann	Rooney
Barickman	Harmon	McCarter	Rose
Bennett	Harris	McConchie	Sandoval
Biss	Holmes	McGuire	Schimpf
Bivins	Hunter	Morrison	Sims
Brady	Hutchinson	Mulroe	Stadelman
Bush	Jones, E.	Muñoz	Steans
Castro	Koehler	Murphy	Syverson

Collins	Landek	Nybo	Tracy
Connelly	Lightford	Oberweis	Weaver
Cullerton, T.	Link	Raoul	Mr. President
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.

Senator Althoff asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 1464**.

On motion of Senator Althoff, **House Bill No. 2571** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **House Bill No. 2984** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rose
Anderson	Curran	Martinez	Sandoval
Aquino	Fowler	McCarter	Schimpf
Barickman	Harmon	McConchie	Sims
Bennett	Harris	McGuire	Stadelman
Biss	Holmes	Morrison	Steans
Bivins	Hunter	Mulroe	Syverson
Brady	Hutchinson	Murphy	Tracy
Bush	Jones, E.	Nybo	Weaver
Castro	Koehler	Raoul	Mr. President

Collins	Landek	Rezin
Connelly	Lightford	Righter
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 in the Senate Amendment adopted thereto.

On motion of Senator Bennett, **House Bill No. 3185** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Anderson	Curran	McCann	Rooney
Aquino	Fowler	McCarter	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Harris	McGuire	Schimpf
Biss	Holmes	Morrison	Sims
Bivins	Hunter	Mulroe	Stadelman
Brady	Hutchinson	Muñoz	Steans
Bush	Koehler	Murphy	Syverson
Castro	Landek	Nybo	Tracy
Collins	Lightford	Oberweis	Weaver
Connelly	Link	Raoul	Mr. President
Cullerton, T.	Manar	Rezin	
Cunningham	Martinez	Righter	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator T. Cullerton, **House Bill No. 4212** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Righter
Anderson	Curran	Martinez	Rooney
Aquino	Fowler	McCann	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Harris	McGuire	Schimpf
Biss	Holmes	Morrison	Sims
Bivins	Hunter	Mulroe	Stadelman
Brady	Hutchinson	Muñoz	Steans
Bush	Jones, E.	Murphy	Syverson
Castro	Koehler	Nybo	Weaver
Collins	Landek	Oberweis	Mr. President
Connelly	Lightford	Raoul	

Cullerton, T.	Link	Rezin

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Manar, **House Bill No. 4253** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Righter
Anderson	Curran	Martinez	Rooney
Aquino	Fowler	McCann	Rose
Barickman	Harmon	McConchie	Sandoval
Bennett	Harris	McGuire	Schimpf
Biss	Holmes	Morrison	Sims
Bivins	Hunter	Mulroe	Stadelman
Brady	Hutchinson	Muñoz	Steans
Bush	Jones, E.	Murphy	Syverson
Castro	Koehler	Nybo	Tracy
Collins	Landek	Oberweis	Weaver
Connelly	Lightford	Raoul	Mr. President
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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Althoff, **Senate Bill No. 3550** 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	Curran	Martinez	Rooney
Anderson	Fowler	McCann	Rose
Aquino	Harmon	McCarter	Sandoval
Barickman	Harris	McConchie	Schimpf
Bennett	Holmes	McGuire	Sims
Biss	Hunter	Morrison	Stadelman
Brady	Hutchinson	Mulroe	Steans
Bush	Jones, E.	Muñoz	Syverson
Castro	Koehler	Murphy	Tracy
Collins	Landek	Nybo	Weaver
Connelly	Lightford	Raoul	Mr. President
Cullerton, T.	Link	Rezin	
Cunningham	Manar	Righter	

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

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator T. Cullerton, **House Bill No. 4278** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Barickman moved that **Senate Joint Resolution No. 8**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Barickman moved that Senate Joint Resolution No. 8 be adopted.

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	Curran	McCann	Rose
Anderson	Fowler	McCarter	Sandoval
Aquino	Harmon	McConchie	Schimpf
Barickman	Harris	McGuire	Sims
Bennett	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Bivins	Hutchinson	Muñoz	Syverson
Brady	Jones, E.	Murphy	Tracy

Bush	Koehler	Nybo	Weaver
Castro	Landek	Oberweis	Mr. President
Collins	Lightford	Raoul	
Connelly	Link	Rezin	
Cullerton, T.	Manar	Righter	
Cunningham	Martinez	Rooney	

The motion prevailed.

And the resolution was adopted.

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

Senator Weaver moved that **Senate Joint Resolution No. 47**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Weaver moved that Senate Joint Resolution No. 47 be adopted.

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

The motion prevailed.

And the resolution was adopted.

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

Senator Hutchinson moved that **Senate Joint Resolution No. 50**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Hutchinson moved that Senate Joint Resolution No. 50 be adopted.

The motion prevailed.

And the resolution was adopted.

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

Senator Schimpf moved that **Senate Joint Resolution No. 54**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Schimpf offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 54

AMENDMENT NO. _1_. Amend Senate Joint Resolution 54 as follows:

on page 2, by replacing lines 7 and 8 with "(1) the President of the Senate, or his designee;";

on page 2, by replacing lines 9 and 10 with "(2) the Speaker of the House, or his designee;";

on page 2, by replacing line 11 with "(3) the Minority Leader of the Senate, or his designee;";

on page 2, by replacing lines 12 and 13 with "(4) the Minority Leader of the House of Representatives, or his designee;"; and

on page 3, after line 10, by inserting "RESOLVED, That the Task Force members shall select a Chairperson from among themselves; and be it further".

The motion prevailed.
And the amendment was adopted and ordered printed.
Floor Amendment No. 2 was held in the Committee on Assignments.
Senator Schimpf offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE JOINT RESOLUTION 54

AMENDMENT NO. _3_. Amend Senate Joint Resolution 54 by replacing lines 3 and 4 on page 3 with "(12) the president of a statewide labor federation representing more than one international union, or his or her designee".

The motion prevailed.
And the amendment was adopted and ordered printed.
Senator Schimpf moved that Senate Joint Resolution No. 54, as amended, be adopted.
The motion prevailed.
And the resolution, as amended, was adopted.
Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator T. Cullerton moved that **Senate Joint Resolution No. 63**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator T. Cullerton moved that Senate Joint Resolution No. 63 be adopted.
And on that motion, a call of the roll was had resulting as follows:

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Curran	McCann	Rooney
Anderson	Fowler	McCarter	Rose
Aquino	Harmon	McConchie	Sandoval
Barickman	Harris	McGuire	Sims
Bennett	Holmes	Morrison	Stadelman
Biss	Hunter	Mulroe	Steans
Brady	Hutchinson	Muñoz	Syverson
Bush	Jones, E.	Murphy	Tracy
Castro	Koehler	Nybo	Weaver
Collins	Landek	Oberweis	Mr. President
Connelly	Link	Raoul	
Cullerton, T.	Manar	Rezin	
Cunningham	Martinez	Righter	

The motion prevailed.
And the resolution was adopted.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Holmes, **House Bill No. 126** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 127** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 175** having been printed, was taken up and read by title a second time.

Senator Mulroe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 175

AMENDMENT NO. 1. Amend House Bill 175 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 11-5.4 and by adding Section 5-5g as follows:

(305 ILCS 5/5-5g new)

Sec. 5-5g. Long-term care patient; resident status. Long-term care providers shall submit all changes in resident status, including, but not limited to, death, discharge, changes in patient credit, third party liability, and Medicare coverage, to the Department through the Medical Electronic Data Interchange System, the Recipient Eligibility Verification System, or the Electronic Data Interchange System established under 89 Ill. Adm. Code 140.55(b) in compliance with the schedule below:

(1) 15 calendar days after a resident's death;

(2) 15 calendar days after a resident's discharge;

(3) 45 calendar days after being informed of a change in the resident's income;

(4) 45 calendar days after being informed of a change in a resident's third party liability;

(5) 45 calendar days after a resident's move to exceptional care services; and

(6) 45 calendar days after a resident's need for services requiring reimbursement under the ventilator or traumatic brain injury enhanced rate.

(305 ILCS 5/11-5.4)

Sec. 11-5.4. Expedited long-term care eligibility determination, renewal, ~~and~~ enrollment , and payment.

(a) The General Assembly finds that it is in the best interest of the State to process on an expedited basis applications and renewal applications for Medicaid and Medicaid long-term care benefits that are submitted by or on behalf of elderly persons in need of long-term care services. It is the intent of the General Assembly that the provisions of this Section be liberally construed to permit the maximum number of applicants to benefit, regardless of the age of the application, and for the State to complete all processing as required under 42 U.S.C. 1396a(a)(8) and 42 CFR 435. ~~An expedited long-term care eligibility determination and enrollment system shall be established to reduce long-term care determinations to 90 days or fewer by July 1, 2014 and streamline the long-term care enrollment process. Establishment of the system shall be a joint venture of the Department of Human Services and Healthcare and Family Services and the Department on Aging. The Governor shall name a lead agency no later than 30 days after the effective date of this amendatory Act of the 98th General Assembly to assume responsibility for the full implementation of the establishment and maintenance of the system. Project outcomes shall include an enhanced eligibility determination tracking system accessible to providers and a centralized application review and eligibility determination with all applicants reviewed within 90 days of receipt by the State of a complete application. If the Department of Healthcare and Family Services' Office of the Inspector General determines that there is a likelihood that a non-allowable transfer of assets has occurred, and the facility in which the applicant resides is notified, an extension of up to 90 days shall be permissible. On or before December 31, 2015, a streamlined application and enrollment process shall be put in place based on the following principles:~~

~~(1) Minimize the burden on applicants by collecting only the data necessary to determine eligibility for medical services, long-term care services, and spousal impoverishment offset.~~

~~(2) Integrate online data sources to simplify the application process by reducing the amount of information needed to be entered and to expedite eligibility verification.~~

~~(3) Provide online prompts to alert the applicant that information is missing or not complete.~~

(a-5) As used in this Section:

"Department" means the Department of Healthcare and Family Services.

"Managed care organization" has the meaning ascribed to that term in Section 5-30.1 of this Code.

"Renewal" has the same meaning as "redetermination" in State policies, administrative rules, and federal Medicaid law.

(b) The Department of Healthcare and Family Services must serve as the lead agency assuming primary responsibility for the full implementation of this Section, including the establishment and operation of the system. ~~The Department shall, on or before July 1, 2014, assess the feasibility of incorporating all information needed to determine eligibility for long-term care services, including asset transfer and spousal impoverishment financials, into the State's integrated eligibility system identifying all resources needed and reasonable timeframes for achieving the specified integration.~~

(c) Beginning on June 29, 2018, provisional eligibility, in the form of a recipient identification number and any other necessary credentials to permit an applicant to receive benefits, must be issued to any applicant who has not received a final eligibility determination on his or her application for Medicaid or Medicaid long-term care benefits or a notice of an opportunity for a hearing within the federally prescribed deadlines for the processing of such applications. The Department must maintain the applicant's provisional Medicaid enrollment status until a final eligibility determination is approved or the applicant's appeal has been adjudicated and eligibility is denied. The Department or the managed care organization, if applicable, must reimburse providers for all services rendered during an applicant's provisional eligibility period.

(1) The Department must immediately notify the managed care organization, if applicable, in which the applicant is an enrollee of the enrollee's change in status.

(2) The Department or the managed care organization, when applicable, must begin processing claims for services rendered by the end of the month in which the applicant is given provisional eligibility status. Claims for services rendered must be submitted and processed by the Department and managed care organizations in the same manner as those submitted on behalf of beneficiaries determined to qualify for benefits.

(3) An applicant with provisional enrollment status must have his or her benefits paid for under the State's fee-for-service system until such time as the State makes a final determination on the applicant's Medicaid or Medicaid long-term care application. If an individual is enrolled with a managed care organization for community benefits at the time the individual's provisional status is issued, the managed care organization is only responsible for paying benefits covered under the capitation payment received by the managed care organization for the individual.

(4) The Department, within 10 business days of issuing provisional eligibility to an applicant not covered by a managed care organization, must submit to the Office of the Comptroller for payment a voucher for all retroactive reimbursement due. The Department must clearly identify such vouchers as provisional eligibility vouchers. ~~The lead agency shall file interim reports with the Chairs and Minority Spokespersons of the House and Senate Human Services Committees no later than September 1, 2013 and on February 1, 2014. The Department of Healthcare and Family Services shall include in the annual Medicaid report for State Fiscal Year 2014 and every fiscal year thereafter information concerning implementation of the provisions of this Section.~~

(d) The Department must establish, by rule, policies and procedures to ensure prospective compliance with the federal deadlines for Medicaid and Medicaid long-term care benefits eligibility determinations required under 42 U.S.C. 1396a(a)(8) and 42 CFR 435.912, which must include, but need not be limited to, the following:

(1) The Department, assisted by the Department of Human Services and the Department on Aging, must establish, no later than January 1, 2019, a streamlined application and enrollment process that includes, but is not limited to, the following:

(A) collect only the data necessary to determine eligibility for medical services, long-term care services, and spousal impoverishment offset;

(B) integrate online data and other third party data sources to simplify the application process by reducing the amount of information needed to be entered and to expedite eligibility verification;

(C) provide online prompts to alert the applicant that information is missing or incomplete; and

(D) provide training and step-by-step written instructions for caseworkers, applicants, and providers.

(2) The Department must expedite the eligibility processing system for applicants meeting certain guidelines, regardless of the age of the application. The guidelines must be established by rule and must include, but not be limited to, the following individually or collectively:

(A) Full Medicaid benefits in the community for a specified period of time.

(B) No transfer of assets or resources during the federally prescribed look-back time period, as specified by federal law.

(C) Receives Supplemental Security Income payments or was receiving such payments at the time the applicant was admitted to a nursing facility.

(D) Verified income at or below 100% of the federal poverty level when the declared value of the applicant's countable resources is no greater than the allowable amounts pursuant to Section 5-2 of this Code for classes of eligible persons for whom a resource limit applies.

(3) The Department must establish, by rule, renewal policies and procedures to reduce the likelihood of unnecessary interruptions in services as a result of improper denials of applicants who would otherwise be approved.

(A) Effective January 1, 2019, the Department must implement a paperless passive renewal protocol that provides for the electronic verification of all necessary information including bank accounts.

(B) A beneficiary who is a resident of a facility and whose previous renewal application showed an income of no greater than the federal poverty level and who has no discernible means of generating income greater than the federal poverty level must be deemed to qualify for renewal. The beneficiary and the facility must not receive an application for renewal and must instead receive notification of the beneficiary's renewal.

(C) A beneficiary for whom the processing of a renewal application exceeds federally prescribed timeframes must be deemed to meet renewal guidelines and the Department must notify the beneficiary and the facility in which the beneficiary resides. The Department must also immediately notify the managed care organization in which the beneficiary is enrolled, if applicable. Both the Department and the managed care organization must accept claims for services rendered to the beneficiary without an interruption in benefits to the enrollee and payment for all services rendered to providers.

(4) The Department of Human Services must not penalize an applicant for having an attorney complete a Medicaid application on the applicant's behalf or for seeking to understand the applicant's rights under federal and State Medicaid laws and regulations. This must not include targeting applications and applicants so described for additional scrutiny by the Department of Healthcare and Family Services' Office of the Inspector General.

(5) The Department of Healthcare and Family Services' Office of the Inspector General must review applications for long-term care benefits when the Office obtains credible evidence that an applicant has transferred assets with the intent of defrauding the State. If proof of the allegations does not exist, the application must be released by the Office and must be assigned to the appropriate caseworker for an expedited review.

(6) The Department of Human Services must implement a process to notify an applicant, the applicant's legally authorized representative, and the facility where the applicant resides of the receipt of an initial or renewal application and supporting documentation within 5 business days of the date the application or supporting documents are submitted. The notices should indicate any documentation required, but not received, and provide instructions for submission.

(7) The Department must make available one release form that permits the applicant to grant permission to a third party to pursue approval of Medicaid and Medicaid long-term care benefits, track the status of applications, and pursue a post-denial appeal on behalf of the applicant, which must remain in force after the applicant's death.

(8) The Department must develop one eligibility system for both Modified Adjusted Gross Income (MAGI) and non-MAGI applicants by incorporating Affordable Care Act upgrades with the goal of establishing real time approval of applications for Medicaid services and Medicaid long-term care benefits, as permissible.

(9) The Department must have operational a fully electronic application process that encompasses initial applications, admission packet, renewals, and appeals no later than 12 months after the effective date of this amendatory Act of the 100th General Assembly. The Department must not require submission of any application or supporting documentation in hard copy. ~~No later than August 1, 2014, the Auditor General shall report to the General Assembly concerning the extent to which the timeframes specified in this Section have been met and the extent to which State staffing levels are adequate to meet the requirements of this Section.~~

(e) The Department must adopt policies and procedures to improve communication between long-term care benefits central office personnel, applicants, or the applicants' representatives, and facilities in which

the applicants reside. The Department must establish, by rule, such policies and procedures that are necessary to meet the requirements of this Section, which must include, but need not be limited to, the following:

(1) The establishment of a centralized, caseworker-based processing system with contact numbers for caseworkers and supervisors that are made readily available to all affected providers and are prominently displayed on all communications with applicants, beneficiaries, and providers.

(2) Allowing facilities access to the State's integrated eligibility system for tracking the status of applications for applicants who have signed appropriate releases, and the development and distribution of applicable instructional materials and release forms. ~~The Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging shall take the following steps to achieve federally established timeframes for eligibility determinations for Medicaid and long-term care benefits and shall work toward the federal goal of real time determinations:~~

~~(1) The Departments shall review, in collaboration with representatives of affected providers, all forms and procedures currently in use, federal guidelines either suggested or mandated, and staff deployment by September 30, 2014 to identify additional measures that can improve long-term care eligibility processing and make adjustments where possible.~~

~~(2) No later than June 30, 2014, the Department of Healthcare and Family Services shall issue vouchers for advance payments not to exceed $50,000,000 to nursing facilities with significant outstanding Medicaid liability associated with services provided to residents with Medicaid applications pending and residents facing the greatest delays. Each facility with an advance payment shall state in writing whether its own recoupment schedule will be in 3 or 6 equal monthly installments, as long as all advances are recouped by June 30, 2015.~~

~~(3) The Department of Healthcare and Family Services' Office of Inspector General and the Department of Human Services shall immediately forgo resource review and review of transfers during the relevant look-back period for applications that were submitted prior to September 1, 2013. An applicant who applied prior to September 1, 2013, who was denied for failure to cooperate in providing required information, and whose application was incorrectly reviewed under the wrong look-back period rules may request review and correction of the denial based on this subsection. If found eligible upon review, such applicants shall be retroactively enrolled.~~

~~(4) As soon as practicable, the Department of Healthcare and Family Services shall implement policies and promulgate rules to simplify financial eligibility verification in the following instances: (A) for applicants or recipients who are receiving Supplemental Security Income payments or who had been receiving such payments at the time they were admitted to a nursing facility and (B) for applicants or recipients with verified income at or below 100% of the federal poverty level when the declared value of their countable resources is no greater than the allowable amounts pursuant to Section 5-2 of this Code for classes of eligible persons for whom a resource limit applies. Such simplified verification policies shall apply to community cases as well as long-term care cases.~~

~~(5) As soon as practicable, but not later than July 1, 2014, the Department of Healthcare and Family Services and the Department of Human Services shall jointly begin a special enrollment project by using simplified eligibility verification policies and by redeploying caseworkers trained to handle long-term care cases to prioritize those cases, until the backlog is eliminated and processing time is within 90 days. This project shall apply to applications for long-term care received by the State on or before May 15, 2014.~~

~~(6) As soon as practicable, but not later than September 1, 2014, the Department on Aging shall make available to long-term care facilities and community providers upon request, through an electronic method, the information contained within the Interagency Certification of Screening Results completed by the pre-screener, in a form and manner acceptable to the Department of Human Services.~~

(f) The Department must establish, by rule, policies and procedures to improve accountability and provide for the expedited payment of services rendered, which must include, but need not be limited to, the following:

(1) The Department must apply the most current resident income data entered into the Department's Medical Electronic Data Interchange (MEDI) system to the payment of a claim even if a caseworker has not completed a review.

(2) The Department and the Department of Human Services must notify the applicant, or the applicant's legal representative, and the facility submitting the initial, renewal, or appeal application of all missing supporting documentation or information and the date of the request when an application, renewal, or appeal is denied for failure to submit such documentation and information.

(g) No later than January 1, 2019, the Department of Healthcare and Family Services must investigate the public-private partnerships in use in Ohio, Michigan, and Minnesota aimed at redeploying caseworkers to targeted high-Medicaid facilities for the purpose of expediting initial Medicaid and Medicaid long-term

care benefits applications, renewals, asset discovery, and all other things related to enrollment, reimbursement, and application processing. No later than March 1, 2019, the Department of Healthcare and Family Services must post on the long-term care pages of the Department's website the agencies' joint recommendations and must assist provider groups in educating their members on such partnerships.

(h) The Director of Healthcare and Family Services, in coordination with the Secretary of Human Services and the Director of Aging, must host a provider association meeting every 6 weeks, beginning no later than 30 days after the effective date of this amendatory Act of the 100th General Assembly, until all applications that are 45 days or older have been adjudicated and the application process has been reduced to 45 or fewer days, at which time the meetings shall be held quarterly, for those associations representing facilities licensed under the Nursing Home Care Act and certified as a supportive living program. Each agency must be represented by senior staff with hands-on knowledge of the processing of applications for Medicaid and Medicaid long-term care benefits, renewals, and such ancillary issues as income and address adjustments, release forms, and screening reports. Agenda items must be solicited from the associations.

(i) The Department must not delay the implementation of the presumptive eligibility, as ordered by Koss v. Norwood, Case No. 17 C 2762 (N.D. Ill. Mar. 29, 2018), in anticipation of this amendatory Act of the 100th General Assembly.

(j) As mandated by federal regulations under 42 CFR 435.912, the Department and the Department of Human Services must not deny applications for Medicaid or Medicaid long-term care benefits to comply with the federal timeliness standards or avoid authorizing provisional eligibility under this Section. To ensure compliance, the percentage of denials in a given month must not increase by more than 1% of the denial rate that occurred in the same month of the preceding year.

(k) The Department of Human Services must prioritize processing applications on a last-in, first-out basis. The Department is expressly prohibited from prioritizing the processing of applications from applicants who have been issued provisional eligibility status over other applicants.

(l) Unless otherwise specified, all provisions of this amendatory Act of the 100th General Assembly must be fully operational by January 1, 2019.

(m) Nothing in this Section shall defeat the provisions contained in the State Prompt Payment Act or the timely pay provisions contained in Section 368a of the Illinois Insurance Code.

(n) The Department must offer regionally based training covering all aspects of this Section and must include long-term care provider associations in the design and presentation of the training. The training shall be recorded and posted on the Department's website to allow new employees to be trained and older employers to complete refresher courses.

(o) The Department and the Department of Human Services must not require an applicant for Medicaid or Medicaid long-term care benefits to submit a new application solely because there is a change in the applicant's legal representative.

(p) The Department and the Department of Human Services must implement the requirements under this Section even if the required rules are not yet adopted by the dates specified in this Section. If the Department is required to adopt rules under this Section or if the Department determines that rules are necessary to achieve full implementation, the Department must adopt policies and procedures to allow for full implementation by the date specified in this Section and must publish all policies and procedures on the Department's website. The Department must submit proposed permanent rules for public comment no later than January 1, 2019.

(q) ~~(7)~~ Effective 30 days after the completion of 3 regionally based trainings, nursing facilities shall submit all applications for medical assistance online via the Application for Benefits Eligibility (ABE) website. This requirement shall extend to scanning and uploading with the online application any required additional forms such as the Long Term Care Facility Notification and the Additional Financial Information for Long Term Care Applicants as well as scanned copies of any supporting documentation. Long-term care facility admission documents must be submitted as required in Section 5-5 of this Code. No local Department of Human Services office shall refuse to accept an electronically filed application.

(r) ~~(8)~~ Notwithstanding any other provision of this Code, the Department of Human Services and the Department of Healthcare and Family Services' Office of the Inspector General shall, upon request, allow an applicant additional time to submit information and documents needed as part of a review of available resources or resources transferred during the look-back period. The initial extension shall not exceed 30 days. A second extension of 30 days may be granted upon request. Any request for information issued by the State to an applicant shall include the following: an explanation of the information required and the date by which the information must be submitted; a statement that failure to respond in a timely manner can result in denial of the application; a statement that the applicant or the facility in the name of the applicant may seek an extension; and the name and contact information of a caseworker in case of questions. Any such request for information shall also be sent to the facility. In deciding whether to grant

an extension, the Department of Human Services or the Department of Healthcare and Family Services' Office of the Inspector General shall take into account what is in the best interest of the applicant. The time limits for processing an application shall be tolled during the period of any extension granted under this subsection.

(s) ~~(9)~~ The Department of Human Services and the Department of Healthcare and Family Services must jointly compile data on pending applications, denials, appeals, and renewals ~~redeterminations~~ into a monthly report, which shall be posted on each Department's website for the purposes of monitoring long-term care eligibility processing. The report must specify the number of applications and renewals ~~redeterminations~~ pending long-term care eligibility determination and admission and the number of appeals of denials in the following categories:

(1) ~~(A)~~ Length of time applications, renewals ~~redeterminations~~, and appeals are pending - 0 to 45 days, 46 days to 90

days, 91 days to 180 days, 181 days to 12 months, over 12 months to 18 months, over 18 months to 24 months, and over 24 months.

(2) ~~(B)~~ Percentage of applications and renewals ~~redeterminations~~ pending in the Department of Human Services' Family

Community Resource Centers, in the Department of Human Services' long-term care hubs, with the Department of Healthcare and Family Services' Office of Inspector General, and those applications which are being tolled due to requests for extension of time for additional information.

(3) ~~(C)~~ Status of pending applications, denials, appeals, and renewals ~~redeterminations~~.

(4) For applications, renewals, and appeals pending more than 45 days, the reason for the delay as required by federal regulations under 42 CFR 435.912.

(t) ~~(f)~~ Beginning on July 1, 2017, the Auditor General shall report every 3 years to the General Assembly on the performance and compliance of the Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging in meeting the requirements of this Section and the federal requirements concerning eligibility determinations for Medicaid long-term care services and supports, and shall report any issues or deficiencies and make recommendations. The Auditor General shall, at a minimum, review, consider, and evaluate the following:

(1) compliance with federal regulations on furnishing services as related to Medicaid long-term care services and supports as provided under 42 CFR 435.930;

(2) compliance with federal regulations on the timely determination of eligibility as provided under 42 CFR 435.912;

(3) the accuracy and completeness of the report required under paragraph (9) of subsection (e);

(4) the efficacy and efficiency of the task-based process used for making eligibility determinations in the centralized offices of the Department of Human Services for long-term care services, including the role of the State's integrated eligibility system, as opposed to the traditional caseworker-specific process from which these central offices have converted; and

(5) any issues affecting eligibility determinations related to the Department of Human Services' staff completing Medicaid eligibility determinations instead of the designated single-state Medicaid agency in Illinois, the Department of Healthcare and Family Services.

The Auditor General's report shall include any and all other areas or issues which are identified through an annual review. Paragraphs (1) through (5) of this subsection shall not be construed to limit the scope of the annual review and the Auditor General's authority to thoroughly and completely evaluate any and all processes, policies, and procedures concerning compliance with federal and State law requirements on eligibility determinations for Medicaid long-term care services and supports.

(Source: P.A. 99-153, eff. 7-28-15; 100-380, eff. 8-25-17.)

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 bill, as amended, was ordered to a third reading.

On motion of Senator Bush, **House Bill No. 1010** having been printed, was taken up and 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 HOUSE BILL 1010

AMENDMENT NO. 1. Amend House Bill 1010 on page 1, lines 18, 19, and 21, by replacing "chairperson" each time it appears with "chair"; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

on page 317, lines 8 and 10, by replacing "chairperson" each time it appears with "chair"; and

on page 319, line 7, by replacing "chairperson" with "chair"; and

on page 320, line 6, by replacing "chairperson" with "chair"; and

on page 321, line 26, by replacing "chairperson" with "chair"; and

on page 322, line 2, by replacing "chairperson" with "chair"; and

on page 323, line 22, by replacing "chairperson" with "chair"; and

on page 324, line 26, by replacing "chairperson" with "chair"; and

on page 328, line 20, by replacing "chairperson" with "chair"; and

on page 330, line 20, by replacing "chairperson" with "chair"; and

on page 331, line 6, by replacing "chairperson" with "chair"; and

on page 333, line 26, by replacing "chairperson" with "chair"; and

on page 334, lines 14 and 23, by replacing "chairperson" each time it appears with "chair"; and

on page 335, lines 7 and 10, by replacing "chairperson" each time it appears with "chair".

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

On motion of Senator Hutchinson, **House Bill No. 1042** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 1443** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Curran, **House Bill No. 2222** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 4268** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Tracy, **House Bill No. 4288** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 4317** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 4319** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 4346** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **House Bill No. 4369** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 4392** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 4397** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schimpf, **House Bill No. 4404** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **House Bill No. 4416** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 4428** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 4440** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Nybo, **House Bill No. 4515** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 4572** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **House Bill No. 4589** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 4594** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 4645** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 4657** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 4665** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **House Bill No. 4677** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **House Bill No. 4686** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 4687** having been printed, was taken up and 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 HOUSE BILL 4687

AMENDMENT NO. 1. Amend House Bill 4687 by replacing everything after the enacting clause with the following:

"Section 5. The Probate Act of 1975 is amended by changing Section 11a-17 as follows:

(755 ILCS 5/11a-17) (from Ch. 110 1/2, par. 11a-17)

Sec. 11a-17. Duties of personal guardian.

(a) To the extent ordered by the court and under the direction of the court, the guardian of the person shall have custody of the ward and the ward's minor and adult dependent children and shall procure for them and shall make provision for their support, care, comfort, health, education and maintenance, and professional services as are appropriate, but the ward's spouse may not be deprived of the custody and education of the ward's minor and adult dependent children, without the consent of the spouse, unless the court finds that the spouse is not a fit and competent person to have that custody and education. The guardian shall assist the ward in the development of maximum self-reliance and independence. The guardian of the person may petition the court for an order directing the guardian of the estate to pay an amount periodically for the provision of the services specified by the court order. If the ward's estate is insufficient to provide for education and the guardian of the ward's person fails to provide education, the court may award the custody of the ward to some other person for the purpose of providing education. If a person makes a settlement upon or provision for the support or education of a ward, the court may make an order for the visitation of the ward by the person making the settlement or provision as the court deems proper. A guardian of the person may not admit a ward to a mental health facility except at the ward's request as provided in Article IV of the Mental Health and Developmental Disabilities Code and unless the ward has the capacity to consent to such admission as provided in Article IV of the Mental Health and Developmental Disabilities Code.

(a-5) If the ward filed a petition for dissolution of marriage under the Illinois Marriage and Dissolution of Marriage Act before the ward was adjudicated a person with a disability under this Article, the guardian of the ward's person and estate may maintain that action for dissolution of marriage on behalf of the ward. Upon petition by the guardian of the ward's person or estate, the court may authorize and direct a guardian of the ward's person or estate to file a petition for dissolution of marriage or to file a petition for legal separation or declaration of invalidity of marriage under the Illinois Marriage and Dissolution of Marriage Act on behalf of the ward if the court finds by clear and convincing evidence that the relief sought is in the ward's best interests. In making its determination, the court shall consider the standards set forth in subsection (e) of this Section.

(a-10) Upon petition by the guardian of the ward's person or estate, the court may authorize and direct a guardian of the ward's person or estate to consent, on behalf of the ward, to the ward's marriage pursuant to Part II of the Illinois Marriage and Dissolution of Marriage Act if the court finds by clear and convincing evidence that the marriage is in the ward's best interests. In making its determination, the court shall consider the standards set forth in subsection (e) of this Section. Upon presentation of a court order authorizing and directing a guardian of the ward's person and estate to consent to the ward's marriage, the county clerk shall accept the guardian's application, appearance, and signature on behalf of the ward for purposes of issuing a license to marry under Section 203 of the Illinois Marriage and Dissolution of Marriage Act.

(b) If the court directs, the guardian of the person shall file with the court at intervals indicated by the court, a report that shall state briefly: (1) the current mental, physical, and social condition of the ward and the ward's minor and adult dependent children; (2) their present living arrangement, and a description and the address of every residence where they lived during the reporting period and the length of stay at each place; (3) a summary of the medical, educational, vocational, and other professional services given to them; (4) a resume of the guardian's visits with and activities on behalf of the ward and the ward's minor and adult dependent children; (5) a recommendation as to the need for continued guardianship; (6) any other information requested by the court or useful in the opinion of the guardian. The Office of the State Guardian shall assist the guardian in filing the report when requested by the guardian. The court may take such action as it deems appropriate pursuant to the report.

(c) Absent court order pursuant to the Illinois Power of Attorney Act directing a guardian to exercise powers of the principal under an agency that survives disability, the guardian has no power, duty, or liability with respect to any personal or health care matters covered by the agency. This subsection (c) applies to all agencies, whenever and wherever executed.

(d) A guardian acting as a surrogate decision maker under the Health Care Surrogate Act shall have all the rights of a surrogate under that Act without court order including the right to make medical treatment decisions such as decisions to forgo or withdraw life-sustaining treatment. Any decisions by the guardian to forgo or withdraw life-sustaining treatment that are not authorized under the Health Care Surrogate Act

shall require a court order. Nothing in this Section shall prevent an agent acting under a power of attorney for health care from exercising his or her authority under the Illinois Power of Attorney Act without further court order, unless a court has acted under Section 2-10 of the Illinois Power of Attorney Act. If a guardian is also a health care agent for the ward under a valid power of attorney for health care, the guardian acting as agent may execute his or her authority under that act without further court order.

(e) Decisions made by a guardian on behalf of a ward shall be made in accordance with the following standards for decision making. Decisions made by a guardian on behalf of a ward may be made by conforming as closely as possible to what the ward, if competent, would have done or intended under the circumstances, taking into account evidence that includes, but is not limited to, the ward's personal, philosophical, religious and moral beliefs, and ethical values relative to the decision to be made by the guardian. Where possible, the guardian shall determine how the ward would have made a decision based on the ward's previously expressed preferences, and make decisions in accordance with the preferences of the ward. If the ward's wishes are unknown and remain unknown after reasonable efforts to discern them, the decision shall be made on the basis of the ward's best interests as determined by the guardian. In determining the ward's best interests, the guardian shall weigh the reason for and nature of the proposed action, the benefit or necessity of the action, the possible risks and other consequences of the proposed action, and any available alternatives and their risks, consequences and benefits, and shall take into account any other information, including the views of family and friends, that the guardian believes the ward would have considered if able to act for herself or himself.

(f) Upon petition by any interested person (including the standby or short-term guardian), with such notice to interested persons as the court directs and a finding by the court that it is in the best interest of the person with a disability, the court may terminate or limit the authority of a standby or short-term guardian or may enter such other orders as the court deems necessary to provide for the best interest of the person with a disability. The petition for termination or limitation of the authority of a standby or short-term guardian may, but need not, be combined with a petition to have another guardian appointed for the person with a disability.

(g)(1) Unless there is a court order to the contrary, the guardian, consistent with the standards set forth in subsection (e) of this Section, shall use reasonable efforts to notify the ward's known adult children, who have requested notification and provided contact information, of the ward's admission to a hospital or hospice program, the ward's death, and the arrangements for the disposition of the ward's remains.

(2) If a guardian unreasonably prevents an adult child, spouse, adult grandchild, parent, or adult sibling of the ward from visiting the ward, the court, upon a verified petition ~~by an adult child~~, may order the guardian to permit visitation between the ward and the adult child , spouse, adult grandchild, parent, or adult sibling ~~if the court finds that the visitation is in the ward's best interests~~. In making its determination, the court shall consider the standards set forth in subsection (e) of this Section. The court shall not allow visitation if the court finds that the ward has capacity to evaluate and communicate decisions regarding visitation and expresses a desire not to have visitation with the petitioner. This subsection (g) does not apply to duly appointed public guardians or the Office of State Guardian.

(Source: P.A. 98-1107, eff. 8-26-14; 99-143, eff. 7-27-15; 99-821, eff. 1-1-17.)".

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

On motion of Senator McCarter, **House Bill No. 4697** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Manar, **House Bill No. 4706** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 4707** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **House Bill No. 4710** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 4741** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 4745** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Rose, **House Bill No. 4746** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 4754** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Tracy, **House Bill No. 4771** having been printed, was taken up and 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 HOUSE BILL 4771

AMENDMENT NO. 1. Amend House Bill 4771 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by changing Section 11-5.4 and by adding Section 5-5g as follows:

(305 ILCS 5/5-5g new)

Sec. 5-5g. Long-term care patient; resident status. Long-term care providers shall submit all changes in resident status, including, but not limited to, death, discharge, changes in patient credit, third party liability, and Medicare coverage, to the Department through the Medical Electronic Data Interchange System, the Recipient Eligibility Verification System, or the Electronic Data Interchange System established under 89 Ill. Adm. Code 140.55(b) in compliance with the schedule below:

(1) 15 calendar days after a resident's death;

(2) 15 calendar days after a resident's discharge;

(3) 45 calendar days after being informed of a change in the resident's income;

(4) 45 calendar days after being informed of a change in a resident's third party liability;

(5) 45 calendar days after a resident's move to exceptional care services; and

(6) 45 calendar days after a resident's need for services requiring reimbursement under the ventilator or traumatic brain injury enhanced rate.

(305 ILCS 5/11-5.4)

Sec. 11-5.4. Expedited long-term care eligibility determination, renewal, ~~and~~ enrollment , and payment.

(a) The General Assembly finds that it is in the best interest of the State to process on an expedited basis applications and renewal applications for Medicaid and Medicaid long-term care benefits that are submitted by or on behalf of elderly persons in need of long-term care services. It is the intent of the General Assembly that the provisions of this Section be liberally construed to permit the maximum number of applicants to benefit, regardless of the age of the application, and for the State to complete all processing as required under 42 U.S.C. 1396a(a)(8) and 42 CFR 435. ~~An expedited long-term care eligibility determination and enrollment system shall be established to reduce long-term care determinations to 90 days or fewer by July 1, 2014 and streamline the long-term care enrollment process. Establishment of the system shall be a joint venture of the Department of Human Services and Healthcare and Family Services and the Department on Aging. The Governor shall name a lead agency no later than 30 days after the effective date of this amendatory Act of the 98th General Assembly to assume responsibility for the full implementation of the establishment and maintenance of the system. Project outcomes shall include an enhanced eligibility determination tracking system accessible to providers and a centralized application review and eligibility determination with all applicants reviewed within 90 days of receipt by the State of a complete application. If the Department of Healthcare and Family Services' Office of the Inspector General determines that there is a likelihood that a non-allowable transfer of assets has occurred, and the facility in which the applicant resides is notified, an extension of up to 90 days shall be permissible. On or before December 31, 2015, a streamlined application and enrollment process shall be put in place based on the following principles:~~

~~(1) Minimize the burden on applicants by collecting only the data necessary to determine eligibility for medical services, long-term care services, and spousal impoverishment offset.~~

~~(2) Integrate online data sources to simplify the application process by reducing the amount of information needed to be entered and to expedite eligibility verification.~~

~~(3) Provide online prompts to alert the applicant that information is missing or not complete.~~

(a-5) As used in this Section:

"Department" means the Department of Healthcare and Family Services.

"Managed care organization" has the meaning ascribed to that term in Section 5-30.1 of this Code.

"Renewal" has the same meaning as "redetermination" in State policies, administrative rules, and federal Medicaid law.

(b) The Department of Healthcare and Family Services must serve as the lead agency assuming primary responsibility for the full implementation of this Section, including the establishment and operation of the system. ~~The Department shall, on or before July 1, 2014, assess the feasibility of incorporating all information needed to determine eligibility for long-term care services, including asset transfer and spousal impoverishment financials, into the State's integrated eligibility system identifying all resources needed and reasonable timeframes for achieving the specified integration.~~

(c) Beginning on June 29, 2018, provisional eligibility, in the form of a recipient identification number and any other necessary credentials to permit an applicant to receive benefits, must be issued to any applicant who has not received a final eligibility determination on his or her application for Medicaid or Medicaid long-term care benefits or a notice of an opportunity for a hearing within the federally prescribed deadlines for the processing of such applications. The Department must maintain the applicant's provisional Medicaid enrollment status until a final eligibility determination is approved or the applicant's appeal has been adjudicated and eligibility is denied. The Department or the managed care organization, if applicable, must reimburse providers for all services rendered during an applicant's provisional eligibility period.

(1) The Department must immediately notify the managed care organization, if applicable, in which the applicant is an enrollee of the enrollee's change in status.

(2) The Department or the managed care organization, when applicable, must begin processing claims for services rendered by the end of the month in which the applicant is given provisional eligibility status. Claims for services rendered must be submitted and processed by the Department and managed care organizations in the same manner as those submitted on behalf of beneficiaries determined to qualify for benefits.

(3) An applicant with provisional enrollment status must have his or her benefits paid for under the State's fee-for-service system until such time as the State makes a final determination on the applicant's Medicaid or Medicaid long-term care application. If an individual is enrolled with a managed care organization for community benefits at the time the individual's provisional status is issued, the managed care organization is only responsible for paying benefits covered under the capitation payment received by the managed care organization for the individual.

(4) The Department, within 10 business days of issuing provisional eligibility to an applicant not covered by a managed care organization, must submit to the Office of the Comptroller for payment a voucher for all retroactive reimbursement due. The Department must clearly identify such vouchers as provisional eligibility vouchers. ~~The lead agency shall file interim reports with the Chairs and Minority Spokespersons of the House and Senate Human Services Committees no later than September 1, 2013 and on February 1, 2014. The Department of Healthcare and Family Services shall include in the annual Medicaid report for State Fiscal Year 2014 and every fiscal year thereafter information concerning implementation of the provisions of this Section.~~

(d) The Department must establish, by rule, policies and procedures to ensure prospective compliance with the federal deadlines for Medicaid and Medicaid long-term care benefits eligibility determinations required under 42 U.S.C. 1396a(a)(8) and 42 CFR 435.912, which must include, but need not be limited to, the following:

(1) The Department, assisted by the Department of Human Services and the Department on Aging, must establish, no later than January 1, 2019, a streamlined application and enrollment process that includes, but is not limited to, the following:

(A) collect only the data necessary to determine eligibility for medical services, long-term care services, and spousal impoverishment offset;

(B) integrate online data and other third party data sources to simplify the application process by reducing the amount of information needed to be entered and to expedite eligibility verification;

(C) provide online prompts to alert the applicant that information is missing or incomplete; and

(D) provide training and step-by-step written instructions for caseworkers, applicants, and providers.

(2) The Department must expedite the eligibility processing system for applicants meeting certain guidelines, regardless of the age of the application. The guidelines must be established by rule and must include, but not be limited to, the following individually or collectively:

(A) Full Medicaid benefits in the community for a specified period of time.

(B) No transfer of assets or resources during the federally prescribed look-back time period, as specified by federal law.

(C) Receives Supplemental Security Income payments or was receiving such payments at the time the applicant was admitted to a nursing facility.

(D) Verified income at or below 100% of the federal poverty level when the declared value of the applicant's countable resources is no greater than the allowable amounts pursuant to Section 5-2 of this Code for classes of eligible persons for whom a resource limit applies.

(3) The Department must establish, by rule, renewal policies and procedures to reduce the likelihood of unnecessary interruptions in services as a result of improper denials of applicants who would otherwise be approved.

(A) Effective January 1, 2019, the Department must implement a paperless passive renewal protocol that provides for the electronic verification of all necessary information including bank accounts.

(B) A beneficiary who is a resident of a facility and whose previous renewal application showed an income of no greater than the federal poverty level and who has no discernible means of generating income greater than the federal poverty level must be deemed to qualify for renewal. The beneficiary and the facility must not receive an application for renewal and must instead receive notification of the beneficiary's renewal.

(C) A beneficiary for whom the processing of a renewal application exceeds federally prescribed timeframes must be deemed to meet renewal guidelines and the Department must notify the beneficiary and the facility in which the beneficiary resides. The Department must also immediately notify the managed care organization in which the beneficiary is enrolled, if applicable. Both the Department and the managed care organization must accept claims for services rendered to the beneficiary without an interruption in benefits to the enrollee and payment for all services rendered to providers.

(4) The Department of Human Services must not penalize an applicant for having an attorney complete a Medicaid application on the applicant's behalf or for seeking to understand the applicant's rights under federal and State Medicaid laws and regulations. This must not include targeting applications and applicants so described for additional scrutiny by the Department of Healthcare and Family Services' Office of the Inspector General.

(5) The Department of Healthcare and Family Services' Office of the Inspector General must review applications for long-term care benefits when the Office obtains credible evidence that an applicant has transferred assets with the intent of defrauding the State. If proof of the allegations does not exist, the application must be released by the Office and must be assigned to the appropriate caseworker for an expedited review.

(6) The Department of Human Services must implement a process to notify an applicant, the applicant's legally authorized representative, and the facility where the applicant resides of the receipt of an initial or renewal application and supporting documentation within 5 business days of the date the application or supporting documents are submitted. The notices should indicate any documentation required, but not received, and provide instructions for submission.

(7) The Department must make available one release form that permits the applicant to grant permission to a third party to pursue approval of Medicaid and Medicaid long-term care benefits, track the status of applications, and pursue a post-denial appeal on behalf of the applicant, which must remain in force after the applicant's death.

(8) The Department must develop one eligibility system for both Modified Adjusted Gross Income (MAGI) and non-MAGI applicants by incorporating Affordable Care Act upgrades with the goal of establishing real time approval of applications for Medicaid services and Medicaid long-term care benefits, as permissible.

(9) The Department must have operational a fully electronic application process that encompasses initial applications, admission packet, renewals, and appeals no later than 12 months after the effective date of this amendatory Act of the 100th General Assembly. The Department must not require submission of any application or supporting documentation in hard copy. ~~No later than August 1, 2014, the Auditor General shall report to the General Assembly concerning the extent to which the timeframes specified in this Section have been met and the extent to which State staffing levels are adequate to meet the requirements of this Section.~~

(e) The Department must adopt policies and procedures to improve communication between long-term care benefits central office personnel, applicants, or the applicants' representatives, and facilities in which the applicants reside. The Department must establish, by rule, such policies and procedures that are necessary to meet the requirements of this Section, which must include, but need not be limited to, the following:

(1) The establishment of a centralized, caseworker-based processing system with contact numbers for caseworkers and supervisors that are made readily available to all affected providers and are prominently displayed on all communications with applicants, beneficiaries, and providers.

(2) Allowing facilities access to the State's integrated eligibility system for tracking the status of applications for applicants who have signed appropriate releases, and the development and distribution of applicable instructional materials and release forms. ~~The Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging shall take the following steps to achieve federally established timeframes for eligibility determinations for Medicaid and long-term care benefits and shall work toward the federal goal of real time determinations:~~

~~(1) The Departments shall review, in collaboration with representatives of affected providers, all forms and procedures currently in use, federal guidelines either suggested or mandated, and staff deployment by September 30, 2014 to identify additional measures that can improve long-term care eligibility processing and make adjustments where possible.~~

~~(2) No later than June 30, 2014, the Department of Healthcare and Family Services shall issue vouchers for advance payments not to exceed $50,000,000 to nursing facilities with significant outstanding Medicaid liability associated with services provided to residents with Medicaid applications pending and residents facing the greatest delays. Each facility with an advance payment shall state in writing whether its own recoupment schedule will be in 3 or 6 equal monthly installments, as long as all advances are recouped by June 30, 2015.~~

~~(3) The Department of Healthcare and Family Services' Office of Inspector General and the Department of Human Services shall immediately forgo resource review and review of transfers during the relevant look-back period for applications that were submitted prior to September 1, 2013. An applicant who applied prior to September 1, 2013, who was denied for failure to cooperate in providing required information, and whose application was incorrectly reviewed under the wrong look-back period rules may request review and correction of the denial based on this subsection. If found eligible upon review, such applicants shall be retroactively enrolled.~~

~~(4) As soon as practicable, the Department of Healthcare and Family Services shall implement policies and promulgate rules to simplify financial eligibility verification in the following instances: (A) for applicants or recipients who are receiving Supplemental Security Income payments or who had been receiving such payments at the time they were admitted to a nursing facility and (B) for applicants or recipients with verified income at or below 100% of the federal poverty level when the declared value of their countable resources is no greater than the allowable amounts pursuant to Section 5-2 of this Code for classes of eligible persons for whom a resource limit applies. Such simplified verification policies shall apply to community cases as well as long-term care cases.~~

~~(5) As soon as practicable, but not later than July 1, 2014, the Department of Healthcare and Family Services and the Department of Human Services shall jointly begin a special enrollment project by using simplified eligibility verification policies and by redeploying caseworkers trained to handle long-term care cases to prioritize those cases, until the backlog is eliminated and processing time is within 90 days. This project shall apply to applications for long-term care received by the State on or before May 15, 2014.~~

~~(6) As soon as practicable, but not later than September 1, 2014, the Department on Aging shall make available to long-term care facilities and community providers upon request, through an electronic method, the information contained within the Interagency Certification of Screening Results completed by the pre-screener, in a form and manner acceptable to the Department of Human Services.~~

(f) The Department must establish, by rule, policies and procedures to improve accountability and provide for the expedited payment of services rendered, which must include, but need not be limited to, the following:

(1) The Department must apply the most current resident income data entered into the Department's Medical Electronic Data Interchange (MEDI) system to the payment of a claim even if a caseworker has not completed a review.

(2) The Department and the Department of Human Services must notify the applicant, or the applicant's legal representative, and the facility submitting the initial, renewal, or appeal application of all missing supporting documentation or information and the date of the request when an application, renewal, or appeal is denied for failure to submit such documentation and information.

(g) No later than January 1, 2019, the Department of Healthcare and Family Services must investigate the public-private partnerships in use in Ohio, Michigan, and Minnesota aimed at redeploying caseworkers to targeted high-Medicaid facilities for the purpose of expediting initial Medicaid and Medicaid long-term care benefits applications, renewals, asset discovery, and all other things related to enrollment, reimbursement, and application processing. No later than March 1, 2019, the Department of Healthcare and Family Services must post on the long-term care pages of the Department's website the agencies' joint recommendations and must assist provider groups in educating their members on such partnerships.

(h) The Director of Healthcare and Family Services, in coordination with the Secretary of Human Services and the Director of Aging, must host a provider association meeting every 6 weeks, beginning no

later than 30 days after the effective date of this amendatory Act of the 100th General Assembly, until all applications that are 45 days or older have been adjudicated and the application process has been reduced to 45 or fewer days, at which time the meetings shall be held quarterly, for those associations representing facilities licensed under the Nursing Home Care Act and certified as a supportive living program. Each agency must be represented by senior staff with hands-on knowledge of the processing of applications for Medicaid and Medicaid long-term care benefits, renewals, and such ancillary issues as income and address adjustments, release forms, and screening reports. Agenda items must be solicited from the associations.

(i) The Department must not delay the implementation of the presumptive eligibility, as ordered by Koss v. Norwood, Case No. 17 C 2762 (N.D. Ill. Mar. 29, 2018), in anticipation of this amendatory Act of the 100th General Assembly.

(j) As mandated by federal regulations under 42 CFR 435.912, the Department and the Department of Human Services must not deny applications for Medicaid or Medicaid long-term care benefits to comply with the federal timeliness standards or avoid authorizing provisional eligibility under this Section. To ensure compliance, the percentage of denials in a given month must not increase by more than 1% of the denial rate that occurred in the same month of the preceding year.

(k) The Department of Human Services must prioritize processing applications on a last-in, first-out basis. The Department is expressly prohibited from prioritizing the processing of applications from applicants who have been issued provisional eligibility status over other applicants.

(l) Unless otherwise specified, all provisions of this amendatory Act of the 100th General Assembly must be fully operational by January 1, 2019.

(m) Nothing in this Section shall defeat the provisions contained in the State Prompt Payment Act or the timely pay provisions contained in Section 368a of the Illinois Insurance Code.

(n) The Department must offer regionally based training covering all aspects of this Section and must include long-term care provider associations in the design and presentation of the training. The training shall be recorded and posted on the Department's website to allow new employees to be trained and older employers to complete refresher courses.

(o) The Department and the Department of Human Services must not require an applicant for Medicaid or Medicaid long-term care benefits to submit a new application solely because there is a change in the applicant's legal representative.

(p) The Department and the Department of Human Services must implement the requirements under this Section even if the required rules are not yet adopted by the dates specified in this Section. If the Department is required to adopt rules under this Section or if the Department determines that rules are necessary to achieve full implementation, the Department must adopt policies and procedures to allow for full implementation by the date specified in this Section and must publish all policies and procedures on the Department's website. The Department must submit proposed permanent rules for public comment no later than January 1, 2019.

(q) ~~(7)~~ Effective 30 days after the completion of 3 regionally based trainings, nursing facilities shall submit all applications for medical assistance online via the Application for Benefits Eligibility (ABE) website. This requirement shall extend to scanning and uploading with the online application any required additional forms such as the Long Term Care Facility Notification and the Additional Financial Information for Long Term Care Applicants as well as scanned copies of any supporting documentation. Long-term care facility admission documents must be submitted as required in Section 5-5 of this Code. No local Department of Human Services office shall refuse to accept an electronically filed application.

(r) ~~(8)~~ Notwithstanding any other provision of this Code, the Department of Human Services and the Department of Healthcare and Family Services' Office of the Inspector General shall, upon request, allow an applicant additional time to submit information and documents needed as part of a review of available resources or resources transferred during the look-back period. The initial extension shall not exceed 30 days. A second extension of 30 days may be granted upon request. Any request for information issued by the State to an applicant shall include the following: an explanation of the information required and the date by which the information must be submitted; a statement that failure to respond in a timely manner can result in denial of the application; a statement that the applicant or the facility in the name of the applicant may seek an extension; and the name and contact information of a caseworker in case of questions. Any such request for information shall also be sent to the facility. In deciding whether to grant an extension, the Department of Human Services or the Department of Healthcare and Family Services' Office of the Inspector General shall take into account what is in the best interest of the applicant. The time limits for processing an application shall be tolled during the period of any extension granted under this subsection.

(s) ~~(9)~~ The Department of Human Services and the Department of Healthcare and Family Services must jointly compile data on pending applications, denials, appeals, and renewals ~~redeterminations~~ into a

monthly report, which shall be posted on each Department's website for the purposes of monitoring long-term care eligibility processing. The report must specify the number of applications and renewals ~~redeterminations~~ pending long-term care eligibility determination and admission and the number of appeals of denials in the following categories:

(1) ~~(A)~~ Length of time applications, renewals ~~redeterminations~~, and appeals are pending - 0 to 45 days, 46 days to 90 days, 91 days to 180 days, 181 days to 12 months, over 12 months to 18 months, over 18 months to 24 months, and over 24 months.

(2) ~~(B)~~ Percentage of applications and renewals ~~redeterminations~~ pending in the Department of Human Services' Family Community Resource Centers, in the Department of Human Services' long-term care hubs, with the Department of Healthcare and Family Services' Office of Inspector General, and those applications which are being tolled due to requests for extension of time for additional information.

(3) ~~(C)~~ Status of pending applications, denials, appeals, and renewals ~~redeterminations~~.

(4) For applications, renewals, and appeals pending more than 45 days, the reason for the delay as required by federal regulations under 42 CFR 435.912.

(t) ~~(f)~~ Beginning on July 1, 2017, the Auditor General shall report every 3 years to the General Assembly on the performance and compliance of the Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging in meeting the requirements of this Section and the federal requirements concerning eligibility determinations for Medicaid long-term care services and supports, and shall report any issues or deficiencies and make recommendations. The Auditor General shall, at a minimum, review, consider, and evaluate the following:

(1) compliance with federal regulations on furnishing services as related to Medicaid long-term care services and supports as provided under 42 CFR 435.930;

(2) compliance with federal regulations on the timely determination of eligibility as provided under 42 CFR 435.912;

(3) the accuracy and completeness of the report required under paragraph (9) of subsection (e);

(4) the efficacy and efficiency of the task-based process used for making eligibility determinations in the centralized offices of the Department of Human Services for long-term care services, including the role of the State's integrated eligibility system, as opposed to the traditional caseworker-specific process from which these central offices have converted; and

(5) any issues affecting eligibility determinations related to the Department of Human Services' staff completing Medicaid eligibility determinations instead of the designated single-state Medicaid agency in Illinois, the Department of Healthcare and Family Services.

The Auditor General's report shall include any and all other areas or issues which are identified through an annual review. Paragraphs (1) through (5) of this subsection shall not be construed to limit the scope of the annual review and the Auditor General's authority to thoroughly and completely evaluate any and all processes, policies, and procedures concerning compliance with federal and State law requirements on eligibility determinations for Medicaid long-term care services and supports.
(Source: P.A. 99-153, eff. 7-28-15; 100-380, eff. 8-25-17.)

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

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

On motion of Senator Hunter, **House Bill No. 4796** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Rose, **House Bill No. 4805** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Rose, **House Bill No. 4822** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 4846** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 4847** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **House Bill No. 4858** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **House Bill No. 4867** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 4870** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 4882** was taken up, read by title a second time and ordered to a third reading.

INTRODUCTION OF BILL

SENATE BILL NO. 3610. Introduced by Senator Holmes, a bill for AN ACT concerning appropriations.

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

MESSAGES FROM THE HOUSE

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 114

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, Specialist 4 Michael Harold Flood was born in Effingham on October 1, 1948, the first child of Harold Joseph and Anna Charlene (Crose) Flood; he, along with his siblings, Patricia Marie (Turner), Daniel Joseph, Kathleen Ann (Darling), Marlene Ann (Van Matre), Kevin Eugene, and Larry Eugene, lived on the family farm in rural Toledo; and

WHEREAS, SPC Flood started working with his father at a young age, caring for cattle and pigs and working on farm equipment; he started assisting with harvesting the crops as soon as his feet could touch the pedals on the equipment; his favorite class in high school was building and trades, which he took all four years; his class built a new house every school year on Route 121 near the high school; he loved building so much that he decided after graduation he wanted to work full time at the builder's supply store in Toledo; and

WHEREAS, SPC Flood joined the United States Army on April 3, 1968; he was a combat medic assigned to Company B, 1st Battalion, 506th Infantry, 101st Airborne; he was killed in action on Good Friday, April 4, 1969 while on routine patrol outside a firebase above the Ashau Valley; he died while providing medical aid to others who were wounded in action; for his extraordinary bravery under fire, he was posthumously awarded the Silver Star and the Bronze Star; and

WHEREAS, SPC Flood loved cars and the races; he aspired to be a race car driver and perhaps one day race in Nascar when he returned from Vietnam and completed his service; and

WHEREAS, Throughout high school, SPC Flood was active in the Future Farmers of America and for 25 years his parents provided a monetary award and trophy in his memory to an outstanding FFA senior; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the segment of Illinois Route 121 in Cumberland County between CR 1450 East and CR 1600 East as the "SPC Michael Flood 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 "SPC Michael Flood Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of SPC Flood and the Secretary of Transportation.

Adopted by the House, May 10, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 114 was referred to the Committee on Assignments.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 115

WHEREAS, In 2014, the United States Department of Education and the United States Department of Justice issued guidance through the Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline on January 8, 2014, to assist public schools with administering student discipline without discriminating on the basis of race, color, or national origin; and

WHEREAS, Every student is entitled to equal education opportunities regardless of race, color, or national origin; and

WHEREAS, This guidance addresses the school-to-prison pipeline, a problematic trend in which students of color are disproportionately suspended, expelled, arrested, and exposed to law enforcement; and

WHEREAS, Under Title VI of the Civil Rights Act of 1964, states, school districts, and schools must not intentionally treat students differently nor implement policies or practices in providing educational resources that disproportionately affect students based on race, color, or national origin, as this discrimination is prohibited; and

WHEREAS, According to U.S. Education Department data, research shows that racial disparities in school discipline contribute to adverse impacts on the student achievement gap, including lower grades, higher dropout rates, higher incarceration rates, and reduction of important instructional time due to exclusionary discipline; and

WHEREAS, Black female students in Illinois are more than 7.5 times more likely to have multiple out-of-school suspensions than white female students; and

WHEREAS, Latino students in Illinois are nearly 1.5 times more likely to have multiple out-of-school suspensions than white students; and

WHEREAS, Black students in Illinois are two times more likely to be referred to law enforcement by their schools than white students; and

WHEREAS, Higher rates of suspension are related to higher rates of future antisocial behaviors and involvement in the juvenile justice system; and

WHEREAS, Data from Chicago educators suggests only 20% of educators feel they have received "at least effective" training on restorative justice; and

WHEREAS, In acknowledgement of said disparities, Illinois passed Senate Bill 100 in 2015 in recognition of the growing national and local movements focused on breaking down the school-to-prison pipeline and reducing exclusionary discipline practices; and

WHEREAS, Those schools and districts that have prioritized implementation of restorative practices as a result of Senate Bill 100 of the 99th General Assembly have seen significant reductions in suspensions, expulsions, and notifications; and

WHEREAS, In accordance with Title VI, data suggest via the U.S. Department of Education and the U.S. Department of Justice that this current guidance on how to identify, avoid, and remedy discriminatory discipline will assist schools in providing all students with equal educational opportunities; and

WHEREAS, Equitable discipline policies are crucial to creating safe and welcoming school environments, improving a school's climate and culture, and ultimately increasing overall student engagement and achievement; and

WHEREAS, Given the aforementioned data and concerns, Illinois must reaffirm its commitment to dismantling the school-to-prison pipeline and ensuring that we are educating and preparing all our young people to build a brighter future for themselves and our State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the U.S. Department of Education to actively sustain the school discipline guidance released by the Departments of Education and Justice in 2014, and the State of Illinois and Illinois State Board of Education to uphold the original school discipline guidance released by the Department of Education and Justice in 2014, regardless of the decision made by the U.S. Department of Education; and be it further

RESOLVED, That suitable copies of this resolution be delivered to United States Secretary of Education Betsy DeVos, Illinois State Superintendent of Education Tony Smith, and Illinois State Board of Education Chairman James T. Meeks.

Adopted by the House, May 10, 2018.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 115 was referred to the Committee on Assignments.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 682

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

Amendment No. 1 to House Bill 1443
Amendment No. 2 to House Bill 4711
Amendment No. 1 to House Bill 5542

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 1698
Offered by Senators Righter-Althoff-McConnaughay and all Senators:
Mourns the death of Ralph D. Glenn of Mattoon.

SENATE RESOLUTION NO. 1699
Offered by Senator Mulroe and all Senators:
Mourns the death of Maurie Berman.

SENATE RESOLUTION NO. 1702
Offered by Senator Hunter and all Senators:
Mourns the death of Nomzamo Winifred Zanyiwe "Winnie" Madikizela-Mandela.

SENATE RESOLUTION NO. 1704
Offered by Senator Raoul and all Senators:
Mourns the death of Neil Winston, M.D.

SENATE RESOLUTION NO. 1705
Offered by Senator Haine and all Senators:
Mourns the death of John L. Rogers of Godfrey.

SENATE RESOLUTION NO. 1707
Offered by Senator Haine and all Senators:
Mourns the death of Patricia Jane "Patty" Hayes.

SENATE RESOLUTION NO. 1708
Offered by Senator Anderson and all Senators:
Mourns the death of William H. "Bill" Teichman of East Moline.

SENATE RESOLUTION NO. 1709
Offered by Senator Anderson and all Senators:
Mourns the death of Alan J. Hoffman of Moline.

SENATE RESOLUTION NO. 1710
Offered by Senator Anderson and all Senators:
Mourns the death of Stephen C. "Steve" VanEarwage of Rock Island.

SENATE RESOLUTION NO. 1711
Offered by Senator Anderson and all Senators:
Mourns the death of Daniel W. "Whitey" Frank of Moline.

SENATE RESOLUTION NO. 1712
Offered by Senator Anderson and all Senators:
Mourns the death of Phillip V. "Phil" "Butch" Tubbs of Moline.

SENATE RESOLUTION NO. 1713
Offered by Senator Hunter and all Senators:
Mourns the death of John A. Thornton.

SENATE RESOLUTION NO. 1714

Offered by Senator Connelly and all Senators:
Mourns the death of Peter H. Huizenga of Oak Brook.

SENATE RESOLUTION NO. 1715

Offered by Senator Brady and all Senators:
Mourns the death of Peter H. Huizenga of Oak Brook.

SENATE RESOLUTION NO. 1718

Offered by Senator Righter and all Senators:
Mourns the death of Anthony Vincent Sheehan II.

SENATE RESOLUTION NO. 1719

Offered by Senator Althoff and all Senators:
Mourns the death of Charmaine J. "Charm" Hay, formerly of Wonder Lake and Fox Lake.

SENATE RESOLUTION NO. 1720

Offered by Senator Althoff and all Senators:
Mourns the death of Muriel A. Budzynski of Johnsburg.

SENATE RESOLUTION NO. 1721

Offered by Senator Althoff and all Senators:
Mourns the death of Guy F. De Vita.

SENATE RESOLUTION NO. 1722

Offered by Senator Althoff and all Senators:
Mourns the death of Frances Lena Freund of McHenry.

SENATE RESOLUTION NO. 1723

Offered by Senator Althoff and all Senators:
Mourns the death of John R. Sorensen of Woodstock.

SENATE RESOLUTION NO. 1724

Offered by Senator Althoff and all Senators:
Mourns the death of Kennith Joseph "Ken" Schuerr.

SENATE RESOLUTION NO. 1725

Offered by Senator Althoff and all Senators:
Mourns the death of Jerome L. "Jerry" Riley of Woodstock.

SENATE RESOLUTION NO. 1726

Offered by Senator Anderson and all Senators:
Mourns the death of James Joseph Lerch, Sr., of Rock Island.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

MESSAGE FROM THE HOUSE

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 130

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, May 10, 2018, the House of Representatives stands adjourned until Tuesday, May 15, 2018 at 12:00 o'clock noon, or until the call of the Speaker; and the Senate stands adjourned until Tuesday, May 15, 2018, or until the call of the President.

Adopted by the House, May 9, 2018.

TIMOTHY D. MAPES, Clerk of the House

By unanimous consent, on motion of Senator Hunter, the foregoing message reporting House Joint Resolution No. 130 was taken up for immediate consideration.

Senator Hunter moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 12:52 o'clock p.m., pursuant to **House Joint Resolution No. 130**, the Chair announced that the Senate stands adjourned until Tuesday, May 15, 2018, at 12:00 o'clock noon, or until the call of the President.