



SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDREDTH GENERAL ASSEMBLY

124TH LEGISLATIVE DAY

WEDNESDAY, MAY 16, 2018

12:09 O'CLOCK P.M.

SENATE
Daily Journal Index
124th Legislative Day

Action	Page(s)
Deadline Established	4
Introduction of Senate Bill No. 3611	9
Legislative Measure(s) Filed	4, 9, 10, 67
Message from the House	8
Message from the President	4, 68
Motion in Writing	9
Presentation of Senate Joint Resolution No. 74	5
Presentation of Senate Resolution No. 1745	4
Presentation of Senate Resolution No. 1746	46
Report from Assignments Committee	20
Report from Standing Committee(s)	7

Bill Number	Legislative Action	Page(s)
SB 0193	Motion Filed to Override Veto	44
SB 0337	Recalled - Amendment(s)	30
SB 0337	Third Reading	39
SB 1936	Concur in House Amendment(s)	45
SB 2387	Recalled - Amendment(s)	39
SB 2387	Third Reading	44
SB 2485	Recalled - Amendment(s)	10
SB 2485	Third Reading	20
SB 2638	Recalled - Amendment(s)	22
SB 2638	Third Reading	29
SJR 0057	Adopted	57
SJR 0074	Committee on Assignments	5
SR 1745	Committee on Assignments	4
SR 1746	Committee on Assignments	46
HB 0751	Second Reading	60
HB 1265	Second Reading	60
HB 1336	Second Reading	60
HB 1338	Second Reading	60
HB 1447	Second Reading	60
HB 1595	Second Reading	60
HB 1671	Second Reading	60
HB 1910	Second Reading	60
HB 2477	Second Reading	61
HB 2617	Second Reading	61
HB 3040	Second Reading	61
HB 3223	Second Reading	61
HB 3418	Second Reading	62
HB 4096	Second Reading	62
HB 4129	Second Reading	62
HB 4231	Second Reading	67
HB 4234	Second Reading	67
HB 4275	Second Reading	67
HB 4284	Second Reading	67
HB 4288	Third Reading	47
HB 4295	Second Reading	67
HB 4317	Third Reading	47
HB 4319	Third Reading	48

HB 4345	Second Reading.....	67
HB 4346	Third Reading	48
HB 4369	Third Reading	49
HB 4377	Second Reading.....	67
HB 4383	Second Reading.....	67
HB 4392	Third Reading	49
HB 4395	Third Reading	50
HB 4397	Third Reading	50
HB 4424	Second Reading.....	67
HB 4467	Second Reading.....	67
HB 4508	Second Reading.....	67
HB 4514	Third Reading	51
HB 4515	Third Reading	51
HB 4568	Third Reading	52
HB 4572	Third Reading	52
HB 4589	Third Reading	53
HB 4645	Third Reading	53
HB 4677	Third Reading	54
HB 4687	Third Reading	54
HB 4697	Recalled – Amendment(s).....	55
HB 4710	Third Reading	55
HB 4741	Third Reading	56
HB 4745	Third Reading	56
HB 4892	Second Reading.....	57
HB 4908	Second Reading.....	57
HB 4909	Second Reading.....	57
HB 4911	Second Reading.....	57
HB 4923	Second Reading.....	57
HB 4949	Second Reading.....	57
HB 4953	Second Reading.....	58
HB 4990	Second Reading.....	58
HB 5019	Second Reading.....	58
HB 5062	Second Reading.....	58
HB 5077	Second Reading.....	58
HB 5109	Second Reading.....	58
HB 5110	Second Reading.....	58
HB 5111	Second Reading.....	58
HB 5150	First Reading.....	9
HB 5155	Second Reading.....	58
HB 5157	Second Reading.....	58
HB 5175	Second Reading.....	9
HB 5203	Second Reading.....	58
HB 5242	Second Reading.....	58
HB 5317	Second Reading.....	58
HB 5494	Second Reading.....	58
HB 5537	Second Reading.....	58
HB 5541	Second Reading.....	58
HB 5547	Second Reading.....	58
HB 5551	Second Reading.....	58
HB 5597	Second Reading.....	58
HB 5611	Second Reading.....	59
HB 5856	Second Reading.....	59

The Senate met pursuant to adjournment.

Senator Kimberly A. Lightford, Maywood, Illinois, presiding.

Prayer by Pastor Scott Marsh, Texas Christian Church and Maroa Christian Church, Maroa, Illinois.

Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, May 15, 2018, be postponed, pending arrival of the printed Journal.

The motion prevailed.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 751

Amendment No. 2 to House Bill 3342

Amendment No. 1 to House Bill 4594

Amendment No. 1 to House Bill 4735

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

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

May 16, 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 deadline to May 31, 2018, for the following Senate bills:

577, 1658, 2356, 2369, 3566, 3567 and 3569.

Sincerely,

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

cc: Senate Republican Leader Bill Brady

PRESENTATION OF RESOLUTIONS

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

SENATE RESOLUTION NO. 1745

[May 16, 2018]

WHEREAS, September is designated National Suicide Prevention Awareness Month, a time to come together with collective passion and strength around a difficult topic, to raise awareness, and to promote resources regarding suicide prevention; and

WHEREAS, Suicidal thoughts can affect anyone regardless of age, gender, or background, and although common, should not be considered normal and often indicate more serious issues; suicide is the third leading cause of death among young people; and

WHEREAS, Local and national organizations, like Suicide Prevention Services, are working diligently every day to address an issue that many still refuse to discuss in public; communities have an important role to play in supporting those who are vulnerable; and

WHEREAS, Everyone is encouraged to take the time to inquire as to the wellbeing of their family, friends, and neighbors and to genuinely convey their appreciation for their existence by any gesture they deem appropriate; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare the month of September 2018 as National Suicide Prevention Awareness Month in the State of Illinois; and be it further

RESOLVED, That we encourage individuals, communities, and organizations throughout the State of Illinois to share suicide prevention awareness strategies and to ensure that individuals, friends, and families have access to resources they need to discuss suicide prevention.

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

SENATE JOINT RESOLUTION NO. 74

WHEREAS, Illinois' economy depends on a robust and efficient transportation network; and

WHEREAS, The sheer size of our State, with automobile travel from the south to the north taking as much as 6 hours, leaves our cities and regions relatively disconnected from each other, slowing our economic growth; and

WHEREAS, One major transportation project can unite the entire State's economy, linking together business centers and generating efficiencies and economic growth; and

WHEREAS, An Illinois Department of Transportation study completed by the University of Illinois at Chicago found that an O'Hare-Union Station-Champaign-Springfield-St. Louis with a Champaign-Indianapolis branch high speed rail line would generate an operating surplus that would require no annual subsidy; and

WHEREAS, The next steps in the planning process for a statewide high speed rail line are an investment grade ridership analysis to allow potential private financing entities to assess the suitability of the high speed rail line for investment; and

WHEREAS, The extension of the Metra Electric line south from University Park through Will County to Kankakee has long been a transportation objective for the south suburbs; this high speed rail line would serve that market, bringing Kankakee County, Will County, and southern Cook County modern transportation access to Chicago and the southern part of the State; and

WHEREAS, The convention business is a major industry for Illinois' economy; any way that could improve the attractiveness of our convention spaces like McCormick Place to major shows is a key component to Illinois' prosperity; and

[May 16, 2018]

WHEREAS, Connecting McCormick Place, the continent's largest exhibition venue, directly to O'Hare International Airport, the nation's busiest airport, significantly enhances the attractiveness of Chicago to trade shows, as it allows visitors to avoid the chronically congested Kennedy Expressway with a direct train ride to the existing Metra station in McCormick Place; and

WHEREAS, O'Hare International Airport to downtown Chicago would serve as the key anchor in a statewide high speed rail line; and

WHEREAS, Finding a way to connect the business traveler nodes of Aurora and Naperville with the high speed rail line to feed the network with the residents and business travelers around the I-88 corridor would be extremely helpful to creating a financially viable high speed line; and

WHEREAS, Supporting and building new technology companies is a key goal for creating more Illinois jobs; one of the world's greatest centers for cutting-edge research in technology and software is the University of Illinois at Urbana-Champaign, but Illinois has lost thousands of graduates to other states, which have created new technology companies worth tens of billions of dollars; and

WHEREAS, Connecting the University of Illinois at Urbana-Champaign to downtown Chicago via a 50 minute high-speed train ride is the best way to integrate the financial and business capital of Chicago with the intellectual and technological capital of Urbana-Champaign to support and create new billion-dollar technology businesses in Illinois; and

WHEREAS, Three Fortune 500 companies are in Downstate Illinois, Archer Daniels Midland in Decatur, Caterpillar, Inc. in Peoria, and State Farm Insurance Companies in Bloomington; providing a world-class high speed rail line from O'Hare to downstate Illinois with an eventual connecting train service to other communities would significantly improve the entire State's business climate, particularly for high-level corporate executives who require convenient access to international flights; and

WHEREAS, Placing the St. Louis-area terminus at the East St. Louis Metrolink station would not only save a billion dollars by avoiding the need to build a new bridge over the Mississippi River, as passengers could simply take the existing Metrolink from East St. Louis into Missouri, it would also serve as a game-changer for East St. Louis, one of the State's most economically challenged communities; and

WHEREAS, Several nations have sent trade delegations to Illinois expressing sincere interest in exporting their high speed train systems to our State; several nations have also offered to help finance a portion of the capital construction costs, including France, China, and Japan; and

WHEREAS, To date, Illinois has been unable to take advantage of the interest from other nations in partially financing and constructing a high speed rail line, mainly due to a lack of planning; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we urge Governor Rauner and the Illinois Department of Transportation to build upon the work of the 2013 high speed rail report and immediately task their existing consultants to prepare an investment-grade ridership analysis for distribution to interested parties around the world; and be it further

RESOLVED, That we urge Governor Rauner and the Illinois Department of Transportation to seek federal planning funds to help pay for this study and to consider all potential alternatives for a true high speed rail line that would complement all existing Amtrak services; and be it further

RESOLVED, That we urge all State agencies to provide any and all assistance to the City of Chicago in implementing this crucial transportation project; and be it further

RESOLVED, That we commend Chicago Mayor Rahm Emanuel for his commitment to building high speed train service between O'Hare International Airport and downtown Chicago and urge all State agencies to provide any and all assistance to the City of Chicago in implementing this crucial transportation project; and be it further

[May 16, 2018]

RESOLVED, That suitable copies of this resolution be delivered to the Governor, the Illinois Secretary of Transportation, Chicago Mayor Rahm Emanuel, and the members of the Illinois congressional delegation.

REPORTS FROM STANDING COMMITTEES

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 2892

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 4658, 4799, 4860 and 5754**, reported the same back with the recommendation that the bills do pass.

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **House Bill No. 4768**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 5247

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

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 4907 and 5069**, reported the same back with the recommendation that the bills do pass.

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

Senator Morrison, Chairperson of the Committee on Human Services, to which was referred **House Bill No. 5122**, reported the same back with the recommendation that the bill do pass.

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

Senator Morrison, Chairperson of the Committee on Human Services, to which was referred **House Bill No. 5245**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

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

Senate Amendment No. 1 to House Bill 1443

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

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

Senate Amendment No. 3 to Senate Bill 337

Senate Amendment No. 2 to Senate Bill 2485

[May 16, 2018]

Senate Amendment No. 2 to House Bill 4242

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

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

Senate Amendment No. 1 to Senate Bill 2354
Senate Amendment No. 1 to Senate Bill 2357
Senate Amendment No. 1 to Senate Bill 2358

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

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

Senate Amendment No. 4 to Senate Bill 2638
Senate Amendment No. 1 to House Bill 4697

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

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

Senate Amendment No. 1 to House Bill 5542

Under the rules, the foregoing floor amendment is eligible for consideration on 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. 92

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, Their sacrifice and service is a reminder that freedom is not free, but comes at a cost; and

WHEREAS, We should always remember the men and women who helped preserve the freedoms that we all enjoy; 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 overpass in Crainville along Wolf Creek Road over Illinois Route 13 as the "Veterans Memorial Overpass"; and be it further

[May 16, 2018]

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 "Veterans Memorial Overpass"; and be it further

RESOLVED, That suitable copies of this resolution be presented to Crainville Mayor Ron Mitchell and the Secretary of the Illinois 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. 92 was referred to the Committee on Assignments.

INTRODUCTION OF BILL

SENATE BILL NO. 3611. Introduced by Senator Tracy, 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.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 5150, sponsored by Senator Sims, was taken up, read by title a first time and referred to the Committee on Assignments.

MOTION IN WRITING

Senator Raoul submitted the following Motion in Writing:

I move that Senate Bill 193 do pass, notwithstanding the veto of the Governor.

5/15/2018
DATE

s/Kwame Raoul
SENATOR

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Cunningham, **House Bill No. 5175** was taken up, read by title a second time and ordered to a third reading.

At the hour of 12:20 o'clock p.m., Senator Link, presiding.

LEGISLATIVE MEASURES FILED

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

Committee Amendment No. 2 to House Bill 2624

Committee Amendment No. 1 to House Bill 4897

[May 16, 2018]

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. 2 to House Bill 751
 Amendment No. 1 to House Bill 4208
 Amendment No. 1 to House Bill 4799

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. 4 to Senate Bill 337
 Amendment No. 2 to Senate Bill 2358

At the hour of 12:40 o'clock p.m., Senator Lightford, presiding.

SENATE BILL RECALLED

On motion of Senator Murphy, **Senate Bill No. 2485** 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. 2 TO SENATE BILL 2485

AMENDMENT NO. 2. Amend Senate Bill 2485, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Condominium Property Act is amended by changing Sections 9, 9.2, 18, and 18.4 as follows:

(765 ILCS 605/9) (from Ch. 30, par. 309)

Sec. 9. Sharing of expenses - Lien for nonpayment.

(a) All common expenses incurred or accrued prior to the first conveyance of a unit shall be paid by the developer, and during this period no common expense assessment shall be payable to the association. It shall be the duty of each unit owner including the developer to pay his or her proportionate share of the common expenses commencing with the first conveyance. The proportionate share shall be in the same ratio as his or her percentage of ownership in the common elements set forth in the declaration.

(b) The condominium instruments may provide that common expenses for insurance premiums be assessed on a basis reflecting increased charges for coverage on certain units.

(c) Budget and reserves.

(1) The board of managers shall prepare and distribute to all unit owners a detailed proposed annual budget, setting forth with particularity all anticipated common expenses by category as well as all anticipated assessments and other income. The initial budget and common expense assessment based thereon shall be adopted prior to the conveyance of any unit. The budget shall also set forth each unit owner's proposed common expense assessment.

(2) All budgets adopted by a board of managers on or after July 1, 1990 shall provide for reasonable reserves for capital expenditures and deferred maintenance for repair or replacement of the common elements. To determine the amount of reserves appropriate for an association, the board of managers shall take into consideration the following: (i) the repair and replacement cost, and the estimated useful life, of the property which the association is obligated to maintain, including but not limited to structural and mechanical components, surfaces of the buildings and common elements, and energy systems and equipment; (ii) the current and anticipated return on investment of association funds; (iii) any independent professional reserve study which the association may obtain; (iv) the financial impact on unit owners, and the market value of the condominium units, of any assessment increase needed to fund reserves; and (v) the ability of the association to obtain financing or refinancing.

(3) Notwithstanding the provisions of this subsection (c), an association without a reserve requirement in its condominium instruments may elect to waive in whole or in part the reserve requirements of this Section by a vote of 2/3 of the total votes of the association. Any association having elected under this paragraph (3) to waive the provisions of subsection (c) may by a vote of 2/3 of the total votes of the association elect to again be governed by the requirements of subsection (c).

[May 16, 2018]

(4) In the event that an association elects to waive all or part of the reserve requirements of this Section, that fact must be disclosed after the meeting at which the waiver occurs by the association in the financial statements of the association and, highlighted in bold print, in the response to any request of a prospective purchaser for the information prescribed under Section 22.1; and no member of the board of managers or the managing agent of the association shall be liable, and no cause of action may be brought for damages against these parties, for the lack or inadequacy of reserve funds in the association budget.

(5) At the end of an association's fiscal year and after the association has approved any end-of-year fiscal audit, if applicable, if the fiscal year ended with a surplus of funds over actual expenses, including budgeted reserve fund contributions, then, to the extent that there are not any contrary provisions in the association's declaration and bylaws, the board of managers has the authority, in its discretion, to dispose of the surplus in one or more of the following ways: (i) contribute the surplus to the association's reserve fund; (ii) return the surplus to the unit owners as a credit against the remaining monthly assessments for the current fiscal year; (iii) return the surplus to the unit owners in the form of a direct payment to the unit owners; or (iv) maintain the funds in the operating account, in which case the funds shall be applied as a credit when calculating the following year's annual budget. If the fiscal year ends in a deficit, then, to the extent that there are not any contrary provisions in the association's declaration and bylaws, the board of managers has the authority, in its discretion, to address the deficit by incorporating it into the following year's annual budget. If 20% of the unit owners of the association deliver a petition objecting to the action under this paragraph (5) within 30 days after notice to the unit owners of the action, the board of managers shall call a meeting of the unit owners within 30 days of the date of delivery of the petition. At the meeting, the unit owners may vote to select a different option than the option selected by the board of managers. Unless a majority of the total votes of the unit owners are cast at the meeting to reject the board's selection and select a different option, the board's decision is ratified.

(d) (Blank).

(e) The condominium instruments may provide for the assessment, in connection with expenditures for the limited common elements, of only those units to which the limited common elements are assigned.

(f) Payment of any assessment shall be in amounts and at times determined by the board of managers.

(g) Lien.

(1) If any unit owner shall fail or refuse to make when due any payment of (i) the common expenses; ~~or (ii) €~~

the amount of any unpaid fine imposed in accordance with subsection (l) of Section 18.4, then when due, the amount thereof together with any interest, late charges, reasonable attorney fees incurred enforcing the covenants of the condominium instruments, rules and regulations of the board of managers, or any applicable statute or ordinance, and costs of collections shall constitute a lien on the interest of the unit owner in the property prior to all other liens and encumbrances, recorded or unrecorded, except only (a) taxes, special assessments and special taxes theretofore or thereafter levied by any political subdivision or municipal corporation of this State and other State or federal taxes which by law are a lien on the interest of the unit owner prior to preexisting recorded encumbrances thereon and (b) encumbrances on the interest of the unit owner recorded prior to the date of such failure or refusal which by law would be a lien thereon prior to subsequently recorded encumbrances. Any action brought to extinguish the lien of the association shall include the association as a party.

(2) With respect to encumbrances executed prior to August 30, 1984 or encumbrances executed subsequent to August 30, 1984 which are neither bonafide first mortgages nor trust deeds and which encumbrances contain a statement of a mailing address in the State of Illinois where notice may be mailed to the encumbrancer thereunder, if and whenever and as often as the manager or board of managers shall send, by United States certified or registered mail, return receipt requested, to any such encumbrancer at the mailing address set forth in the recorded encumbrance a statement of the amounts and due dates of the unpaid common expenses with respect to the encumbered unit, then, unless otherwise provided in the declaration or bylaws, the prior recorded encumbrance shall be subject to the lien of all unpaid common expenses with respect to the unit which become due and payable within a period of 90 days after the date of mailing of each such notice.

(3) The purchaser of a condominium unit at a judicial foreclosure sale, or a mortgagee who receives title to a unit by deed in lieu of foreclosure or judgment by common law strict foreclosure or otherwise takes possession pursuant to court order under the Illinois Mortgage Foreclosure Law, shall have the duty to pay the unit's proportionate share of the common expenses for the unit assessed from and after the first day of the month after the date of the judicial foreclosure sale, delivery of the deed in lieu of foreclosure, entry of a judgment in common law strict foreclosure, or taking of possession

pursuant to such court order. Such payment confirms the extinguishment of any lien created pursuant to paragraph (1) or (2) of this subsection (g) by virtue of the failure or refusal of a prior unit owner to make payment of common expenses, where the judicial foreclosure sale has been confirmed by order of the court, a deed in lieu thereof has been accepted by the lender, or a consent judgment has been entered by the court.

(4) The purchaser of a condominium unit at a judicial foreclosure sale, other than a mortgagee, who takes possession of a condominium unit pursuant to a court order or a purchaser who acquires title from a mortgagee shall have the duty to pay the proportionate share, if any, of the common expenses for the unit which would have become due in the absence of any assessment acceleration during the 6 months immediately preceding institution of an action to enforce the collection of assessments, and which remain unpaid by the owner during whose possession the assessments accrued. If the outstanding assessments are paid at any time during any action to enforce the collection of assessments, the purchaser shall have no obligation to pay any assessments which accrued before he or she acquired title.

(5) The notice of sale of a condominium unit under subsection (c) of Section 15-1507 of the Code of Civil Procedure shall state that the purchaser of the unit other than a mortgagee shall pay the assessments and the legal fees required by subdivisions (g)(1) and (g)(4) of Section 9 of this Act. The statement of assessment account issued by the association to a unit owner under subsection (i) of Section 18 of this Act, and the disclosure statement issued to a prospective purchaser under Section 22.1 of this Act, shall state the amount of the assessments and the legal fees, if any, required by subdivisions (g)(1) and (g)(4) of Section 9 of this Act.

(h) A lien for common expenses shall be in favor of the members of the board of managers and their successors in office and shall be for the benefit of all other unit owners. Notice of the lien may be recorded by the board of managers, or if the developer is the manager or has a majority of seats on the board of managers and the manager or board of managers fails to do so, any unit owner may record notice of the lien. Upon the recording of such notice the lien may be foreclosed by an action brought in the name of the board of managers in the same manner as a mortgage of real property.

(i) Unless otherwise provided in the declaration, the members of the board of managers and their successors in office, acting on behalf of the other unit owners, shall have the power to bid on the interest so foreclosed at the foreclosure sale, and to acquire and hold, lease, mortgage and convey it.

(j) Any encumbrancer may from time to time request in writing a written statement from the manager or board of managers setting forth the unpaid common expenses with respect to the unit covered by his or her encumbrance. Unless the request is complied with within 20 days, all unpaid common expenses which become due prior to the date of the making of such request shall be subordinate to the lien of the encumbrance. Any encumbrancer holding a lien on a unit may pay any unpaid common expenses payable with respect to the unit, and upon payment the encumbrancer shall have a lien on the unit for the amounts paid at the same rank as the lien of his or her encumbrance.

(k) Nothing in Public Act 83-1271 is intended to change the lien priorities of any encumbrance created prior to August 30, 1984.

(Source: P.A. 100-292, eff. 1-1-18.)

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

Sec. 9.2. Other remedies.

(a) In the event of any default by any unit owner, his or her tenant, invitee or guest in the performance of his or her obligations under this Act or under the declaration, bylaws, or the rules and regulations of the board of managers, the board of managers or its agents shall have such rights and remedies as provided in the Act or condominium instruments including the right to maintain an eviction action against such defaulting unit owner or his or her tenant for the benefit of all the other unit owners in the manner prescribed by Article IX of the Code of Civil Procedure. However, the board may not collect an unpaid fine unless the board levied the fine in accordance with subsection (l) of Section 18.4.

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

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

respective share of the common expenses is specifically stated in the declaration or bylaws of the Association.

(Source: P.A. 100-173, eff. 1-1-18.)

(765 ILCS 605/18) (from Ch. 30, par. 318)

Sec. 18. Contents of bylaws. The bylaws shall provide for at least the following:

(a)(1) The election from among the unit owners of a board of managers, the number of persons constituting such board, and that the terms of at least one-third of the members of the board shall expire annually and that all members of the board shall be elected at large; if there are multiple owners of a single unit, only one of the multiple owners shall be eligible to serve as a member of the board at any one time;

(2) the powers and duties of the board;

(3) the compensation, if any, of the members of the board;

(4) the method of removal from office of members of the board;

(5) that the board may engage the services of a manager or managing agent;

(6) that each unit owner shall receive, at least 25 days prior to the adoption thereof by the board of managers, a copy of the proposed annual budget together with an indication of which portions are intended for reserves, capital expenditures or repairs or payment of real estate taxes;

(7) that the board of managers shall annually supply to all unit owners an itemized accounting of the common expenses for the preceding year actually incurred or paid, together with an indication of which portions were for reserves, capital expenditures or repairs or payment of real estate taxes and with a tabulation of the amounts collected pursuant to the budget or assessment, and showing the net excess or deficit of income over expenditures plus reserves;

(8)(i) that each unit owner shall receive notice, in the same manner as is provided in this Act for membership meetings, of any meeting of the board of managers concerning the adoption of the proposed annual budget and regular assessments pursuant thereto or to adopt a separate (special) assessment, (ii) that except as provided in subsection (iv) below, if an adopted budget or any separate assessment adopted by the board would result in the sum of all regular and separate assessments payable in the current fiscal year exceeding 115% of the sum of all regular and separate assessments payable during the preceding fiscal year, the board of managers, upon written petition by unit owners with 20 percent of the votes of the association delivered to the board within 21 days of the board action, shall call a meeting of the unit owners within 30 days of the date of delivery of the petition to consider the budget or separate assessment; unless a majority of the total votes of the unit owners are cast at the meeting to reject the budget or separate assessment, it is ratified, (iii) that any common expense not set forth in the budget or any increase in assessments over the amount adopted in the budget shall be separately assessed against all unit owners, (iv) that separate assessments for expenditures relating to emergencies or mandated by law may be adopted by the board of managers without being subject to unit owner approval or the provisions of item (ii) above or item (v) below. As used herein, "emergency" means an immediate danger to the structural integrity of the common elements or to the life, health, safety or property of the unit owners, (v) that assessments for additions and alterations to the common elements or to association-owned property not included in the adopted annual budget, shall be separately assessed and are subject to approval of two-thirds of the total votes of all unit owners, (vi) that the board of managers may adopt separate assessments payable over more than one fiscal year. With respect to multi-year assessments not governed by items (iv) and (v), the entire amount of the multi-year assessment shall be deemed considered and authorized in the first fiscal year in which the assessment is approved;

(9)(A) that every meeting of the board of managers shall be open to any unit owner, except that the board may close any portion of a noticed meeting or meet separately from a noticed meeting to: (i) discuss litigation when an action against or on behalf of the particular association has been filed and is pending in a court or administrative tribunal, or when the board of managers finds that such an action is probable or imminent, (ii) discuss the appointment, employment, engagement, or dismissal of an employee, independent contractor, agent, or other provider of goods and services, (iii) interview a potential employee, independent contractor, agent, or other provider of goods and services, (iv) discuss violations of rules and regulations of the association, (v) discuss a unit owner's unpaid share of common expenses, or (vi) consult with the association's legal counsel; that any vote on these matters shall take place at a meeting of the board of managers or portion thereof open to any unit owner;

(B) that board members may participate in and act at any meeting of the board of managers in person, by telephonic means, or by use of any acceptable technological means whereby all persons participating in the meeting can communicate with each other; that participation constitutes attendance and presence in person at the meeting;

(C) that any unit owner may record the proceedings at meetings of the board of managers or portions thereof required to be open by this Act by tape, film or other means, and that the board may prescribe reasonable rules and regulations to govern the right to make such recordings;

(D) that notice of every meeting of the board of managers shall be given to every board member at least 48 hours prior thereto, unless the board member waives notice of the meeting pursuant to subsection (a) of Section 18.8; and

(E) that notice of every meeting of the board of managers shall be posted in entranceways, elevators, or other conspicuous places in the condominium at least 48 hours prior to the meeting of the board of managers except where there is no common entranceway for 7 or more units, the board of managers may designate one or more locations in the proximity of these units where the notices of meetings shall be posted; that notice of every meeting of the board of managers shall also be given at least 48 hours prior to the meeting, or such longer notice as this Act may separately require, to: (i) each unit owner who has provided the association with written authorization to conduct business by acceptable technological means, and (ii) to the extent that the condominium instruments of an association require, to each other unit owner, as required by subsection (f) of Section 18.8, by mail or delivery, and that no other notice of a meeting of the board of managers need be given to any unit owner;

(10) that the board shall meet at least 4 times annually;

(11) that no member of the board or officer shall be elected for a term of more than 2 years, but that officers and board members may succeed themselves;

(12) the designation of an officer to mail and receive all notices and execute amendments to condominium instruments as provided for in this Act and in the condominium instruments;

(13) the method of filling vacancies on the board which shall include authority for the remaining members of the board to fill the vacancy by two-thirds vote until the next annual meeting of unit owners or for a period terminating no later than 30 days following the filing of a petition signed by unit owners holding 20% of the votes of the association requesting a meeting of the unit owners to fill the vacancy for the balance of the term, and that a meeting of the unit owners shall be called for purposes of filling a vacancy on the board no later than 30 days following the filing of a petition signed by unit owners holding 20% of the votes of the association requesting such a meeting, and the method of filling vacancies among the officers that shall include the authority for the members of the board to fill the vacancy for the unexpired portion of the term;

(14) what percentage of the board of managers, if other than a majority, shall constitute a quorum;

(15) provisions concerning notice of board meetings to members of the board;

(16) the board of managers may not enter into a contract with a current board member or with a corporation or partnership in which a board member or a member of the board member's immediate family has 25% or more interest, unless notice of intent to enter the contract is given to unit owners within 20 days after a decision is made to enter into the contract and the unit owners are afforded an opportunity by filing a petition, signed by 20% of the unit owners, for an election to approve or disapprove the contract; such petition shall be filed within 30 days after such notice and such election shall be held within 30 days after filing the petition; for purposes of this subsection, a board member's immediate family means the board member's spouse, parents, and children;

(17) that the board of managers may disseminate to unit owners biographical and background information about candidates for election to the board if (i) reasonable efforts to identify all candidates are made and all candidates are given an opportunity to include biographical and background information in the information to be disseminated; and (ii) the board does not express a preference in favor of any candidate;

(18) any proxy distributed for board elections by the board of managers gives unit owners the opportunity to designate any person as the proxy holder, and gives the unit owner the opportunity to express a preference for any of the known candidates for the board or to write in a name;

(19) that special meetings of the board of managers can be called by the president or 25% of the members of the board;

(20) that the board of managers may establish and maintain a system of master metering of public utility services and collect payments in connection therewith, subject to the requirements of the Tenant Utility Payment Disclosure Act; and

(21) that the board may ratify and confirm actions of the members of the board taken in response to an emergency, as that term is defined in subdivision (a)(8)(iv) of this Section; that the board shall give notice to the unit owners of: (i) the occurrence of the emergency event within 7 business days

after the emergency event, and (ii) the general description of the actions taken to address the event within 7 days after the emergency event.

The intent of the provisions of Public Act 99-472 adding this paragraph (21) is to empower and support boards to act in emergencies.

(b)(1) What percentage of the unit owners, if other than 20%, shall constitute a quorum provided that, for condominiums with 20 or more units, the percentage of unit owners constituting a quorum shall be 20% unless the unit owners holding a majority of the percentage interest in the association provide for a higher percentage, provided that in voting on amendments to the association's bylaws, a unit owner who is in arrears on the unit owner's regular or separate assessments for 60 days or more, shall not be counted for purposes of determining if a quorum is present, but that unit owner retains the right to vote on amendments to the association's bylaws;

(2) that the association shall have one class of membership;

(3) that the members shall hold an annual meeting, one of the purposes of which shall be to elect members of the board of managers;

(4) the method of calling meetings of the unit owners;

(5) that special meetings of the members can be called by the president, board of managers, or by 20% of unit owners;

(6) that written notice of any membership meeting shall be mailed or delivered giving members no less than 10 and no more than 30 days notice of the time, place and purpose of such meeting except that notice may be sent, to the extent the condominium instruments or rules adopted thereunder expressly so provide, by electronic transmission consented to by the unit owner to whom the notice is given, provided the director and officer or his or her agent certifies in writing to the delivery by electronic transmission;

(7) that voting shall be on a percentage basis, and that the percentage vote to which each unit is entitled is the percentage interest of the undivided ownership of the common elements appurtenant thereto, provided that the bylaws may provide for approval by unit owners in connection with matters where the requisite approval on a percentage basis is not specified in this Act, on the basis of one vote per unit;

(8) that, where there is more than one owner of a unit, if only one of the multiple owners is present at a meeting of the association, he or she is entitled to cast all the votes allocated to that unit, if more than one of the multiple owners are present, the votes allocated to that unit may be cast only in accordance with the agreement of a majority in interest of the multiple owners, unless the declaration expressly provides otherwise, that there is majority agreement if any one of the multiple owners cast the votes allocated to that unit without protest being made promptly to the person presiding over the meeting by any of the other owners of the unit;

(9)(A) except as provided in subparagraph (B) of this paragraph (9) in connection with board elections, that a unit owner may vote by proxy executed in writing by the unit owner or by his or her duly authorized attorney in fact; that the proxy must bear the date of execution and, unless the condominium instruments or the written proxy itself provide otherwise, is invalid after 11 months from the date of its execution; to the extent the condominium instruments or rules adopted thereunder expressly so provide, a vote or proxy may be submitted by electronic transmission, provided that any such electronic transmission shall either set forth or be submitted with information from which it can be determined that the electronic transmission was authorized by the unit owner or the unit owner's proxy;

(B) that if a rule adopted at least 120 days before a board election or the declaration or bylaws provide for balloting as set forth in this subsection, unit owners may not vote by proxy in board elections, but may vote only (i) by submitting an association-issued ballot in person at the election meeting or (ii) by submitting an association-issued ballot to the association or its designated agent by mail or other means of delivery specified in the declaration, bylaws, or rule; that the ballots shall be mailed or otherwise distributed to unit owners not less than 10 and not more than 30 days before the election meeting, and the board shall give unit owners not less than 21 days' prior written notice of the deadline for inclusion of a candidate's name on the ballots; that the deadline shall be no more than 7 days before the ballots are mailed or otherwise distributed to unit owners; that every such ballot must include the names of all candidates who have given the board or its authorized agent timely written notice of their candidacy and must give the person casting the ballot the opportunity to cast votes for candidates whose names do not appear on the ballot; that a ballot received by the association or its designated agent after the close of voting shall not be counted; that a unit owner who submits a ballot by mail or other means of delivery specified in the declaration, bylaws, or rule may request and cast a

ballot in person at the election meeting, and thereby void any ballot previously submitted by that unit owner;

(B-5) that if a rule adopted at least 120 days before a board election or the declaration or bylaws provide for balloting as set forth in this subparagraph, unit owners may not vote by proxy in board elections, but may vote only (i) by submitting an association-issued ballot in person at the election meeting; or (ii) by any acceptable technological means as defined in Section 2 of this Act; instructions regarding the use of electronic means for voting shall be distributed to all unit owners not less than 10 and not more than 30 days before the election meeting, and the board shall give unit owners not less than 21 days' prior written notice of the deadline for inclusion of a candidate's name on the ballots; the deadline shall be no more than 7 days before the instructions for voting using electronic or acceptable technological means is distributed to unit owners; every instruction notice must include the names of all candidates who have given the board or its authorized agent timely written notice of their candidacy and must give the person voting through electronic or acceptable technological means the opportunity to cast votes for candidates whose names do not appear on the ballot; a unit owner who submits a vote using electronic or acceptable technological means may request and cast a ballot in person at the election meeting, thereby voiding any vote previously submitted by that unit owner;

(C) that if a written petition by unit owners with at least 20% of the votes of the association is delivered to the board within 30 days after the board's approval of a rule adopted pursuant to subparagraph (B) or subparagraph (B-5) of this paragraph (9), the board shall call a meeting of the unit owners within 30 days after the date of delivery of the petition; that unless a majority of the total votes of the unit owners are cast at the meeting to reject the rule, the rule is ratified;

(D) that votes cast by ballot under subparagraph (B) or electronic or acceptable technological means under subparagraph (B-5) of this paragraph (9) are valid for the purpose of establishing a quorum;

(10) that the association may, upon adoption of the appropriate rules by the board of managers, conduct elections by secret ballot whereby the voting ballot is marked only with the percentage interest for the unit and the vote itself, provided that the board further adopt rules to verify the status of the unit owner issuing a proxy or casting a ballot; and further, that a candidate for election to the board of managers or such candidate's representative shall have the right to be present at the counting of ballots at such election;

(11) that in the event of a resale of a condominium unit the purchaser of a unit from a seller other than the developer pursuant to an installment sales contract for purchase shall during such times as he or she resides in the unit be counted toward a quorum for purposes of election of members of the board of managers at any meeting of the unit owners called for purposes of electing members of the board, shall have the right to vote for the election of members of the board of managers and to be elected to and serve on the board of managers unless the seller expressly retains in writing any or all of such rights. In no event may the seller and purchaser both be counted toward a quorum, be permitted to vote for a particular office or be elected and serve on the board. Satisfactory evidence of the installment sales contract shall be made available to the association or its agents. For purposes of this subsection, "installment sales contract" shall have the same meaning as set forth in Section 5 of the Installment Sales Contract Act and Section 1(e) of the Dwelling Unit Installment Contract Act;

(12) the method by which matters subject to the approval of unit owners set forth in this Act, or in the condominium instruments, will be submitted to the unit owners at special membership meetings called for such purposes; and

(13) that matters subject to the affirmative vote of not less than 2/3 of the votes of unit owners at a meeting duly called for that purpose, shall include, but not be limited to:

- (i) merger or consolidation of the association;
 - (ii) sale, lease, exchange, or other disposition (excluding the mortgage or pledge) of all, or substantially all of the property and assets of the association; and
 - (iii) the purchase or sale of land or of units on behalf of all unit owners.
- (c) Election of a president from among the board of managers, who shall preside over the meetings of the board of managers and of the unit owners.
- (d) Election of a secretary from among the board of managers, who shall keep the minutes of all meetings of the board of managers and of the unit owners and who shall, in general, perform all the duties incident to the office of secretary.
- (e) Election of a treasurer from among the board of managers, who shall keep the financial records and books of account.
- (f) Maintenance, repair and replacement of the common elements and payments therefor, including the method of approving payment vouchers.

(g) An association with 30 or more units shall obtain and maintain fidelity insurance covering persons who control or disburse funds of the association for the maximum amount of coverage available to protect funds in the custody or control of the association plus the association reserve fund. All management companies which are responsible for the funds held or administered by the association shall maintain and furnish to the association a fidelity bond for the maximum amount of coverage available to protect funds in the custody of the management company at any time. The association shall bear the cost of the fidelity insurance and fidelity bond, unless otherwise provided by contract between the association and a management company. The association shall be the direct obligee of any such fidelity bond. A management company holding reserve funds of an association shall at all times maintain a separate account for each association, provided, however, that for investment purposes, the Board of Managers of an association may authorize a management company to maintain the association's reserve funds in a single interest bearing account with similar funds of other associations. The management company shall at all times maintain records identifying all moneys of each association in such investment account. The management company may hold all operating funds of associations which it manages in a single operating account but shall at all times maintain records identifying all moneys of each association in such operating account. Such operating and reserve funds held by the management company for the association shall not be subject to attachment by any creditor of the management company.

For the purpose of this subsection, a management company shall be defined as a person, partnership, corporation, or other legal entity entitled to transact business on behalf of others, acting on behalf of or as an agent for a unit owner, unit owners or association of unit owners for the purpose of carrying out the duties, responsibilities, and other obligations necessary for the day to day operation and management of any property subject to this Act. For purposes of this subsection, the term "fiduciary insurance coverage" shall be defined as both a fidelity bond and directors and officers liability coverage, the fidelity bond in the full amount of association funds and association reserves that will be in the custody of the association, and the directors and officers liability coverage at a level as shall be determined to be reasonable by the board of managers, if not otherwise established by the declaration or by laws.

Until one year after September 21, 1985 (the effective date of Public Act 84-722), if a condominium association has reserves plus assessments in excess of \$250,000 and cannot reasonably obtain 100% fidelity bond coverage for such amount, then it must obtain a fidelity bond coverage of \$250,000.

(h) Method of estimating the amount of the annual budget, and the manner of assessing and collecting from the unit owners their respective shares of such estimated expenses, and of any other expenses lawfully agreed upon.

(i) That upon 10 days notice to the manager or board of managers and payment of a reasonable fee, any unit owner shall be furnished a statement of his or her account setting forth the amount of any unpaid assessments or other charges due and owing from such owner.

(j) Designation and removal of personnel necessary for the maintenance, repair and replacement of the common elements.

(k) Such restrictions on and requirements respecting the use and maintenance of the units and the use of the common elements, not set forth in the declaration, as are designed to prevent unreasonable interference with the use of their respective units and of the common elements by the several unit owners.

(l) Method of adopting and of amending administrative rules and regulations governing the operation and use of the common elements.

(m) The percentage of votes required to modify or amend the bylaws, but each one of the particulars set forth in this section shall always be embodied in the bylaws.

(n)(i) The provisions of this Act, the declaration, bylaws, other condominium instruments, and rules and regulations that relate to the use of the individual unit or the common elements shall be applicable to any person leasing a unit and shall be deemed to be incorporated in any lease executed or renewed on or after August 30, 1984 (the effective date of Public Act 83-1271).

(ii) With regard to any lease entered into subsequent to July 1, 1990 (the effective date of Public Act 86-991), the unit owner leasing the unit shall deliver a copy of the signed lease to the board or if the lease is oral, a memorandum of the lease, not later than the date of occupancy or 10 days after the lease is signed, whichever occurs first. In addition to any other remedies, by filing an action jointly against the tenant and the unit owner, an association may seek to enjoin a tenant from occupying a unit or seek to evict a tenant under the provisions of Article IX of the Code of Civil Procedure for failure of the lessor-owner to comply with the leasing requirements prescribed by this Section or by the

declaration, bylaws, and rules and regulations. The board of managers may proceed directly against a tenant, at law or in equity, or under the provisions of Article IX of the Code of Civil Procedure, for any other breach by tenant of any covenants, rules, regulations or bylaws.

(o) The association shall have no authority to forbear the payment of assessments by any unit owner.

(p) That when 30% or fewer of the units, by number, possess over 50% in the aggregate of the votes in the association, any percentage vote of members specified herein or in the condominium instruments shall require the specified percentage by number of units rather than by percentage of interest in the common elements allocated to units that would otherwise be applicable and garage units or storage units, or both, shall have, in total, no more votes than their aggregate percentage of ownership in the common elements; this shall mean that if garage units or storage units, or both, are to be given a vote, or portion of a vote, that the association must add the total number of votes cast of garage units, storage units, or both, and divide the total by the number of garage units, storage units, or both, and multiply by the aggregate percentage of ownership of garage units and storage units to determine the vote, or portion of a vote, that garage units or storage units, or both, have. For purposes of this subsection (p), when making a determination of whether 30% or fewer of the units, by number, possess over 50% in the aggregate of the votes in the association, a unit shall not include a garage unit or a storage unit.

(q) That a unit owner may not assign, delegate, transfer, surrender, or avoid the duties, responsibilities, and liabilities of a unit owner under this Act, the condominium instruments, or the rules and regulations of the Association; and that such an attempted assignment, delegation, transfer, surrender, or avoidance shall be deemed void.

(r) That the association has no authority to report adverse information to a credit reporting agency or initiate collection proceedings against a unit owner for an unpaid fine unless the board levied the fine in accordance with subsection (l) of Section 18.4.

The provisions of this Section are applicable to all condominium instruments recorded under this Act. Any portion of a condominium instrument which contains provisions contrary to these provisions shall be void as against public policy and ineffective. Any such instrument which fails to contain the provisions required by this Section shall be deemed to incorporate such provisions by operation of law.

(Source: P.A. 99-472, eff. 6-1-16; 99-567, eff. 1-1-17; 99-642, eff. 7-28-16; 100-292, eff. 1-1-18; 100-416, eff. 1-1-18; revised 10-6-17.)

(765 ILCS 605/18.4) (from Ch. 30, par. 318.4)

Sec. 18.4. Powers and duties of board of managers. The board of managers shall exercise for the association all powers, duties and authority vested in the association by law or the condominium instruments except for such powers, duties and authority reserved by law to the members of the association. The powers and duties of the board of managers shall include, but shall not be limited to, the following:

(a) To provide for the operation, care, upkeep, maintenance, replacement and improvement of the common elements. Nothing in this subsection (a) shall be deemed to invalidate any provision in a condominium instrument placing limits on expenditures for the common elements, provided, that such limits shall not be applicable to expenditures for repair, replacement, or restoration of existing portions of the common elements. The term "repair, replacement or restoration" means expenditures to deteriorated or damaged portions of the property related to the existing decorating, facilities, or structural or mechanical components, interior or exterior surfaces, or energy systems and equipment with the functional equivalent of the original portions of such areas. Replacement of the common elements may result in an improvement over the original quality of such elements or facilities; provided that, unless the improvement is mandated by law or is an emergency as defined in item (iv) of subparagraph (8) of paragraph (a) of Section 18, if the improvement results in a proposed expenditure exceeding 5% of the annual budget, the board of managers, upon written petition by unit owners with 20% of the votes of the association delivered to the board within 21 days of the board action to approve the expenditure, shall call a meeting of the unit owners within 30 days of the date of delivery of the petition to consider the expenditure. Unless a majority of the total votes of the unit owners are cast at the meeting to reject the expenditure, it is ratified.

(b) To prepare, adopt and distribute the annual budget for the property.

(c) To levy and expend assessments.

(d) To collect assessments from unit owners.

(e) To provide for the employment and dismissal of the personnel necessary or advisable for the maintenance and operation of the common elements.

(f) To obtain adequate and appropriate kinds of insurance.

(g) To own, convey, encumber, lease, and otherwise deal with units conveyed to or purchased by it.

(h) To adopt and amend rules and regulations covering the details of the operation and use of the property, after a meeting of the unit owners called for the specific purpose of discussing the proposed rules and regulations. Notice of the meeting shall contain the full text of the proposed rules and regulations, and the meeting shall conform to the requirements of Section 18(b) of this Act, except that no quorum is required at the meeting of the unit owners unless the declaration, bylaws or other condominium instrument expressly provides to the contrary. However, no rule or regulation may impair any rights guaranteed by the First Amendment to the Constitution of the United States or Section 4 of Article I of the Illinois Constitution including, but not limited to, the free exercise of religion, nor may any rules or regulations conflict with the provisions of this Act or the condominium instruments. No rule or regulation shall prohibit any reasonable accommodation for religious practices, including the attachment of religiously mandated objects to the front-door area of a condominium unit.

(i) To keep detailed, accurate records of the receipts and expenditures affecting the use and operation of the property.

(j) To have access to each unit from time to time as may be necessary for the maintenance, repair or replacement of any common elements or for making emergency repairs necessary to prevent damage to the common elements or to other units.

(k) To pay real property taxes, special assessments, and any other special taxes or charges of the State of Illinois or of any political subdivision thereof, or other lawful taxing or assessing body, which are authorized by law to be assessed and levied upon the real property of the condominium.

(l) To impose charges for late payment of a unit owner's proportionate share of the common expenses, or any other expenses lawfully agreed upon, and to levy reasonable fines for violation of the declaration, bylaws, and rules and regulations of the association. Before the board may levy a fine, it shall first provide the unit owner a minimum of 20 days' written notice and an opportunity to be heard. The written notice shall be made in accordance with the requirements of this Act. The written notice and opportunity to be heard requirements of this subsection apply only to the ability to levy fines, and nothing contained in this subsection limits or restricts the ability of the board to pursue or enforce the rights of the association. ~~and after notice and an opportunity to be heard, to levy reasonable fines for violation of the declaration, by laws, and rules and regulations of the association.~~

(m) By a majority vote of the entire board of managers, to assign the right of the association to future income from common expenses or other sources, and to mortgage or pledge substantially all of the remaining assets of the association.

(n) To record the dedication of a portion of the common elements to a public body for use as, or in connection with, a street or utility where authorized by the unit owners under the provisions of Section 14.2.

(o) To record the granting of an easement for the laying of cable television or high speed Internet cable where authorized by the unit owners under the provisions of Section 14.3; to obtain, if available and determined by the board to be in the best interests of the association, cable television or bulk high speed Internet service for all of the units of the condominium on a bulk identical service and equal cost per unit basis; and to assess and recover the expense as a common expense and, if so determined by the board, to assess each and every unit on the same equal cost per unit basis.

(p) To seek relief on behalf of all unit owners when authorized pursuant to subsection (c) of Section 10 from or in connection with the assessment or levying of real property taxes, special assessments, and any other special taxes or charges of the State of Illinois or of any political subdivision thereof or of any lawful taxing or assessing body.

(q) To reasonably accommodate the needs of a unit owner who is a person with a disability as required by the federal Civil Rights Act of 1968, the Human Rights Act and any applicable local ordinances in the exercise of its powers with respect to the use of common elements or approval of modifications in an individual unit.

(r) To accept service of a notice of claim for purposes of the Mechanics Lien Act on behalf of each respective member of the Unit Owners' Association with respect to improvements performed pursuant to any contract entered into by the Board of Managers or any contract entered into prior to the recording of the condominium declaration pursuant to this Act, for a property containing more than 8 units, and to distribute the notice to the unit owners within 7 days of the acceptance of the service by the Board of Managers. The service shall be effective as if each individual unit owner had been served individually with notice.

(s) To adopt and amend rules and regulations (1) authorizing electronic delivery of notices and other communications required or contemplated by this Act to each unit owner who provides the association with written authorization for electronic delivery and an electronic address to which such communications are to be electronically transmitted; and (2) authorizing each unit owner to designate

an electronic address or a U.S. Postal Service address, or both, as the unit owner's address on any list of members or unit owners which an association is required to provide upon request pursuant to any provision of this Act or any condominium instrument.

In the performance of their duties, the officers and members of the board, whether appointed by the developer or elected by the unit owners, shall exercise the care required of a fiduciary of the unit owners.

The collection of assessments from unit owners by an association, board of managers or their duly authorized agents shall not be considered acts constituting a collection agency for purposes of the Collection Agency Act.

The provisions of this Section are applicable to all condominium instruments recorded under this Act. Any portion of a condominium instrument which contains provisions contrary to these provisions shall be void as against public policy and ineffective. Any such instrument that fails to contain the provisions required by this Section shall be deemed to incorporate such provisions by operation of law. (Source: P.A. 99-143, eff. 7-27-15; 99-849, eff. 1-1-17; 100-292, eff. 1-1-18.)".

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 Murphy, **Senate Bill No. 2485** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 48; NAYS None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Barickman

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

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

REPORT FROM COMMITTEE ON ASSIGNMENTS

[May 16, 2018]

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 16, 2018 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Committee Amendment No. 1 to Senate Joint Resolution 64.**

Environment and Conservation: **Floor Amendment No. 2 to House Bill 3342; Floor Amendment No. 1 to House Bill 4569.**

Higher Education: **SENATE BILLS 3566, 3567 and 3569.**

Insurance: **Committee Amendment No. 2 to House Bill 2624.**

Judiciary: **Floor Amendment No. 2 to House Bill 128; Floor Amendment No. 2 to Senate Bill 575; Floor Amendment No. 1 to House Bill 4594.**

Labor Subcommittee on Special Issues: **SENATE BILL 1658.**

Veterans Affairs: **Committee Amendment No. 1 to House Bill 5683.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 16, 2018 meeting, to which was referred **Senate Bill No. 577** on April 25, 2018, 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. 577** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 16, 2018 meeting, to which was referred **Senate Bill No. 2356** on May 3, 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. 2356** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 16, 2018 meeting, to which was referred **Senate Bill No. 2369** on May 11, 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. 2369** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 16, 2018 meeting, to which was referred **House Bill No. 1853** on August 4, 2017, pursuant to Rule 3-9(b), 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 **House Bill No. 1853** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 16, 2018 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 4 to Senate Bill 337

Floor Amendment No. 1 to House Bill 4735

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

[May 16, 2018]

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 1 to House Bill 751 and Floor Amendment No. 2 to House Bill 751**

SENATE BILL RECALLED

On motion of Senator Clayborne, **Senate Bill No. 2638** was recalled from the order of third reading to the order of second reading.

Senator Clayborne offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2638

AMENDMENT NO. 3. Amend Senate Bill 2638, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Governmental Account Audit Act is amended by changing Sections 1 and 5 as follows: (50 ILCS 310/1) (from Ch. 85, par. 701)

Sec. 1. Definitions. As used in this Act, unless the context otherwise indicates:

"Governmental unit" or "unit" includes all municipal corporations in and political subdivisions of this State that appropriate more than \$5,000 for a fiscal year, with the amount to increase or decrease by the amount of the Consumer Price Index (CPI) as reported on January 1 of each year, except the following:

- (1) School districts.
- (2) Cities, villages, and incorporated towns subject to the Municipal Auditing Law, as contained in the Illinois Municipal Code, and cities that file a report with the Comptroller under Section 3.1-35-115 of the Illinois Municipal Code.
- (3) Counties with a population of 1,000,000 or more.
- (4) Counties subject to the County Auditing Law.
- (5) Any other municipal corporations in or political subdivisions of this State, the accounts of which are required by law to be audited by or under the direction of the Auditor General.
- (6) (Blank).
- (7) A drainage district, established under the Illinois Drainage Code (70 ILCS 605), that did not receive or expend any moneys during the immediately preceding fiscal year or obtains approval for assessments and expenditures through the circuit court.
- (8) Public housing authorities that submit financial reports to the U.S. Department of Housing and Urban Development.

"Governing body" means the board or other body or officers having authority to levy taxes, make appropriations, authorize the expenditure of public funds or approve claims for any governmental unit.

"Comptroller" means the Comptroller of the State of Illinois.

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

"Licensed public accountant" means the holder of a valid certificate as a public accountant under the Illinois Public Accounting Act.

"Audit report" means the written report of the licensed public accountant and all appended statements and schedules relating to that report, presenting or recording the findings of an examination or audit of the financial transactions, affairs, or conditions of a governmental unit.

"Auditor" means a licensed certified public accountant, as that term is defined in Section 0.03 of the Illinois Public Accounting Act, who performs an audit of governmental unit financial statements and records and expresses an assurance or disclaims an opinion on the audited financial statements.

"Report" includes both audit reports and reports filed instead of an audit report by a governmental unit generating revenue of less than \$850,000 during any fiscal year to which the reports relate.

(Source: P.A. 92-191, eff. 8-1-01; 92-582, eff. 7-1-02.)

(50 ILCS 310/5) (from Ch. 85, par. 705)

Sec. 5. (a) Prior to fiscal year 2019, ~~the~~ The audit report shall contain statements that conform with generally accepted accounting principles or other comprehensive basis of accounting and that set forth, ~~insofar as possible,~~ the financial position and results of financial operations for each fund of the governmental unit. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when

[May 16, 2018]

called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each governmental unit shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall also include the professional opinion of the ~~auditor or auditors licensed public accountant~~ with respect to the financial statements or, if an opinion cannot be expressed, a declaration that he or she is unable to express such opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the ~~auditor or auditors accountant or accountants~~ making the audit that the audit has been performed in compliance with generally accepted auditing standards.

(b) For fiscal year 2019 and each fiscal year thereafter, the audit report shall contain statements that set forth the financial position and results of financial operations for each fund of the governmental unit. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each governmental unit shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall also include the professional opinion of the auditor or auditors with respect to the financial statements or, if an opinion cannot be expressed, a declaration that he or she is unable to express an opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the auditor or auditors making the audit that the audit has been performed in compliance with generally accepted auditing standards.

(c) For fiscal year 2019 and each fiscal year thereafter, audit reports shall contain financial statements prepared in conformity with generally accepted accounting principles and audited in conformity with generally accepted auditing standards if the last audit report filed preceding fiscal year 2017 expressed an unmodified or modified opinion by the independent auditor that the financial statements were presented in conformity with generally accepted accounting principles.

(d) For fiscal year 2019 and each fiscal year thereafter, audit reports containing financial statements prepared in conformity with an other comprehensive basis of accounting may follow the best practices and guidelines as outlined by the American Institute of Certified Public Accountants and shall be audited in conformity with generally accepted auditing standards. If the governing body of a governmental unit submits an audit report containing financial statements prepared in conformity with generally accepted accounting principles, thereafter all future audit reports shall also contain financial statements presented in conformity with generally accepted accounting principles.

(e) Audits may be made on financial statements prepared using either an accrual or cash basis of accounting, depending upon the system followed by the governmental unit, and audit reports shall comply with this Section.

(Source: P.A. 85-1000.)

Section 10. The Counties Code is amended by changing Sections 6-31002 and 6-31006 as follows:

(55 ILCS 5/6-31002) (from Ch. 34, par. 6-31002)

Sec. 6-31002. Definitions. As used in this Division, unless the context otherwise requires:

1. "Comptroller" means the Comptroller of the State of Illinois;
2. "accountant" or "accountants" means and includes all persons authorized to practice public accounting under the laws of this State;
3. "funds and accounts" means all funds of a county derived from property taxes and all funds and accounts derived from sources other than property taxes, including the receipts and expenditures of the fee earnings of each county fee officer;
4. "audit report" means the written report of the accountant or accountants and all appended statements and schedules relating thereto, presenting or recording the findings of an examination or audit of the financial transactions, affairs and condition of a county;
5. "population" means the number of persons residing in a county according to the last preceding federal decennial census; -
6. "auditor" means a licensed certified public accountant, as that term is defined in Section 0.03 of the Illinois Public Accounting Act, who performs an audit of county financial statements and records and expresses an assurance or disclaims an opinion on the audited financial statements; "auditor" does not include a county auditor elected or appointed under Division 3-1 of the Counties Code.

(Source: P.A. 86-962.)

(55 ILCS 5/6-31006) (from Ch. 34, par. 6-31006)

Sec. 6-31006. Audit report.

(a) ~~Prior to fiscal year 2019, the~~ The audit report shall contain statements that are in conformity with generally accepted public accounting principles or other comprehensive basis of accounting and shall set forth ~~insofar as possible,~~ the financial position and the results of financial operations for each fund, account, and office of the county government. The audit report shall also include the professional opinion of the auditor or auditors ~~accountant or accountants~~ with respect to the financial status and operations or, if an opinion cannot be expressed, a declaration that such ~~auditor~~ auditor ~~accountant~~ is unable to express such opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the auditor or auditors ~~accountant or accountants~~ making the audit that the audit has been performed in compliance with generally accepted auditing standards. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the county since the filing of the last audit report.

(b) For fiscal year 2019 and each fiscal year thereafter, the audit report shall contain statements that set forth the financial position and the results of financial operations for each fund, account, and office of the county government. The audit report shall also include the professional opinion of an auditor or auditors with respect to the financial status and operations or, if an opinion cannot be expressed, a declaration that the auditor is unable to express an opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the auditor or auditors making the audit that the audit has been performed in compliance with generally accepted auditing standards. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the county since the filing of the last audit report.

(c) For fiscal year 2019 and each fiscal year thereafter, audit reports shall contain financial statements prepared in conformity with generally accepted accounting principles and audited in conformity with generally accepted auditing standards if the last audit report filed preceding fiscal year 2017 expressed an unmodified or modified opinion by the independent auditor that the financial statements were presented in conformity with generally accepted accounting principles.

(d) For fiscal year 2019 and each fiscal year thereafter, audit reports containing financial statements prepared in conformity with an other comprehensive basis of accounting may follow the best practices and guidelines outlined by the American Institute of Certified Public Accountants and shall be audited in conformity with generally accepted auditing standards. If the county board of a county submits an audit report containing financial statements prepared in conformity with generally accepted accounting principles, thereafter all future audit reports shall also contain financial statements presented in conformity with generally accepted accounting principles.

(e) Audits may be made on financial statements prepared using either an accrual or cash basis of accounting, depending upon the system followed by the county, and audit reports shall comply with this Section.

(Source: P.A. 86-962; 87-424.)

Section 15. The Illinois Municipal Code is amended by changing Sections 8-8-2 and 8-8-5 as follows: (65 ILCS 5/8-8-2) (from Ch. 24, par. 8-8-2)

Sec. 8-8-2. The following terms shall, unless the context otherwise indicates, have the following meanings:

(1) "Municipality" or "municipalities" means all cities, villages and incorporated towns having a population of less than 500,000 as determined by the last preceding Federal census.

(2) "Corporate authorities" means a city council, village board of trustees, library board, police and firemen's pension board, or any other body or officers having authority to levy taxes, make appropriations, or approve claims for any municipality.

(3) "Comptroller" means the Comptroller of the State of Illinois.

(4) "Accountant" or "accountants" means all persons licensed to practice public accounting under the laws of this State.

(5) "Audit report" means the written report of the accountant or accountants and all appended statements and schedules relating thereto, presenting or recording the findings of an examination or audit of the financial transactions, affairs, or condition of a municipality.

(6) "Annual report" means the statement filed, in lieu of an audit report, by the municipalities of less than 800 population, which do not own or operate public utilities and do not have bonded debt.

(7) "Supplemental report" means the annual statement filed, in addition to any audit report provided for herein, by all municipalities, except municipalities of less than 800 population which do not own or operate public utilities and do not have bonded debt.

[May 16, 2018]

(8) "Auditor" means a licensed certified public accountant, as that term is defined in Section 0.03 of the Illinois Public Accounting Act, who performs an audit of municipal financial statements and records and expresses an assurance or disclaims an opinion on the audited financial statements.
(Source: P.A. 81-1050.)

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

Sec. 8-8-5. (a) ~~Prior to fiscal year 2019, the~~ The audit shall be made in accordance with generally accepted auditing standards. Reporting on the financial position and results of financial operations for each fund of the municipality shall be in accordance with generally accepted accounting principles or other comprehensive basis of accounting, insofar as possible. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each municipality shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall consist of the professional opinion of the ~~auditor or auditors accountant or accountants~~ with respect to the financial statements or, if an opinion cannot be expressed, a declaration that the ~~auditor accountant~~ is unable to express such opinion and an explanation of the reasons he or she cannot do so. Municipal authorities shall not impose limitations on the scope of the audit to the extent that the effect of such limitations will result in the qualification of the opinion of the ~~auditor or auditors accountant or accountants~~. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the municipality since the filing of the last audit report.

~~Audits under this Division may be made upon either an accrual or cash basis of accounting depending upon the system followed by each municipality.~~

(b) ~~For fiscal year 2019 and each fiscal year thereafter, the audit shall be made in accordance with generally accepted auditing standards. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each municipality shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall also consist of the professional opinion of an auditor or auditors with respect to the financial statements or, if an opinion cannot be expressed, a declaration that the auditor is unable to express an opinion and an explanation of the reasons he or she cannot do so. Municipal authorities shall not impose limitations on the scope of the audit to the extent that the effect of the limitations will result in the qualification of the opinion of the auditor or auditors. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the municipality since the filing of the last audit report.~~

(c) ~~For fiscal year 2019 and each fiscal year thereafter, audit reports shall contain financial statements prepared in accordance with generally accepted accounting principles and audited in accordance with generally accepted auditing standards if the last audit report filed preceding fiscal year 2017 expressed an unmodified or modified opinion by the independent auditor that the financial statements were presented in accordance with generally accepted accounting principles.~~

(d) ~~For fiscal year 2019 and each fiscal year thereafter, audit reports containing financial statements prepared in accordance with an other comprehensive basis of accounting may follow the best practices and guidelines outlined by the American Institute of Certified Public Accountants and shall be audited in accordance with generally accepted auditing standards. If the corporate authority of a municipality submits an audit report containing financial statements prepared in accordance with generally accepted accounting principles, thereafter all future audit reports shall also contain financial statements presented in accordance with generally accepted accounting principles.~~

(e) ~~Audits may be made on financial statements prepared using either an accrual or cash basis of accounting, depending upon the system followed by the municipality, and audit reports shall comply with this Section.~~

(Source: P.A. 87-433.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Clayborne offered the following amendment and moved its adoption:

[May 16, 2018]

AMENDMENT NO. 4 TO SENATE BILL 2638

AMENDMENT NO. 4. Amend Senate Bill 2638, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Governmental Account Audit Act is amended by changing Sections 1 and 5 as follows: (50 ILCS 310/1) (from Ch. 85, par. 701)

Sec. 1. Definitions. As used in this Act, unless the context otherwise indicates:

"Governmental unit" or "unit" includes all municipal corporations in and political subdivisions of this State that appropriate more than \$5,000 for a fiscal year, with the amount to increase or decrease by the amount of the Consumer Price Index (CPI) as reported on January 1 of each year, except the following:

- (1) School districts.
- (2) Cities, villages, and incorporated towns subject to the Municipal Auditing Law, as contained in the Illinois Municipal Code, and cities that file a report with the Comptroller under Section 3.1-35-115 of the Illinois Municipal Code.
- (3) Counties with a population of 1,000,000 or more.
- (4) Counties subject to the County Auditing Law.
- (5) Any other municipal corporations in or political subdivisions of this State, the accounts of which are required by law to be audited by or under the direction of the Auditor General.
- (6) (Blank).
- (7) A drainage district, established under the Illinois Drainage Code (70 ILCS 605), that did not receive or expend any moneys during the immediately preceding fiscal year or obtains approval for assessments and expenditures through the circuit court.
- (8) Public housing authorities that submit financial reports to the U.S. Department of Housing and Urban Development.

"Governing body" means the board or other body or officers having authority to levy taxes, make appropriations, authorize the expenditure of public funds or approve claims for any governmental unit.

"Comptroller" means the Comptroller of the State of Illinois.

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

"Licensed public accountant" means the holder of a valid certificate as a public accountant under the Illinois Public Accounting Act.

"Audit report" means the written report of the licensed public accountant and all appended statements and schedules relating to that report, presenting or recording the findings of an examination or audit of the financial transactions, affairs, or conditions of a governmental unit.

"Auditor" means a licensed certified public accountant, as that term is defined in Section 0.03 of the Illinois Public Accounting Act, who performs an audit of governmental unit financial statements and records and expresses an assurance or disclaims an opinion on the audited financial statements.

"Report" includes both audit reports and reports filed instead of an audit report by a governmental unit receiving revenue of less than \$850,000 during any fiscal year to which the reports relate. (Source: P.A. 92-191, eff. 8-1-01; 92-582, eff. 7-1-02.)

(50 ILCS 310/5) (from Ch. 85, par. 705)

Sec. 5. (a) Prior to fiscal year 2019, the ~~The~~ audit report shall contain statements that conform with generally accepted accounting principles or other comprehensive basis of accounting and that set forth ~~;~~ insofar as possible, the financial position and results of financial operations for each fund of the governmental unit. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each governmental unit shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall also include the professional opinion of the auditor or auditors ~~licensed public accountant~~ with respect to the financial statements or, if an opinion cannot be expressed, a declaration that he or she is unable to express such opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the auditor or auditors ~~accountant or accountants~~ making the audit that the audit has been performed in compliance with generally accepted auditing standards.

(b) For fiscal year 2019 and each fiscal year thereafter, the audit report shall contain statements that set forth the financial position and results of financial operations for each fund of the governmental unit. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each

governmental unit shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall also include the professional opinion of the auditor or auditors with respect to the financial statements or, if an opinion cannot be expressed, a declaration that he or she is unable to express an opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the auditor or auditors making the audit that the audit has been performed in compliance with generally accepted auditing standards.

(c) For fiscal year 2019 and each fiscal year thereafter, audit reports shall contain financial statements prepared in conformity with generally accepted accounting principles and audited in conformity with generally accepted auditing standards if the last audit report filed preceding fiscal year 2019 expressed an unmodified or modified opinion by the independent auditor that the financial statements were presented in conformity with generally accepted accounting principles.

(d) For fiscal year 2019 and each fiscal year thereafter, audit reports containing financial statements prepared in conformity with an other comprehensive basis of accounting may follow the best practices and guidelines as outlined by the American Institute of Certified Public Accountants and shall be audited in conformity with generally accepted auditing standards. If the governing body of a governmental unit submits an audit report containing financial statements prepared in conformity with generally accepted accounting principles, thereafter all future audit reports shall also contain financial statements presented in conformity with generally accepted accounting principles.

(e) Audits may be made on financial statements prepared using either an accrual or cash basis of accounting, depending upon the system followed by the governmental unit, and audit reports shall comply with this Section.

(Source: P.A. 85-1000.)

Section 10. The Counties Code is amended by changing Sections 6-31002 and 6-31006 as follows:

(55 ILCS 5/6-31002) (from Ch. 34, par. 6-31002)

Sec. 6-31002. Definitions. As used in this Division, unless the context otherwise requires:

1. "Comptroller" means the Comptroller of the State of Illinois;
2. "accountant" or "accountants" means and includes all persons authorized to practice public accounting under the laws of this State;
3. "funds and accounts" means all funds of a county derived from property taxes and all funds and accounts derived from sources other than property taxes, including the receipts and expenditures of the fee earnings of each county fee officer;
4. "audit report" means the written report of the accountant or accountants and all appended statements and schedules relating thereto, presenting or recording the findings of an examination or audit of the financial transactions, affairs and condition of a county;
5. "population" means the number of persons residing in a county according to the last preceding federal decennial census; -

6. "auditor" means a licensed certified public accountant, as that term is defined in Section 0.03 of the Illinois Public Accounting Act, who performs an audit of county financial statements and records and expresses an assurance or disclaims an opinion on the audited financial statements; "auditor" does not include a county auditor elected or appointed under Division 3-1 of the Counties Code.

(Source: P.A. 86-962.)

(55 ILCS 5/6-31006) (from Ch. 34, par. 6-31006)

Sec. 6-31006. Audit report.

(a) Prior to fiscal year 2019, the ~~The~~ audit report shall contain statements that are in conformity with generally accepted public accounting principles or other comprehensive basis of accounting and shall set forth ~~insofar as possible,~~ the financial position and the results of financial operations for each fund, account, and office of the county government. The audit report shall also include the professional opinion of the auditor or auditors ~~accountant or accountants~~ with respect to the financial status and operations or, if an opinion cannot be expressed, a declaration that such auditor ~~accountant~~ is unable to express such opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the auditor or auditors ~~accountant or accountants~~ making the audit that the audit has been performed in compliance with generally accepted auditing standards. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the county since the filing of the last audit report.

(b) For fiscal year 2019 and each fiscal year thereafter, the audit report shall contain statements that set forth the financial position and the results of financial operations for each fund, account, and office of the

county government. The audit report shall also include the professional opinion of an auditor or auditors with respect to the financial status and operations or, if an opinion cannot be expressed, a declaration that the auditor is unable to express an opinion and an explanation of the reasons he or she cannot do so. Each audit report shall include the certification of the auditor or auditors making the audit that the audit has been performed in compliance with generally accepted auditing standards. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the county since the filing of the last audit report.

(c) For fiscal year 2019 and each fiscal year thereafter, audit reports shall contain financial statements prepared in conformity with generally accepted accounting principles and audited in conformity with generally accepted auditing standards if the last audit report filed preceding fiscal year 2019 expressed an unmodified or modified opinion by the independent auditor that the financial statements were presented in conformity with generally accepted accounting principles.

(d) For fiscal year 2019 and each fiscal year thereafter, audit reports containing financial statements prepared in conformity with an other comprehensive basis of accounting may follow the best practices and guidelines outlined by the American Institute of Certified Public Accountants and shall be audited in conformity with generally accepted auditing standards. If the county board of a county submits an audit report containing financial statements prepared in conformity with generally accepted accounting principles, thereafter all future audit reports shall also contain financial statements presented in conformity with generally accepted accounting principles.

(e) Audits may be made on financial statements prepared using either an accrual or cash basis of accounting, depending upon the system followed by the county, and audit reports shall comply with this Section.

(Source: P.A. 86-962; 87-424.)

Section 15. The Illinois Municipal Code is amended by changing Sections 8-8-2 and 8-8-5 as follows:
(65 ILCS 5/8-8-2) (from Ch. 24, par. 8-8-2)

Sec. 8-8-2. The following terms shall, unless the context otherwise indicates, have the following meanings:

(1) "Municipality" or "municipalities" means all cities, villages and incorporated towns having a population of less than 500,000 as determined by the last preceding Federal census.

(2) "Corporate authorities" means a city council, village board of trustees, library board, police and firemen's pension board, or any other body or officers having authority to levy taxes, make appropriations, or approve claims for any municipality.

(3) "Comptroller" means the Comptroller of the State of Illinois.

(4) "Accountant" or "accountants" means all persons licensed to practice public accounting under the laws of this State.

(5) "Audit report" means the written report of the accountant or accountants and all appended statements and schedules relating thereto, presenting or recording the findings of an examination or audit of the financial transactions, affairs, or condition of a municipality.

(6) "Annual report" means the statement filed, in lieu of an audit report, by the municipalities of less than 800 population, which do not own or operate public utilities and do not have bonded debt.

(7) "Supplemental report" means the annual statement filed, in addition to any audit report provided for herein, by all municipalities, except municipalities of less than 800 population which do not own or operate public utilities and do not have bonded debt.

(8) "Auditor" means a licensed certified public accountant, as that term is defined in Section 0.03 of the Illinois Public Accounting Act, who performs an audit of municipal financial statements and records and expresses an assurance or disclaims an opinion on the audited financial statements.

(Source: P.A. 81-1050.)

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

Sec. 8-8-5. (a) Prior to fiscal year 2019, ~~the~~ ~~The~~ audit shall be made in accordance with generally accepted auditing standards. Reporting on the financial position and results of financial operations for each fund of the municipality shall be in accordance with generally accepted accounting principles or other comprehensive basis of accounting, insofar as possible. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each municipality shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall consist of the professional opinion of the auditor or auditors ~~accountant or~~

[May 16, 2018]

~~accountants~~ with respect to the financial statements or, if an opinion cannot be expressed, a declaration that the ~~auditor accountant~~ is unable to express such opinion and an explanation of the reasons he or she cannot do so. Municipal authorities shall not impose limitations on the scope of the audit to the extent that the effect of such limitations will result in the qualification of the opinion of the ~~auditor or auditors accountant or accountants~~. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the municipality since the filing of the last audit report.

~~Audits under this Division may be made upon either an accrual or cash basis of accounting depending upon the system followed by each municipality.~~

(b) For fiscal year 2019 and each fiscal year thereafter, the audit shall be made in accordance with generally accepted auditing standards. Each audit report shall include only financial information, findings, and conclusions that are adequately supported by evidence in the auditor's working papers to demonstrate or prove, when called upon, the basis for the matters reported and their correctness and reasonableness. In connection with this, each municipality shall retain the right of inspection of the auditor's working papers and shall make them available to the Comptroller, or his or her designee, upon request. The audit report shall also consist of the professional opinion of an auditor or auditors with respect to the financial statements or, if an opinion cannot be expressed, a declaration that the auditor is unable to express an opinion and an explanation of the reasons he or she cannot do so. Municipal authorities shall not impose limitations on the scope of the audit to the extent that the effect of the limitations will result in the qualification of the opinion of the auditor or auditors. Each audit report filed with the Comptroller shall be accompanied by a copy of each official statement or other offering of materials prepared in connection with the issuance of indebtedness of the municipality since the filing of the last audit report.

(c) For fiscal year 2019 and each fiscal year thereafter, audit reports shall contain financial statements prepared in accordance with generally accepted accounting principles and audited in accordance with generally accepted auditing standards if the last audit report filed preceding fiscal year 2019 expressed an unmodified or modified opinion by the independent auditor that the financial statements were presented in accordance with generally accepted accounting principles.

(d) For fiscal year 2019 and each fiscal year thereafter, audit reports containing financial statements prepared in accordance with an other comprehensive basis of accounting may follow the best practices and guidelines outlined by the American Institute of Certified Public Accountants and shall be audited in accordance with generally accepted auditing standards. If the corporate authority of a municipality submits an audit report containing financial statements prepared in accordance with generally accepted accounting principles, thereafter all future audit reports shall also contain financial statements presented in accordance with generally accepted accounting principles.

(e) Audits may be made on financial statements prepared using either an accrual or cash basis of accounting, depending upon the system followed by the municipality, and audit reports shall comply with this Section.

(Source: P.A. 87-433.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 3 and 4 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Clayborne, **Senate Bill No. 2638** 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 3.

The following voted in the affirmative:

Althoff

Connelly

Lightford

Righter

[May 16, 2018]

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

The following voted in the negative:

Curran
Landek
Rooney

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

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

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 337** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 337

AMENDMENT NO. 3. Amend Senate Bill 337, AS AMENDED, by replacing everything after the enacting clause with the following:

"ARTICLE 1. COMBATING ILLEGAL GUN TRAFFICKING ACT

Section 1-1. References to Act. This Act may be referred to as the Combating Illegal Gun Trafficking Act.

ARTICLE 5. FIREARM DEALER LICENSE CERTIFICATION ACT

Section 5-1. Short title. This Article 1 may be cited as the Firearm Dealer License Certification Act. References in this Article to "this Act" mean this Article.

Section 5-5. Definitions. In this Act:

"Certified licensee" means a licensee that has previously certified its license with the Department under this Act.

"Department" means the Department of State Police.

"Director" means the Director of State Police.

"Entity" means any person, firm, corporation, group of individuals, or other legal entity.

"Inventory" means firearms in the possession of an individual or entity for the purpose of sale or transfer.

"License" means a Federal Firearms License authorizing an individual to engage in the business of dealing firearms.

"Licensee" means a person, firm, corporation, or other entity who has been given, and is currently in possession of, a valid Federal Firearms License.

"Retail location" means a store or similar location open to the public from which a certified licensee engages in the business of selling, transferring, or facilitating a sale or transfer of a firearm. For purposes

[May 16, 2018]

of this Act, a gun show at which a certified licensee engages in business from time to time is not a retail location.

Section 5-10. Copy of Federal Firearms License filed with the Department. Each licensee shall file with the Department a copy of its license, together with a sworn affidavit indicating that the license presented is in fact its license and that the license is valid. Upon receipt and review by the Department, the Department shall issue a certificate of license to the licensee, allowing the licensee to conduct business within this State. The Department shall issue an initial certificate of license within 30 days of receipt of the copy of license and sworn affidavit.

Section 5-15. Certification requirement.

(a) Beginning 90 days after the effective date of this Act, it is unlawful for a person or entity to engage in the business of selling, leasing, or otherwise transferring firearms without a valid certificate of license issued under this Act. In the event that a person or entity maintains multiple licenses to engage in different lines of business requiring different licenses at one location, then the licenses shall be deemed one license for purposes of certification. In the event that a person or entity maintains multiple licenses to engage in business at multiple locations, then each license and location must receive its own certification.

(b) It is unlawful for a person or entity without first being a certified licensee under this Act to act as if he or she is certified under this Act, to advertise, to assume to act as a certified licensee or to use a title implying that the person or entity is engaged in business as a certified licensee without a license certified under this Act.

(c) It is unlawful to obtain or attempt to obtain any certificate of license under this Act by material misstatement or fraudulent misrepresentation. Notwithstanding the provisions of Section 5-85, in addition to any penalty imposed under this Section, any certificate of license obtained under this Act due to material misstatement or fraudulent misrepresentation shall automatically be revoked.

(d) A person who violates any provision of this Section is guilty of a Class A misdemeanor for a first violation, and a Class 4 felony for a second or subsequent violation.

(e) In addition to any other penalty provided by law, any person or entity who violates any provision of this Section shall pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with Sections 5-95 and 5-100.

(f) The Department has the authority and power to investigate any and all unlicensed activity requiring a license certified under this Act.

(g) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(h) In the event the certification of a certified licensee is revoked, it shall be a violation of this Act for the revoked licensee to seek certification of a license held under a different name, or to re-open as a certified licensee under another name using the same license or as the same person or entity doing business under a different name.

(i) The Department shall require all of the following information from each applicant for certification under this Act:

(1) The name, full business address, and telephone number of the entity. The business address for the entity shall be the complete street address where firearms in the inventory of the entity are regularly stored, shall be located within the State, and may not be a Post Office Box.

(2) All trade, business, or assumed names used by the certified licensee.

(3) The type of ownership or operation, such as a partnership, corporation, or sole proprietorship.

(4) The name of the owner or operator of the dealership, including:

(A) if a person, then the name and address of record of the person;

(B) if a partnership, then the name and address of record of each partner and the name of the partnership;

(C) if a corporation, then the name, address of record, and title of each corporate officer and director, and each owner of more than 5% of the corporation, the corporate names, and the name of the state of incorporation; and

(D) if a sole proprietorship, then the full name and address of record of the sole proprietor and the name of the business entity.

Section 5-20. Additional licensee requirements.

(a) A certified licensee shall make a photo copy of a buyer's or transferee's valid photo identification card whenever a firearm sale transaction takes place. The photo copy shall be attached to the documentation detailing the record of sale.

(b) A certified licensee shall post in a conspicuous position on the premises where the licensee conducts business a sign that contains the following warning in block letters not less than one inch in height:

"With few exceptions, it is unlawful for you to:

(A) store or leave an unsecured firearm in a place where a child can obtain access to it;

(B) sell or transfer your firearm to someone else without receiving approval for the transfer from the Department of State Police, or

(C) fail to report the loss or theft of your firearm to local law enforcement within 72 hours."

(c) No retail location established after the effective date of this Act shall be located within 500 feet of any school, pre-school, or day care facility in existence at its location before the retail location is established.

Section 5-25. Exemptions.

The provisions of this Act related to the certification of a license do not apply to a person or entity that engages in the following activities:

(1) temporary transfers of firearms solely for use at the location or on the premises where the transfer takes place, such as transfers at a shooting range for use at that location;

(2) temporary transfers of firearms solely for use while in the presence of the transferor or transfers for the purposes of firearm safety training by a firearms safety training instructor;

(3) transfers of firearms among immediate family or household members, as "immediate family or household member" is defined in Section 3-2.7-10 of the Unified Code of Corrections, provided that both the transferor and transferee have a currently valid Firearm Owner's Identification Card; however, this paragraph (3) does not limit the familial gift exemption under paragraph (2) of subsection (a-15) of Section 3 of the Firearm Owners Identification Card Act;

(4) transfers by persons or entities acting under operation of law or a court order;

(5) transfers by persons or entities liquidating all or part of a collection. For purposes of this paragraph (5), "collection" means 2 or more firearms which are of special interest to collectors by reason of some quality other than is associated with firearms intended for sporting use or as offensive or defensive weapons;

(6) transfers of firearms that have been rendered permanently inoperable to a nonprofit historical society, museum, or institutional collection;

(7) transfers by a law enforcement or corrections agency or a law enforcement or corrections officer acting within the course and scope of his or her official duties;

(8) transfers to a State or local law enforcement agency by a person who has his or her Firearm Owner's Identification Card revoked;

(9) transfers of curios and relics, as defined under federal law, between collectors licensed under subsection (b) of Section 923 of the federal Gun Control Act of 1968;

(10) transfers by a person or entity licensed as an auctioneer under the Auction License Act; or

(11) transfers between a pawnshop and a customer which amount to a bailment. For purposes of this paragraph (11), "bailment" means the act of placing property in the custody and control of another, by agreement in which the holder is responsible for the safekeeping and return of the property.

Section 5-30. Training of certified licensees. Any certified licensee and any employee of a certified licensee who sells or transfers firearms shall receive at least 2 hours of training annually regarding legal requirements and responsible business practices as applicable to the sale or transfer of firearms. The Department may adopt rules regarding continuing education for certified licensees.

Section 5-35. Inspection of licensees' places of business. Licensees shall have their places of business open for inspection by the Department and law enforcement during all hours of operation, provided that the Department or law enforcement may conduct no more than one unannounced inspection per business per year without good cause. Licensees shall make all records, documents, and firearms accessible for inspection upon the request of the Department or law enforcement agency.

Section 5-40. Qualifications for operation.

(a) Each certified licensee shall submit with each application for certification or renewal an affidavit to the Department stating that each owner, employee, or other agent of the certified licensee who sells or conducts transfers of firearms for the certified licensee is at least 21 years of age, has a currently valid Firearm Owner's Identification Card and, for a renewal, has completed the training required under Section 5-30. The affidavit must also contain the name and Firearm Owner's Identification Card number of each owner, employee, or other agent who sells or conducts transfers of firearms for the certified licensee.

(b) In addition to the affidavit required under subsection (a), within 30 days of a new owner, employee, or other agent beginning selling or conducting transfers of firearms for the certified licensee, the certified licensee shall submit an affidavit to the Department stating the date that the new owner, employee, or other agent began selling or conducting transfers of firearms for the certified licensee, and providing the information required in subsection (a) for that new owner, employee, or other agent.

(c) Each certified licensee must not have had a license or permit to sell, lease, transfer, purchase, or possess firearms from the federal government or the government of any state or subdivision of any state revoked or suspended for good cause within the preceding 3 years.

(d) Applications and affidavits required under this Section are not subject to disclosure by the Department under the Freedom of Information Act.

Section 5-45. Issuance of subpoenas. The Department may subpoena and bring before it any person or entity to take oral or written testimony or may compel the production of any books, papers, records, or any other documents that the Department deems relevant or material to an investigation or hearing conducted by the Department in the enforcement of this Act, with the same fees and in the same manner prescribed in civil cases in the courts of this State.

Section 5-50. Security system.

(a) On or before January 2, 2021, each certified licensee operating a retail location in this State must maintain a video security system and shall maintain video surveillance of critical areas of the business premises, including, but not limited to, all places where firearms are stored, handled, sold, transferred, or carried, and each entrance and exit. A video surveillance system of the certified licensee's retail location may not be installed in a bathroom and may not monitor inside the bathrooms located in the retail location.

(b) Each certified licensee operating a retail establishment in this State must post a sign in a conspicuous place at each entrance to the retail location that states in block letters not less than one inch in height: "THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE MAY BE RECORDED."

(c) On or before January 2, 2020, each certified licensee maintaining an inventory of firearms for sale or transfer must be connected to an alarm monitoring system or service that will notify its local law enforcement agency of an unauthorized intrusion into the premises of the licensee where the firearm inventory is maintained.

Section 5-55. Safe storage by certified licensees. In addition to adequate locks, exterior lighting, surveillance cameras, alarm systems, and other anti-theft measures and practices, a certified licensee maintaining a retail location shall develop a plan that addresses the safe storage of firearms and ammunition during retail hours and after closing. The certified licensee shall submit its safe storage plan to the Department and the plan shall be deemed approved unless it is rejected by the Department. The Department may reject the plan if it is inadequate. The certified licensee shall submit a corrected plan to the Department within 60 days of notice of an inadequate plan. In the event there are still problems with the corrected plan, the certified licensee shall have 60 days from each notice of an inadequate plan to submit a corrected plan. The Department may reject the corrected plan if it is inadequate. A certified licensee may operate at all times that a plan is on file with the Department, and during times permitted by this Section to prepare and submit corrected plans. That any certified licensee has operated without an approved safe storage plan for more than 60 days shall be grounds for revocation of a certificate of license. The Department may adopt rules regarding the adequacy of a safe storage plan. Safe storage plans required under this Section are not subject to disclosure by the Department under the Freedom of Information Act.

Section 5-60. Statewide compliance standards. The Department shall develop a statewide standard for assisting certified licensees in recognizing indicators that would lead a reasonable dealer to refuse sale of a firearm.

Section 5-65. Electronic-based recordkeeping. On or before January 2, 2020, each certified licensee shall implement an electronic-based record system to keep track of its changing inventory by updating the make, model, caliber or gauge, and serial number of each firearm that is received or sold by the certified licensee. Retail sales and purchases shall be recorded within 24 hours of the transaction. Shipments of firearms from manufacturers or wholesalers shall be recorded upon the earlier of five business days or with 24 hours of the shipment being unpacked and the firearm placed in inventory. Each certified licensee shall maintain these records for a period of no less than the time period under 27 CFR 478.129 or any subsequent law that regulates the retention of records.

Section 5-70. Fees. The Department shall set and collect a fee for each licensee certifying under this Act. The fee may not exceed \$300 for a certified licensee operating without a retail location. The fee may not exceed \$1,500 for any certified licensee operating with a retail location.

Section 5-75. Term of license. Each certification shall be valid for the term of the license being certified. A licensee shall certify each new or renewed license. However, the Department is not required to renew a certification if a prior certification has been revoked or suspended.

Section 5-80. Retention of records. Each certified licensee shall keep, either in electronic form or hard copy, all inventory records for a period of time no less than the time required under 27 CFR 478.129 or any subsequent law that regulates the retention of records. All video surveillance records, along with any sound recordings obtained from them, shall be kept for a period of not less than 90 days.

Section 5-85. Disciplinary sanctions.

(a) For violations of this Act not penalized under Section 5-15, the Department may refuse to renew or restore, or may reprimand, place on probation, suspend, revoke, or take other disciplinary or non-disciplinary action against any licensee, and may impose a fine commensurate with the severity of the violation not to exceed \$10,000 for each violation for any of the following, consistent with the Protection of Lawful Commerce in Arms Act, 15 U.S.C. 7901 through 7903:

(1) Violations of this Act, or any law applicable to the sale or transfer of firearms.

(2) A pattern of practice or other behavior which demonstrates incapacity or incompetency to practice under this Act.

(3) Aiding or assisting another person in violating any provision of this Act or rules adopted under this Act.

(4) Failing, within 60 days, to provide information in response to a written request made by the Department.

(5) Conviction of, plea of guilty to, or plea of nolo contendere to any crime that disqualifies the person from obtaining a valid Firearm Owner's Identification Card.

(6) Continued practice, although the person has become unfit to practice due to any of the following:

(A) Any circumstance that disqualifies the person from obtaining a valid Firearm Owner's Identification Card or concealed carry license.

(B) Habitual or excessive use or abuse of drugs defined in law as controlled substances, alcohol, or any other substance that results in the inability to practice with reasonable judgment, skill, or safety.

(7) Receiving, directly or indirectly, compensation for any firearms sold or transferred illegally.

(8) Discipline by another United States jurisdiction, foreign nation, or governmental agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(9) Violation of any disciplinary order imposed on a licensee by the Department.

(10) A finding by the Department that the licensee, after having his or her certified license placed on probationary status, has violated the terms of probation.

(11) A fraudulent or material misstatement in the completion of an affirmative obligation or inquiry by law enforcement.

(b) All fines imposed under this Section shall be paid within 60 days after the effective date of the final order imposing the fine.

Section 5-90. Statute of limitations. No action may be taken under this Act against a person or entity certified under this Act unless the action is commenced within 5 years after the occurrence of the alleged

violations. A continuing violation shall be deemed to have occurred on the date when the circumstances last existed that give rise to the alleged violation.

Section 5-95. Complaints; investigations; hearings.

(a) The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license or registration under this Act.

(b) The Department shall, before disciplining a licensee under Section 5-85 or refusing to issue a certificate of license, at least 30 days before the date set for the hearing, (i) notify the accused in writing of the charges made and the time and place for the hearing on the charges, (ii) direct him or her to file a written answer to the charges under oath within 20 days after service, and (iii) inform the licensee that failure to answer will result in a default being entered against the licensee.

(c) At the time and place fixed in the notice, the Director or the hearing officer appointed by the Director shall proceed to hear the charges, and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Director or hearing officer may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his, her, or its license may, in the discretion of the Director, having first received the recommendation of the Director, be suspended, revoked, or placed on probationary status, or be subject to whatever disciplinary action the Director considers proper, including limiting the scope, nature, or extent of the person's business, or the imposition of a fine, without hearing, if the act or acts charged constitute sufficient grounds for that action under this Act.

(d) The written notice and any notice in the subsequent proceeding may be served by certified mail to the licensee's address of record.

(e) The Director has the authority to appoint any attorney licensed to practice law in this State to serve as the hearing officer in any action for refusal to issue, restore, or renew a license, or to discipline a licensee. The hearing officer has full authority to conduct the hearing.

Section 5-100. Hearing; rehearing.

(a) The Director or the hearing officer authorized by the Department shall hear evidence in support of the formal charges and evidence produced by the licensee. At the conclusion of the hearing, the Director shall prepare a written report of his or her findings of fact, conclusions of law, and recommendations. The report shall contain a finding of whether the accused person violated this Act or failed to comply with the conditions required in this Act.

(b) At the conclusion of the hearing, a copy of the Director's or hearing officer's report shall be served upon the licensee by the Department, either personally or as provided in this Act, for the service of a notice of hearing. Within 20 calendar days after service, the licensee may present to the Department a motion in writing for a rehearing, which shall specify the particular grounds for rehearing. The Department may respond to the motion for rehearing within 20 calendar days after its service on the Department. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or upon denial of a motion for rehearing, the Director may enter an order in accordance with his or her recommendations or the recommendations of the hearing officer. If the licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon the delivery of the transcript to the licensee.

(c) All proceedings under this Section are matters of public record and shall be preserved.

(d) The licensee may continue to operate during the course of an investigation or hearing, unless the Director finds that the public interest, safety, or welfare requires an emergency action.

(e) Upon the suspension or revocation of a certificate of license, the licensee shall surrender the certificate to the Department and, upon failure to do so, the Department shall seize the same. However, when the certification of a certified licensee is suspended, the certified licensee shall not operate as a certified licensee during the period in which the certificate is suspended and, if operating during that period, shall be operating in violation of subsection (a) of Section 5-15 of this Act. A person who violates this Section is guilty of a Class A misdemeanor for a first violation, and a Class 4 felony for a second or subsequent violation. In addition to any other penalty provided by law, any person or entity who violates this Section shall pay a civil penalty to the Department in an amount not to exceed \$2,500 for the first violation, and a fine not to exceed \$5,000 for a second or subsequent violation.

Section 5-105. Restoration of certificate of license after disciplinary proceedings. At any time after the successful completion of a term of indefinite probation, indefinite suspension, or revocation of a certificate of license, the Department may restore it to the licensee, unless, after an investigation and a hearing, the

Director determines that restoration is not in the public interest. No person or entity whose certificate of license, card, or authority has been revoked as authorized in this Act may apply for restoration of that certificate of license, card, or authority until such time as provided for in the Civil Administrative Code of Illinois.

Section 5-110. Administrative review. All final administrative decisions of the Department are subject to judicial review under Article III of the Code of Civil Procedure. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. The proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides, but if the party is not a resident of this State, the venue shall be in Sangamon County. The Department shall not be required to certify any record to the court, or file any answer in court, or otherwise appear in any court in a judicial review proceeding, unless, and until, the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Exhibits shall be certified without cost. Failure on the part of the applicant or licensee to file a receipt in court is grounds for dismissal of the action.

Section 5-115. Prima facie proof.

(a) An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Director, is prima facie proof that the signature is that of the Director, and the Director is qualified to act.

(b) A certified copy of a record of the Department shall, without further proof, be admitted into evidence in any legal proceeding, and shall be prima facie correct and prima facie evidence of the information contained therein.

ARTICLE 10. GUN TRAFFICKING INFORMATION ACT

Section 10-1. Short title. This Article 5 may be cited as the Gun Trafficking Information Act. References in this Article to "this Act" mean this Article.

Section 10-5. Gun trafficking information.

(a) The Department of State Police shall use all reasonable efforts in making publicly available, on a regular and ongoing basis, key information related to firearms used in the commission of crimes in this State, including, but not limited to: reports on crimes committed with firearms, locations where the crimes occurred, the number of persons killed or injured in the commission of the crimes, the state where the firearms used originated, the Federal Firearms Licensee that sold the firearm, and the type of firearms used. The Department shall make the information available on its website, in addition to electronically filing a report with the Governor and the General Assembly. The report to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct.

(b) The Department shall study, on a regular and ongoing basis, and compile reports on the number of Firearm Owner's Identification Card checks to determine firearms trafficking or straw purchase patterns. The Department shall, to the extent not inconsistent with law, share such reports and underlying data with academic centers, foundations, and law enforcement agencies studying firearms trafficking, provided that personally identifying information is protected. For purposes of this subsection (b), a Firearm Owner's Identification Card number is not personally identifying information, provided that no other personal information of the card holder is attached to the record. The Department may create and attach an alternate unique identifying number to each Firearm Owner's Identification Card number, instead of releasing the Firearm Owner's Identification Card number itself.

(c) Each department, office, division, and agency of this State shall, to the extent not inconsistent with law, cooperate fully with the Department and furnish the Department with all relevant information and assistance on a timely basis as is necessary to accomplish the purpose of this Act. The Illinois Criminal Justice Information Authority shall submit the information required in subsection (a) of this Section to the Department of State Police, and any other information as the Department may request, to assist the Department in carrying out its duties under this Act.

ARTICLE 15. AMENDATORY PROVISIONS

Section 15-5. The Firearm Owners Identification Card Act is amended by changing Section 3 as follows: (430 ILCS 65/3) (from Ch. 38, par. 83-3)

[May 16, 2018]

Sec. 3. (a) Except as provided in Section 3a, no person may knowingly transfer, or cause to be transferred, any firearm, firearm ammunition, stun gun, or taser to any person within this State unless the transferee with whom he deals displays either: (1) a currently valid Firearm Owner's Identification Card which has previously been issued in his or her name by the Department of State Police under the provisions of this Act; or (2) a currently valid license to carry a concealed firearm which has previously been issued in his or her name by the Department of State Police under the Firearm Concealed Carry Act. In addition, all firearm, stun gun, and taser transfers by federally licensed firearm dealers are subject to Section 3.1.

(a-5) Any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm while that person is on the grounds of a gun show must, before selling or transferring the firearm, request the Department of State Police to conduct a background check on the prospective recipient of the firearm in accordance with Section 3.1.

(a-10) Notwithstanding item (2) of subsection (a) of this Section, any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm or firearms to any person who is not a federally licensed firearm dealer shall, before selling or transferring the firearms, contact the Department of State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the transferee's or purchaser's Firearm Owner's Identification Card. This subsection shall not be effective until January 1, 2014. The Department of State Police may adopt rules concerning the implementation of this subsection. The Department of State Police shall provide the seller or transferor an approval number if the purchaser's Firearm Owner's Identification Card is valid. Approvals issued by the Department for the purchase of a firearm pursuant to this subsection are valid for 30 days from the date of issue.

(a-15) The provisions of subsection (a-10) of this Section do not apply to:

(1) transfers that occur at the place of business of a federally licensed firearm dealer, if the federally licensed firearm dealer conducts a background check on the prospective recipient of the firearm in accordance with Section 3.1 of this Act and follows all other applicable federal, State, and local laws as if he or she were the seller or transferor of the firearm, although the dealer is not required to accept the firearm into his or her inventory. The purchaser or transferee may be required by the federally licensed firearm dealer to pay a fee not to exceed \$10 per firearm, which the dealer may retain as compensation for performing the functions required under this paragraph, plus the applicable fees authorized by Section 3.1;

(2) transfers as a bona fide gift to the transferor's husband, wife, son, daughter, stepson, stepdaughter, father, mother, stepfather, stepmother, brother, sister, nephew, niece, uncle, aunt, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

(3) transfers by persons acting pursuant to operation of law or a court order;

(4) transfers on the grounds of a gun show under subsection (a-5) of this Section;

(5) the delivery of a firearm by its owner to a gunsmith for service or repair, the return of the firearm to its owner by the gunsmith, or the delivery of a firearm by a gunsmith to a federally licensed firearms dealer for service or repair and the return of the firearm to the gunsmith;

(6) temporary transfers that occur while in the home of the unlicensed transferee, if the unlicensed transferee is not otherwise prohibited from possessing firearms and the unlicensed transferee reasonably believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to the unlicensed transferee;

(7) transfers to a law enforcement or corrections agency or a law enforcement or corrections officer acting within the course and scope of his or her official duties;

(8) transfers of firearms that have been rendered permanently inoperable to a nonprofit historical society, museum, or institutional collection; and

(9) transfers to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of this Act.

(a-20) The Department of State Police shall develop an Internet-based system for individuals to determine the validity of a Firearm Owner's Identification Card prior to the sale or transfer of a firearm. The Department shall have the Internet-based system completed and available for use by July 1, 2015. The Department shall adopt rules not inconsistent with this Section to implement this system.

(b) Any person within this State who transfers or causes to be transferred any firearm, stun gun, or taser shall keep a record of such transfer for a period of 10 years from the date of transfer. Such record shall contain the date of the transfer; the description, serial number or other information identifying the firearm, stun gun, or taser if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearm Owner's Identification Card number and any approval number or documentation provided by the Department of State Police pursuant to subsection (a-10) of this Section; if the transfer

was not completed within this State, the record shall contain the name and address of the transferee. On or after January 1, 2006, the record shall contain the date of application for transfer of the firearm. On demand of a peace officer such transferor shall produce for inspection such record of transfer. If the transfer or sale took place at a gun show, the record shall include the unique identification number. Failure to record the unique identification number or approval number is a petty offense. Failure by the private seller to maintain the transfer records in accordance with this Section is a Class A misdemeanor for the first offense and a Class 4 felony for a second or subsequent offense.

(b-5) Any resident may purchase ammunition from a person within or outside of Illinois if shipment is by United States mail or by a private express carrier authorized by federal law to ship ammunition. Any resident purchasing ammunition within or outside the State of Illinois must provide the seller with a copy of his or her valid Firearm Owner's Identification Card or valid concealed carry license and either his or her Illinois driver's license or Illinois State Identification Card prior to the shipment of the ammunition. The ammunition may be shipped only to an address on either of those 2 documents.

(c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in paragraph (b) of Section 2 of this Act.

(Source: P.A. 98-508, eff. 8-19-13; 99-29, eff. 7-10-15.)

ARTICLE 20. SEVERABILITY

Section 20-97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 337

AMENDMENT NO. 4. Amend Senate Bill 337, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 2, lines 8 and 9, by replacing "an individual" with "a person or entity"; and

on page 3, line 14, by inserting "under the same business name or a different business name," after "locations,"; and

on page 5, line 11, by inserting "by and under which the certified licensee sells, transfers, or facilitates transfers of firearms", after "licensee"; and

on page 10, line 13, by inserting after "years." the following:

"The Department may consider the revocation or suspension within the context of the conduct of the certified licensee within this State, the number of retail locations the certified licensee or any related person or entity operates in this State or in other states, under the same or different business names, and the severity of the infraction leading to revocation or suspension."; and

on page 12, line 6, by inserting ", along with a written statement describing the inadequacy", after "inadequate"; and

on page 12, line 23, by inserting "and implement by rule", after "develop"; and

on page 13, line 14, by inserting after "Fees", "and fines deposited in the Firearm Dealer License Certification Fund"; and

on page 13, line 18, by inserting after "location." the following:

"The Department shall consider the number of retail locations operated by the certified licensee in this State, under the same or different business names, and shall set fees appropriate for certifying multiple licenses operated by the certified licensee. All fees and fines collected under this Act shall be deposited in the Firearm Dealer License Certification Fund which is created in the State treasury. Moneys in the Fund shall be used for implementation and administration of this Act."; and

on page 23, by inserting immediately below line 6 the following:

[May 16, 2018]

"Section 15-3. The State Finance Act is amended by adding Section 5.886 as follows:
(30 ILCS 105/5.886 new)
Sec. 5.886. The Firearm Dealer License Certification Fund."; and

on page 27, line 16, by replacing "Failure" with "For transfers of a firearm, stun gun, or taser made on or after the effective date of this amendatory Act of the 100th General Assembly, failure".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 3 and 4 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 337** 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 35; NAYS 18; Present 2.

The following voted in the affirmative:

Aquino	Harmon	Link	Rooney
Bennett	Harris	Martinez	Sandoval
Biss	Hastings	McGuire	Silverstein
Bush	Hunter	Morrison	Sims
Castro	Hutchinson	Mulroe	Stadelman
Clayborne	Jones, E.	Muñoz	Steans
Collins	Koehler	Murphy	Van Pelt
Cunningham	Landek	Nybo	Mr. President
Curran	Lightford	Raoul	

The following voted in the negative:

Althoff	Connelly	McCann	Syverson
Anderson	Cullerton, T.	McCarter	Tracy
Barickman	Fowler	Rezin	Weaver
Bivins	Haine	Righter	
Brady	Manar	Rose	

The following voted present:

Holmes
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 Morrison, **Senate Bill No. 2387** was recalled from the order of third reading to the order of second reading.

Floor Amendment Nos. 1 and 2 were held in the Committee on Judiciary.

[May 16, 2018]

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2387

AMENDMENT NO. 3. Amend Senate Bill 2387 by replacing everything after the enacting clause with the following:

"Section 5. The Firearm Owners Identification Card Act is amended by changing Section 9.5 and by adding Section 9.7 as follows:

(430 ILCS 65/9.5)

Sec. 9.5. Revocation of Firearm Owner's Identification Card.

(a) A person who receives a revocation notice under Section 9 of this Act shall, within 48 hours of receiving notice of the revocation:

(1) surrender his or her Firearm Owner's Identification Card to the local law enforcement agency where the person resides. The local law enforcement agency shall provide the person a receipt and transmit the Firearm Owner's Identification Card to the Department of State Police; and

(2) complete a Firearm Disposition Record on a form prescribed by the Department of State Police and place his or her firearms in the location or with the person reported in the Firearm Disposition Record. The form shall require the person to disclose:

(A) the make, model, and serial number of each firearm owned by or under the custody and control of the revoked person;

(B) the location where each firearm will be maintained during the prohibited term; and

(C) if any firearm will be transferred to the custody of another person, the name, address and Firearm Owner's Identification Card number of the transferee.

(b) The local law enforcement agency shall provide a copy of the Firearm Disposition Record to the person whose Firearm Owner's Identification Card has been revoked and to the Department of State Police. In addition, notice shall be given to the local State's Attorney where both the transferor and transferee live, via a copy of the Firearm Disposition Record.

(c) If the person whose Firearm Owner's Identification Card has been revoked fails to comply with the requirements of this Section, the sheriff or law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the Firearm Owner's Identification Card and firearms in the possession or under the custody or control of the person whose Firearm Owner's Identification Card has been revoked.

(d) A violation of subsection (a) of this Section is a Class A misdemeanor.

(e) The observation of a Firearm Owner's Identification Card in the possession of a person whose Firearm Owner's Identification Card has been revoked constitutes a sufficient basis for the arrest of that person for violation of this Section.

(f) Within 30 days after the effective date of this amendatory Act of the 98th General Assembly, the Department of State Police shall provide written notice of the requirements of this Section to persons whose Firearm Owner's Identification Cards have been revoked, suspended, or expired and who have failed to surrender their cards to the Department.

(g) A person whose Firearm Owner's Identification Card has been revoked and who received notice under subsection (f) shall comply with the requirements of this Section within 48 hours of receiving notice. (Source: P.A. 98-63, eff. 7-9-13.)

(430 ILCS 65/9.7 new)

Sec. 9.7. Firearm disposition.

(a) The recipient of any firearm transferred by way of a Firearm Disposition Record form shall file with the Department of State Police, a sworn affidavit, attesting that the person:

(1) is aware of, and will abide by the current law regarding the unlawful transfer of a firearm;

(2) is aware of the penalties for violating the law as it pertains to unlawful transfer of a firearm;

(3) intends to retain possession of the firearm until it is determined that the transferor is capable of possessing the firearm, or until a new person is chosen to hold the firearm; and

(4) inform the Department and the State's Attorney in the county in which he or she resides of any address or name change that occurs while the person possesses the firearm; however, the person shall be relieved of these duties once he or she has legally destroyed the firearm or lawfully transferred the firearm. Proof of legal destruction or lawful transfer shall be filed with the Department of State Police and notice given to the State's Attorney in the county in which he or she resides by written proof of the destruction or transfer of the firearm.

[May 16, 2018]

(b) The person shall provide notice to the State's Attorney in the county in which he or she resides via copy of the sworn affidavit, to demonstrate that the affidavit has been filed with the Department.

Section 10. The Criminal Code of 2012 is amended by changing Section 24-3 as follows:

(720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

Sec. 24-3. Unlawful sale or delivery of firearms.

(A) A person commits the offense of unlawful sale or delivery of firearms when he or she knowingly does any of the following:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age.

(b) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent.

(c) Sells or gives any firearm to any narcotic addict.

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction.

(e) Sells or gives any firearm to any person who has been a patient in a mental institution within the past 5 years. In this subsection (e):

"Mental institution" means any hospital, institution, clinic, evaluation facility, mental health center, or part thereof, which is used primarily for the care or treatment of persons with mental illness.

"Patient in a mental institution" means the person was admitted, either voluntarily or involuntarily, to a mental institution for mental health treatment, unless the treatment was voluntary and solely for an alcohol abuse disorder and no other secondary substance abuse disorder or mental illness.

(f) Sells or gives any firearms to any person who is a person with an intellectual disability.

(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, or a stun gun or taser, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun, or a stun gun or taser for at least 24 hours after application for its purchase has been made. However, this paragraph (g) does not apply to: (1) the sale of a firearm to a law enforcement officer if the seller of the firearm knows that the person to whom he or she is selling the firearm is a law enforcement officer or the sale of a firearm to a person who desires to purchase a firearm for use in promoting the public interest incident to his or her employment as a bank guard, armed truck guard, or other similar employment; (2) a mail order sale of a firearm from a federally licensed firearms dealer to a nonresident of Illinois under which the firearm is mailed to a federally licensed firearms dealer outside the boundaries of Illinois; (3) the sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of State Police; (4) the sale of a firearm to a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923); or (5) the transfer or sale of any rifle, shotgun, or other long gun to a resident registered competitor or attendee or non-resident registered competitor or attendee by any dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 at competitive shooting events held at the World Shooting Complex sanctioned by a national governing body. For purposes of transfers or sales under subparagraph (5) of this paragraph (g), the Department of Natural Resources shall give notice to the Department of State Police at least 30 calendar days prior to any competitive shooting events at the World Shooting Complex sanctioned by a national governing body. The notification shall be made on a form prescribed by the Department of State Police. The sanctioning body shall provide a list of all registered competitors and attendees at least 24 hours before the events to the Department of State Police. Any changes to the list of registered competitors and attendees shall be forwarded to the Department of State Police as soon as practicable. The Department of State Police must destroy the list of registered competitors and attendees no later than 30 days after the date of the event. Nothing in this paragraph (g) relieves a federally licensed firearm dealer from the requirements of conducting a NICS background check through the Illinois Point of Contact under 18 U.S.C. 922(t). For purposes of this paragraph (g), "application" means when the buyer and seller reach an agreement to purchase a firearm. For purposes of this paragraph (g), "national governing body" means a group of persons who adopt rules and formulate policy on behalf of a national firearm sporting organization.

(h) While holding any license as a dealer, importer, manufacturer or pawnbroker under

the federal Gun Control Act of 1968, manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph, (1) "firearm" is defined as in the Firearm Owners Identification Card Act; and (2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which such a firearm can be assembled.

(i) Sells or gives a firearm of any size to any person under 18 years of age who does not possess a valid Firearm Owner's Identification Card.

(j) Sells or gives a firearm while engaged in the business of selling firearms at wholesale or retail without being licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). In this paragraph (j):

A person "engaged in the business" means a person who devotes time, attention, and labor to engaging in the activity as a regular course of trade or business with the principal objective of livelihood and profit, but does not include a person who makes occasional repairs of firearms or who occasionally fits special barrels, stocks, or trigger mechanisms to firearms.

"With the principal objective of livelihood and profit" means that the intent underlying the sale or disposition of firearms is predominantly one of obtaining livelihood and pecuniary gain, as opposed to other intents, such as improving or liquidating a personal firearms collection; however, proof of profit shall not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism.

(k) Sells or transfers ownership of a firearm to a person who does not display to the seller or transferor of the firearm either: (1) a currently valid Firearm Owner's Identification Card that has previously been issued in the transferee's name by the Department of State Police under the provisions of the Firearm Owners Identification Card Act; or (2) a currently valid license to carry a concealed firearm that has previously been issued in the transferee's name by the Department of State Police under the Firearm Concealed Carry Act. This paragraph (k) does not apply to the transfer of a firearm to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of the Firearm Owners Identification Card Act. For the purposes of this Section, a currently valid Firearm Owner's Identification Card means (i) a Firearm Owner's Identification Card that has not expired or (ii) an approval number issued in accordance with subsection (a-10) of subsection 3 or Section 3.1 of the Firearm Owners Identification Card Act shall be proof that the Firearm Owner's Identification Card was valid.

(1) In addition to the other requirements of this paragraph (k), all persons who are not federally licensed firearms dealers must also have complied with subsection (a-10) of Section 3 of the Firearm Owners Identification Card Act by determining the validity of a purchaser's Firearm Owner's Identification Card.

(2) All sellers or transferors who have complied with the requirements of subparagraph (1) of this paragraph (k) shall not be liable for damages in any civil action arising from the use or misuse by the transferee of the firearm transferred, except for willful or wanton misconduct on the part of the seller or transferor.

(l) Not being entitled to the possession of a firearm, delivers the firearm, knowing it to have been stolen or converted. It may be inferred that a person who possesses a firearm with knowledge that its serial number has been removed or altered has knowledge that the firearm is stolen or converted.

(B) Paragraph (h) of subsection (A) does not include firearms sold within 6 months after enactment of Public Act 78-355 (approved August 21, 1973, effective October 1, 1973), nor is any firearm legally owned or possessed by any citizen or purchased by any citizen within 6 months after the enactment of Public Act 78-355 subject to confiscation or seizure under the provisions of that Public Act. Nothing in Public Act 78-355 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of that Public Act.

(C) Sentence.

(1) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (c), (e), (f), (g), or (h) of subsection (A) commits a Class 4 felony.

(2) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (b) or (i) of subsection (A) commits a Class 3 felony.

(3) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) of subsection (A) commits a Class 2 felony.

(4) Any person convicted of unlawful sale or delivery of firearms in violation of

paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony. Any person convicted of a second or subsequent violation of unlawful sale or delivery of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony for which the sentence shall be a term of imprisonment of no less than 5 years and no more than 15 years.

(5) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A) in residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, or on any public way within 1,000 feet of the real property comprising any public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 2 felony.

(6) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (j) of subsection (A) commits a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

(7) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (k) of subsection (A) commits a Class 4 felony—~~except that a violation of subparagraph (1) of paragraph (k) of subsection (A) shall not be punishable as a crime or petty offense.~~ A third or subsequent conviction for a violation of paragraph (k) of subsection (A) is a Class 1 felony.

(8) A person 18 years of age or older convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A), when the firearm that was sold or given to another person under 18 years of age was used in the commission of or attempt to commit a forcible felony, shall be fined or imprisoned, or both, not to exceed the maximum provided for the most serious forcible felony so committed or attempted by the person under 18 years of age who was sold or given the firearm.

(9) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (d) of subsection (A) commits a Class 3 felony.

(10) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 2 felony if the delivery is of one firearm. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 1 felony if the delivery is of not less than 2 and not more than 5 firearms at the same time or within a one year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 30 years if the delivery is of not less than 6 and not more than 10 firearms at the same time or within a 2 year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 40 years if the delivery is of not less than 11 and not more than 20 firearms at the same time or within a 3 year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 21 and not more than 30 firearms at the same time or within a 4 year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years if the delivery is of 31 or more firearms at the same time or within a 5 year period.

(D) For purposes of this Section:

"School" means a public or private elementary or secondary school, community college, college, or university.

"School related activity" means any sporting, social, academic, or other activity for which students' attendance or participation is sponsored, organized, or funded in whole or in part by a school or school district.

(E) A prosecution for a violation of paragraph (k) of subsection (A) of this Section may be commenced within 6 years after the commission of the offense. A prosecution for a violation of this Section other than paragraph (g) of subsection (A) of this Section may be commenced within 5 years after the commission of the offense defined in the particular paragraph.

(Source: P.A. 98-508, eff. 8-19-13; 99-29, eff. 7-10-15; 99-143, eff. 7-27-15; 99-642, eff. 7-28-16.)"

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 Morrison, **Senate Bill No. 2387** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 42; NAYS 10; Present 1.

The following voted in the affirmative:

Althoff	Curran	Link	Rooney
Aquino	Haine	Manar	Sandoval
Bertino-Tarrant	Harmon	Martinez	Silverstein
Biss	Harris	McGuire	Sims
Bush	Hastings	Morrison	Stadelman
Castro	Hunter	Mulroe	Steans
Clayborne	Hutchinson	Muñoz	Van Pelt
Collins	Jones, E.	Murphy	Weaver
Connelly	Koehler	Nybo	Mr. President
Cullerton, T.	Landek	Raoul	
Cunningham	Lightford	Rezin	

The following voted in the negative:

Anderson	Brady	Righter	Tracy
Barickman	Fowler	Rose	
Bivins	McCarter	Syverson	

The following voted present:

Oberweis

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

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

CONSIDERATION OF GOVERNOR'S VETO MESSAGE

Pursuant to the Motion in Writing filed on Tuesday, May 15, 2018 and journalized Wednesday, May 16, 2018, Senator Raoul moved that **Senate Bill No. 193** do pass, the veto of the Governor to the contrary notwithstanding.

[May 16, 2018]

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

YEAS 39; NAYS 15.

The following voted in the affirmative:

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

The following voted in the negative:

Althoff	Connelly	Oberweis	Rose
Barickman	Fowler	Rezin	Tracy
Bivins	McCarter	Righter	Weaver
Brady	Nybo	Rooney	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the veto of the Governor to the contrary notwithstanding.

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

CONSIDERATION OF HOUSE AMENDMENT TO SENATE BILL ON SECRETARY'S DESK

On motion of Senator Althoff, **Senate Bill No. 1936**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

[May 16, 2018]

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1936**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Hutchinson asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1936**.

PRESENTATION OF RESOLUTION

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

SENATE RESOLUTION NO. 1746

WHEREAS, Illinois and Chicago are known as the nation's rail hub and, pursuant to data provided by the Metropolitan Planning Council, the Chicago region serves as a national east-west gateway for six of the seven major Class I railroads that transport approximately 25% of all U.S. freight rail traffic and 44% of all U.S. intermodal "container" units, totaling more than 1.3 million loaded rail cars annually; and

WHEREAS, Metra operates 691 weekday trains, stopping at 241 stations on 11 rail lines in the Chicago region; and

WHEREAS, Amtrak operates a nationwide rail network, serving more than 500 destinations in 46 states, the District of Columbia, and three Canadian provinces on more than 21,400 miles of routes, with Chicago being a major hub for most of their interstate services; and

WHEREAS, These activities provide vital transit services for Illinois residents, Illinois commerce, and the nation; and

WHEREAS, Actual and projected growth in rail freight, Metra, and Amtrak service continues to put pressure on existing Illinois rail systems, often creating higher congestion and reduced safety when passenger and freight share the same rail lines; and

WHEREAS, The Illinois Department of Transportation participated in a nine-state planning effort that resulted in publication of the Midwest Regional Rail System (MWRRS) executive report in September of 2004, which outlined steps to improve regional rail mobility and stimulate economic development at an estimated budget of \$7.7 billion; it is unclear what impact has been achieved; and

WHEREAS, The National Environmental Policy Act (NEPA) mandates a process to use either an Environmental Assessment, or a more comprehensive Environmental Impact Statement, to collect data, evaluate impacts, review alternatives, and propose project solutions; and

WHEREAS, One of the current rail projects being studied is an Environmental Assessment of proposed improvements to the Chicago-Milwaukee Intercity Passenger Rail Program estimated to cost \$195 million along with increased annual operating expenses to add three daily round trips to the Amtrak Hiawatha service; and

WHEREAS, Several communities, including the Village of Glenview and the City of Lake Forest, have expressed strong concerns about this Environmental Assessment's lack of data and missing analyses of potential impacts of, and alternatives to, freight train holding tracks, noise, vibrations, releases into the air to adjacent residential areas, hospital, schools, and rare nature preserves; and

WHEREAS, It is in the public's best interest to fully evaluate the benefits and impacts of rail projects in Illinois prior to seeking public funding and agency permitting for such projects; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that in accordance with the National Environmental Policy Act and, in support of potentially impacted communities in Illinois, all proposed Illinois rail projects with new freight train

[May 16, 2018]

holding tracks adjacent to residential areas, including the current Chicago-Milwaukee Intercity Passenger Rail Program described above, are urged to have full Environmental Impact Statement reviews; and be it further

RESOLVED, That the Illinois Department of Transportation is urged to pursue options to eliminate or minimize the routing of bypass freight traffic through the Chicago metropolitan area, including prioritizing the review and study of rail bypass systems around Chicago that would ensure coastal rail traffic not destined for Chicago could more efficiently bypass the Chicago region and significantly reduce the negative impacts of freight rail in the highest populated areas of Illinois; and be it further

RESOLVED, That suitable copies of this resolution be delivered to all members of the Illinois Congressional Delegation and the Secretary of Transportation.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Tracy, **House Bill No. 4288** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Lightford	Righter
Anderson	Cunningham	Link	Rooney
Aquino	Curran	Manar	Sandoval
Barickman	Fowler	Martinez	Silverstein
Bennett	Haine	McCann	Sims
Bertino-Tarrant	Harmon	McCarter	Stadelman
Biss	Harris	McGuire	Steans
Bivins	Hastings	Morrison	Syverson
Brady	Holmes	Mulroe	Tracy
Bush	Hunter	Muñoz	Van Pelt
Castro	Hutchinson	Murphy	Weaver
Clayborne	Jones, E.	Oberweis	Mr. President
Collins	Koehler	Raoul	
Connelly	Landek	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 Koehler, **House Bill No. 4317** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rose
Anderson	Curran	Martinez	Sandoval
Aquino	Fowler	McCann	Silverstein
Barickman	Haine	McCarter	Sims

[May 16, 2018]

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

On motion of Senator Koehler, **House Bill No. 4319** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Harris, **House Bill No. 4346** 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	Link	Rose
Anderson	Curran	Manar	Sandoval
Aquino	Fowler	Martinez	Silverstein

[May 16, 2018]

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

On motion of Senator Weaver, **House Bill No. 4369** 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	Connelly	Lightford	Righter
Anderson	Cullerton, T.	Link	Rooney
Aquino	Cunningham	Manar	Rose
Barickman	Curran	Martinez	Sandoval
Bennett	Fowler	McCarter	Silverstein
Bertino-Tarrant	Haine	McGuire	Sims
Biss	Harmon	Morrison	Stadelman
Bivins	Harris	Mulroe	Steans
Brady	Holmes	Muñoz	Tracy
Bush	Hunter	Murphy	Van Pelt
Castro	Hutchinson	Oberweis	Weaver
Clayborne	Jones, E.	Raoul	Mr. President
Collins	Koehler	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 Mulroe, **House Bill No. 4392** 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	Cullerton, T.	Lightford	Rose
Anderson	Cunningham	Link	Sandoval
Aquino	Curran	Manar	Silverstein
Barickman	Fowler	Martinez	Sims
Bennett	Haine	McGuire	Stadelman

[May 16, 2018]

Bertino-Tarrant	Harmon	Mulroe	Syverson
Biss	Harris	Muñoz	Tracy
Bivins	Hastings	Murphy	Van Pelt
Brady	Holmes	Nybo	Weaver
Bush	Hunter	Oberweis	Mr. President
Castro	Hutchinson	Raoul	
Clayborne	Jones, E.	Rezin	
Collins	Koehler	Righter	
Connelly	Landek	Rooney	

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

On motion of Senator Barickman, **House Bill No. 4395** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Bennett, **House Bill No. 4397** 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	Martinez	Sandoval
Anderson	Fowler	McCarter	Silverstein
Aquino	Haine	McGuire	Sims
Barickman	Harmon	Morrison	Stadelman
Bertino-Tarrant	Harris	Mulroe	Steans

[May 16, 2018]

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

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

On motion of Senator Althoff, **House Bill No. 4514** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

Senator Castro asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 4514**.

On motion of Senator Nybo, **House Bill No. 4515** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Cunningham	Manar	Rose
Anderson	Curran	Martinez	Sandoval
Aquino	Fowler	McCann	Silverstein

Barickman	Haine	McCarter	Sims
Bennett	Harmon	McGuire	Stadelman
Bertino-Tarrant	Harris	Morrison	Steans
Biss	Hastings	Mulroe	Syverson
Bivins	Holmes	Muñoz	Tracy
Brady	Hunter	Murphy	Van Pelt
Bush	Hutchinson	Nybo	Weaver
Castro	Jones, E.	Oberweis	Mr. President
Clayborne	Koehler	Raoul	
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.

On motion of Senator Harmon, **House Bill No. 4568** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Castro, **House Bill No. 4572** 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 33; NAYS 13.

The following voted in the affirmative:

Aquino	Harmon	Link	Sandoval
Bennett	Hastings	Manar	Silverstein

[May 16, 2018]

Biss	Holmes	Martinez	Sims
Bush	Hunter	McGuire	Steans
Castro	Hutchinson	Morrison	Van Pelt
Clayborne	Jones, E.	Mulroe	Mr. President
Collins	Koehler	Muñoz	
Cullerton, T.	Landek	Murphy	
Cunningham	Lightford	Raoul	

The following voted in the negative:

Barickman	Haine	Righter	Weaver
Bivins	McCann	Rose	
Brady	McCarter	Syverson	
Connelly	Oberweis	Tracy	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Anderson, **House Bill No. 4589** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

Senator Holmes asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 4589**.

On motion of Senator Harris, **House Bill No. 4645** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Connelly

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 Weaver, **House Bill No. 4677** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Link	Righter
Anderson	Cunningham	Manar	Rooney
Aquino	Curran	Martinez	Rose
Barickman	Fowler	McCann	Sandoval
Bennett	Haine	McCarter	Silverstein
Bertino-Tarrant	Harmon	McGuire	Sims
Biss	Harris	Morrison	Stadelman
Bivins	Hastings	Mulroe	Steans
Brady	Hunter	Muñoz	Syverson
Bush	Hutchinson	Murphy	Tracy
Castro	Jones, E.	Nybo	Van Pelt
Clayborne	Koehler	Oberweis	Weaver
Collins	Landek	Raoul	Mr. President
Connelly	Lightford	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 Bennett, **House Bill No. 4687** 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:

[May 16, 2018]

YEAS 55; NAYS None.

The following voted in the affirmative:

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

HOUSE BILL RECALLED

On motion of Senator McCarter, **House Bill No. 4697** was recalled from the order of third reading to the order of second reading.

Senator McCarter offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4697

AMENDMENT NO. 1. Amend House Bill 4697 on page 3, line 18, by replacing "(c)" with "(c) or appointments in townships in a county with a population greater than 250,000.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Stadelman, **House Bill No. 4710** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Lightford	Rezin
Anderson	Cunningham	Link	Righter
Aquino	Curran	Manar	Rose
Barickman	Fowler	Martinez	Sandoval
Bennett	Haine	McCann	Silverstein
Bertino-Tarrant	Harmon	McCarter	Sims

[May 16, 2018]

Biss	Harris	McGuire	Stadelman
Bivins	Hastings	Morrison	Steans
Brady	Holmes	Mulroe	Tracy
Bush	Hunter	Muñoz	Van Pelt
Castro	Hutchinson	Murphy	Weaver
Clayborne	Jones, E.	Nybo	Mr. President
Collins	Koehler	Oberweis	
Connelly	Landek	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 Sims, **House Bill No. 4741** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Lightford	Rooney
Anderson	Cunningham	Link	Rose
Aquino	Curran	Manar	Sandoval
Barickman	Fowler	Martinez	Silverstein
Bennett	Haine	McCann	Sims
Bertino-Tarrant	Harmon	McCarter	Stadelman
Biss	Harris	McGuire	Steans
Bivins	Hastings	Morrison	Tracy
Brady	Holmes	Mulroe	Van Pelt
Bush	Hunter	Muñoz	Weaver
Castro	Hutchinson	Murphy	Mr. President
Clayborne	Jones, E.	Oberweis	
Collins	Koehler	Raoul	
Connelly	Landek	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 Mulroe, **House Bill No. 4745** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Cullerton, T.	Lightford	Rooney
Anderson	Cunningham	Link	Sandoval
Aquino	Curran	Manar	Silverstein
Barickman	Fowler	Martinez	Sims
Bennett	Haine	McCann	Stadelman
Bertino-Tarrant	Harmon	McCarter	Steans
Biss	Harris	McGuire	Syverson

[May 16, 2018]

Bivins	Hastings	Morrison	Tracy
Brady	Holmes	Mulroe	Van Pelt
Bush	Hunter	Muñoz	Weaver
Castro	Hutchinson	Murphy	Mr. President
Clayborne	Jones, E.	Oberweis	
Collins	Koehler	Raoul	
Connelly	Landek	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.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Morrison moved that **Senate Joint Resolution No. 57**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Morrison moved that Senate Joint Resolution No. 57 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.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Harris, **House Bill No. 4892** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 4908** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **House Bill No. 4909** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Weaver, **House Bill No. 4911** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Biss, **House Bill No. 4923** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 4949** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4949

AMENDMENT NO. 1. Amend House Bill 4949 on page 1, line 14, after the period, by inserting "This Section does not apply to hospitals and hospital affiliates licensed in Illinois."; and

on page 5, line 8, after the period, by inserting "This subsection does not apply to hospitals and hospital affiliates licensed in Illinois."; and

on page 5, immediately below line 17, by inserting the following:

"Hospital affiliate" has the meaning ascribed to that term in Section 10.8 of the Hospital Licensing Act."; and

on page 7, by replacing lines 19 and 20 with "insurance companies, health maintenance organizations, managed care plans, or organizations, including hospitals and hospital affiliates licensed in Illinois.".

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

On motion of Senator Bush, **House Bill No. 4953** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **House Bill No. 4990** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 5019** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **House Bill No. 5062** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 5077** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 5109** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 5110** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 5111** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 5155** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 5157** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 5242** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 5317** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 5494** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 5203** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **House Bill No. 5537** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **House Bill No. 5541** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 5547** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 5551** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 5597** was taken up, read by title a second time and ordered to a third reading.

[May 16, 2018]

On motion of Senator Martinez, **House Bill No. 5611** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hutchinson, **House Bill No. 5856** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5856

AMENDMENT NO. 1. Amend House Bill 5856 by replacing everything after the enacting clause with the following:

"Section 5. The Toll Highway Act is amended by changing Section 19 as follows:

(605 ILCS 10/19) (from Ch. 121, par. 100-19)

Sec. 19. Toll rates. The Authority shall fix and revise from time to time, tolls or charges or rates for the privilege of using each of the toll highways constructed pursuant to this Act. Such tolls shall be so fixed and adjusted at rates calculated to provide the lowest reasonable toll rates that will provide funds sufficient with other revenues of the Authority to pay, (a) the cost of the construction of a toll highway authorized by joint resolution of the General Assembly pursuant to Section 14.1 and the reconstruction, major repairs or improvements of toll highways, (b) the cost of maintaining, repairing, regulating and operating the toll highways including only the necessary expenses of the Authority, and (c) the principal of all bonds, interest thereon and all sinking fund requirements and other requirements provided by resolutions authorizing the issuance of the bonds as they shall become due. In fixing the toll rates pursuant to this Section 19 and Section 10(c) of this Act, the Authority shall take into account the effect of the provisions of this Section 19 permitting the use of the toll highway system without payment of the covenants of the Authority contained in the resolutions and trust indentures authorizing the issuance of bonds of the Authority. No such provision permitting the use of the toll highway system without payment of tolls after the date of this amendatory Act of the 95th General Assembly shall be applied in a manner that impairs the rights of bondholders pursuant to any resolution or trust indentures authorizing the issuance of bonds of the Authority. The use and disposition of any sinking or reserve fund shall be subject to such regulation as may be provided in the resolution or trust indenture authorizing the issuance of the bonds. Subject to the provisions of any resolution or trust indenture authorizing the issuance of bonds any moneys in any such sinking fund in excess of an amount equal to one year's interest on the bonds then outstanding secured by such sinking fund may be applied to the purchase or redemption of bonds. All such bonds so redeemed or purchased shall forthwith be cancelled and shall not again be issued. No person shall be permitted to use any toll highway without paying the toll established under this Section except when on official Toll Highway Authority business which includes police and other emergency vehicles. However, any law enforcement agency vehicle, fire department vehicle, public or private ambulance service vehicle engaged in the performance of an emergency service or duty that necessitates the use of the toll highway system, or other emergency vehicle that is plainly marked shall not be required to pay a toll to use a toll highway. A law enforcement, fire protection, or emergency services officer driving a law enforcement, fire protection, emergency services agency vehicle, or public or private ambulance service vehicle engaging in the performance of emergency services or duties that is not plainly marked must present an Official Permit Card which the law enforcement, fire protection, or emergency services officer receives from his or her law enforcement, fire protection, emergency services agency, or public or private ambulance service in order to use a toll highway without paying the toll. A law enforcement, fire protection, emergency services agency, or public or private ambulance service engaging in the performance of emergency services or duties must apply to the Authority to receive a permit, and the Authority shall adopt rules for the issuance of a permit, that allows public or private ambulance service vehicles engaged in the performance of emergency services or duties that necessitate the use of the toll highway system and all law enforcement, fire protection, or emergency services agency vehicles of the law enforcement, fire protection, or emergency services agency to use any toll highway without paying the toll established under this Section. The Authority shall maintain in its office a list of all persons that are authorized to use any toll highway without charge when on official business of the Authority and such list shall be open to the public for inspection. In recognition of the unique role of ~~public transportation the Suburban Bus Division of the Regional Transportation Authority~~ in providing effective transportation in the Authority's service region, and to give effect to the exemption set forth in subsection (b) of Section 2.06 of the Regional Transportation Authority Act, the following vehicles may use any toll highway without paying the toll:

[May 16, 2018]

(1) a vehicle owned or operated by the Suburban Bus Division of the Regional Transportation Authority that is being used to transport passengers for hire; and (2) any revenue vehicle that is owned or operated by a Mass Transit District created under Section 3 of the Local Mass Transit District Act and running regular scheduled service, may use any toll highway without paying the toll.

Among other matters, this amendatory Act of 1990 is intended to clarify and confirm the prior intent of the General Assembly to allow toll revenues from the toll highway system to be used to pay a portion of the cost of the construction of the North-South Toll Highway authorized by Senate Joint Resolution 122 of the 83rd General Assembly in 1984.

(Source: P.A. 97-784, eff. 1-1-13.)".

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

On motion of Senator Holmes, **House Bill No. 751** was taken up, read by title a second time.

Floor Amendment Nos. 1 and 2 were held in the Committee on Assignments.

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

On motion of Senator Clayborne, **House Bill No. 1265** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 1336** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1336

AMENDMENT NO. 1. Amend House Bill 1336 on page 1, line 13, before "policy", by inserting "personal".

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

On motion of Senator Morrison, **House Bill No. 1338** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bertino-Tarrant, **House Bill No. 1447** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 1595** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 1671** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **House Bill No. 1910** having been printed, was taken up and read by title a second time.

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

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

AMENDMENT NO. 2 TO HOUSE BILL 1910

AMENDMENT NO. 2. Amend House Bill 1910 by replacing everything after the enacting clause with the following:

"Section 5. The Central Illinois Economic Development Authority Act is amended by changing Section 1 as follows:

(70 ILCS 504/1)

Sec. 1. Short title. This Act may be cited as the ~~the~~ Central Illinois Economic Development Authority Act.

(Source: P.A. 94-995, eff. 7-3-06.)".

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

[May 16, 2018]

On motion of Senator Harmon, **House Bill No. 2477** was taken up, read by title a second time. Committee Amendment No. 1 was held in the Committee on Assignments. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Murphy, **House Bill No. 2617** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2617

AMENDMENT NO. 1. Amend House Bill 2617 on page 11, line 18, by replacing "treatments" with "services"; and

on page 12, line 20, by replacing "individuals" with "individual's"; and

on page 12, immediately below line 24, by inserting the following:

"(d) If, at any time before or after the effective date of this amendatory Act of the 100th General Assembly, the Secretary of the United States Department of Health and Human Services, or its successor agency, promulgates rules or regulations to be published in the Federal Register, publishes a comment in the Federal Register, or issues an opinion, guidance, or other action that would require the State, pursuant to any provision of the Patient Protection and Affordable Care Act (Pub. L. 111-148), including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any successor provision, to defray the cost of coverage for fertility preservation services, then this Section is inoperative with respect to all such coverage other than that authorized under Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and the State shall not assume any obligation for the cost of coverage for fertility preservation services."

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

On motion of Senator Hastings, **House Bill No. 3040** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3040

AMENDMENT NO. 1. Amend House Bill 3040 on page 13, by replacing lines 1 through 4 with the following:

"(a) Whenever the Commander-in-Chief deems it necessary or advisable for the purpose of executing the laws of the State or to prevent an actual or threatened violation of law; when the nation is at war and a requisition or order has been made, or is likely to be made, by the President of the United States calling the National Guard, or parts thereof, into the National service; or for any other emergency, he or she may issue a proclamation calling for".

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

On motion of Senator Link, **House Bill No. 3223** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3223

AMENDMENT NO. 1. Amend House Bill 3223 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Section 356z.8 as follows:
(215 ILCS 5/356z.8)

Sec. 356z.8. Multiple sclerosis preventative physical therapy. A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of ~~this amendatory Act of the 100th General Assembly~~ this amendatory Act of the 94th General Assembly must provide coverage for medically necessary preventative physical therapy for insureds diagnosed with multiple sclerosis. For the purposes of this Section, "preventative physical therapy" means physical

[May 16, 2018]

therapy that is prescribed by a physician licensed to practice medicine in all of its branches for the purpose of treating parts of the body affected by multiple sclerosis, but only where the physical therapy includes reasonably defined goals, including, but not limited to, sustaining the level of function the person has achieved, with periodic evaluation of the efficacy of the physical therapy against those goals. The coverage required under this Section shall be subject to the same deductible and ; coinsurance requirements or other limitations , waiting period, cost sharing limitation, treatment limitation, calendar year maximum, or other limitations as provided for other physical or rehabilitative therapy benefits covered by the policy.

A group or individual policy of accident and health insurance or managed care plan amended, delivered, issued, or renewed after the effective date of this amendatory Act of the 100th General Assembly shall offer an exception process from treatment limitations for individuals diagnosed with primary or secondary progressive multiple sclerosis. The exception process must be posted on the insurer's website in an easily-accessible location. An exception request must document medical necessity for extended treatment that is reasonable and appropriate to the individual's defined goals included in his or her treatment plan. A health insurer shall, within 72 hours after receiving the exception request, either approve or deny the request.

The coverage required by this Section shall be subject to other general exclusions and limitations of the policy, including coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, utilization review of health care services, including review of medical necessity, case management, experimental or investigational treatments, and other managed care provisions.

(Source: P.A. 94-1076, eff. 12-29-06.)".

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

On motion of Senator Hunter, **House Bill No. 3418** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 4096** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 4129** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4129

AMENDMENT NO. 1. Amend House Bill 4129 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by changing Section 11-74.4-3.5 as follows:
(65 ILCS 5/11-74.4-3.5)

Sec. 11-74.4-3.5. Completion dates for redevelopment projects.

(a) Unless otherwise stated in this Section, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.

(a-5) If the redevelopment project area is located within a transit facility improvement area established pursuant to Section 11-74.4-3, the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted.

(a-7) A municipality may adopt tax increment financing for a redevelopment project area located in a transit facility improvement area that also includes real property located within an existing redevelopment project area established prior to August 12, 2016 (the effective date of Public Act 99-792). In such case: (i) the provisions of this Division shall apply with respect to the previously established redevelopment project area until the municipality adopts, as required in accordance with applicable provisions of this Division, an ordinance dissolving the special tax allocation fund for such redevelopment project area and

[May 16, 2018]

terminating the designation of such redevelopment project area as a redevelopment project area; and (ii) after the effective date of the ordinance described in (i), the provisions of this Division shall apply with respect to the subsequently established redevelopment project area located in a transit facility improvement area.

(b) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 32nd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on September 9, 1999 by the Village of Downs.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 33rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on May 20, 1985 by the Village of Wheeling.

The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 28th calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on October 12, 1989 by the City of Lawrenceville.

(c) The estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer as provided in subsection (b) of Section 11-74.4-8 of this Act is to be made with respect to ad valorem taxes levied in the 35th calendar year after the year in which the ordinance approving the redevelopment project area was adopted:

- (1) If the ordinance was adopted before January 15, 1981.
- (2) If the ordinance was adopted in December 1983, April 1984, July 1985, or December 1989.
- (3) If the ordinance was adopted in December 1987 and the redevelopment project is located within one mile of Midway Airport.
- (4) If the ordinance was adopted before January 1, 1987 by a municipality in Mason County.
- (5) If the municipality is subject to the Local Government Financial Planning and Supervision Act or the Financially Distressed City Law.
- (6) If the ordinance was adopted in December 1984 by the Village of Rosemont.
- (7) If the ordinance was adopted on December 31, 1986 by a municipality located in Clinton County for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997, or if the ordinance was adopted on December 31, 1986 by a municipality with a population in 1990 of less than 3,600 that is located in a county with a population in 1990 of less than 34,000 and for which at least \$250,000 of tax increment bonds were authorized on June 17, 1997.
- (8) If the ordinance was adopted on October 5, 1982 by the City of Kankakee, or if the ordinance was adopted on December 29, 1986 by East St. Louis.
- (9) If the ordinance was adopted on November 12, 1991 by the Village of Saugat.
- (10) If the ordinance was adopted on February 11, 1985 by the City of Rock Island.
- (11) If the ordinance was adopted before December 18, 1986 by the City of Moline.
- (12) If the ordinance was adopted in September 1988 by Sauk Village.
- (13) If the ordinance was adopted in October 1993 by Sauk Village.
- (14) If the ordinance was adopted on December 29, 1986 by the City of Galva.
- (15) If the ordinance was adopted in March 1991 by the City of Centreville.
- (16) If the ordinance was adopted on January 23, 1991 by the City of East St. Louis.
- (17) If the ordinance was adopted on December 22, 1986 by the City of Aledo.
- (18) If the ordinance was adopted on February 5, 1990 by the City of Clinton.
- (19) If the ordinance was adopted on September 6, 1994 by the City of Freeport.
- (20) If the ordinance was adopted on December 22, 1986 by the City of Tuscola.
- (21) If the ordinance was adopted on December 23, 1986 by the City of Sparta.
- (22) If the ordinance was adopted on December 23, 1986 by the City of Beardstown.

(23) If the ordinance was adopted on April 27, 1981, October 21, 1985, or December 30, 1986 by the City of Belleville.

(24) If the ordinance was adopted on December 29, 1986 by the City of Collinsville.

(25) If the ordinance was adopted on September 14, 1994 by the City of Alton.

(26) If the ordinance was adopted on November 11, 1996 by the City of Lexington.

(27) If the ordinance was adopted on November 5, 1984 by the City of LeRoy.

(28) If the ordinance was adopted on April 3, 1991 or June 3, 1992 by the City of Markham.

(29) If the ordinance was adopted on November 11, 1986 by the City of Pekin.

(30) If the ordinance was adopted on December 15, 1981 by the City of Champaign.

(31) If the ordinance was adopted on December 15, 1986 by the City of Urbana.

(32) If the ordinance was adopted on December 15, 1986 by the Village of Heyworth.

(33) If the ordinance was adopted on February 24, 1992 by the Village of Heyworth.

(34) If the ordinance was adopted on March 16, 1995 by the Village of Heyworth.

(35) If the ordinance was adopted on December 23, 1986 by the Town of Cicero.

(36) If the ordinance was adopted on December 30, 1986 by the City of Effingham.

(37) If the ordinance was adopted on May 9, 1991 by the Village of Tilton.

(38) If the ordinance was adopted on October 20, 1986 by the City of Elmhurst.

(39) If the ordinance was adopted on January 19, 1988 by the City of Waukegan.

(40) If the ordinance was adopted on September 21, 1998 by the City of Waukegan.

(41) If the ordinance was adopted on December 31, 1986 by the City of Sullivan.

(42) If the ordinance was adopted on December 23, 1991 by the City of Sullivan.

(43) If the ordinance was adopted on December 31, 1986 by the City of Oglesby.

(44) If the ordinance was adopted on July 28, 1987 by the City of Marion.

(45) If the ordinance was adopted on April 23, 1990 by the City of Marion.

(46) If the ordinance was adopted on August 20, 1985 by the Village of Mount Prospect.

(47) If the ordinance was adopted on February 2, 1998 by the Village of Woodhull.

(48) If the ordinance was adopted on April 20, 1993 by the Village of Princeville.

(49) If the ordinance was adopted on July 1, 1986 by the City of Granite City.

(50) If the ordinance was adopted on February 2, 1989 by the Village of Lombard.

(51) If the ordinance was adopted on December 29, 1986 by the Village of Gardner.

(52) If the ordinance was adopted on July 14, 1999 by the Village of Paw Paw.

(53) If the ordinance was adopted on November 17, 1986 by the Village of Franklin Park.

(54) If the ordinance was adopted on November 20, 1989 by the Village of South Holland.

(55) If the ordinance was adopted on July 14, 1992 by the Village of Riverdale.

(56) If the ordinance was adopted on December 29, 1986 by the City of Galesburg.

(57) If the ordinance was adopted on April 1, 1985 by the City of Galesburg.

(58) If the ordinance was adopted on May 21, 1990 by the City of West Chicago.

(59) If the ordinance was adopted on December 16, 1986 by the City of Oak Forest.

(60) If the ordinance was adopted in 1999 by the City of Villa Grove.

(61) If the ordinance was adopted on January 13, 1987 by the Village of Mt. Zion.

(62) If the ordinance was adopted on December 30, 1986 by the Village of Manteno.

(63) If the ordinance was adopted on April 3, 1989 by the City of Chicago Heights.

(64) If the ordinance was adopted on January 6, 1999 by the Village of Rosemont.

(65) If the ordinance was adopted on December 19, 2000 by the Village of Stone Park.

(66) If the ordinance was adopted on December 22, 1986 by the City of DeKalb.

(67) If the ordinance was adopted on December 2, 1986 by the City of Aurora.

(68) If the ordinance was adopted on December 31, 1986 by the Village of Milan.

(69) If the ordinance was adopted on September 8, 1994 by the City of West Frankfort.

(70) If the ordinance was adopted on December 23, 1986 by the Village of Libertyville.

(71) If the ordinance was adopted on December 22, 1986 by the Village of Hoffman

Estates.

(72) If the ordinance was adopted on September 17, 1986 by the Village of Sherman.

(73) If the ordinance was adopted on December 16, 1986 by the City of Macomb.

(74) If the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the West Washington Street TIF.

(75) If the ordinance was adopted on June 11, 2002 by the City of East Peoria to create the Camp Street TIF.

(76) If the ordinance was adopted on August 7, 2000 by the City of Des Plaines.

- (77) If the ordinance was adopted on December 22, 1986 by the City of Washington to create the Washington Square TIF #2.
- (78) If the ordinance was adopted on December 29, 1986 by the City of Morris.
- (79) If the ordinance was adopted on July 6, 1998 by the Village of Steeleville.
- (80) If the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF I (the Main St TIF).
- (81) If the ordinance was adopted on December 29, 1986 by the City of Pontiac to create TIF II (the Interstate TIF).
- (82) If the ordinance was adopted on November 6, 2002 by the City of Chicago to create the Madden/Wells TIF District.
- (83) If the ordinance was adopted on November 4, 1998 by the City of Chicago to create the Roosevelt/Racine TIF District.
- (84) If the ordinance was adopted on June 10, 1998 by the City of Chicago to create the Stony Island Commercial/Burnside Industrial Corridors TIF District.
- (85) If the ordinance was adopted on November 29, 1989 by the City of Chicago to create the Englewood Mall TIF District.
- (86) If the ordinance was adopted on December 27, 1986 by the City of Mendota.
- (87) If the ordinance was adopted on December 31, 1986 by the Village of Cahokia.
- (88) If the ordinance was adopted on September 20, 1999 by the City of Belleville.
- (89) If the ordinance was adopted on December 30, 1986 by the Village of Bellevue to create the Bellevue TIF District 1.
- (90) If the ordinance was adopted on December 13, 1993 by the Village of Crete.
- (91) If the ordinance was adopted on February 12, 2001 by the Village of Crete.
- (92) If the ordinance was adopted on April 23, 2001 by the Village of Crete.
- (93) If the ordinance was adopted on December 16, 1986 by the City of Champaign.
- (94) If the ordinance was adopted on December 20, 1986 by the City of Charleston.
- (95) If the ordinance was adopted on June 6, 1989 by the Village of Romeoville.
- (96) If the ordinance was adopted on October 14, 1993 and amended on August 2, 2010 by the City of Venice.
- (97) If the ordinance was adopted on June 1, 1994 by the City of Markham.
- (98) If the ordinance was adopted on May 19, 1998 by the Village of Bensenville.
- (99) If the ordinance was adopted on November 12, 1987 by the City of Dixon.
- (100) If the ordinance was adopted on December 20, 1988 by the Village of Lansing.
- (101) If the ordinance was adopted on October 27, 1998 by the City of Moline.
- (102) If the ordinance was adopted on May 21, 1991 by the Village of Glenwood.
- (103) If the ordinance was adopted on January 28, 1992 by the City of East Peoria.
- (104) If the ordinance was adopted on December 14, 1998 by the City of Carlyle.
- (105) If the ordinance was adopted on May 17, 2000, as subsequently amended, by the City of Chicago to create the Midwest Redevelopment TIF District.
- (106) If the ordinance was adopted on September 13, 1989 by the City of Chicago to create the Michigan/Cermak Area TIF District.
- (107) If the ordinance was adopted on March 30, 1992 by the Village of Ohio.
- (108) If the ordinance was adopted on July 6, 1998 by the Village of Orangeville.
- (109) If the ordinance was adopted on December 16, 1997 by the Village of Germantown.
- (110) If the ordinance was adopted on April 28, 2003 by Gibson City.
- (111) If the ordinance was adopted on December 18, 1990 by the Village of Washington Park, but only after the Village of Washington Park becomes compliant with the reporting requirements under subsection (d) of Section 11-74.4-5, and after the State Comptroller's certification of such compliance.
- (112) If the ordinance was adopted on February 28, 2000 by the City of Harvey.
- (113) If the ordinance was adopted on January 11, 1991 by the City of Chicago to create the Read/Dunning TIF District.
- (114) If the ordinance was adopted on July 24, 1991 by the City of Chicago to create the Sanitary and Ship Canal TIF District.
- (115) If the ordinance was adopted on December 4, 2007 by the City of Naperville.
- (116) If the ordinance was adopted on July 1, 2002 by the Village of Arlington Heights.
- (117) If the ordinance was adopted on February 11, 1991 by the Village of Machesney Park.
- (118) If the ordinance was adopted on December 29, 1993 by the City of Ottawa.

- (119) If the ordinance was adopted on June 4, 1991 by the Village of Lansing.
- (120) If the ordinance was adopted on February 10, 2004 by the Village of Fox Lake.
- (121) If the ordinance was adopted on December 22, 1992 by the City of Fairfield.
- (122) If the ordinance was adopted on February 10, 1992 by the City of Mt. Sterling.
- (123) If the ordinance was adopted on March 15, 2004 by the City of Batavia.
- (124) If the ordinance was adopted on March 18, 2002 by the Village of Lake Zurich.
- (125) If the ordinance was adopted on September 23, 1997 by the City of Granite City.
- (126) If the ordinance was adopted on May 8, 2013 by the Village of Rosemont to create the Higgins Road/River Road TIF District No. 6.
- (127) If the ordinance was adopted on November 22, 1993 by the City of Arcola.
- (128) If the ordinance was adopted on September 7, 2004 by the City of Arcola.
- (129) If the ordinance was adopted on November 29, 1999 by the City of Paris.
- (130) If the ordinance was adopted on September 20, 1994 by the City of Ottawa to create the U.S. Route 6 East Ottawa TIF.
- (131) If the ordinance was adopted on May 2, 2002 by the Village of Crestwood.
- (132) If the ordinance was adopted on October 27, 1992 by the City of Blue Island.
- (133) If the ordinance was adopted on December 23, 1993 by the City of Lacon.
- (134) If the ordinance was adopted on May 4, 1998 by the Village of Bradford.
- (135) If the ordinance was adopted on June 11, 2002 by the City of Oak Forest.
- (136) If the ordinance was adopted on November 16, 1992 by the City of Pinckneyville.
- (137) If the ordinance was adopted on March 1, 2001 by the Village of South Jacksonville.
- (138) If the ordinance was adopted on February 26, 1992 by the City of Chicago to create the Stockyards Southeast Quadrant TIF District.
- (139) If the ordinance was adopted on January 25, 1993 by the City of LaSalle.
- (140) If the ordinance was adopted on December 23, 1997 by the Village of Dieterich.
- (141) If the ordinance was adopted on February 10, 2016 by the Village of Rosemont to create the Balmoral/Pearl TIF No. 8 Tax Increment Financing Redevelopment Project Area.
- (142) If the ordinance was adopted on June 11, 2002 by the City of Oak Forest.
- (143) If the ordinance was adopted on January 31, 1995 by the Village of Milledgeville.
- (144) (143) If the ordinance was adopted on February 5, 1996 by the Village of Pearl City.
- (145) (143) If the ordinance was adopted on December 21, 1994 by the City of Calumet City.
- (146) If the ordinance was adopted on December 26, 1995 by the Village of Posen.
- (147) If the ordinance was adopted on July 1, 1995 by the Village of Caseyville.
- (d) For redevelopment project areas for which bonds were issued before July 29, 1991, or for which contracts were entered into before June 1, 1988, in connection with a redevelopment project in the area within the State Sales Tax Boundary, the estimated dates of completion of the redevelopment project and retirement of obligations to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may be extended by municipal ordinance to December 31, 2013. The termination procedures of subsection (b) of Section 11-74.4-8 are not required for these redevelopment project areas in 2009 but are required in 2013. The extension allowed by Public Act 87-1272 shall not apply to real property tax increment allocation financing under Section 11-74.4-8.
- (e) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were adopted on or after December 16, 1986 and for which at least \$8 million worth of municipal bonds were authorized on or after December 19, 1989 but before January 1, 1990; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.
- (f) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 35 years for redevelopment project areas that were established on or after December 1, 1981 but before January 1, 1982 and for which at least \$1,500,000 worth of tax increment revenue bonds were authorized on or after September 30, 1990 but before July 1, 1991; provided that the municipality elects to extend the life of the redevelopment project area to 35 years by the adoption of an ordinance after at least 14 but not more than 30 days' written notice to the taxing bodies, that would otherwise constitute the joint review board for the redevelopment project area, before the adoption of the ordinance.
- (f-5) Those dates, for purposes of real property tax increment allocation financing pursuant to Section 11-74.4-8 only, shall be not more than 47 years for redevelopment project areas that were established on

[May 16, 2018]

December 29, 1981 by the City of Springfield; provided that (i) the City of Springfield adopts an ordinance extending the life of the redevelopment project area to 47 years and (ii) the City of Springfield provides notice to the taxing bodies that would otherwise constitute the joint review board for the redevelopment project area not more than 30 and not less than 14 days prior to the adoption of that ordinance.

(g) In consolidating the material relating to completion dates from Sections 11-74.4-3 and 11-74.4-7 into this Section, it is not the intent of the General Assembly to make any substantive change in the law, except for the extension of the completion dates for the City of Aurora, the Village of Milan, the City of West Frankfort, the Village of Libertyville, and the Village of Hoffman Estates set forth under items (67), (68), (69), (70), and (71) of subsection (c) of this Section.

(Source: P.A. 99-78, eff. 7-20-15; 99-136, eff. 7-24-15; 99-263, eff. 8-4-15; 99-361, eff. 1-1-16; 99-394, eff. 8-18-15; 99-495, eff. 12-17-15; 99-508, eff. 6-24-16; 99-792, eff. 8-12-16; 100-201, eff. 8-18-17; 100-214, eff. 8-18-17; 100-249, eff. 8-22-17; 100-510, eff. 9-15-17; revised 10-2-17.)

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 Anderson, **House Bill No. 4231** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 4234** was taken up, read by title a second time.

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

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

On motion of Senator Steans, **House Bill No. 4275** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bertino-Tarrant, **House Bill No. 4284** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **House Bill No. 4295** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 4345** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hastings, **House Bill No. 4377** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Steans, **House Bill No. 4383** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 4424** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 4508** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 4467** was taken up, read by title a second time and ordered to a third reading.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 1853

[May 16, 2018]

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

Amendment No. 1 to Senate Bill 3569

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 16, 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 Omar Aquino to temporarily replace Senator Steven M. Landek as a member of the Senate Insurance Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Insurance 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 16, 2018

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Bill Cunningham to temporarily replace Senator Melinda Bush as a member of the Senate Licensed Activities and Pensions Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Licensed Activities and Pensions Committee.

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

[May 16, 2018]

Senate President

cc: Senate Minority Leader William Brady

At the hour of 2:27 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, May 17, 2018, at 12:00 o'clock noon.

[May 16, 2018]