



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED FIRST GENERAL
ASSEMBLY**

43RD LEGISLATIVE DAY

WEDNESDAY, MAY 15, 2019

2:11 O'CLOCK P.M.

SENATE
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43rd Legislative Day

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The Senate met pursuant to adjournment.
Senator Don Harmon, Oak Park, Illinois, presiding.
Prayer by Pastor Curt Fleck, Civil Servant Ministries, Springfield, Illinois.
Senator Manar led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, May 14, 2019, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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

Amendment No. 3 to House Bill 3501

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 2528
Amendment No. 1 to House Bill 2577
Amendment No. 1 to House Bill 2856

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 15, 2019

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby extend the 3rd reading deadline to May 31, 2019, for the following bills:

SB 1807

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

cc: Senate Republican Leader Bill Brady

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 421

[May 15, 2019]

Offered by Senator Hunter and all Senators:
Mourns the death of Juanita Smith Dewith Barton of Springfield.

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

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

SENATE RESOLUTION NO. 419

WHEREAS, Evidence from thousands of studies connect increasing atmospheric greenhouse gas (GHG) concentrations with escalating annual average temperatures, shrinking sea ice, melting glaciers, rising sea levels/temperatures, and increasing atmospheric water vapor, all of which connect to extremes in global climate; and

WHEREAS, These increasing climate extremes threaten both current and future ecological system sustainability upon which health and well-being depend; and

WHEREAS, These influences reach beyond State and national boundaries with implications for all humanity but disproportionately affect the most vulnerable; and

WHEREAS, The interaction of political, economic, and cultural factors influence resource availability and related resilience of families and communities, with a higher risk of adverse health consequences borne by geographic areas with fewer economic resources and greater health disparities; and

WHEREAS, Climate-related health risks tend to worsen health conditions, which increases chronic and infectious diseases, injuries and premature life-loss from physical/psychosocial disabilities, trauma from separation of families, disruption of healthcare and social services, infectious disease vulnerability, risk of dehydration and inadequate nutrition, heat stress, and psychological and adjustment disorders; and

WHEREAS, Unchecked continuation of current climate trends undermine the sustainability of water systems, agricultural production, and biodiversity, contributing to basic resource depletion, famine, social disruption, population displacement/emigration, increased potential for violent conflict, and decreased regional and global stability; and

WHEREAS, The vulnerability of the Midwest and the State of Illinois is a microcosm of these influences from increasing heat, humidity, precipitation, flooding, soil erosion, sedimentation, property damage, late-season drought, invasive species, pests, and plant diseases, leading to reduced air and water quality, biodiversity, agricultural productivity, and worker safety/productivity, all of which jeopardize human health, agriculture, transportation, manufacturing/commerce, recreation/tourism, and economic vibrancy; and

WHEREAS, Many of these consequences can be prevented or substantially minimized through interventions that dramatically reduce GHG emissions, such as decreased reliance on carbon-based fuels (i.e. gas, oil and coal) and energy waste and increased energy conservation and reliance on renewable energy sources (i.e. wind, solar and potentially nuclear fusion); and

WHEREAS, Such a paradigm shift in the consumption and production of energy is not just a necessity but an opportunity for innovation, job creation, and substantial environmental and related health, economic, social and national security benefits, all of which represent co-benefits in addition to reducing the risk of climate change; and

WHEREAS, Solutions to securing a more sustainable global environment lie exclusively in the domain of individual and collective actions aimed at holding global average temperature increases to well below 2°C (3.6°F), above preindustrial levels, and to pursuing efforts to limit such temperature increases to 1.5°C (2.7°F); and

[May 15, 2019]

WHEREAS, Cities, urban areas, and states represent unique, scalable incubators for innovation to counteract climate change, especially since policies adopted in such jurisdictions typically have the most immediate impact on the daily lives of their residents; and

WHEREAS, Paramount to a coordinated, collective response to this threat is an acknowledgment of the risk it represents for all humankind and the urgency to apply best available science-based interventions; and

WHEREAS, The physical sciences have established this understanding, but the social sciences are critical in translating this knowledge to adaptive and mitigative actions to match the need, and one of public health strengths is functioning effectively at the nexus of the physical and social sciences; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the State of Illinois should play an important role in addressing climate change by taking the following steps:

- (1) Encourage local and State elected leaders (i.e. mayors, county board chairs/executives and governors) to officially endorse and engage in the respective commitments, momentum, and resources available through Climate Reality Mayors, Climate Resolution for County Executives, and the U.S. Climate Alliance;
- (2) Urge implementation of public and/or public-private collaborative alternative financing opportunities to encourage green development and climate resilient infrastructure;
- (3) Conduct, encourage, and support advocacy, education, and public awareness on the threat from climate change and its solutions;
- (4) Establish support for and funding of research, surveillance, reporting, and tracking of climate-related health effects;
- (5) Expand State and local preparedness and its funding for disaster readiness and response to effectively assist in climate-related event resilience and rapid recovery; and
- (6) Promote green energy production and energy efficiency in all public policies and practices, while disincentivizing reliance on carbon-based fuels and utilizing as examples new and rehabilitated public facilities.

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

SENATE RESOLUTION NO. 420

WHEREAS, The history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States; and

WHEREAS, The Asian American and Pacific Islander community is an inherently diverse population, comprised of over 45 distinct ethnicities and over 100 language dialects; and

WHEREAS, According to the United States Census Bureau, the Asian American population grew faster than any other racial or ethnic group over the last decade, surging nearly 72 percent between 2000 and 2015; and

WHEREAS, One of the earliest records of Asian and Pacific Islander Americans in the United States dates back to 1763 in New Orleans, Louisiana, where Filipino sailors who worked the Manila-Acapulco trade route settled; and

WHEREAS, Asian and Pacific Islander Americans have made indelible contributions to the history of Illinois and the United States that include, but are not limited to, building the Transcontinental Railroad, serving honorably in the Armed Forces, fighting for the United States in foreign wars, and advocating for civil rights; and

[May 15, 2019]

WHEREAS, Asian and Pacific Islander Americans have endured hardships, including unjust working conditions, prejudice, and discrimination in some of the darkest times in our State's and nation's history, including the Chinese Exclusion Act, naturalized citizenship ineligibility, the Alien Land Law, anti-miscegenation laws, and Japanese internment; and

WHEREAS, Asian and Pacific Islander Americans continue to cultivate, advance, and lead in the fields of art, fashion, business, technology, education, science, government, law, humanities, medicine, sports, and entertainment; and

WHEREAS, Asian and Pacific Islander Americans in Illinois represent diverse ancestries that include, but are not limited to, Indian, Bangladeshi, Bhutanese, Burmese, Cambodian, Chinese, Taiwanese, Filipino, Indonesian, Japanese, Korean, Laotian, Malaysian, Maldivian, Mongolian, Nepalese, Native Hawaiian, Vietnamese, Okinawan, Pakistani, Samoan, Singaporean, Sri Lankan, Thai, Tongan, and other Pacific Islands; and

WHEREAS, Federal law designates May as Asian/Pacific American Heritage Month in Section 102 of Title 36 of the United States Code; and

WHEREAS, Celebrating Asian and Pacific Islander Heritage Month provides Illinoisans with an opportunity to recognize the achievements, contributions, and history of Asian and Pacific Islander Americans; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize that Asian American and Pacific Islander communities enhance the rich diversity of and strengthen the State of Illinois and the United States, and we commend Asian and Pacific Islander Americans for their notable accomplishments and contributions to Illinois; and be it further

RESOLVED, That we declare May 2019 as Asian and Pacific Islander American Heritage Month in the State of Illinois.

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

SENATE RESOLUTION NO. 422

WHEREAS, The Family First Prevention Services Act was signed into law as part of the Bipartisan Budget act on February 9, 2018; and

WHEREAS, Young people involved in the child welfare system do best in families, in a safe and stable environment that supports their long-term well-being, according to research; the passage of Family First took a large step toward this vision by restructuring how the federal government spends money on child welfare to ensure that more children in foster care are placed with families; the law also provides more support for critical services, such as mental health and substance abuse treatment, in-home training, and family therapy that can help prevent the need for foster care in the first place; and

WHEREAS, The law provides an opportunity for positive change and supports ongoing efforts to transform our child welfare system by keeping children and teens safely with their own family and to avoid the often-traumatizing experience of unnecessary placement into the foster care system; its name reflects the elements of the legislation: a family first for children and teens with prevention services to keep kids safe and growing up in their family; prevention services, including in-home, skills-based training for parents, mental health care, including family therapy, and substance abuse and treatment programs are important parts of Family First; when the courts determine that children need to enter foster care, Family First specifically calls for them to be placed in the least restrictive, most family-like setting to meet their individual needs; the law recognizes that treatment programs can provide short-term, customized therapeutic support while kids are living in families; this could be with birth parents, other relatives, close friends, or foster caregivers; residential treatment may be needed for short-term stabilization, usually less than 90 days, with follow-up services when children return to their family; federally-reimbursed services

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are meant to support and strengthen families, so children don't enter care; they are also meant to maintain child and family connections when children enter foster care or require short-term residential treatment, and they provide six months of aftercare when a child has transitioned home from either setting; the focus is on helping children and families live and grow together safely and successfully; and

WHEREAS, This Act reforms the federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who are at risk of entering the child welfare system; and

WHEREAS, This Act aims to prevent children from entering foster care by allowing federal reimbursement for mental health services, substance use treatment, and in-home parenting skill training; it also seeks to improve the well-being of children already in foster care by motivating states to reduce placement of children in congregate care; and

WHEREAS, With an approved Title IV-E plan, the State would have the option to use Title IV-E funds to prevent the placement of children and youth into the foster care system and to provide up to 12 months of mental health services, substance abuse treatment, and in-home parenting training to families at risk of entry into the child welfare system; additionally, the State could use Title IV-E reimbursement for up to 12 months for a child who has been placed with a parent in a licensed residential family-based treatment facility for substance abuse, regardless of whether the child meets the AFDC income-eligibility requirement for Title IV-E; and

WHEREAS, A competitive grant for recruitment and retention of high-quality foster families is provided and made available through 2022; parameters for states to expand funding eligibility for youth "aging out" of foster care are provided; and

WHEREAS, Decreasing the number of children newly enrolled in the foster care system by providing federally-reimbursable services to families at risk of entering the child welfare system will benefit the State of Illinois; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the State to support the Family First Prevention Services Act to help decrease the number of children entered into foster care.

Senator Villivalam offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Assignments:

**SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT NO. 13**

SC0013

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 22.1 to Article I of the Illinois Constitution as follows:

ARTICLE I
BILL OF RIGHTS

SECTION 22.1. RIGHTS TO UNIONIZE

Neither the State nor any political subdivision of the State may enact or enforce any law, ordinance, rule, regulation, or the like that by design or application prohibits, restricts, tends to restrict, or regulates the use of union security agreements between an employer and labor organization or other rights to unionize.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

[May 15, 2019]

REPORTS FROM STANDING COMMITTEES

Senator Bertino-Tarrant, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 190, 254 and 2868**, 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 Bills Numbered 2084 and 2165**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

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

Senate Amendment No. 1 to House Bill 3237

Senate Amendment No. 1 to House Bill 3687

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

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **Senate Resolution No. 372**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 372** was placed on the Secretary's Desk.

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 3 and 2896**, reported the same back with the recommendation that the bills do pass.

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

Senator Van Pelt, Chairperson of the Committee on Public Health, to which was referred **House Bill No. 3035**, 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 Van Pelt, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 2

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

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

Senate Amendment No. 1 to Senate Bill 535

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

Senator McGuire, Chairperson of the Committee on Higher Education, to which was referred **House Bill No. 26**, 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 the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 2154

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

Senator Mulroe, Chairperson of the Committee on Judiciary, to which was referred **House Bill No. 3606**, 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 Mulroe, Chairperson of the Committee on Judiciary, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 3222

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

Senator Sims, Chairperson of the Committee on Criminal Law, to which was referred **House Bill No. 3498**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bill No. 2088**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to House Bill 2591

Senate Amendment No. 2 to House Bill 2862

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

Senator Aquino, Chairperson of the Committee on Government Accountability and Pensions, to which was referred **House Bill No. 3053**, reported the same back with the recommendation that the bill do pass.

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

Senator Aquino, Chairperson of the Committee on Government Accountability and Pensions, to which was referred **House Bill No. 2884**, 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 Glowiak, Vice-Chairperson of the Committee on Labor, to which was referred **House Bill No. 2301**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to House Bill 2830

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

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

Senate Amendment No. 1 to House Bill 2675

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

Senator Bertino-Tarrant, Vice-Chairperson of the Committee on Licensed Activities, to which was referred **House Bill No. 2670**, reported the same back with the recommendation that the bill do pass.

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

Senator Landek, Chairperson of the Committee on State Government, to which was referred **Senate Resolution No. 386**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 386** was placed on the Secretary's Desk.

Senator Landek, Chairperson of the Committee on State Government, to which was referred **House Bills Numbered 142, 357, 2470 and 2832**, reported the same back with the recommendation that the bills do pass.

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

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

Senate Amendment No. 1 to House Bill 2943

Senate Amendment No. 1 to House Bill 3196

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

INTRODUCTION OF BILLS

SENATE BILL NO. 2256. Introduced by Senator Harmon, a bill for AN ACT concerning nuclear safety.

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

SENATE BILL NO. 2257. Introduced by Senator Muñoz, a bill for AN ACT concerning health.

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

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Hollman, 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. 49

WHEREAS, The Sisters of the Resurrection were originally founded by four Polish women in Rome, Italy in 1891; they arrived in Chicago in 1900, where the Sisters dedicated themselves to serving all who were in need, wherever they were to be found, especially in Northwest Chicago; and

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WHEREAS, Led by faith, Sister Ann Strzelecka purchased land in 1912; it is now home to both Resurrection High School and Resurrection Medical Center; and

WHEREAS, In the decades to come, the Sisters of the Resurrection provided extraordinary outreach, education, medical care, and a steadfast, supportive presence to the vulnerable communities throughout the neighborhoods in Northwest Chicago; and

WHEREAS, The Sisters of the Resurrection highlight and model for others what it means to give one's self to a life of service; in their daily life of prayer, community work, and ongoing education, the Sisters also give witness to a life of servant leadership; and

WHEREAS, Continuing the tradition of their founding Polish pioneers, the Sisters model selflessness, generosity, and community values; these faith-filled Catholic women continue to inspire others to answer the call of serving others; their focus on listening and responding to the needs of their communities continues to inspire others to enter care-giving professions, especially healthcare and education; and

WHEREAS, Many of the Sisters of the Resurrection continue to live in the community of Northwest Chicago and support community efforts in their daily work and prophetic witness; their support of the recent restoration of the chapel at Resurrection Medical Center will provide a space for reflection, prayer, and peace for generations to come; and

WHEREAS, The Sisters of the Resurrection health care ministry has brought healing and hope to thousands of their neighbors, with the Sisters persevering and overcoming adversity with tremendous faith, leadership and tenacity in order to provide care and dignity to all those in need; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we declare April 22, 2019 Sisters of Resurrection Day in Illinois to honor their legacy, mission, and commitment to providing critical healthcare and high-quality education to the vulnerable populations in Chicago for 119 years.

Adopted by the House, May 15, 2019.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 49 was referred to the Committee on Assignments.

At the hour of 2:18 o'clock p.m., Senator Koehler, presiding.

At the hour of 2:31 o'clock p.m., Senator Harmon, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chairperson of the Committee on Assignments, during its May 15, 2019 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Floor Amendment No. 1 to House Bill 247; Floor Amendment No. 1 to Senate Bill 459.**

Executive: **Senate Bill 1807.**

Financial Institutions: **Floor Amendment No. 2 to House Bill 2837.**

Government Accountability and Pensions: **Floor Amendment No. 1 to House Bill 3263.**

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Higher Education: **Floor Amendment No. 1 to House Bill 205.**

Judiciary: **Committee Amendment No. 2 to House Bill 2497.**

State Government: **Floor Amendment No. 1 to House Bill 210; Floor Amendment No. 2 to House Bill 2924.**

Senator Lightford, Chairperson of the Committee on Assignments, during its May 15, 2019 meeting, to which was referred **Senate Bill No. 1240** on May 2, 2019, 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. 1240** was returned to the order of third reading.

Senator Lightford, Chairperson of the Committee on Assignments, during its May 15, 2019 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution 420

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

Pursuant to Senate Rule 3-8(d), the following bill(s) will be re-referred from the Committee on Transportation to the Committee on Assignments: **House Bill No. 137**

Pursuant to Senate Rule 3-8(d), the following bill(s) will be re-referred from the Committee on Local Government to the Committee on Assignments: **House Bill No. 3501**

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

Senator Lightford, Chairperson of the Committee on Assignments, during its May 15, 2019 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **House Bill 137.**

Revenue: **House Bill 3501.**

Senator Lightford, Chairperson of the Committee on Assignments, during its May 15, 2019 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Revenue: **Committee Amendment No. 2 to House Bill 3501; Committee Amendment No. 3 to House Bill 3501.**

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Steans, **House Bill No. 246** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Martinez, **House Bill No. 3663** was taken up, read by title a second time and ordered to a third reading.

POSTING NOTICE WAIVED

Senator Hutchinson moved to waive the six-day posting requirement on **House Bill No. 3501** so that the measure may be heard in the Committee on Revenue that is scheduled to meet this afternoon. The motion prevailed.

At the hour of 2:42 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 4:45 o'clock p.m., the Senate resumed consideration of business. Senator Link, presiding.

REPORTS FROM STANDING COMMITTEES

Senator Mulroe, Vice-Chairperson of the Committee on Insurance, to which was referred **House Bill No. 889**, reported the same back with the recommendation that the bill do pass. Under the rules, the bill was ordered to a second reading.

Senator Hutchinson, Chairperson of the Committee on Revenue, to which was referred **House Bill No. 3501**, 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.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3265, sponsored by Senator Plummer, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator McGuire, **House Bill No. 938** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crowe, **House Bill No. 2119** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McGuire, **House Bill No. 2152** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crowe, **House Bill No. 2239** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McGuire, **House Bill No. 2491** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Curran, **House Bill No. 3263** was taken up, read by title a second time. Floor Amendment No. 1 was referred to the Committee on Government Accountability and Pensions earlier today. There being no further amendments, the bill was ordered to a third reading.

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On motion of Senator McGuire, **House Bill No. 3269** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Gillespie, **House Bill No. 3554** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **House Bill No. 3628** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3628

AMENDMENT NO. 1. Amend House Bill 3628 as follows:

on page 21, line 18, after "providers", by inserting "from funds appropriated".

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

On motion of Senator Crowe, **House Bill No. 3677** 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 3677

AMENDMENT NO. 1. Amend House Bill 3677 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Uniform Partition of Heirs Property Act.

Section 2. Definitions. In this Act:

(1) "Ascendant" means an individual who precedes another individual in lineage, in the direct line of ascent from the other individual.

(2) "Collateral" means an individual who is related to another individual under the law of intestate succession of this State but who is not the other individual's ascendant or descendant.

(3) "Descendant" means an individual who follows another individual in lineage, in the direct line of descent from the other individual.

(4) "Determination of value" means a court order determining the fair market value of heirs property under Section 6 or 10 or adopting the valuation of the property agreed to by all cotenants.

(5) "Heirs property" means real property held in tenancy in common which satisfies all of the following requirements as of the filing of a partition action:

(A) there is no agreement in a record binding all the cotenants which governs the partition of the property;

(B) one or more of the cotenants acquired title from a relative or, if a cotenant is an entity, from a relative of a beneficiary, shareholder, partner, or member of the entity, whether such relative is living or deceased; and

(C) Any of the following applies:

(i) 20 percent or more of the interests are held by cotenants who are relatives;

(ii) 20 percent or more of the interests are held by a cotenant who acquired title from a relative, whether living or deceased; or

(iii) 20 percent or more of the cotenants are relatives.

(6) "Fair market value" means the cash price at which the heirs property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts.

(7) "Partition by sale" means a court-ordered sale of all or a portion of the heirs property conducted under Section 10.

(8) "Partition in kind" means the division of heirs property into physically distinct and separately titled parcels.

(9) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(10) "Relative" means an ascendant, descendant, or collateral or an individual otherwise related to another individual by blood, marriage, adoption, or law of this State other than this Act.

Section 3. Applicability; relation to other law.

(a) This Act applies to partition actions filed on or after the effective date of this Act.

(b) In an action to partition real property under Article XVII of the Code of Civil Procedure the court shall determine whether the property is heirs property. If the court determines that the property is heirs property, the property must be partitioned under this Act unless all of the cotenants otherwise agree in a record.

(c) This Act supplements Article XVII of the Code of Civil Procedure and, if an action is governed by this Act, replaces provisions of Article XVII of the Code of Civil Procedure that are inconsistent with this Act.

Section 4. Service; notice by posting.

(a) This Act does not limit or affect the method by which service of a complaint in a partition action may be made.

(b) If the plaintiff in a partition action seeks an order of notice by publication and the court determines that the property may be heirs property, the plaintiff, not later than 10 days after the court's determination, shall post and maintain while the action is pending a conspicuous sign on the property that is the subject of the action. The sign must state that the action has commenced and identify the name and address of the court and the common designation by which the property is known. The court may require the plaintiff to publish on the sign the name of the plaintiff and the known defendants.

Section 5. Commissioners. If the court appoints a commissioner pursuant to Article XVII of the Code of Civil Procedure, the commissioner, in addition to the requirements and disqualifications applicable to commissioners in Article XVII of the Code of Civil Procedure, must be disinterested and impartial and not a party to or a participant in the action.

Section 6. Determination of value.

(a) Except as otherwise provided in subsections (b) and (c), if the court determines that the property that is the subject of a partition action is heirs property, the court shall determine the fair market value of the property by ordering an appraisal pursuant to subsection (d).

(b) If all cotenants have agreed to the value of the property or to another method of valuation, the court shall adopt that value or the value produced by the agreed method of valuation.

(c) If the court determines that the evidentiary value of an appraisal is outweighed by the cost of the appraisal, the court, after an evidentiary hearing, shall determine the fair market value of the property and shall order the plaintiff to send notice to the parties of the value.

(d) If the court orders an appraisal, the court shall appoint a disinterested real estate appraiser licensed in this State to determine the fair market value of the property assuming sole ownership of the fee simple estate. On completion of the appraisal, the appraiser shall file a sworn or verified appraisal with the court.

(e) If an appraisal is conducted pursuant to subsection (d), not later than 10 days after the appraisal is filed, the court shall order the plaintiff to send notice to each party with a known address, stating:

(1) the appraised fair market value of the property;

(2) that the appraisal is available at the clerk's office; and

(3) that a party may file with the court an objection to the appraisal not later than 30 days after the notice is sent, stating the grounds for the objection.

(f) If an appraisal is filed with the court pursuant to subsection (d), the court shall conduct a hearing to determine the fair market value of the property not sooner than 30 days after a copy of the notice of the appraisal is sent to each party under subsection (e), whether or not an objection to the appraisal is filed under subsection (e)(3). In addition to the court-ordered appraisal, the court may consider any other evidence of value offered by a party.

(g) After a hearing under subsection (f), but before considering the merits of the partition action, the court shall determine the fair market value of the property and order the plaintiff to send notice to all of the parties of the value and a cotenant's buyout rights as provided in Section 7.

Section 7. Cotenant buyout.

(a) If any cotenant requested partition by sale, after the determination of value under Section 6, the court shall order the plaintiff to send notice to the parties that any cotenant except a cotenant that requested partition by sale may buy all the interests of the cotenants that requested partition by sale.

(b) Not later than 45 days after the notice is sent under subsection (a), any cotenant except a cotenant that requested partition by sale may give notice to the court that it elects to buy all the interests of the cotenants that requested partition by sale.

(c) The purchase price for each of the interests of a cotenant that requested partition by sale is the value of the entire parcel determined under Section 6 multiplied by the cotenant's fractional ownership of the entire parcel.

(d) After expiration of the period in subsection (b), the following rules apply:

(1) If only one cotenant elects to buy all the interests of the cotenants that requested partition by sale, the court shall notify all the parties of that fact.

(2) If more than one cotenant elects to buy all the interests of the cotenants that requested partition by sale, the court shall allocate the right to buy those interests among the electing cotenants based on each electing cotenant's existing fractional ownership of the entire parcel divided by the total existing fractional ownership of all cotenants electing to buy and send notice to all the parties of that fact and of the price to be paid by each electing cotenant.

(3) If no cotenant elects to buy all the interests of the cotenants that requested partition by sale, the court shall order the plaintiff to send notice to all the parties of that fact and resolve the partition action under Section 8(a) and (b).

(e) If the court sends notice to the parties under subsection (d)(1) or (2), the court shall set a date, not sooner than 60 days after the date the notice was sent, by which electing cotenants must pay their apportioned price to the clerk of court or as otherwise ordered by the court. After this date, the following rules apply:

(1) If all electing cotenants timely pay their apportioned price to the clerk of court or as otherwise ordered by the court, the court shall issue an order reallocating all the interests of the cotenants and disburse the amounts held to the persons entitled to them.

(2) If no electing cotenant timely pays its apportioned price, the court shall resolve the partition action under Section 8(a) and (b) as if the interests of the cotenants that requested partition by sale were not purchased.

(3) If one or more but not all of the electing cotenants fail to pay their apportioned price on time, the court, on motion, shall order the plaintiff to give notice to the electing cotenants that paid their apportioned price of the interest remaining and the price for all that interest.

(f) Not later than 20 days after the court gives notice pursuant to subsection (e)(3), any cotenant that paid may elect to purchase all of the remaining interest by paying the entire price into the court. After the 20-day period, the following rules apply:

(1) If only one cotenant pays the entire price for the remaining interest, the court shall issue an order reallocating the remaining interest to that cotenant. The court shall issue promptly an order reallocating the interests of all of the cotenants and disburse the amounts held to the persons entitled to them.

(2) If no cotenant pays the entire price for the remaining interest, the court shall resolve the partition action under Section 8(a) and (b) as if the interests of the cotenants that requested partition by sale were not purchased.

(3) If more than one cotenant pays the entire price for the remaining interest, the court shall reapportion the remaining interest among those paying cotenants, based on each paying cotenant's original fractional ownership of the entire parcel divided by the total original fractional ownership of all cotenants that paid the entire price for the remaining interest. The court shall issue promptly an order reallocating all of the cotenants' interests, disburse the amounts held to the persons entitled to them, and promptly refund any excess payment held by the clerk of court or as ordered by the court.

(g) Not later than 45 days after notice is sent to the parties pursuant to subsection (a), any cotenant entitled to buy an interest under this section may request the court to authorize the sale as part of the pending action of the interests of cotenants named as defendants and served with the complaint but that did not appear in the action.

(h) If the court receives a timely request under subsection (g), the court, after hearing, may deny the request or authorize the requested additional sale on such terms as the court determines are fair and reasonable, subject to the following limitations:

(1) a sale authorized under this subsection may occur only after the purchase prices for all interests subject to sale under subsections (a) through (f) have been paid into court and those interests have been reallocated among the cotenants as provided in those subsections; and

(2) the purchase price for the interest of a nonappearing cotenant is based on the court's determination of value under Section 6.

Section 8. Partition alternatives.

(a) If all the interests of all cotenants that requested partition by sale are not purchased by other cotenants pursuant to Section 7, or if after conclusion of the buyout under Section 7, a cotenant remains that has requested partition in kind, the court shall order partition in kind unless the court, after consideration of the factors listed in Section 9, finds that partition in kind will result in manifest prejudice to the cotenants as a group. In considering whether to order partition in kind, the court shall approve a request by two or more parties to have their individual interests aggregated.

(b) If the court does not order partition in kind under subsection (a), the court shall order partition by sale pursuant to Section 10 or, if no cotenant requested partition by sale, the court shall dismiss the action.

(c) If the court orders partition in kind pursuant to subsection (a), the court may require that one or more cotenants pay one or more other cotenants amounts so that the payments, taken together with the value of the in-kind distributions to the cotenants, will make the partition in kind just and proportionate in value to the fractional interests held.

(d) If the court orders partition in kind, the court shall allocate to the cotenants that are unknown, unlocatable, or the subject of a default judgment, if their interests were not brought pursuant to Section 7, a party of the property representing the combined interests of those cotenants as determined by the court.

Section 9. Consideration for partition in kind.

(a) In determining under Section 8(a) whether partition in kind would result in manifest prejudice to the cotenants as a group, the court shall consider the following:

(1) whether the heirs property practicably can be divided among the cotenants;

(2) whether partition in kind would apportion the property in such a way that the aggregate fair market value of the parcels resulting from the division would be materially less than the value of the property if it were sold as a whole, taking into account the condition under which a court-ordered sale likely would occur;

(3) evidence of the collective duration of ownership or possession of the property by a cotenant and one or more predecessors in title or predecessors in possession to the cotenant who are or were relatives of the cotenant or each other;

(4) a cotenant's sentimental attachment to the property, including any attachment arising because the property has ancestral or other unique or special value to the cotenant;

(5) the lawful use being made of the property by a cotenant and the degree to which the cotenant would be harmed if the cotenant could not continue the same use of the property;

(6) the degree to which the cotenants have contributed their pro rata share of the property taxes, insurance, and other expenses associated with maintaining ownership of the property or have contributed to the physical improvement, maintenance, or upkeep of the property;

(7) the tax consequences; and

(8) any other relevant factor.

(b) The court may not consider any one factor in subsection (a) to be dispositive without weighing the totality of all relevant factors and circumstances.

Section 10. Open-market sale, sealed bids, or auction.

(a) If the court orders a sale of heirs property, the sale must be an open-market sale unless the court finds that a sale by sealed bids or an auction would be more economically advantageous and in the best interest of the cotenants as a group.

(b) If the court orders an open-market sale and the parties, not later than 10 days after the entry of the order, agree on a real estate broker licensed in this State to offer the property for sale, the court shall appoint the broker and establish a reasonable commission. If the parties do not agree on a broker, the court shall appoint a disinterested real estate broker licensed in this State to offer the property for sale and shall establish a reasonable commission. The broker shall offer the property for sale in a commercially reasonable manner at a price no lower than the determination of value and on the terms and conditions established by the court.

(c) If the broker appointed under subsection (b) obtains within a reasonable time an offer to purchase the property for at least the determination of value:

(1) the broker shall comply with the reporting requirements in Section 11; and

(2) the sale may be completed in accordance with state law other than this Act.

(d) If the broker appointed under subsection (b) does not obtain within a reasonable time an offer to purchase the property for at least the determination of value, the court, after hearing, may:

(1) approve the highest outstanding offer, if any;

(2) redetermine the value of the property and order that the property continue to be offered for an additional time; or

(3) order that the property be sold by sealed bids or at an auction.

(e) If the court orders a sale by sealed bids or an auction, the court shall set terms and conditions of the sale. If the court orders an auction, the auction must be conducted under Article XVII of the Code of Civil Procedure.

(f) If a purchaser is entitled to a share of the proceeds of the sale, the purchaser is entitled to a credit against the price in an amount equal to the purchaser's share of the proceeds.

Section 11. Report of open-market sale.

(a) Unless required to do so within a shorter time by Article XVII of the Code of Civil Procedure, a broker appointed under Section 10(b) to offer heirs property for open-market sale shall file a report with the court not later than seven days after receiving an offer to purchase the property for at least the value determined under Section 6 or 10.

(b) The report required by subsection (a) must contain the following information:

(1) a description of the property to be sold to each buyer;

(2) the name of each buyer;

(3) the proposed purchase price;

(4) the terms and conditions of the proposed sale, including the terms of any owner financing;

(5) the amounts to be paid to lienholders;

(6) a statement of contractual or other arrangements or conditions of the broker's commission; and

(7) other material facts relevant to the sale.

Section 12. Costs. In all proceedings for the partition of heirs property, the court shall apportion the costs of the proceedings, including a reasonable fee for the plaintiff's attorney, among the parties in interest in the action, as the court deems just and equitable. In determining the just and equitable apportionment of the costs and attorney's fees, the court may consider, among other things, the good faith attempt of the parties to agree prior to the initiation of the complaint. If any defendant interposes a good and substantial defense to the complaint, the party or parties making such substantial defense shall recover their costs against the plaintiff according to justice and equity.

Section 60. The Code of Civil Procedure is amended by changing Sections 17-101, 17-102, 17-105, and 17-106 as follows:

(735 ILCS 5/17-101) (from Ch. 110, par. 17-101)

Sec. 17-101. Compelling partition. When lands, tenements, or hereditaments are held in joint tenancy or tenancy in common, other than in accordance with the Uniform Partition of Heirs Property Act, or other form of co-ownership and regardless of whether any or all of the claimants are minors or adults, any one or more of the persons interested therein may compel a partition thereof by a verified complaint in the circuit court of the county where the premises or part of the premises are situated. If lands, tenements or hereditaments held in joint tenancy or tenancy in common are situated in 2 or more counties, the venue may be in any one of such counties, and the circuit court of any such county first acquiring jurisdiction shall retain sole and exclusive jurisdiction. Ownership of an interest in the surface of lands, tenements, or hereditaments by a co-owner of an interest in minerals underlying the surface does not prevent partition of the mineral estate. This amendatory Act of the 92nd General Assembly is a declaration of existing law and is intended to remove any possible conflicts or ambiguities, thereby confirming existing law pertinent to the partition of interests in minerals and applies to all actions for the partition of minerals now pending or filed on or after the effective date of this amendatory Act of the 92nd General Assembly. Nothing in this amendatory Act of the 92nd General Assembly shall be construed as allowing an owner of a mineral interest in coal to mine and remove the coal by the surface method of mining without first obtaining the consent of all of the owners of the surface to the mining and removal of coal by the surface method of mining. Ownership of an interest in minerals by a co-owner of an interest in the surface does not prevent partition of the surface. The ownership of an interest in some, but not all, of the mineral estate by a co-owner of an interest in other minerals does not prevent the partition of the co-owned mineral estate. (Source: P.A. 92-379, eff. 8-16-01; 93-925, eff. 8-12-04.)

(735 ILCS 5/17-102) (from Ch. 110, par. 17-102)

Sec. 17-102. Complaint. The verified complaint shall particularly describe the premises sought to be divided, and shall set forth the interests of all parties interested therein, so far as the same are known to

the plaintiffs, including tenants for years or for life, and of all persons entitled to the reversion, remainder or inheritance, and of every person who, upon any contingency, may be or become entitled to any beneficial interest in the premises, so far as the same are known to the plaintiffs, and shall ask for the division and partition of the premises according to the respective rights of the parties interested therein, or in accordance with the Uniform Partition of Heirs Property Act, ~~if a division and partition of the same cannot be made without manifest prejudice to the owners, that a sale thereof be made and the proceeds divided according to the respective rights of the parties.~~

(Source: P.A. 82-280.)

(735 ILCS 5/17-105) (from Ch. 110, par. 17-105)

Sec. 17-105. Judgment. The court shall ascertain and declare the rights, titles and interest of all the parties in such action, the plaintiffs as well as the defendants, and shall enter judgment according to the rights of the parties. After entry of judgment adjudicating the rights, titles, and interests of the parties, the court upon further hearing shall determine whether or not the premises or any part thereof can be divided among the parties without manifest prejudice to the parties in interest. If the court finds that a division can be made, then the court shall enter further judgment fairly and impartially dividing the premises among the parties with or without owelty. If the court finds that the whole or any part of the premises sought to be partitioned cannot be divided without manifest prejudice to the owners thereof and is not governed by the Uniform Partition of Heirs Property Act, then the court shall order the premises not susceptible of division to be sold at public sale in such manner and upon such terms and notice of sale as the court directs. If the court orders the sale of the premises or any part thereof, the court shall fix the value of the premises to be sold. No sale may be approved for less than two-thirds of the total amount of the valuation of the premises to be sold. If it appears to the court that any of the premises will not sell for two-thirds of the amount of the valuation thereof, the court upon further hearing may either revalue the premise and approve the sale or order a new sale.

(Source: P.A. 93-925, eff. 8-12-04.)

(735 ILCS 5/17-106) (from Ch. 110, par. 17-106)

Sec. 17-106. Appointment of commissioner and surveyor. The court in its discretion, sua sponte, or on the motion of any interested party, must ~~may~~ appoint a disinterested commissioner who, subject to direction by the court, shall report to the court in writing under oath as to whether or not the premises are subject to division without manifest prejudice to the rights of the parties and, if so, report how the division may be made. The court may authorize the employment of a surveyor to carry out or assist in the division of the premises. The fees and expenses of the commissioner and of the surveyor and the person making the sale shall be taxed as costs in the proceedings.

(Source: P.A. 93-925, eff. 8-12-04.)

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

Senator Crowe offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3677

AMENDMENT NO. 2. Amend House Bill 3677, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 11, line 14, by replacing "brought" with "bought out".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Curran, **House Bill No. 2073** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeWitte, **House Bill No. 3390** was taken up, read by title a second time and ordered to a third reading.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Villivalam moved that **Senate Resolution No. 420**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

[May 15, 2019]

Senator Villivalam moved that Senate Resolution No. 420 be adopted.
The motion prevailed.
And the resolution was adopted.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Aquino, **House Bill No. 3343** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilcox, **House Bill No. 3369** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 3404** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **House Bill No. 3405** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 3435** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 3437** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **House Bill No. 3446** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Plummer, **House Bill No. 3462** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crowe, **House Bill No. 3471** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Ellman, **House Bill No. 3481** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 3482** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 3483** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 3487** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bertino-Tarrant, **House Bill No. 3503** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Belt, **House Bill No. 3511** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3511

AMENDMENT NO. 1. Amend House Bill 3511 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the the Maternal Mental Health Conditions Education, Early Diagnosis, and Treatment Act.

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

(1) Maternal depression is a common complication of pregnancy. Maternal mental health disorders encompass a range of mental health conditions, such as depression, anxiety, and postpartum psychosis.

(2) Maternal mental health conditions affect one in 5 women during or after pregnancy, but all women are at risk of suffering from maternal mental health conditions.

(3) Untreated maternal mental health conditions significantly and negatively impact the short-term and long-term health and well-being of affected women and their children.

(4) Untreated maternal mental health conditions cause adverse birth outcomes, impaired maternal-infant bonding, poor infant growth, childhood emotional and behavioral problems, and significant medical and economic costs, estimated to be \$22,500 per mother.

(5) Lack of understanding and social stigma of mental health conditions prevent women and families from understanding the signs, symptoms, and risks involved with maternal mental health conditions and disproportionately affect women who lack access to social support networks.

(6) It is the intent of the General Assembly to raise awareness of the risk factors, signs, symptoms, and treatment options for maternal mental health conditions among pregnant women and their families, the general public, primary health care providers, and health care providers who care for pregnant women, postpartum women, and newborn infants.

Section 10. Definitions. In this Act:

"Birthing hospital" means a hospital that has an approved obstetric category of service and licensed beds by the Health Facilities and Services Review Board.

"Department" means the Department of Human Services.

"Maternal mental health condition" means a mental health condition that occurs during pregnancy or during the postpartum period and includes, but is not limited to, postpartum depression.

Section 15. Educational materials about maternal mental health conditions. The Department shall develop educational materials for health care professionals and patients about maternal mental health conditions. A birthing hospital shall, on or before January 1, 2021, distribute these materials to employees regularly assigned to work with pregnant or postpartum women and incorporate these materials in any employee training that is related to patient care of pregnant or postpartum women. A birthing hospital shall supplement the materials provided by the Department to include relevant resources to the region or community in which the birthing hospital is located. The educational materials developed under this Section shall include all of the following:

(1) Information for postpartum women and families about maternal mental health conditions, post-hospital treatment options, and community resources.

(2) Information for hospital employees regularly assigned to work in the perinatal unit, including, as appropriate, registered nurses and social workers, about maternal mental health conditions.

(3) Any other service the birthing hospital determines should be included in the program to provide optimal patient care."

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

On motion of Senator Sims, **House Bill No. 3575** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 3580** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 3590** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schimpf, **House Bill No. 3623** was taken up, read by title a second time and ordered to a third reading.

[May 15, 2019]

On motion of Senator Bush, **House Bill No. 3652** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 3671** was taken up, read by title a second time. Floor 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 Bertino-Tarrant, **House Bill No. 3687** having been printed, was taken up and read by title a second time.

Senator Bertino-Tarrant offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3687

AMENDMENT NO. 1. Amend House Bill 3687 on page 2, line 7, by inserting "arrest after", after "Upon".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Belt, **House Bill No. 3701** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 3711** was taken up, read by title a second time and ordered to a third reading.

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. 3 to House Bill 3
- Amendment No. 2 to House Bill 834
- Amendment No. 1 to House Bill 3086
- Amendment No. 3 to House Bill 3222
- Amendment No. 2 to House Bill 3606

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

- Amendment No. 2 to Senate Joint Resolution 36

At the hour of 5:04 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, May 16, 2019, at 11:00 o'clock a.m.