



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED FIRST GENERAL
ASSEMBLY**

48TH LEGISLATIVE DAY

WEDNESDAY, MAY 22, 2019

12:57 O'CLOCK P.M.

SENATE
Daily Journal Index
48th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Kimberly A. Lightford, Maywood, Illinois, presiding.
 Prayer by Pastor Lekevie Johnson, Jericho Missionary Baptist Church, Champaign, Illinois.
 Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, May 21, 2019, 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. 3 to House Bill 925
 Amendment No. 2 to House Bill 2301
 Amendment No. 3 to House Bill 2924
 Amendment No. 5 to House Bill 3501

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment 1 to Senate Bill 69
 Motion to Concur in House Amendment 1 to Senate Bill 191
 Motion to Concur in House Amendment 1 to Senate Bill 193
 Motion to Concur in House Amendment 1 to Senate Bill 241

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 433

Offered by Senator McGuire and all Senators:
 Mourns the death of Shirley Grove-Valevicius of Bolingbrook.

SENATE RESOLUTION NO. 434

Offered by Senator Belt and all Senators:
 Mourns the death of Jaylon McKenzie of Belleville.

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

REPORTS FROM STANDING COMMITTEES

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. 3 to Senate Joint Resolution 36
 Senate Amendment No. 1 to Senate Bill 459
 Senate Amendment No. 1 to House Bill 247
 Senate Amendment No. 1 to House Bill 254
 Senate Amendment No. 1 to House Bill 2719
 Senate Amendment No. 1 to House Bill 3086
 Senate Amendment No. 1 to House Bill 3302
 Senate Amendment No. 1 to House Bill 3586

[May 22, 2019]

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 the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Joint Resolution 14

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Van Pelt, of the Committee on Public Health, to which was referred **House Bill No. 2276**, reported the same back with the recommendation that the bill 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 **House Bill No. 2895**, 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 amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to House Bill 3

Senate Amendment No. 1 to House Bill 5

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

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

Senate Amendment No. 1 to House Bill 120

Senate Amendment No. 2 to House Bill 120

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 **House Bill No. 2237**, reported the same back with the recommendation that the bill do pass.

Under the rules, the bill was ordered to a 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 House Bill 26

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 the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 2528

Senate Amendment No. 2 to House Bill 2766

Senate Amendment No. 2 to House Bill 2975

Senate Amendment No. 3 to House Bill 3606

[May 22, 2019]

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

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

Senate Amendment No. 1 to House Bill 3065

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

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 3233 and 3534**, reported the same back with the recommendation that the bills do pass.

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

Senator Sims, Chairperson of the Committee on Criminal Law, to which was referred **House Bill No. 160**, reported the same back with the recommendation that the bill do pass.

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

Senator Sims, Chairperson of the Committee on Criminal Law, to which was referred **House Bill No. 38**, 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 Sims, Chairperson of the Committee on Criminal Law, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 2541

Senate Amendment No. 1 to House Bill 3396

Under the rules, the foregoing floor amendments are eligible for consideration on 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. 2 to House Bill 2215

Senate Amendment No. 4 to House Bill 2708

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 Bills Numbered 2071 and 2502**, reported the same back with the recommendation that the bills do pass.

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

Senator Aquino, Chairperson of the Committee on Government Accountability and Pensions, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 3263

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

Senator T. Cullerton, Chairperson of the Committee on Labor, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

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Senate Amendment No. 2 to House Bill 834
 Senate Amendment No. 1 to House Bill 2301
 Senate Amendment No. 1 to House Bill 2557
 Senate Amendment No. 1 to House Bill 3405

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

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

Senate Amendment No. 2 to House Bill 2846
 Senate Amendment No. 3 to House Bill 3113
 Senate Amendment No. 1 to House Bill 3503
 Senate Amendment No. 3 to House Bill 3509

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

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

Senate Amendment No. 2 to House Bill 925
 Senate Amendment No. 2 to House Bill 1561
 Senate Amendment No. 4 to House Bill 2931
 Senate Amendment No. 4 to House Bill 3501

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

MESSAGES FROM THE HOUSE

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 944

A bill for AN ACT concerning transportation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 944

Passed the House, as amended, May 21, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 944

AMENDMENT NO. 2. Amend Senate Bill 944 on page 2, line 6, after "division", by inserting "1, one motorcycle".

Under the rules, the foregoing **Senate Bill No. 944**, with House Amendment No. 2, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 946

A bill for AN ACT concerning transportation.

[May 22, 2019]

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:
 House Amendment No. 1 to SENATE BILL NO. 946
 Passed the House, as amended, May 21, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 946

AMENDMENT NO. 1. Amend Senate Bill 946 on page 6, lines 19 and 20, by replacing "University of Illinois Cancer Center" with "Cancer Center at Illinois".

Under the rules, the foregoing **Senate Bill No. 946**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1090

A bill for AN ACT concerning government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1090

Passed the House, as amended, May 21, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1090

AMENDMENT NO. 1. Amend Senate Bill 1090 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Barriers Act is amended by changing Section 6 as follows:
 (410 ILCS 25/6) (from Ch. 111 1/2, par. 3716)

Sec. 6. Enforcement.

(a) The Attorney General shall have authority to enforce the Code. The Attorney General may investigate any complaint or reported violation of this Act and, where necessary to ensure compliance, may do any or all of the following:

(1) Conduct an investigation to determine if a violation of this Act and the Code exists. This includes the power to:

(A) require an individual or entity to file a statement or report in writing under oath or otherwise, as to all information the Attorney General may consider;

(B) examine under oath any person alleged to have participated in or with knowledge of the violations; and

(C) issue subpoenas or conduct hearings in aid of any investigation.

(2) Bring an action for injunction to halt construction or alteration of any public facility or multi-story housing or to require compliance with the Code by any public facility or multi-story housing which has been or is being constructed or altered in violation of this Act and the Code.

(3) Bring an action for mandamus.

(4) Bring an action for penalties as follows:

(A) any owner of a public facility or multi-story housing in violation of this Act shall be subject to civil penalties in a sum not to exceed \$250 per day, and each day the owner is in violation of this Act constitutes a separate offense;

(B) any architect or engineer negligently or intentionally stating pursuant to Section 5 of this Act that a plan is in compliance with this Act when such plan is not in compliance shall be subject to a suspension, revocation, or refusal of restoration of his or her certificate of registration or license pursuant to the Illinois Architecture Practice Act of 1989, the Professional Engineering Practice Act of 1989, and the Structural Engineering Practice Act of 1989; and

(C) any person who knowingly issues a building permit or other official

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authorization for the construction or alteration of a public facility or the construction of multi-story housing in violation of this Act shall be subject to civil penalties in a sum not to exceed \$1,000.

(5) Bring an action for any other appropriate relief, including, but not limited to, in lieu of a civil action, the entry of an Assurance of Voluntary Compliance with the individual or entity deemed to have violated this Act.

(b) A public facility or multi-story housing continues to be in violation of this Act and the Code following construction or alteration so long as the public facility or multi-story housing is not compliant with this Act and the Code.

(c) Beginning July 31, 2020 and by July 31 of every year thereafter, the Attorney General shall provide data on the Attorney General's website about annual enforcement efforts performed under this Act. The data shall include, but is not limited to, the following:

(1) The total number of open compliance investigations each year.

(2) The 10 most frequent complaints received under this Act that are under investigation each year.

(3) The total number of complaints received under this Act annually.

(4) Assistance provided to constituents throughout the State on the Attorney General's disability rights technical assistance line.

(Source: P.A. 99-582, eff. 1-1-17.)

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

Under the rules, the foregoing **Senate Bill No. 1090**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1136

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1136

Passed the House, as amended, May 21, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1136

AMENDMENT NO. 1. Amend Senate Bill 1136 on page 1, by replacing lines 16 through 19 with the following:

"awarded a passing grade. The Department shall conduct an annual presentation regarding the programs created under this Section, and each State agency shall designate one or more persons with hiring responsibilities to attend the presentation. The Department and the"

Under the rules, the foregoing **Senate Bill No. 1136**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1226

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1226

Passed the House, as amended, May 21, 2019.

JOHN W. HOLLMAN, Clerk of the House

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AMENDMENT NO. 1 TO SENATE BILL 1226

AMENDMENT NO. 1. Amend Senate Bill 1226 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by changing Section 5.796 as follows:
(30 ILCS 105/5.796)

Sec. 5.796. The State Charter School Commission Fund. This Section is repealed on October 1, 2020.
(Source: P.A. 97-152, eff. 7-20-11; 97-813, eff. 7-13-12.)

Section 10. The School Code is amended by changing Sections 27A-5, 27A-6.5, 27A-7.5, 27A-7.10, 27A-8, 27A-9, and 27A-11.5 as follows:
(105 ILCS 5/27A-5)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) the Abused and Neglected Child Reporting Act;

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

(6) the Illinois School Student Records Act;

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

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

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

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

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

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

(13) Sections 10-20.63 and 34-18.56 of this Code; and

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

(15) Section 22-30 of this Code.

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

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

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

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

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

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

eff. 1-1-18; 100-413, eff. 1-1-18; 100-468, eff. 6-1-18; 100-726, eff. 1-1-19; 100-863, eff. 8-14-18; revised 10-5-18.)

(105 ILCS 5/27A-6.5)

Sec. 27A-6.5. Charter school referendum.

(a) No charter shall go into effect under this Section that would convert any existing private, parochial, or non-public school to a charter school or whose proposal has not been certified by the State Board.

(b) A local school board shall, whenever petitioned to do so by 5% or more of the voters of a school district or districts identified in a charter school proposal, order submitted to the voters thereof at a regularly scheduled election the question of whether a new charter school shall be established, which proposal has been found by the ~~State Board Commission~~ to be in compliance with the provisions of this Article, and the secretary shall certify the proposition to the proper election authorities for submission in accordance with the general election law. The proposition shall be in substantially the following form:

"FOR the establishment of (name of proposed charter school) under charter school proposal (charter school proposal number).

AGAINST the establishment of (name of proposed charter school) under charter school proposal (charter school proposal number)".

(c) Before circulating a petition to submit the question of whether to establish a charter school to the voters under subsection (b) of this Section, the governing body of a proposed charter school that desires to establish a new charter school by referendum shall submit the charter school proposal to the ~~State Board Commission~~ in the form of a proposed contract to be entered into between the ~~State Board Commission~~ and the governing body of the proposed charter school, together with written notice of the intent to have a new charter school established by referendum. The contract shall comply with the provisions of this Article.

If the ~~State Board Commission~~ finds that the proposed contract complies with the provisions of this Article, it shall immediately direct the local school board to notify the proper election authorities that the question of whether to establish a new charter school shall be submitted for referendum.

(d) If the ~~State Board Commission~~ finds that the proposal fails to comply with the provisions of this Article, it shall provide written explanation, detailing its reasons for refusal, to the local school board and to the individuals or organizations submitting the proposal. The ~~State Board Commission~~ shall also notify the local school board and the individuals or organizations submitting the proposal that the proposal may be amended and resubmitted under the same provisions required for an original submission.

(e) If a majority of the votes cast upon the proposition in each school district designated in the charter school proposal is in favor of establishing a charter school, the local school board shall notify the State Board and the ~~Commission~~ of the passage of the proposition in favor of establishing a charter school and the ~~State Board Commission~~ shall approve the charter within 7 days after the State Board of Elections has certified that a majority of the votes cast upon the proposition is in favor of establishing a charter school. The ~~State Board Commission~~ shall be the chartering entity for charter schools established by referendum under this Section.

(f) ~~(Blank). The State Board shall determine whether the charter proposal approved by the Commission is consistent with the provisions of this Article and, if the approved proposal complies, certify the proposal pursuant to this Article.~~

(Source: P.A. 98-739, eff. 7-16-14.)

(105 ILCS 5/27A-7.5)

Sec. 27A-7.5. State Charter School Commission; ~~abolition and transfer to State Board.~~

(a) A State Charter School Commission is established as an independent commission with statewide chartering jurisdiction and authority. The Commission shall be under the State Board for administrative purposes only.

(a-5) The State Board shall provide administrative support to the Commission as needed.

(b) The Commission is responsible for authorizing high-quality charter schools throughout this State, particularly schools designed to expand opportunities for at-risk students, consistent with the purposes of this Article.

(c) The Commission shall consist of 9 members, appointed by the State Board. The State Board shall make these appointments from a slate of candidates proposed by the Governor, within 60 days after the effective date of this amendatory Act of the 97th General Assembly with respect to the initial Commission members. In making the appointments, the State Board shall ensure statewide geographic diversity among Commission members. The Governor shall propose a slate of candidates to the State Board within 60 days after the effective date of this amendatory Act of the 97th General Assembly and 60 days prior to the expiration of the term of a member thereafter. If the Governor fails to timely propose a slate of candidates

according to the provisions of this subsection (c), then the State Board may appoint the member or members of the Commission.

(d) Members appointed to the Commission shall collectively possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, higher education, assessments, curriculum and instruction, and public education law. All members of the Commission shall have demonstrated understanding of and a commitment to public education, including without limitation charter schooling. At least 3 members must have past experience with urban charter schools.

(e) To establish staggered terms of office, the initial term of office for 3 Commission members shall be 4 years and thereafter shall be 4 years; the initial term of office for another 3 members shall be 3 years and thereafter shall be 4 years; and the initial term of office for the remaining 3 members shall be 2 years and thereafter shall be 4 years. The initial appointments must be made no later than October 1, 2011.

(f) Whenever a vacancy on the Commission exists, the State Board shall appoint a member for the remaining portion of the term.

(g) Subject to the State Officials and Employees Ethics Act, the Commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of this Article, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law. Funds received under this subsection (g) must be deposited into the State Charter School Commission Fund.

The State Charter School Commission Fund is created as a special fund in the State treasury. Until July 1, 2020, all All money in the Fund shall be used, subject to appropriation, by the State Board, acting on behalf and with the consent of the Commission, for operational and administrative costs of the Commission. Beginning on July 1, 2020 through August 31, 2020, all money in the Fund shall be used, subject to appropriation, by the State Board for operational and administrative costs. On September 1, 2020, or as soon thereafter as practicable, in consultation with the State Board, the State Comptroller shall order transferred and the State Treasurer shall transfer all money in the State Charter School Commission Fund to the State Board of Education Special Purpose Trust Fund.

Subject to appropriation, any funds appropriated for use by the State Board, acting on behalf and with the consent of the Commission, may be used for the following purposes, without limitation: personal services, contractual services, and other operational and administrative costs. The State Board is further authorized to make expenditures with respect to any other amounts deposited in accordance with law into the State Charter School Commission Fund.

(g-5) Funds or spending authority for the operation and administrative costs of the Commission shall be appropriated to the State Board in a separate line item. The State Superintendent of Education may not reduce or modify the budget of the Commission or use funds appropriated to the Commission without the approval of the Commission.

(h) The Commission shall operate with dedicated resources and staff qualified to execute the day-to-day responsibilities of charter school authorizing in accordance with this Article. The Commission may employ and fix the compensation of such employees and technical assistants as it deems necessary to carry out its powers and duties under this Article, without regard to the requirements of any civil service or personnel statute; and may establish and administer standards of classification of all such persons with respect to their compensation, duties, performance, and tenure and enter into contracts of employment with such persons for such periods and on such terms as the Commission deems desirable.

~~(i) (Blank). Every 2 years, the Commission shall provide to the State Board and local school boards a report on best practices in charter school authorizing, including without limitation evaluating applications, oversight of charters, and renewal of charter schools.~~

~~(j) Until July 1, 2020, the The Commission may charge a charter school that it authorizes a fee, not to exceed 3% of the revenue provided to the school, to cover the cost of undertaking the ongoing administrative responsibilities of the eligible chartering authority with respect to the school. This fee must be deposited into the State Charter School Commission Fund.~~

Beginning on July 1, 2020, the State Board of Education may charge a charter school that it authorizes a fee not to exceed 3% of the revenue provided to the school to be used exclusively for covering the cost of authorizing activities. Authorizing activities may include, but are not limited to: (i) soliciting, reviewing, and taking action on charter school proposals; (ii) hiring, training, and supervising staff engaged in authorizing activities; (iii) developing and conducting oversight, including regular monitoring, of authorized charter schools; (iv) reporting on best practices and performances of charter schools; (v) applying for, managing, and distributing grants and funds appropriated for charter schools and authorizing activities; (vi) training members of the State Board on their authorizing roles; and (vii) training other employees of the State Board on how to work with charter schools as their own local education agencies.

(k) On July 1, 2020, the State Charter School Commission is abolished and the terms of all members end. On that date, all of the powers, duties, assets, liabilities, contracts, property, records, and pending business of the Commission are transferred to the State Board. For purposes of the Successor Agency Act and Section 9b of the State Finance Act, the State Board is declared to be the successor agency of the Commission. Beginning on July 1, 2020, references in statutes, rules, forms, and other documents to the Commission shall, in appropriate contexts, be deemed to refer to the State Board. Standards and procedures of the Commission in effect on July 1, 2020 shall be deemed standards and procedures of the State Board and shall remain in effect until amended or repealed by the State Board.

Beginning on the effective date of this amendatory Act of the 101st General Assembly, the Commission may not enter into or renew a contract, other than a charter renewal, that expires after July 1, 2020.

On July 1, 2020, any (k) Any charter school authorized by the State Charter School Commission State Board prior to July 1, 2020 this amendatory Act of the 97th General Assembly shall have its authorization transferred to the Commission upon a vote of the State Board, which shall then become the school's authorizer for all purposes under this Article. On July 1, 2020 However, in no case shall such transfer take place later than July 1, 2012. At this time, all of the powers, duties, assets, liabilities, contracts, property, records, and pending business of the State Charter School Commission State Board as the school's authorizer must be transferred to the State Board Commission. Any charter school authorized by a local school board or boards may seek transfer of authorization to the Commission during its current term only with the approval of the local school board or boards. At the end of its charter term, a charter school may authorized by a local school board or boards must reapply to the board or boards for authorization before it may apply for authorization to the Commission under the terms of this amendatory Act of the 97th General Assembly.

On July 1, 2020 the effective date of this amendatory Act of the 97th General Assembly, all rules of the State Board applicable to matters falling within the responsibility of the State Charter School Commission shall be applicable to the actions of the State Board Commission. The Commission shall thereafter have the authority to propose to the State Board modifications to all rules applicable to matters falling within the responsibility of the Commission. The State Board shall retain rulemaking authority for the Commission, but shall work jointly with the Commission on any proposed modifications. Upon recommendation of proposed rule modifications by the Commission and pursuant to the Illinois Administrative Procedure Act, the State Board shall consider such changes within the intent of this amendatory Act of the 97th General Assembly and grant any and all changes consistent with that intent.

(l) The Commission shall have the responsibility to consider appeals under this Article immediately upon appointment of the initial members of the Commission under subsection (c) of this Section. Appeals pending at the time of initial appointment shall be determined by the Commission; the Commission may extend the time for review as necessary for thorough review, but in no case shall the extension exceed the time that would have been available had the appeal been submitted to the Commission on the date of appointment of its initial members. In any appeal filed with the Commission under this Article, both the applicant and the school district in which the charter school plans to locate shall have the right to request a hearing before the Commission. If more than one entity requests a hearing, then the Commission may hold only one hearing, wherein the applicant and the school district shall have an equal opportunity to present their respective positions.

(Source: P.A. 97-152, eff. 7-20-11; 97-641, eff. 12-19-11; 97-1156, eff. 1-25-13.)

(105 ILCS 5/27A-7.10)

Sec. 27A-7.10. Authorizer powers and duties; immunity; principles and standards.

(a) Authorizers are responsible for executing, in accordance with this Article, all of the following powers and duties:

- (1) Soliciting and evaluating charter applications.
- (2) Approving quality charter applications that meet identified educational needs and promote a diversity of educational choices.
- (3) Declining to approve weak or inadequate charter applications.
- (4) Negotiating and executing sound charter contracts with each approved charter school.
- (5) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools.
- (6) Determining whether each charter contract merits renewal, nonrenewal, or revocation.
- (b) An authorizing entity may delegate its duties to officers, employees, and contractors.
- (c) Regulation by authorizers is limited to the powers and duties set forth in subsection (a) of this Section and must be consistent with the spirit and intent of this Article.

(d) An authorizing entity, members of the local school board, or the State Board, and the Commission, in their official capacity, and employees of an authorizer are immune from civil and criminal liability with

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respect to all activities related to a charter school that they authorize, except for willful or wanton misconduct.

(e) The State Board, the Commission, and all local school boards that have a charter school operating are required to develop and maintain chartering policies and practices consistent with recognized principles and standards for quality charter authorizing in all major areas of authorizing responsibility, including all of the following:

- (1) Organizational capacity and infrastructure.
- (2) Soliciting and evaluating charter applications if applicable.
- (3) Performance contracting.
- (4) Ongoing charter school oversight and evaluation.
- (5) Charter renewal decision-making.

Authorizers shall carry out all their duties under this Article in a manner consistent with nationally recognized principles and standards and with the spirit and intent of this Article.

(Source: P.A. 97-152, eff. 7-20-11.)

(105 ILCS 5/27A-8)

Sec. 27A-8. Evaluation of charter proposals.

(a) This Section does not apply to a charter school established by referendum under Section 27A-6.5. In evaluating any charter school proposal submitted to it, the local school board ~~and the Commission~~ shall give preference to proposals that:

- (1) demonstrate a high level of local pupil, parental, community, business, and school personnel support;
- (2) set rigorous levels of expected pupil achievement and demonstrate feasible plans for attaining those levels of achievement; and
- (3) are designed to enroll and serve a substantial proportion of at-risk children; provided that nothing in the Charter Schools Law shall be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk children or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy.

(b) In the case of a proposal to establish a charter school by converting an existing public school or attendance center to charter school status, evidence that the proposed formation of the charter school has received majority support from certified teachers and from parents and guardians in the school or attendance center affected by the proposed charter, and, if applicable, from a local school council, shall be demonstrated by a petition in support of the charter school signed by certified teachers and a petition in support of the charter school signed by parents and guardians and, if applicable, by a vote of the local school council held at a public meeting. In the case of all other proposals to establish a charter school, evidence of sufficient support to fill the number of pupil seats set forth in the proposal may be demonstrated by a petition in support of the charter school signed by parents and guardians of students eligible to attend the charter school. In all cases, the individuals, organizations, or entities who initiate the proposal to establish a charter school may elect, in lieu of including any petition referred to in this subsection as a part of the proposal submitted to the local school board, to demonstrate that the charter school has received the support referred to in this subsection by other evidence and information presented at the public meeting that the local school board is required to convene under this Section.

(c) Within 45 days of receipt of a charter school proposal, the local school board shall convene a public meeting to obtain information to assist the board in its decision to grant or deny the charter school proposal. A local school board may develop its own process for receiving charter school proposals on an annual basis that follows the same timeframes as set forth in this Article. Final decisions of a local school board are subject to judicial review under the Administrative Review Law. ~~Only after the local school board process is followed may a charter school applicant appeal to the Commission.~~

(d) Notice of the public meeting required by this Section shall be published in a community newspaper published in the school district in which the proposed charter is located and, if there is no such newspaper, then in a newspaper published in the county and having circulation in the school district. The notices shall be published not more than 10 days nor less than 5 days before the meeting and shall state that information regarding a charter school proposal will be heard at the meeting. Copies of the notice shall also be posted at appropriate locations in the school or attendance center proposed to be established as a charter school, the public schools in the school district, and the local school board office. ~~If 45 days pass without the local school board holding a public meeting, then the charter applicant may submit the proposal to the Commission, where it must be addressed in accordance with the provisions set forth in subsection (g) of this Section.~~

(e) Within 30 days of the public meeting, the local school board shall vote, in a public meeting, to either grant or deny the charter school proposal. ~~If the local school board has not voted in a public meeting within 30 days after the public meeting, then the charter applicant may submit the proposal to the Commission, where it must be addressed in accordance with the provisions set forth in subsection (g) of this Section.~~

(f) Within 7 days of the public meeting required under subsection (e) of this Section, the local school board shall file a report with the State Board granting or denying the proposal. If the local school board has approved the proposal, within 30 days of receipt of the local school board's report, the State Board shall determine whether the approved charter proposal is consistent with the provisions of this Article and, if the approved proposal complies, certify the proposal pursuant to Section 27A-6.

~~(g) (Blank). If the local school board votes to deny the proposal, then the charter school applicant has 30 days from the date of that vote to submit an appeal to the Commission. In such instances or in those instances referenced in subsections (d) and (e) of this Section, the Commission shall follow the same process and be subject to the same timelines for review as the local school board.~~

~~(h) (Blank). The Commission may reverse a local school board's decision to deny a charter school proposal if the Commission finds that the proposal (i) is in compliance with this Article and (ii) is in the best interests of the students the charter school is designed to serve. Final decisions of the Commission are subject to judicial review under the Administrative Review Law.~~

~~(i) (Blank). In the case of a charter school proposed to be jointly authorized by 2 or more school districts, the local school boards may unanimously deny the charter school proposal with a statement that the local school boards are not opposed to the charter school, but that they yield to the Commission in light of the complexities of joint administration.~~

(Source: P.A. 96-105, eff. 7-30-09; 96-734, eff. 8-25-09; 96-1000, eff. 7-2-10; 97-152, eff. 7-20-11.)

(105 ILCS 5/27A-9)

Sec. 27A-9. Term of charter; renewal.

(a) For charters granted before January 1, 2017 (the effective date of Public Act 99-840), a charter may be granted for a period not less than 5 and not more than 10 school years. For charters granted on or after January 1, 2017 (the effective date of Public Act 99-840), a charter shall be granted for a period of 5 school years. For charters renewed before January 1, 2017 (the effective date of Public Act 99-840), a charter may be renewed in incremental periods not to exceed 5 school years. For charters renewed on or after January 1, 2017 (the effective date of Public Act 99-840), a charter may be renewed in incremental periods not to exceed 10 school years; however, the State Board or Commission may renew a charter only in incremental periods not to exceed 5 years. Authorizers shall ensure that every charter granted on or after January 1, 2017 (the effective date of Public Act 99-840) includes standards and goals for academic, organizational, and financial performance. A charter must meet all standards and goals for academic, organizational, and financial performance set forth by the authorizer in order to be renewed for a term in excess of 5 years but not more than 10 years. If an authorizer fails to establish standards and goals, a charter shall not be renewed for a term in excess of 5 years. Nothing contained in this Section shall require an authorizer to grant a full 10-year renewal term to any particular charter school, but an authorizer may award a full 10-year renewal term to charter schools that have a demonstrated track record of improving student performance.

(b) A charter school renewal proposal submitted to the local school board or the State Board or Commission, as the chartering entity, shall contain:

(1) A report on the progress of the charter school in achieving the goals, objectives, pupil performance standards, content standards, and other terms of the initial approved charter proposal; and

(2) A financial statement that discloses the costs of administration, instruction, and other spending categories for the charter school that is understandable to the general public and that will allow comparison of those costs to other schools or other comparable organizations, in a format required by the State Board.

(c) A charter may be revoked or not renewed if the local school board or the State Board or Commission, as the chartering entity, clearly demonstrates that the charter school did any of the following, or otherwise failed to comply with the requirements of this law:

(1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

(2) Failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter.

(3) Failed to meet generally accepted standards of fiscal management.

(4) Violated any provision of law from which the charter school was not exempted.

In the case of revocation, the local school board or the State Board or Commission, as the chartering entity, shall notify the charter school in writing of the reason why the charter is subject to revocation. The charter school shall submit a written plan to the local school board, the State Board, or the Commission, whichever is applicable, to rectify the problem. The plan shall include a timeline for implementation, which shall not exceed 2 years or the date of the charter's expiration, whichever is earlier. If the local school board or the State Board or Commission, as the chartering entity, finds that the charter school has failed to implement the plan of remediation and adhere to the timeline, then the chartering entity shall revoke the charter. Except in situations of an emergency where the health, safety, or education of the charter school's students is at risk, the revocation shall take place at the end of a school year. Nothing in Public Act 96-105 shall be construed to prohibit an implementation timetable that is less than 2 years in duration. No local school board may arbitrarily or capriciously revoke or not renew a charter. Except for extenuating circumstances outlined in this Section, if a local school board revokes or does not renew a charter, it must ensure that all students currently enrolled in the charter school are placed in schools that are higher performing than that charter school, as defined in the State's federal Every Student Succeeds Act accountability plan. In determining whether extenuating circumstances exist, a local school board must detail, by clear and convincing evidence, that factors unrelated to the charter school's accountability designation outweigh the charter school's academic performance.

(d) (Blank).

(e) Notice of a local school board's decision to deny, revoke, or not renew a charter shall be provided to the Commission and the State Board. Until July 1, 2020, the The Commission may reverse a local board's decision to not renew a charter if the Commission finds that the charter school or charter school proposal (i) is in compliance with this Article, and (ii) is in the best interests of the students it is designed to serve. The Commission may condition the granting of an appeal on the acceptance by the charter school of funding in an amount less than that requested in the proposal submitted to the local school board. Final decisions of the Commission shall be subject to judicial review under the Administrative Review Law.

The State Board may reverse a local board's decision to revoke or, beginning on July 1, 2020, not renew a charter if the State Board finds that the charter school or charter school proposal (i) is in compliance with this Article and (ii) is in the best interests of the students it is designed to serve. The State Board may condition the granting of an appeal on the acceptance by the charter school of funding in an amount less than that requested in the proposal submitted to the local school board. The State Board must appoint and utilize a hearing officer for any appeals conducted under this subsection. Final decisions of the State Board are subject to judicial review under the Administrative Review Law.

(f) Notwithstanding other provisions of this Article, if the Commission on appeal reverses a local board's decision or if a charter school is approved by referendum, the Commission shall act as the authorized chartering entity for the charter school. The Commission shall approve the charter and shall perform all functions under this Article otherwise performed by the local school board. The State Board shall determine whether the charter proposal approved by the Commission is consistent with the provisions of this Article and, if the approved proposal complies, certify the proposal pursuant to this Article. The State Board shall report the aggregate number of charter school pupils resident in a school district to that district and shall notify the district of the amount of funding to be paid by the State Board to the charter school enrolling such students. The Commission shall require the charter school to maintain accurate records of daily attendance that shall be deemed sufficient to file claims under Section ~~18-8-05~~ or 18-8-15 notwithstanding any other requirements of that Section ~~regarding hours of instruction and teacher certification.~~ The State Board shall withhold from funds otherwise due the district the funds authorized by this Article to be paid to the charter school and shall pay such amounts to the charter school.

(g) For charter schools authorized by the Commission, the Commission shall quarterly certify to the State Board the student enrollment for each of its charter schools.

(h) For charter schools authorized by the Commission, the State Board shall pay directly to a charter school any federal or State aid attributable to a student with a disability attending the school.

(Source: P.A. 99-840, eff. 1-1-17; 100-201, eff. 8-18-17; 100-465, eff. 8-31-17.)

(105 ILCS 5/27A-11.5)

Sec. 27A-11.5. State financing. The State Board of Education shall make the following funds available to school districts and charter schools:

(1) From a separate appropriation made to the State Board for purposes of this subdivision (1), the State Board shall make transition impact aid available to school districts that approve a new charter school or that have funds withheld by the State Board to fund a new charter school that is chartered by the Commission. The amount of the aid shall equal 90% of the per capita funding paid to the charter school during the first year of its initial charter term, 65% of the per capita funding paid to the charter school during the second year of its initial term, and 35% of the per capita

funding paid to the charter school during the third year of its initial term. This transition impact aid shall be paid to the local school board in equal quarterly installments, with the payment of the installment for the first quarter being made by August 1st immediately preceding the first, second, and third years of the initial term. The district shall file an application for this aid with the State Board in a format designated by the State Board. If the appropriation is insufficient in any year to pay all approved claims, the impact aid shall be prorated. However, for fiscal year 2004, the State Board of Education shall pay approved claims only for charter schools with a valid charter granted prior to June 1, 2003. If any funds remain after these claims have been paid, then the State Board of Education may pay all other approved claims on a pro rata basis. Transition impact aid shall be paid beginning in the 1999-2000 school year for charter schools that are in the first, second, or third year of their initial term. Transition impact aid shall not be paid for any charter school that is proposed and created by one or more boards of education, as authorized under the provisions of Public Act 91-405.

(2) From a separate appropriation made for the purpose of this subdivision (2), the State Board shall make grants to charter schools to pay their start-up costs of acquiring educational materials and supplies, textbooks, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, furniture, and other equipment or materials needed during their initial term. The State Board shall annually establish the time and manner of application for these grants, which shall not exceed \$250 per student enrolled in the charter school.

(3) The Charter Schools Revolving Loan Fund is created as a special fund in the State treasury. Federal funds, such other funds as may be made available for costs associated with the establishment of charter schools in Illinois, and amounts repaid by charter schools that have received a loan from the Charter Schools Revolving Loan Fund shall be deposited into the Charter Schools Revolving Loan Fund, and the moneys in the Charter Schools Revolving Loan Fund shall be appropriated to the State Board and used to provide interest-free loans to charter schools. These funds shall be used to pay start-up costs of acquiring educational materials and supplies, textbooks, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, furniture, and other equipment or materials needed in the initial term of the charter school and for acquiring and remodeling a suitable physical plant, within the initial term of the charter school. Loans shall be limited to one loan per charter school and shall not exceed \$750 per student enrolled in the charter school. A loan shall be repaid by the end of the initial term of the charter school. The State Board may deduct amounts necessary to repay the loan from funds due to the charter school or may require that the local school board that authorized the charter school deduct such amounts from funds due the charter school and remit these amounts to the State Board, provided that the local school board shall not be responsible for repayment of the loan. The State Board may use up to 3% of the appropriation to contract with a non-profit entity to administer the loan program.

(4) A charter school may apply for and receive, subject to the same restrictions applicable to school districts, any grant administered by the State Board that is available for school districts.

If a charter school fails to make payments toward administrative costs, the State Board may withhold State funds from that school until it has made all payments for those costs.

(Source: P.A. 98-739, eff. 7-16-14; 99-840, eff. 1-1-17.)

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

Under the rules, the foregoing **Senate Bill No. 1226**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1239

A bill for AN ACT concerning children.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1239

Passed the House, as amended, May 21, 2019.

JOHN W. HOLLMAN, Clerk of the House

[May 22, 2019]

AMENDMENT NO. 1 TO SENATE BILL 1239

AMENDMENT NO. 1. Amend Senate Bill 1239 on page 3, line 21, by deleting "and State's Attorney".

Under the rules, the foregoing **Senate Bill No. 1239**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 399

A bill for AN ACT concerning civil law.

SENATE BILL NO. 447

A bill for AN ACT concerning education.

SENATE BILL NO. 450

A bill for AN ACT concerning education.

SENATE BILL NO. 455

A bill for AN ACT concerning education.

SENATE BILL NO. 529

A bill for AN ACT concerning government.

SENATE BILL NO. 556

A bill for AN ACT concerning health.

SENATE BILL NO. 656

A bill for AN ACT concerning regulation.

Passed the House, May 21, 2019.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 725

A bill for AN ACT concerning State government.

SENATE BILL NO. 728

A bill for AN ACT concerning State government.

SENATE BILL NO. 765

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1041

A bill for AN ACT concerning revenue.

SENATE BILL NO. 1055

A bill for AN ACT concerning revenue.

SENATE BILL NO. 1114

A bill for AN ACT concerning local government.

SENATE BILL NO. 1133

A bill for AN ACT concerning regulation.

Passed the House, May 21, 2019.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 1116

A bill for AN ACT concerning minors.

SENATE BILL NO. 1265

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A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 1273
A bill for AN ACT concerning local government.
SENATE BILL NO. 1289
A bill for AN ACT concerning State government.
SENATE BILL NO. 1291
A bill for AN ACT concerning regulation.
SENATE BILL NO. 1294
A bill for AN ACT concerning criminal law.
SENATE BILL NO. 1319
A bill for AN ACT concerning regulation.
Passed the House, May 21, 2019.

JOHN W. HOLLMAN, Clerk of 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 concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 1165
A bill for AN ACT concerning education.
SENATE BILL NO. 1183
A bill for AN ACT concerning transportation.
SENATE BILL NO. 1191
A bill for AN ACT concerning civil law.
SENATE BILL NO. 1217
A bill for AN ACT concerning local government.
SENATE BILL NO. 1250
A bill for AN ACT concerning education.
SENATE BILL NO. 1256
A bill for AN ACT concerning transportation.
SENATE BILL NO. 1258
A bill for AN ACT concerning health.
Passed the House, May 21, 2019.

JOHN W. HOLLMAN, Clerk of the House

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment 1 to Senate Bill 1136
Motion to Concur in House Amendment 1 to Senate Bill 1226

At the hour of 1:08 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 1:15 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

[May 22, 2019]

Senator Lightford, Chairperson of the Committee on Assignments, during its May 22, 2019 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Motion to Concur in House Amendment 1 to Senate Bill 241**

Human Services: **Motion to Concur in House Amendment 1 to Senate Bill 191**

Judiciary: **Motion to Concur in House Amendment 1 to Senate Bill 193**

State Government: **Motion to Concur in House Amendment 1 to Senate Bill 1136**

Senator Lightford, Chairperson of the Committee on Assignments, during its May 22, 2019 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Floor Amendment No. 1 to House Bill 3610.**

Public Health: **Senate Joint Resolution No. 43.**

State Government: **Floor Amendment No. 3 to House Bill 2924.**

Senator Lightford, Chairperson of the Committee on Assignments, during its May 22, 2019 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 2 to House Bill 2301

Floor Amendment No. 5 to House Bill 3501

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

MESSAGES 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1343

A bill for AN ACT concerning transportation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1343

Passed the House, as amended, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1343

AMENDMENT NO. 1. Amend Senate Bill 1343 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 15-301 as follows:

(625 ILCS 5/15-301) (from Ch. 95 1/2, par. 15-301)

Sec. 15-301. Permits for excess size and weight.

(a) The Department with respect to highways under its jurisdiction and local authorities with respect to highways under their jurisdiction may, in their discretion, upon application and good cause being shown therefor, issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this Code Act or

[May 22, 2019]

otherwise not in conformity with this ~~Code Act~~ upon any highway under the jurisdiction of the party granting such permit and for the maintenance of which the party is responsible. Applications and permits other than those in written or printed form may only be accepted from and issued to the company or individual making the movement. Except for an application to move directly across a highway, it shall be the duty of the applicant to establish in the application that the load to be moved by such vehicle or combination cannot reasonably be dismantled or disassembled, the reasonableness of which shall be determined by the Secretary of the Department. For the purpose of over length movements, more than one object may be carried side by side as long as the height, width, and weight laws are not exceeded and the cause for the over length is not due to multiple objects. For the purpose of over height movements, more than one object may be carried as long as the cause for the over height is not due to multiple objects and the length, width, and weight laws are not exceeded. For the purpose of an over width movement, more than one object may be carried as long as the cause for the over width is not due to multiple objects and length, height, and weight laws are not exceeded. Except for transporting fluid milk products, no State or local agency shall authorize the issuance of excess size or weight permits for vehicles and loads that are divisible and that can be carried, when divided, within the existing size or weight maximums specified in this Chapter. Any excess size or weight permit issued in violation of the provisions of this Section shall be void at issue and any movement made thereunder shall not be authorized under the terms of the void permit. In any prosecution for a violation of this Chapter when the authorization of an excess size or weight permit is at issue, it is the burden of the defendant to establish that the permit was valid because the load to be moved could not reasonably be dismantled or disassembled, or was otherwise nondivisible.

(a-1) As used in this Section, "extreme heavy duty tow and recovery vehicle" means a tow truck manufactured as a unit having a lifting capacity of not less than 50 tons, and having either 4 axles and an unladen weight of not more than 80,000 pounds or 5 axles and an unladen weight not more than 90,000 pounds. Notwithstanding otherwise applicable gross and axle weight limits, an extreme heavy duty tow and recovery vehicle may lawfully travel to and from the scene of a disablement and clear a disabled vehicle if the towing service has obtained an extreme heavy duty tow and recovery permit for the vehicle. The form and content of the permit shall be determined by the Department with respect to highways under its jurisdiction and by local authorities with respect to highways under their jurisdiction.

(b) The application for any such permit shall: (1) state whether such permit is requested for a single trip or for limited continuous operation; (2) state if the applicant is an authorized carrier under the Illinois Motor Carrier of Property Law, if so, his certificate, registration, or permit number issued by the Illinois Commerce Commission; (3) specifically describe and identify the vehicle or vehicles and load to be operated or moved; (4) state the routing requested, including the points of origin and destination, and may identify and include a request for routing to the nearest certified scale in accordance with the Department's rules and regulations, provided the applicant has approval to travel on local roads; and (5) state if the vehicles or loads are being transported for hire. No permits for the movement of a vehicle or load for hire shall be issued to any applicant who is required under the Illinois Motor Carrier of Property Law to have a certificate, registration, or permit and does not have such certificate, registration, or permit.

(c) The Department or local authority when not inconsistent with traffic safety is authorized to issue or withhold such permit at its discretion; or, if such permit is issued at its discretion to prescribe the route or routes to be traveled, to limit the number of trips, to establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated, or otherwise to limit or prescribe conditions of operations of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure. The Department shall maintain a daily record of each permit issued along with the fee and the stipulated dimensions, weights, conditions, and restrictions authorized and this record shall be presumed correct in any case of questions or dispute. The Department shall install an automatic device for recording applications received and permits issued by telephone. In making application by telephone, the Department and applicant waive all objections to the recording of the conversation.

(d) The Department shall, upon application in writing from any local authority, issue an annual permit authorizing the local authority to move oversize highway construction, transportation, utility, and maintenance equipment over roads under the jurisdiction of the Department. The permit shall be applicable only to equipment and vehicles owned by or registered in the name of the local authority, and no fee shall be charged for the issuance of such permits.

(e) As an exception to subsection (a) of this Section, the Department and local authorities, with respect to highways under their respective jurisdictions, in their discretion and upon application in writing, may issue a special permit for limited continuous operation, authorizing the applicant to move loads of agricultural commodities on a 2-axle single vehicle registered by the Secretary of State with axle loads not

to exceed 35%, on a 3-axle or 4-axle vehicle registered by the Secretary of State with axle loads not to exceed 20%, and on a 5-axle vehicle registered by the Secretary of State not to exceed 10% above those provided in Section 15-111. The total gross weight of the vehicle, however, may not exceed the maximum gross weight of the registration class of the vehicle allowed under Section 3-815 or 3-818 of this Code.

As used in this Section, "agricultural commodities" means:

- (1) cultivated plants or agricultural produce grown, including, but not limited to, corn, soybeans, wheat, oats, grain sorghum, canola, and rice;
- (2) livestock, including, but not limited to, hogs, equine, sheep, and poultry;
- (3) ensilage; and
- (4) fruits and vegetables.

Permits may be issued for a period not to exceed 40 days and moves may be made of a distance not to exceed 50 miles from a field, an on-farm grain storage facility, a warehouse as defined in the Grain Code, or a livestock management facility as defined in the Livestock Management Facilities Act over any highway except the National System of Interstate and Defense Highways. The operator of the vehicle, however, must abide by posted bridge and posted highway weight limits. All implements of husbandry operating under this Section between sunset and sunrise shall be equipped as prescribed in Section 12-205.1.

(e-1) A special permit shall be issued by the Department under this Section and shall be required from September 1 through December 31 for a vehicle that exceeds the maximum axle weight and gross weight limits under Section 15-111 of this Code or exceeds the vehicle's registered gross weight, provided that the vehicle's axle weight and gross weight do not exceed 10% above the maximum limits under Section 15-111 of this Code and does not exceed the vehicle's registered gross weight by 10%. All other restrictions that apply to permits issued under this Section shall apply during the declared time period and no fee shall be charged for the issuance of those permits. Permits issued by the Department under this subsection (e-1) are only valid on federal and State highways under the jurisdiction of the Department, except interstate highways. With respect to highways under the jurisdiction of local authorities, the local authorities may, at their discretion, waive special permit requirements; and set a divisible load weight limit not to exceed 10% above a vehicle's registered gross weight, provided that the vehicle's axle weight and gross weight do not exceed 10% above the maximum limits specified in Section 15-111. Permits issued under this subsection (e-1) shall apply to all registered vehicles eligible to obtain permits under this Section, including vehicles used in private or for-hire movement of divisible load agricultural commodities during the declared time period.

(f) The form and content of the permit shall be determined by the Department with respect to highways under its jurisdiction and by local authorities with respect to highways under their jurisdiction. Every permit shall be in written form and carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit and no person shall violate any of the terms or conditions of such special permit. Violation of the terms and conditions of the permit shall not be deemed a revocation of the permit; however, any vehicle and load found to be off the route prescribed in the permit shall be held to be operating without a permit. Any ~~off-route~~ ~~off route~~ vehicle and load shall be required to obtain a new permit or permits, as necessary, to authorize the movement back onto the original permit routing. No rule or regulation, nor anything herein, shall be construed to authorize any police officer, court, or authorized agent of any authority granting the permit to remove the permit from the possession of the permittee unless the permittee is charged with a fraudulent permit violation as provided in subsection (i). However, upon arrest for an offense of violation of permit, operating without a permit when the vehicle is off route, or any size or weight offense under this Chapter when the permittee plans to raise the issuance of the permit as a defense, the permittee, or his agent, must produce the permit at any court hearing concerning the alleged offense.

If the permit designates and includes a routing to a certified scale, the permittee, while ~~en route~~ ~~enroute~~ to the designated scale, shall be deemed in compliance with the weight provisions of the permit provided the axle or gross weights do not exceed any of the permitted limits by more than the following amounts:

Single axle	2000 pounds
Tandem axle	3000 pounds
Gross	5000 pounds

(g) The Department is authorized to adopt, amend, and to make available to interested persons a policy concerning reasonable rules, limitations and conditions or provisions of operation upon highways under its jurisdiction in addition to those contained in this Section for the movement by special permit of vehicles, combinations, or loads which cannot reasonably be dismantled or disassembled, including manufactured and modular home sections and portions thereof. All rules, limitations and conditions or provisions adopted in the policy shall have due regard for the safety of the traveling public and the protection of the

highway system and shall have been promulgated in conformity with the provisions of the Illinois Administrative Procedure Act. The requirements of the policy for flagmen and escort vehicles shall be the same for all moves of comparable size and weight. When escort vehicles are required, they shall meet the following requirements:

- (1) All operators shall be 18 years of age or over and properly licensed to operate the vehicle.
- (2) Vehicles escorting oversized loads more than 12 feet ~~12-feet~~ wide must be equipped with a rotating or flashing amber light mounted on top as specified under Section 12-215.

The Department shall establish reasonable rules and regulations regarding liability insurance or self insurance for vehicles with oversized loads promulgated under the Illinois Administrative Procedure Act. Police vehicles may be required for escort under circumstances as required by rules and regulations of the Department.

(h) Violation of any rule, limitation or condition or provision of any permit issued in accordance with the provisions of this Section shall not render the entire permit null and void but the violator shall be deemed guilty of violation of permit and guilty of exceeding any size, weight, or load limitations in excess of those authorized by the permit. The prescribed route or routes on the permit are not mere rules, limitations, conditions, or provisions of the permit, but are also the sole extent of the authorization granted by the permit. If a vehicle and load are found to be off the route or routes prescribed by any permit authorizing movement, the vehicle and load are operating without a permit. Any off-route movement shall be subject to the size and weight maximums, under the applicable provisions of this Chapter, as determined by the type or class highway upon which the vehicle and load are being operated.

(i) Whenever any vehicle is operated or movement made under a fraudulent permit, the permit shall be void, and the person, firm, or corporation to whom such permit was granted, the driver of such vehicle in addition to the person who issued such permit and any accessory, shall be guilty of fraud and either one or all persons may be prosecuted for such violation. Any person, firm, or corporation committing such violation shall be guilty of a Class 4 felony and the Department shall not issue permits to the person, firm, or corporation convicted of such violation for a period of one year after the date of conviction. Penalties for violations of this Section shall be in addition to any penalties imposed for violation of other Sections of this Code.

(j) Whenever any vehicle is operated or movement made in violation of a permit issued in accordance with this Section, the person to whom such permit was granted, or the driver of such vehicle, is guilty of such violation and either, but not both, persons may be prosecuted for such violation as stated in this subsection (j). Any person, firm, or corporation convicted of such violation shall be guilty of a petty offense and shall be fined, for the first offense, not less than \$50 nor more than \$200 and, for the second offense by the same person, firm, or corporation within a period of one year, not less than \$200 nor more than \$300 and, for the third offense by the same person, firm, or corporation within a period of one year after the date of the first offense, not less than \$300 nor more than \$500 and the Department may, in its ~~discretion~~ ~~discretion~~, not issue permits to the person, firm, or corporation convicted of a third offense during a period of one year after the date of conviction or supervision for such third offense. If any violation is the cause or contributing cause in a motor vehicle accident causing damage to property, injury, or death to a person, the Department may, in its discretion, not issue a permit to the person, firm, or corporation for a period of one year after the date of conviction or supervision for the offense.

(k) Whenever any vehicle is operated on local roads under permits for excess width or length issued by local authorities, such vehicle may be moved upon a State highway for a distance not to exceed one-half mile without a permit for the purpose of crossing the State highway.

(l) Notwithstanding any other provision of this Section, the Department, with respect to highways under its jurisdiction, and local authorities, with respect to highways under their jurisdiction, may at their discretion authorize the movement of a vehicle in violation of any size or weight requirement, or both, that would not ordinarily be eligible for a permit, when there is a showing of extreme necessity that the vehicle and load should be moved without unnecessary delay.

For the purpose of this subsection, showing of extreme necessity shall be limited to the following: shipments of livestock, hazardous materials, liquid concrete being hauled in a mobile cement mixer, or hot asphalt.

(m) Penalties for violations of this Section shall be in addition to any penalties imposed for violating any other Section of this Code.

(n) The Department with respect to highways under its jurisdiction and local authorities with respect to highways under their jurisdiction, in their discretion and upon application in writing, may issue a special

permit for continuous limited operation, authorizing the applicant to operate a tow truck that exceeds the weight limits provided for in subsection (a) of Section 15-111, provided:

- (1) no rear single axle of the tow truck exceeds 26,000 pounds;
 - (2) no rear tandem axle of the tow truck exceeds 50,000 pounds;
 - (2.1) no triple rear axle on a manufactured recovery unit exceeds 60,000 pounds;
 - (3) neither the disabled vehicle nor the disabled combination of vehicles exceed the weight restrictions imposed by this Chapter 15, or the weight limits imposed under a permit issued by the Department prior to hookup;
 - (4) the tow truck prior to hookup does not exceed the weight restrictions imposed by this Chapter 15;
 - (5) during the tow operation the tow truck does not violate any weight restriction sign;
 - (6) the tow truck is equipped with flashing, rotating, or oscillating amber lights, visible for at least 500 feet in all directions;
 - (7) the tow truck is specifically designed and licensed as a tow truck;
 - (8) the tow truck has a gross vehicle weight rating of sufficient capacity to safely handle the load;
 - (9) the tow truck is equipped with air brakes;
 - (10) the tow truck is capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles;
 - (11) the tow commences at the initial point of wreck or disablement and terminates at a point where the repairs are actually to occur;
 - (12) the permit issued to the tow truck is carried in the tow truck and exhibited on demand by a police officer; and
 - (13) the movement shall be valid only on State routes approved by the Department.
- (o) (Blank).

(p) In determining whether a load may be reasonably dismantled or disassembled for the purpose of subsection (a), the Department shall consider whether there is a significant negative impact on the condition of the pavement and structures along the proposed route, whether the load or vehicle as proposed causes a safety hazard to the traveling public, whether dismantling or disassembling the load promotes or stifles economic development, and whether the proposed route travels less than 5 miles. A load is not required to be dismantled or disassembled for the purposes of subsection (a) if the Secretary of the Department determines there will be no significant negative impact to pavement or structures along the proposed route, the proposed load or vehicle causes no safety hazard to the traveling public, dismantling or disassembling the load does not promote economic development, and the proposed route travels less than 5 miles. The Department may promulgate rules for the purpose of establishing the divisibility of a load pursuant to subsection (a). Any load determined by the Secretary to be nondivisible shall otherwise comply with the existing size or weight maximums specified in this Chapter.

(Source: P.A. 99-717, eff. 8-5-16; 100-70, eff. 8-11-17; 100-728, eff. 1-1-19; 100-830, eff. 1-1-19; 100-863, eff. 8-14-18; 100-1090, eff. 1-1-19; revised 10-9-18.)

Section 99. Effective date. This Act takes effect January 1, 2020."

Under the rules, the foregoing **Senate Bill No. 1343**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1371

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1371

Passed the House, as amended, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1371

[May 22, 2019]

AMENDMENT NO. 1. Amend Senate Bill 1371 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.69 and 34-18.61 as follows:

(105 ILCS 5/10-20.69 new)

Sec. 10-20.69. Door security locking means.

(a) In this Section, "door security locking means" means a door locking means intended for use by a trained school district employee in a school building for the purpose of preventing ingress through a door of the building.

(b) A school district may install a door security locking means on a door of a school building to prevent unwanted entry through the door if all of the following requirements are met:

(1) The door security locking means can be engaged without opening the door.

(2) The unlocking and unlatching of the door security locking means from the occupied side of the door can be accomplished without the use of a key or tool.

(3) The door security locking means complies with all applicable State and federal accessibility requirements.

(4) Locks, if remotely engaged, can be unlocked from the occupied side.

(5) The door security locking means is capable of being disengaged from the outside by school district employees, and school district employees may use a key or other credentials to unlock the door from the outside.

(6) The door security locking means does not modify the door-closing hardware, panic hardware, or fire exit hardware.

(7) Any bolts, stops, brackets, or pins employed by the door security locking means do not affect the fire rating of a fire door assembly.

(8) School district employees are trained in the engagement and release of the door security locking means, from within and outside the room, as part of the emergency response plan.

(9) For doors installed before July 1, 2019 only, the unlocking and unlatching of a door security locking means requires no more than 2 releasing operations. For doors installed on or after July 1, 2019, the unlocking and unlatching of a door security locking means requires no more than one releasing operation. If doors installed before July 1, 2019 are replaced on or after July 1, 2019, the unlocking and unlatching of a door security locking means on the replacement door requires no more than one releasing operation.

(10) The door security locking means is no more than 48 inches above the finished floor.

(11) The door security locking means otherwise complies with the school building code prepared by the State Board of Education under Section 2-3.12.

A school district may install a door security locking means that does not comply with paragraph (3) or (10) of this subsection if (i) the school district meets all other requirements under this subsection and (ii) prior to its installation, local law enforcement officials, the local fire department, and the school board agree, in writing, to the installation and use of the door security locking means. The school district must keep the agreement on file and must, upon request, provide the agreement to its regional office of education. The agreement must be included in the school district's filed school safety plan under the School Safety Drill Act.

(c) A school district must include the location of any door security locking means and must address the use of the locking and unlocking means from within and outside the room in its filed school safety plan under the School Safety Drill Act. Local law enforcement officials and the local fire department must be notified of the location of any door security locking means and how to disengage it. Any specific tool needed to disengage the door security locking means from the outside of the room must, upon request, be made available to local law enforcement officials and the local fire department.

(d) A door security locking means may be used only (i) by a school district employee trained under subsection (e), (ii) during an emergency that threatens the health and safety of students and employees or during an active shooter drill, and (iii) when local law enforcement officials and the local fire department have been notified of its installation prior to its use. The door security locking means must be engaged for a finite period of time in accordance with the school district's school safety plan adopted under the School Safety Drill Act.

(e) A school district that has installed a door security locking means shall conduct an in-service training program for school district employees on the proper use of the door security locking means. The school district shall keep a file verifying the employees who have completed the program and must, upon request, provide the file to its regional office of education and the local fire department and local law enforcement agency.

(f) A door security locking means that requires 2 releasing operations must be discontinued from use when the door is replaced or is a part of new construction. Replacement and new construction door hardware must include mortise locks, compliant with the applicable building code, and must be lockable from the occupied side without opening the door. However, mortise locks are not required if panic hardware or fire exit hardware is required.

(105 ILCS 5/34-18.61 new)

Sec. 34-18.61. Door security locking means.

(a) In this Section, "door security locking means" means a door locking means intended for use by a trained school district employee in a school building for the purpose of preventing ingress through a door of the building.

(b) The school district may install a door security locking means on a door of a school building to prevent unwanted entry through the door if all of the following requirements are met:

(1) The door security locking means can be engaged without opening the door.

(2) The unlocking and unlatching of the door security locking means from the occupied side of the door can be accomplished without the use of a key or tool.

(3) The door security locking means complies with all applicable State and federal accessibility requirements.

(4) Locks, if remotely engaged, can be unlocked from the occupied side.

(5) The door security locking means is capable of being disengaged from the outside by school district employees, and school district employees may use a key or other credentials to unlock the door from the outside.

(6) The door security locking means does not modify the door-closing hardware, panic hardware, or fire exit hardware.

(7) Any bolts, stops, brackets, or pins employed by the door security locking means do not affect the fire rating of a fire door assembly.

(8) School district employees are trained in the engagement and release of the door security locking means, from within and outside the room, as part of the emergency response plan.

(9) For doors installed before July 1, 2019 only, the unlocking and unlatching of a door security locking means requires no more than 2 releasing operations. For doors installed on or after July 1, 2019, the unlocking and unlatching of a door security locking means requires no more than one releasing operation. If doors installed before July 1, 2019 are replaced on or after July 1, 2019, the unlocking and unlatching of a door security locking means on the replacement door requires no more than one releasing operation.

(10) The door security locking means is no more than 48 inches above the finished floor.

(11) The door security locking means otherwise complies with the school building code prepared by the State Board of Education under Section 2-3.12.

The school district may install a door security locking means that does not comply with paragraph (3) or (10) of this subsection if (i) the school district meets all other requirements under this subsection and (ii) prior to its installation, local law enforcement officials, the local fire department, and the board agree, in writing, to the installation and use of the door security locking means. The school district must keep the agreement on file and must, upon request, provide the agreement to the State Board of Education. The agreement must be included in the school district's filed school safety plan under the School Safety Drill Act.

(c) The school district must include the location of any door security locking means and must address the use of the locking and unlocking means from within and outside the room in its filed school safety plan under the School Safety Drill Act. Local law enforcement officials and the local fire department must be notified of the location of any door security locking means and how to disengage it. Any specific tool needed to disengage the door security locking means from the outside of the room must, upon request, be made available to local law enforcement officials and the local fire department.

(d) A door security locking means may be used only (i) by a school district employee trained under subsection (e), (ii) during an emergency that threatens the health and safety of students and employees or during an active shooter drill, and (iii) when local law enforcement officials and the local fire department have been notified of its installation prior to its use. The door security locking means must be engaged for a finite period of time in accordance with the school district's school safety plan adopted under the School Safety Drill Act.

(e) If the school district installs a door security locking means, it must conduct an in-service training program for school district employees on the proper use of the door security locking means. The school district shall keep a file verifying the employees who have completed the program and must, upon request, provide the file to the local fire department and local law enforcement agency.

(f) A door security locking means that requires 2 releasing operations must be discontinued from use when the door is replaced or is a part of new construction. Replacement and new construction door hardware must include mortise locks, compliant with the applicable building code, and must be lockable from the occupied side without opening the door. However, mortise locks are not required if panic hardware or fire exit hardware is required.

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

Under the rules, the foregoing **Senate Bill No. 1371**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1473

A bill for AN ACT concerning transportation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 1473

Passed the House, as amended, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1473

AMENDMENT NO. 2. Amend Senate Bill 1473 by replacing everything after the enacting clause with the following:

"Section 1. Reference to Act. This Act may be referred to as the Stay of Driver's License Suspension for Child Support Arrearage Law.

Section 5. The Illinois Public Aid Code is amended by changing Section 10-16.5 as follows:
(305 ILCS 5/10-16.5)

Sec. 10-16.5. Interest on support obligations. A support obligation, or any portion of a support obligation, which becomes due and remains unpaid as of the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month, shall accrue simple interest as set forth in Section 12-109 of the Code of Civil Procedure. An order for support entered or modified on or after January 1, 2006 shall contain a statement that a support obligation required under the order, or any portion of a support obligation required under the order, that becomes due and remains unpaid as of the end of each month, excluding the child support that was due for that month to the extent that it was not paid in that month, shall accrue simple interest as set forth in Section 12-109 of the Code of Civil Procedure. Failure to include the statement in the order for support does not affect the validity of the order or the accrual of interest as provided in this Section. The Department may provide, by rule, if, or how, the Department will enforce interest in cases in which IV-D services are being provided.

In cases in which IV-D services are being provided, the Department shall provide, by rule, for a one-time notice to obligees advising the obligee that he or she must notify the Department within 60 days of the notice that he or she wishes to have the Department compute any interest that accrued on a specific docket in his or her case between May 1, 1987 and December 31, 2005. If the obligee fails to notify the Department within the 60-day period: (i) the Department shall have no further duty to enforce and collect interest accrued on support obligations established under this Code or under any other law that are owed to the obligee prior to January 1, 2006; and (ii) any interest due on that docket prior to 2006 may be pursued by the obligee through a court action, but not through the Department's IV-D agency.
(Source: P.A. 98-563, eff. 8-27-13.)

Section 10. The Illinois Vehicle Code is amended by changing Sections 7-704 and 7-704.1 as follows:
(625 ILCS 5/7-704)

Sec. 7-704. Suspension to continue until compliance with court order of support.

(a) The suspension of a driver's license shall remain in effect unless and until the Secretary of State receives authenticated documentation that the obligor is in compliance with a court order of support or

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that the order has been stayed by a subsequent order of the court. Full driving privileges shall not be issued by the Secretary of State until notification of compliance has been received from the court. The circuit clerks shall report the obligor's compliance with a court order of support to the Secretary of State, on a form prescribed by the Secretary.

(a-1) The suspension of a driver's license shall remain in effect unless and until the Secretary of State receives authenticated documentation as to the person who violated a visitation order that the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated or that the order has been stayed by a subsequent order of the court. Full driving privileges shall not be issued by the Secretary of State until notification has been received from the court. The circuit clerk shall report any court order in which the court determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated to the Secretary of State on a form prescribed by the Secretary.

(b) Whenever, after one suspension of an individual's driver's license for failure to pay child support, another order of non-payment is entered against the obligor and the person fails to come into compliance with the court order of support, then the Secretary shall again suspend the driver's license of the individual and that suspension shall not be removed unless the obligor is in full compliance with the court order of support and has made full payment on all arrearages or has arranged for payment of the arrearages and current support obligation in a manner satisfactory to the court. The provision in this Section regarding the compliance necessary to remove an active suspension applies equally to all individuals who have had a driver's license suspended due to non-payment of child support, regardless of whether that suspension occurred before or after the effective date of this amendatory Act of the 101st General Assembly.

(b-1) Whenever, after one suspension of an individual's driver's license for failure to abide by a visitation order, another order finding visitation abuse is entered against the person and the court orders the suspension of the person's driver's license, then the Secretary shall again suspend the driver's license of the individual and that suspension shall not be removed until the court has determined that there has been sufficient compliance for a sufficient period of time with the court's order concerning visitation and that full driving privileges shall be reinstated.

(c) Section 7-704.1, and not this Section, governs the duration of a driver's license suspension if the suspension occurs as the result of a certification by the Illinois Department of Healthcare and Family Services under subsection (c) of Section 7-702.

(Source: P.A. 97-1047, eff. 8-21-12.)

(625 ILCS 5/7-704.1)

Sec. 7-704.1. Duration of driver's license suspension upon certification of Department of Healthcare and Family Services.

(a) When a suspension of a driver's license occurs as the result of a certification by the Illinois Department of Healthcare and Family Services under subsection (c) of Section 7-702, the suspension shall remain in effect until the Secretary of State receives notification from the Department that the person whose license was suspended has paid the support delinquency in full or has arranged for payment of the delinquency and current support obligation in a manner satisfactory to the Department.

(b) Whenever, after one suspension of an individual's driver's license based on certification of the Department of Healthcare and Family Services, another certification is received from the Department of Healthcare and Family Services, the Secretary shall again suspend the driver's license of that individual and that suspension shall not be removed unless the obligor is in full compliance with the order of support and has made full payment on all arrearages or has arranged for payment of the arrearages and current support obligation in a manner satisfactory to the Department. The provision in this Section regarding the compliance necessary to remove an active suspension applies equally to all individuals who have had a driver's license suspended due to nonpayment of child support, regardless of whether that suspension occurred before or after the effective date of this amendatory Act of the 101st General Assembly.

(Source: P.A. 95-685, eff. 10-23-07.)

Section 15. The Code of Civil Procedure is amended by changing Section 12-109 as follows:

(735 ILCS 5/12-109) (from Ch. 110, par. 12-109)

Sec. 12-109. Interest on judgments.

(a) Every judgment except those arising by operation of law from child support orders shall bear interest thereon as provided in Section 2-1303.

(b) Every judgment arising by operation of law from a child support order shall bear interest as provided in this subsection. The interest on judgments arising by operation of law from child support orders shall be calculated by applying one-twelfth of the current statutory interest rate as provided in Section 2-1303

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to the unpaid child support balance as of the end of each calendar month. The unpaid child support balance at the end of the month is the total amount of child support ordered, excluding the child support that was due for that month to the extent that it was not paid in that month and including judgments for retroactive child support, less all payments received and applied as set forth in this subsection. The accrued interest shall not be included in the unpaid child support balance when calculating interest at the end of the month. The unpaid child support balance as of the end of each month shall be determined by calculating the current monthly child support obligation and applying all payments received for that month, except federal income tax refund intercepts, first to the current monthly child support obligation and then applying any payments in excess of the current monthly child support obligation to the unpaid child support balance owed from previous months. The current monthly child support obligation shall be determined from the document that established the support obligation. Federal income tax refund intercepts and any payments in excess of the current monthly child support obligation shall be applied to the unpaid child support balance. Any payments in excess of the current monthly child support obligation and the unpaid child support balance shall be applied to the accrued interest on the unpaid child support balance. Interest on child support obligations may be collected by any means available under federal and State law, rules, and regulations providing for the collection of child support ~~State law for the collection of child support judgments.~~
(Source: P.A. 98-563, eff. 8-27-13.)

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

Under the rules, the foregoing **Senate Bill No. 1473**, with House Amendment No. 2, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1495

A bill for AN ACT concerning business.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1495

Passed the House, as amended, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1495

AMENDMENT NO. 1. Amend Senate Bill 1495 as follows:

on page 10, lines 16 and 17, by replacing "overrule Dass v. Yale, 2013 IL App (1st) 122520, and similar decisions" with "overrule the interpretation of subsections (a) and (d) set forth in Dass v. Yale, 2013 IL App (1st) 122520, and Carollo v. Irwin, 2011 IL App (1st) 102765."; and

on page 15, by replacing lines 13 and 14 with the following:

"shall be executed and filed in accordance with Section 5-45 of this Act and must include:".

Under the rules, the foregoing **Senate Bill No. 1495**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1498

A bill for AN ACT concerning education.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1498

Passed the House, as amended, May 22, 2019.

[May 22, 2019]

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1498

AMENDMENT NO. 1. Amend Senate Bill 1498 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 2-3.80d as follows:

(105 ILCS 5/2-3.80d new)

Sec. 2-3.80d. Agricultural Education Pre-Service Teacher Internship Program.

(a) In this Section:

"Pre-service teaching student" means a student who is a declared agricultural education major accepted into an approved agricultural teacher education program at a public university in this State and who has completed at least 30 credit hours and has maintained, at a minimum, a 2.5 cumulative grade point average on a 4.0 scale or its equivalent.

"Illinois agricultural company" means any company in this State that has an interest in the agricultural industry, as determined by the pre-service teaching student's public university.

(b) Subject to appropriation, the State Board of Education must, in consultation with the Board of Higher Education, develop an Agricultural Education Pre-Service Teacher Internship Program, beginning at the secondary education level, for pre-service teaching students that consists of both of the following:

(1) At a minimum, an 8-week experience or 300 hours of experience to prepare the pre-service teaching student for in-classroom experiences, including, but not limited to, experiences in the 5 career clusters for Illinois agricultural education through partnerships with Illinois agricultural companies. The 5 career clusters include agricultural business management, agricultural mechanics and technology, horticulture services operations and management, agricultural sciences, and natural resources conservation management.

(2) Both in-classroom lectures and hands-on, applied learning.

(c) Subject to appropriation, the State Board must award grants to a pre-service teaching student enrolled in the Internship Program under subsection (b), which may be used by the student to support all of the following activities:

(1) A stipend not to exceed \$7,500 for a pre-service teaching student's completion of the Internship Program, distributed in monthly installments.

(2) Lodging for a pre-service teaching student while participating in the Internship Program.

(3) Reimbursement for meals, not to exceed the per diem rate established by the Internal Revenue Service, for a pre-service teaching student while participating in the Internship Program.

(4) Any reasonable costs for participation in the Internship Program charged by any participating Illinois agricultural company.

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

Under the rules, the foregoing **Senate Bill No. 1498**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1506

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1506

Passed the House, as amended, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1506

AMENDMENT NO. 1. Amend Senate Bill 1506 by replacing everything after the enacting clause with the following:

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"Section 1. Short title; references to Act.

(a) Short title. This Act may be cited as the Dense Breast Tissue Act.

(b) References to Act. This Act may be referred to as the Patti Beyer Act of Illinois.

Section 5. Applicability. This Act applies to a facility that provides mammography services in the State of Illinois.

Section 10. Breast cancer; duty of providers of mammography services to notify and inform.

(a) As used in this Section, "dense breast tissue" means heterogeneously dense or extremely dense tissue as defined in nationally recognized guidelines or systems for breast imaging reporting of mammography screening, including, but not limited to, the Breast Imaging Reporting and Data System of the American College of Radiology, and any equivalent new terms, as such guidelines or systems are updated.

(b) If a patient's mammogram demonstrates dense breast tissue, the provider of mammography services shall provide in a summary of the mammography report sent to the patient in accordance with the federal Mammography Quality Standards Act a notice substantially similar to the following:

"Your mammogram indicates you have dense breast tissue. Dense breast tissue is normal and identified on mammograms in about 50% of women. Dense breast tissue can make it more difficult to detect cancer on a mammogram and may be associated with an increased risk for breast cancer. Despite these limitations, screening mammograms have been proven to save lives. Continue to have routine screening mammography whether or not additional exams are suggested for you. This information is provided to raise your awareness of the impact of breast density on cancer detection. For further information about dense breast tissue, as well as other breast cancer risk factors, contact your breast imaging health care provider."

(c) A facility that performs mammography may update the language in the notice under subsection (b) to reflect advances in science and technology as long as it continues to notify patients about dense breast tissue and its effect on the accuracy of mammograms and encourages patients to discuss the issue with their health care provider.

(d) This Section does not create a duty of care or other legal obligation beyond the duty to provide notice as set forth in this Section.

(20 ILCS 2310/2310-697 rep.)

Section 90. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by repealing Section 2310-697."

Under the rules, the foregoing **Senate Bill No. 1506**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1518

A bill for AN ACT concerning civil law.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1518

Passed the House, as amended, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1518

AMENDMENT NO. 1. Amend Senate Bill 1518 by deleting line 26 on page 12 through line 5 on page 13; and

by replacing line 22 on page 19 through line 11 on page 20 with the following:

"(c) The court may allocate guardian ad litem fees and costs. No legal fees, appointed counsel fees, guardian ad litem fees, or costs shall be assessed against the Office of the State Guardian, the public guardian, adult protective services, the Department of Children and Family Services, or the agency designated by the Governor under Section 1 of the Protection and Advocacy for Persons with

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~~Developmental Disabilities Act. If the respondent is unable to pay the fee of the guardian ad litem or appointed counsel, or both, the court may enter an order for the petitioner to pay all such fees or such amounts as the respondent or the respondent's estate may be unable to pay. However, in cases where the Office of State Guardian is the petitioner, consistent with Section 30 of the Guardianship and Advocacy Act, where the public guardian is the petitioner, consistent with Section 13-5 of this Act, where an adult protective services agency is the petitioner, pursuant to Section 9 of the Adult Protective Services Act, or where the Department of Children and Family Services is the petitioner under subparagraph (d) of subsection (1) of Section 2-27 of the Juvenile Court Act of 1987, no guardian ad litem or legal fees shall be assessed against the Office of State Guardian, the public guardian, the adult protective services agency, or the Department of Children and Family Services."~~

Under the rules, the foregoing **Senate Bill No. 1518**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1524

A bill for AN ACT concerning finance.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1524

Passed the House, as amended, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1524

AMENDMENT NO. 1. Amend Senate Bill 1524 as follows:

on page 1, line 13, by deleting "origination and refinancing of"; and

on page 21, line 11, after the period, by inserting ""Student loan servicer" or "servicer" includes persons or entities acting on behalf of the State Treasurer.".

Under the rules, the foregoing **Senate Bill No. 1524**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 1332

A bill for AN ACT concerning State government.

SENATE BILL NO. 1344

A bill for AN ACT concerning the Secretary of State.

SENATE BILL NO. 1378

A bill for AN ACT concerning courts.

SENATE BILL NO. 1381

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1392

A bill for AN ACT concerning safety.

SENATE BILL NO. 1411

A bill for AN ACT concerning criminal law.

Passed the House, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

[May 22, 2019]

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 1425
A bill for AN ACT concerning health.
SENATE BILL NO. 1449
A bill for AN ACT concerning regulation.
SENATE BILL NO. 1460
A bill for AN ACT concerning education.
SENATE BILL NO. 1468
A bill for AN ACT concerning veterans.
SENATE BILL NO. 1496
A bill for AN ACT concerning transportation.
SENATE BILL NO. 1504
A bill for AN ACT concerning civil law.
Passed the House, May 22, 2019.

JOHN W. HOLLMAN, Clerk of the House

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Aquino, **House Bill No. 3014** 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:

Anderson	Fine	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Van Pelt
Castro	Holmes	Muñoz	Villivalam
Collins	Hunter	Murphy	Weaver
Crowe	Hutchinson	Oberweis	Wilcox
Cullerton, T.	Jones, E.	Peters	Mr. President
Cunningham	Koehler	Plummer	
Curran	Landek	Rezin	
DeWitte	Lightford	Righter	
Ellman	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 Weaver, **House Bill No. 3041** 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 58; NAYS None.

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The following voted in the affirmative:

Anderson	Ellman	Link	Sandoval
Aquino	Fine	Manar	Schimpf
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Stears
Bertino-Tarrant	Harmon	McGuire	Stewart
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Hutchinson	Peters	Weaver
Cullerton, T.	Jones, E.	Plummer	Wilcox
Cunningham	Koehler	Rezin	Mr. President
Curran	Landek	Righter	
DeWitte	Lightford	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 Aquino, **House Bill No. 3082** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Stears
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	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.

HOUSE BILL RECALLED

On motion of Senator Belt, **House Bill No. 3086** was recalled from the order of third reading to the order of second reading.

Senator Belt offered the following amendment and moved its adoption:

[May 22, 2019]

AMENDMENT NO. 1 TO HOUSE BILL 3086

AMENDMENT NO. 1. Amend House Bill 3086 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by renumbering and changing Section 27-23.11, as added by Public Act 100-1139, as follows:

(105 ILCS 5/27-23.12)

Sec. ~~27-23.12~~ ~~27-23.11~~. Emotional Intelligence and Social and Emotional Learning Task Force. The Emotional Intelligence and Social and Emotional Learning Task Force is created to develop curriculum and assessment guidelines and best practices on emotional intelligence and social and emotional learning, including strategies and instruction to address the needs of students with anger management issues. The Task Force shall consist of the State Superintendent of Education or his or her designee and all of the following members, appointed by the State Superintendent:

- (1) A representative of a school district organized under Article 34 of this Code.
- (2) A representative of a statewide organization representing school boards.
- (3) A representative of a statewide organization representing individuals holding professional educator licenses with school support personnel endorsements under Article 21B of this Code, including school social workers, school psychologists, and school nurses.
- (4) A representative of a statewide organization representing children's mental health experts.
- (5) A representative of a statewide organization representing school principals.
- (6) An employee of a school under Article 13A of this Code.
- (7) A school psychologist employed by a school district in Cook County.
- (8) Representatives of other appropriate State agencies, as determined by the State Superintendent.

Members appointed by the State Superintendent shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated to the State Board of Education for that purpose, including travel, subject to the rules of the appropriate travel control board. The Task Force shall meet at the call of the State Superintendent. The State Board of Education shall provide administrative and other support to the Task Force.

The Task Force shall develop age-appropriate, emotional intelligence and social and emotional learning curriculum and assessment guidelines and best practices for elementary schools and high schools. The guidelines shall, at a minimum, include teaching how to recognize, direct, and positively express emotions. The Task Force must also make recommendations on the funding of appropriate services and the availability of sources of funding, including, but not limited to, federal funding, to address social and emotional learning. The Task Force shall complete the guidelines and recommendations on or before March 1, 2020 ~~January 1, 2019~~. Upon completion of the guidelines and recommendations the Task Force is dissolved.

(Source: P.A. 100-1139, eff. 11-28-18; revised 12-19-18)."

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 Belt, **House Bill No. 3086** 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 58; NAYS None.

The following voted in the affirmative:

Anderson

Ellman

Manar

Sandoval

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Aquino	Fine	Martinez	Schimpf
Barickman	Fowler	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syversen
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Hutchinson	Oberweis	Villivalam
Crowe	Jones, E.	Peters	Weaver
Cullerton, T.	Koehler	Plummer	Wilcox
Cunningham	Landek	Rezin	Mr. President
Curran	Lightford	Righter	
DeWitte	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 and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Fine, **House Bill No. 3097** 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:

Anderson	Fine	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Hutchinson	Oberweis	Wilcox
Cullerton, T.	Jones, E.	Peters	Mr. President
Cunningham	Koehler	Plummer	
Curran	Landek	Rezin	
DeWitte	Lightford	Righter	
Ellman	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.

HOUSE BILL RECALLED

On motion of Senator Fine, **House Bill No. 3113** was recalled from the order of third reading to the order of second reading.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 3113

[May 22, 2019]

AMENDMENT NO. 3. Amend House Bill 3113, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, line 1, after "codes.", by inserting "The provisions of this Section do not apply to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to 26 U.S.C. 223.".

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 Fine, **House Bill No. 3113** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Sandoval
Aquino	Fine	Manar	Schimpf
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Steans
Bertino-Tarrant	Harmon	McGuire	Stewart
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Hutchinson	Oberweis	Weaver
Cullerton, T.	Jones, E.	Peters	Wilcox
Cunningham	Koehler	Rezin	Mr. President
Curran	Landek	Righter	
DeWitte	Lightford	Rose	

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

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

On motion of Senator Martinez, **House Bill No. 3237** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans

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Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	

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

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

HOUSE BILL RECALLED

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

Senator Curran offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3263

AMENDMENT NO. 2. Amend House Bill 3263 by replacing everything after the enacting clause as follows:

"Section 5. The Illinois Pension Code is amended by adding Section 7-135.5 as follows:

(40 ILCS 5/7-135.5 new)

Sec. 7-135.5. Required public posting of information by the Fund.

(a) The Fund shall post on its publicly available website the following information regarding municipalities that participate in the Fund that the Fund has in its possession: (1) copies of all resolutions adopted by a municipality on or after January 1, 1995 to participate in the Fund if such a resolution was required; (2) an annual report listing each municipality and the date each municipality first became a municipality that participates in the Fund; (3) all documents pertaining to each municipality's annual projected future contributions under this Article; and (4) information about the amount of each municipality's past required contributions to the Fund for each year of participation on or after January 1, 1995 and before, if available.

(b) A municipality that has a website shall post to its website, no later than January 1, 2021, a link to the information provided by the Fund under this Section. A municipality that establishes a website on or after January 1, 2021 shall post to its website a link to the information provided by the Fund under this Section.

(c) This Section does not require the Fund to post on its website information that is exempt from disclosure under the Freedom of Information Act.

This Section does not require a municipality to establish or maintain a website.

Section 90. The State Mandates Act is amended by adding Section 8.43 as follows:

(30 ILCS 805/8.43 new)

Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 101st General Assembly.

Section 99. Effective date. This Act takes effect July 1, 2020."

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

[May 22, 2019]

On motion of Senator Curran, **House Bill No. 3263** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	

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

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

On motion of Senator Fine, **House Bill No. 3331** 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; NAY 1.

The following voted in the affirmative:

Anderson	Ellman	Link	Schimpf
Aquino	Fine	Manar	Sims
Barickman	Fowler	Martinez	Stadelman
Belt	Gillespie	McConchie	Steans
Bennett	Glowiak	McGuire	Stewart
Bertino-Tarrant	Harmon	Morrison	Syverson
Brady	Harris	Mulroe	Tracy
Bush	Hastings	Muñoz	Van Pelt
Castro	Holmes	Murphy	Villivalam
Collins	Hunter	Oberweis	Weaver
Crowe	Hutchinson	Peters	Mr. President
Cullerton, T.	Jones, E.	Rezin	
Cunningham	Koehler	Righter	
Curran	Landek	Rose	
DeWitte	Lightford	Sandoval	

The following voted in the negative:

Wilcox

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.

HOUSE BILL RECALLED

On motion of Senator Aquino, **House Bill No. 3405** was recalled from the order of third reading to the order of second reading.

Senator Aquino offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3405

AMENDMENT NO. 1. Amend House Bill 3405 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Wage Payment and Collection Act is amended by changing Section 11 and by adding Section 4.1 as follows:

(820 ILCS 115/4.1 new)

Sec. 4.1. Gratuities.

(a) Gratuities to employees are the property of the employees, and employers shall not keep gratuities. Failure to pay gratuities owed to an employee more than 13 days after the end of the pay period in which such gratuities were earned constitutes a violation of this Act.

(b) This Section does not prohibit an employer from withholding from gratuities paid by credit card a proportionate amount of any credit card processing fees that the employer must pay in connection with the transaction, provided that the amount withheld does not exceed the proportion of the amount of the tip to the amount of the overall bill, regardless of whether the overall bill was paid using a credit card. This Section does not prohibit tip pooling as permitted by law. This Section does not affect an employer's entitlement to an allowance for gratuities to the extent permitted under subsection (c) of Section 4 of the Minimum Wage Law.

(820 ILCS 115/11) (from Ch. 48, par. 39m-11)

Sec. 11. It shall be the duty of the Department of Labor to inquire diligently for any violations of this Act, and to institute the actions for penalties herein provided, and to enforce generally the provisions of this Act.

An employee may file a complaint with the Department alleging violations of the Act by submitting a signed, completed wage claim application on the form provided by the Department and by submitting copies of all supporting documentation. Complaints shall be filed within one year after the wages, final compensation, or wage supplements were due.

Applications shall be reviewed by the Department to determine whether there is cause for investigation. The Department shall have the following powers:

(a) To investigate and attempt equitably to adjust controversies between employees and employers in respect of wage claims arising under this Act and to that end the Department through the Director of Labor or any other person in the Department of Labor designated by him or her, shall have the power to administer oaths, subpoena and examine witnesses, to issue subpoenas duces tecum requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry and to examine and inspect the same as may relate to the question in dispute. Service of such subpoenas shall be made by any sheriff or any person. Any court in this State, upon the application of the Department may compel attendance of witnesses, the production of books and papers, and the giving of testimony before the Department by attachment for contempt or in any other way as the production of evidence may be compelled before such court.

(b) To take assignments of wage claims in the name of the Director of Labor and his or her successors in office and prosecute actions for the collection of wages for persons financially unable to prosecute such claims when in the judgment of the Department such claims are valid and enforceable in the courts. No court costs or any fees for necessary process and proceedings shall be payable in advance by the Department for prosecuting such actions. In the event there is a judgment rendered against the defendant, the court shall assess as part of such judgment the costs of such proceeding. Upon collection of such judgments the Department shall pay from the proceeds of such judgment such costs

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to such person who is by law entitled to same. The Department may join in a single proceeding any number of wage claims against the same employer but the court shall have discretionary power to order a severance or separate trial for hearings.

(c) To make complaint in any court of competent jurisdiction of violations of this Act.

(d) In addition to the aforementioned powers, subject to appropriation, the Department may establish an administrative procedure to adjudicate claims and to issue final and binding administrative decisions on such claims subject to the Administrative Review Law. To establish such a procedure, the Director of Labor or her or his authorized representative may promulgate rules and regulations. The adoption, amendment or rescission of rules and regulations for such a procedure shall be in conformity with the requirements of the Illinois Administrative Procedure Act. If a final and binding administrative decision issued by the Department requires an employer or other party to pay wages, penalties, or other amounts in connection with a wage claim, and the employer or other party has neither: (i) made the required payment within 35 days of the issuance of the final and binding administrative decision; nor (ii) timely filed a complaint seeking review of the final and binding administrative decision pursuant to the Administrative Review Law in a court of competent jurisdiction, the Department may file a verified petition against the employer or other party to enforce the final administrative decision and to collect any amounts due in connection therewith in the circuit court of any county where an official office of the Department is located.

Nothing herein shall be construed to prevent any employee from making complaint or prosecuting his or her own claim for wages. Any employee aggrieved by a violation of this Act or any rule adopted under this Act may file suit in circuit court of Illinois, in the county where the alleged violation occurred or where any employee who is party to the action resides, without regard to exhaustion of any alternative administrative remedies provided in this Act. Actions may be brought by one or more employees for and on behalf of themselves and other employees similarly situated.

Nothing herein shall be construed to limit the authority of the State's attorney of any county to prosecute actions for violation of this Act or to enforce the provisions thereof independently and without specific direction of the Department of Labor.

(Source: P.A. 98-527, eff. 1-1-14.)

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 Aquino, **House Bill No. 3405** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox

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

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

On motion of Senator Crowe, **House Bill No. 3471** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Manar	Sandoval
Aquino	Fine	Martinez	Schimpf
Barickman	Fowler	McClure	Sims
Belt	Gillespie	McConchie	Stadelman
Bennett	Glowiak	McGuire	Steans
Bertino-Tarrant	Harmon	Morrison	Stewart
Brady	Harris	Mulroe	Syverson
Bush	Hastings	Muñoz	Tracy
Castro	Holmes	Murphy	Van Pelt
Collins	Hunter	Oberweis	Villivalam
Crowe	Hutchinson	Peters	Weaver
Cullerton, T.	Jones, E.	Plummer	Wilcox
Cunningham	Koehler	Rezin	Mr. President
Curran	Lightford	Righter	
DeWitte	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 Ellman, **House Bill No. 3481** 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 36; NAYS 17.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Sims
Belt	Glowiak	Link	Stadelman
Bennett	Harmon	Martinez	Steans
Bertino-Tarrant	Harris	McGuire	Van Pelt
Bush	Hastings	Morrison	Villivalam
Castro	Hunter	Mulroe	Mr. President
Collins	Hutchinson	Muñoz	
Cullerton, T.	Jones, E.	Murphy	
Cunningham	Koehler	Peters	
Ellman	Landek	Sandoval	

The following voted in the negative:

Anderson	McClure	Rose	Weaver
Barickman	McConchie	Schimpf	Wilcox
Brady	Oberweis	Stewart	
DeWitte	Plummer	Syverson	
Fowler	Righter	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.

Senator Holmes asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 3481**.

On motion of Senator Fine, **House Bill No. 3482** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	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 Fine, **House Bill No. 3483** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman

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Bertino-Tarrant	Harmon	McGuire	Stears
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	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.

HOUSE BILL RECALLED

On motion of Senator Bertino-Tarrant, **House Bill No. 3503** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 TO HOUSE BILL 3503

AMENDMENT NO. 1. Amend House Bill 3503 on page 7, line 8, after "is a", by inserting "licensed hearing instrument dispenser"; and

on page 7, line 9, after "audiologist", by inserting "1"; and

on page 8, immediately below line 15, by inserting the following:

"(e) Nothing in this Section shall be construed to require a group policy of accident and health insurance to provide coverage if the group is unable to meet mandatory minimum participation requirements set by the insurer."

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 BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Bertino-Tarrant, **House Bill No. 3503** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Stears
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy

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Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	

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

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

HOUSE BILL RECALLED

On motion of Senator Crowe, **House Bill No. 3509** was recalled from the order of third reading to the order of second reading.

Senator Crowe offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 3509

AMENDMENT NO. 3. Amend House Bill 3509, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by adding Section 6.16 as follows:

(5 ILCS 375/6.16 new)

Sec. 6.16. Human breast milk coverage.

(a) Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under a health plan for persons who are otherwise eligible for coverage under this Act if the covered person is an infant under the age of 6 months, a licensed medical practitioner prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that meets quality guidelines established by the Human Milk Banking Association of North America or is licensed by the Department of Public Health;

(2) the infant's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the infant's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the infant; and

(4) one or more of the following applies:

(A) the infant's birth weight is below 1,500 grams;

(B) the infant has a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis;

(C) the infant has infant hypoglycemia;

(D) the infant has congenital heart disease;

(E) the infant has had or will have an organ transplant;

(F) the infant has sepsis; or

(G) the infant has any other serious congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the infant.

(b) Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under a health plan for persons who are otherwise eligible for coverage under this Act if the covered person is a child 6 months through 12 months of age, a licensed medical practitioner prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that meets quality guidelines established by the Human Milk Banking Association of North America or is licensed by the Department of Public Health;

(2) the child's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the child's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the child; and

(4) one or more of the following applies:

(A) the child has spinal muscular atrophy;

(B) the child's birth weight was below 1,500 grams and he or she has long-term feeding or gastrointestinal complications related to prematurity;

(C) the child has had or will have an organ transplant; or

(D) the child has a congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the child.

Section 10. The Illinois Insurance Code is amended by adding Section 356z.33 as follows:

(215 ILCS 5/356z.33 new)

Sec. 356z.33. Human breast milk coverage.

(a) Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under an individual or group health insurance for persons who are otherwise eligible for coverage under this Act if the covered person is an infant under the age of 6 months, a licensed medical practitioner prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that meets quality guidelines established by the Human Milk Banking Association of North America or is licensed by the Department of Public Health;

(2) the infant's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the infant's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the infant; and

(4) one or more of the following applies:

(A) the infant's birth weight is below 1,500 grams;

(B) the infant has a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis;

(C) the infant has infant hypoglycemia;

(D) the infant has congenital heart disease;

(E) the infant has had or will have an organ transplant;

(F) the infant has sepsis; or

(G) the infant has any other serious congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the infant.

(b) Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under an individual or group health insurance for persons who are otherwise eligible for coverage under this Act if the covered person is a child 6 months through 12 months of age, a licensed medical practitioner prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that meets quality guidelines established by the Human Milk Banking Association of North America or is licensed by the Department of Public Health;

(2) the child's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the child's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the child; and

(4) one or more of the following applies:

(A) the child has spinal muscular atrophy;

(B) the child's birth weight was below 1,500 grams and he or she has long-term feeding or gastrointestinal complications related to prematurity;

(C) the child has had or will have an organ transplant; or

(D) the child has a congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the child.

Section 15. The Illinois Public Aid Code is amended by adding Section 5-40 as follows:

(305 ILCS 5/5-40 new)

Sec. 5-40. Human breast milk coverage.

(a) Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under a health plan for persons who are otherwise eligible for coverage under this Act if the covered person is an infant under the age of 6 months, a licensed medical practitioner prescribes the milk for the covered person, and all of the following conditions are met:

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(1) the milk is obtained from a human milk bank that meets quality guidelines established by the Human Milk Banking Association of North America or is licensed by the Department of Public Health;

(2) the infant's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the infant's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the infant; and

(4) one or more of the following applies:

(A) the infant's birth weight is below 1,500 grams;

(B) the infant has a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis;

(C) the infant has infant hypoglycemia;

(D) the infant has congenital heart disease;

(E) the infant has had or will have an organ transplant;

(F) the infant has sepsis; or

(G) the infant has any other serious congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the infant.

(b) Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under a health plan for persons who are otherwise eligible for coverage under this Act if the covered person is a child 6 months through 12 months of age, a licensed medical practitioner prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that meets quality guidelines established by the Human Milk Banking Association of North America or is licensed by the Department of Public Health;

(2) the child's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the child's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the child; and

(4) one or more of the following applies:

(A) the child has spinal muscular atrophy;

(B) the child's birth weight was below 1,500 grams and he or she has long-term feeding or gastrointestinal complications related to prematurity;

(C) the child has had or will have an organ transplant; or

(D) the child has a congenital or acquired condition for which the use of donated human breast milk is medically necessary and supports the treatment and recovery of the child.

(c) Notwithstanding any other provision of this Act, pasteurized donated human breast milk, which may include human milk fortifiers if indicated by a prescribing licensed medical practitioner, shall be covered under a health plan for persons who are otherwise eligible for coverage under this Act if the covered person is a child 12 months of age or older, a licensed medical practitioner prescribes the milk for the covered person, and all of the following conditions are met:

(1) the milk is obtained from a human milk bank that meets quality guidelines established by the Human Milk Banking Association of North America or is licensed by the Department of Public Health;

(2) the child's mother is medically or physically unable to produce maternal breast milk or produce maternal breast milk in sufficient quantities to meet the child's needs or the maternal breast milk is contraindicated;

(3) the milk has been determined to be medically necessary for the child; and

(4) the child has spinal muscular atrophy.

Section 99. Effective date. This Act takes effect January 1, 2020."

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 Crowe, **House Bill No. 3509** 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.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	
Ellman	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 and ask their concurrence in the Senate Amendments adopted thereto.

Senator Anderson asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 3509**.

On motion of Senator T. Cullerton, **House Bill No. 3531** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Schimpf
Aquino	Fine	Manar	Sims
Barickman	Fowler	Martinez	Stadelman
Belt	Gillespie	McClure	Steans
Bennett	Glowiak	McGuire	Stewart
Bertino-Tarrant	Harmon	Morrison	Syverson
Brady	Harris	Mulroe	Tracy
Bush	Hastings	Muñoz	Van Pelt
Castro	Holmes	Murphy	Villivalam
Collins	Hunter	Oberweis	Weaver
Crowe	Hutchinson	Peters	Wilcox
Cullerton, T.	Jones, E.	Plummer	Mr. President
Cunningham	Koehler	Rezin	
Curran	Landek	Righter	
DeWitte	Lightford	Sandoval	

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.

[May 22, 2019]

On motion of Senator Bush, **House Bill No. 3652** 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 59; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	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 E. Jones III, **House Bill No. 3659** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Sandoval
Aquino	Fine	Manar	Schimpf
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Steans
Bertino-Tarrant	Harmon	McGuire	Stewart
Brady	Harris	Morrison	Syverson
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Hutchinson	Oberweis	Weaver
Cullerton, T.	Jones, E.	Peters	Wilcox
Cunningham	Koehler	Plummer	Mr. President
Curran	Landek	Rezin	
DeWitte	Lightford	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).

[May 22, 2019]

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Villivalam, **House Bill No. 3671** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3671

AMENDMENT NO. 1. Amend House Bill 3671 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Assistance Animal Integrity Act.

Section 5. Definitions. In this Act:

"Assistance animal" means an emotional support or service animal that qualifies as a reasonable accommodation under the federal Fair Housing Act or the Illinois Human Rights Act.

"Disability" means, with respect to a person, any physical or mental impairment, or record of such impairment, that satisfies the definition of handicap under the Fair Housing Act or the definition of disability under the Illinois Human Rights Act.

"Housing provider" means any owner, housing provider, property management company, property manager, government entity, condominium board, condominium association, cooperative, or related entity, and any agent or employee thereof, engaged in the selling, leasing, management, control, or governance of residential housing.

"Reasonable accommodation" has the meaning provided under the federal Fair Housing Act or the Illinois Human Rights Act.

"Therapeutic relationship" means the provision of medical care, program care, or personal care services, in good faith, for and with actual knowledge of, an individual's disability and that individual's disability-related need for an assistance animal by: (1) a physician or other medical professional; (2) a mental health service provider; or (3) a non-medical service agency or reliable third party who is in a position to know about the individual's disability. "Therapeutic relationship" does not include an entity that issues a certificate, license, or similar document that purports to confirm, without conducting a meaningful assessment of a person's disability or a person's disability-related need for an assistance animal, that a person: (a) has a disability; or (b) needs an assistance animal.

Section 10. Documentation of disability and disability-related need.

(a) A housing provider who receives a request from a person to make an exception to the housing provider's policy prohibiting or restricting animals on the housing provider's property because the person requires the use of an assistance animal may require the person to produce reliable documentation of the disability and disability-related need for the animal only if the disability or disability-related need is not readily apparent or known to the housing provider. A housing provider may ask a person to make the request on a standardized form, but cannot deny the request because the person did not use the form to submit documentation that meets the requirements of subsection (b). A housing provider receiving a request for more than one assistance animal may request documentation under subsection (b) that establishes the disability-related need for each animal, unless the need for an animal is apparent.

(b) Any documentation that a person has a disability and requires the use of an assistance animal as a reasonable accommodation in housing under the federal Fair Housing Act or the Illinois Human Rights Act shall:

(1) be in writing;

(2) be made by a person with whom the individual requesting an accommodation has a therapeutic relationship; and

(3) describe the individual's disability-related need for the assistance animal.

(c) A housing provider may deny a documented request for an accommodation or rescind a granted request under this Act if:

(1) the accommodation imposes either: (i) an undue financial and administrative burden; or (ii) a fundamental alteration to the nature of the operations of the housing provider; or

(2) after conducting an individualized assessment, there is reliable objective evidence

that the specific assistance animal: (i) poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation; (ii) causes substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation; or (iii) has engaged in a pattern of uncontrolled behavior that its handler has not taken effective action to correct.

(d) A housing provider may require additional supporting documentation of a person's disability or need for the assistance animal only if the initial documentation provided does not satisfy subsection (b). If the initial documentation is insufficient to show the existence of the therapeutic relationship required under subsection (b), a housing provider may request additional information describing the professional relationship between the person and the individual with a disability.

(e) A housing provider may consider the documented disability-related needs of other residents on the property when evaluating the reasonableness of the request for the assistance animal. However, a housing provider may not deny an assistance animal solely due to the disability-related needs of another resident; rather, a housing provider must attempt to balance the disability-related needs of all residents.

(f) A housing provider may require a resident to cover the costs of repairs for damage the animal causes to the resident's dwelling unit or the common areas, reasonable wear and tear excepted, in the same manner it would for damage caused by any other resident; however, a housing provider may not require a resident to pay a pet-related deposit, pet fee, or related pet assessment, even if the housing provider allows pets and requires pet owners to pay such costs. A housing provider also may not require a resident with an assistance animal to procure special liability insurance or coverage for the assistance animal.

(g) Nothing in this Act shall be construed as requiring documentation of a specific diagnosis regarding a disability or disability-related need.

(h) Nothing in this Act prohibits a housing provider from verifying the authenticity the documentation submitted under subsection (b).

Section 15. Immunity. Notwithstanding any other provision of law to the contrary, a housing provider shall not be liable for injuries caused by a person's assistance animal permitted on the housing provider's property as a reasonable accommodation to assist the person with a disability under the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, the Illinois Human Rights Act, or any other federal, State, or local law.

Section 20. Rights under other Acts. Nothing in this Act shall be construed to: (1) limit individuals' rights under the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Illinois Human Rights Act, or any other federal, State, or local civil rights law; or (2) limit the liability of housing providers under such laws."

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 Villivalam, **House Bill No. 3671** 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; Present 1.

The following voted in the affirmative:

Anderson	Ellman	Lightford	Rose
Aquino	Fine	Link	Sandoval
Barickman	Fowler	Manar	Schimpf
Belt	Gillespie	Martinez	Sims
Bennett	Glowiak	McClure	Steans
Bertino-Tarrant	Harmon	McConchie	Stewart

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Bush	Harris	McGuire	Tracy
Castro	Hastings	Morrison	Van Pelt
Collins	Holmes	Mulroe	Villivalam
Crowe	Hunter	Muñoz	Weaver
Cullerton, T.	Hutchinson	Murphy	Wilcox
Cunningham	Jones, E.	Oberweis	Mr. President
Curran	Koehler	Peters	
DeWitte	Landek	Plummer	

The following voted present:

Brady

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 Crowe, **House Bill No. 3677** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Stears
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Collins	Hutchinson	Oberweis	Villivalam
Crowe	Jones, E.	Peters	Weaver
Cullerton, T.	Koehler	Plummer	Wilcox
Cunningham	Landek	Rezin	Mr. President
Curran	Lightford	Righter	
Ellman	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 and ask their concurrence in the Senate Amendments adopted thereto.

On motion of Senator Steans, **House Bill No. 3704** 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 57; NAYS None.

The following voted in the affirmative:

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Anderson	Ellman	Link	Sandoval
Aquino	Fine	Manar	Schimpf
Barickman	Fowler	Martinez	Sims
Belt	Gillespie	McClure	Stadelman
Bennett	Glowiak	McConchie	Steans
Bertino-Tarrant	Harmon	McGuire	Syverson
Brady	Harris	Morrison	Tracy
Bush	Hastings	Mulroe	Van Pelt
Castro	Holmes	Muñoz	Villivalam
Collins	Hunter	Murphy	Weaver
Crowe	Hutchinson	Peters	Wilcox
Cullerton, T.	Jones, E.	Plummer	Mr. President
Cunningham	Koehler	Rezin	
Curran	Landek	Righter	
DeWitte	Lightford	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 Villivalam, **House Bill No. 3711** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Koehler	Rezin
Aquino	Ellman	Landek	Rose
Belt	Fine	Lightford	Sandoval
Bennett	Fowler	Link	Schimpf
Bertino-Tarrant	Gillespie	Manar	Sims
Brady	Glowiak	Martinez	Stadelman
Bush	Harmon	McConchie	Steans
Castro	Harris	McGuire	Tracy
Collins	Hastings	Morrison	Van Pelt
Crowe	Holmes	Mulroe	Villivalam
Cullerton, T.	Hunter	Muñoz	Mr. President
Cunningham	Hutchinson	Murphy	
Curran	Jones, E.	Peters	

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. 822** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Manar	Sandoval
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Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Steans
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Syverson
Castro	Holmes	Muñoz	Tracy
Collins	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	
Ellman	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.

HOUSE BILL RECALLED

On motion of Senator Castro, **House Bill No. 834** was recalled from the order of third reading to the order of second reading.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 834

AMENDMENT NO. 2. Amend House Bill 834, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 2, line 13, by deleting "entire"; and

on page 3, line 9, by deleting "entire".

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 Castro, **House Bill No. 834** 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 41; NAYS 14.

The following voted in the affirmative:

Anderson	Ellman	Landek	Rezin
Aquino	Fine	Lightford	Sandoval
Belt	Gillespie	Link	Sims
Bennett	Glowiak	Manar	Stadelman
Bertino-Tarrant	Harmon	Martinez	Steans
Bush	Hastings	McGuire	Van Pelt
Collins	Holmes	Morrison	Villivalam
Crowe	Hunter	Mulroe	Mr. President

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Cullerton, T.	Hutchinson	Muñoz
Cunningham	Jones, E.	Murphy
Curran	Koehler	Peters

The following voted in the negative:

Brady	McConchie	Schimpf	Weaver
DeWitte	Plummer	Stewart	Wilcox
Fowler	Righter	Syverson	
McClure	Rose	Tracy	

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

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

Senator Castro asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 834**.

On motion of Senator Anderson, **House Bill No. 889** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Link	Rose
Aquino	Fine	Manar	Sandoval
Barickman	Fowler	Martinez	Schimpf
Belt	Gillespie	McClure	Sims
Bennett	Glowiak	McConchie	Stadelman
Bertino-Tarrant	Harmon	McGuire	Stears
Brady	Harris	Morrison	Stewart
Bush	Hastings	Mulroe	Tracy
Castro	Holmes	Muñoz	Van Pelt
Collins	Hunter	Murphy	Villivalam
Crowe	Hutchinson	Oberweis	Weaver
Cullerton, T.	Jones, E.	Peters	Wilcox
Cunningham	Koehler	Plummer	Mr. President
Curran	Landek	Rezin	
DeWitte	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 Peters, **House Bill No. 2665** 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 38; NAYS 19.

The following voted in the affirmative:

Aquino	Ellman	Jones, E.	Murphy
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Belt	Fine	Koehler	Peters
Bennett	Gillespie	Lightford	Sandoval
Bertino-Tarrant	Glowiak	Link	Sims
Bush	Harmon	Manar	Steans
Castro	Harris	Martinez	Van Pelt
Collins	Hastings	McGuire	Villivalam
Crowe	Holmes	Morrison	Mr. President
Cullerton, T.	Hunter	Mulroe	
Cunningham	Hutchinson	Muñoz	

The following voted in the negative:

Anderson	Fowler	Rezin	Syverson
Barickman	McClure	Righter	Tracy
Brady	McConchie	Rose	Weaver
Curran	Oberweis	Schimpf	Wilcox
DeWitte	Plummer	Stewart	

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 Martinez, **House Bill No. 2675** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Manar	Sandoval
Aquino	Fowler	Martinez	Schimpf
Barickman	Gillespie	McClure	Sims
Belt	Glowiak	McConchie	Stadelman
Bennett	Harmon	McGuire	Steans
Bertino-Tarrant	Harris	Morrison	Stewart
Brady	Hastings	Mulroe	Syverson
Bush	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Crowe	Hutchinson	Oberweis	Villivalam
Cullerton, T.	Jones, E.	Peters	Weaver
Cunningham	Koehler	Plummer	Wilcox
Curran	Landek	Rezin	Mr. President
DeWitte	Lightford	Righter	
Ellman	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 and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Link, **House Bill No. 2766** was recalled from the order of third reading to the order of second reading.

Senator Link offered the following amendment and moved its adoption:

[May 22, 2019]

AMENDMENT NO. 2 TO HOUSE BILL 2766

AMENDMENT NO. 2. Amend House Bill 2766 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the First Responders Suicide Prevention Act.

Section 5. Definitions. In this Act:

"Emergency services provider" means any public employer that employs persons to provide firefighting services.

"Emergency services personnel" means any employee of an emergency services provider who is engaged in providing firefighting services.

"Law enforcement agency" means any county sheriff, municipal police department, police department established by a university, the Department of State Police, the Department of Corrections, the Department of Children and Family Services, the Division of Probation Services of the Supreme Court, the Office of the Statewide 9-1-1 Administrator, and other local or county agency comprised of county probation officers, corrections employees, or 9-1-1 telecommunicators or emergency medical dispatchers.

"Peer support advisor" means an employee, approved by the law enforcement agency or the emergency provider, who voluntarily provides confidential support and assistance to fellow employees experiencing personal or professional problems. An emergency services provider or law enforcement agency shall provide peer support advisors with an appropriate level of training in counseling to provide emotional and moral support.

"Peer support counseling program" means a program established by an emergency services provider, a law enforcement agency, or collective bargaining organization to train employees to serve as peer support advisors to conduct peer support counseling sessions.

"Peer support counseling session" means communication with a peer support advisor designated by an emergency services provider or law enforcement agency. A peer support counseling session is accomplished primarily through listening, assessing, assisting with problem-solving, making referrals to a professional when necessary and conducting follow-up as needed.

"Public safety personnel" means any employee of a law enforcement agency.

Section 10. Establishment of peer support program; applicability. Any emergency services provider, law enforcement agency, or collective bargaining organization that creates a peer support program is subject to this Act. An emergency services provider, law enforcement agency, or collective bargaining organization shall ensure that peer support advisors receive appropriate training in counseling to conduct peer support counseling sessions. Emergency services personnel and public safety personnel may refer any person to a peer support advisor within the emergency services provider or law enforcement agency, or if those services are not available within the agency, to another peer support counseling program that is available and approved by the emergency services provider or law enforcement agency. Notwithstanding any other provision of this Act, public safety personnel may not mandate that any employee participate in a peer support counseling program.

Section 20. Confidentiality; exemptions.

(a) Any communication made by an employee of an emergency services provider or law enforcement agency or peer support advisor in a peer support counseling session and any oral or written information conveyed in the peer support counseling session is confidential and may not be disclosed by any person participating in the peer support counseling session and shall not be released to any person or entity.

(b) Any communication relating to a peer support counseling session made confidential under this Section that is made between peer support advisors and the supervisors or staff of a peer support counseling program, or between the supervisor or staff of a peer support counseling program, is confidential and may not be disclosed.

(c) This Section does not prohibit any communications between counselors who conduct peer support counseling sessions or any communications between counselors and the supervisors or staff of a peer support counseling program.

(c-5) Any communication described in subsection (a) or (b) is subject to subpoena for good cause shown.

(d) This Section does not apply to:

(1) any threat of suicide or homicide made by a participant in a peer support counseling

session or any information conveyed in a peer support counseling session related to a threat of suicide or homicide;

(2) any information mandated by law or agency policy to be reported, including, but not limited to, domestic violence, child abuse or neglect, or elder abuse or neglect;

(3) any admission of criminal conduct; or

(4) an admission or act of refusal to perform duties to protect others or the employee of the emergency services provider or law enforcement agency.

(e) All communications, notes, records, and reports arising out of a peer support counseling session are not subject to disclosure under Section 7.5 of the Freedom of Information Act.

(e-5) A department that establishes a peer support counseling program shall develop a policy or rule that imposes disciplinary measures against a peer support advisor who violates the confidentiality of the peer support counseling program by sharing information learned in a peer support counseling session with department personnel who are not supervisors or staff of the peer support counseling program, unless the information is related to the exemptions in subsection (d).

(f) A cause of action exists for public safety personnel or emergency services personnel if the emergency services provider or law enforcement agency uses confidential information obtained during a confidential peer support counseling session conducted by a law enforcement agency or by an emergency services provider for an adverse employment action against the participant.

Section 25. Judicial proceedings. Any oral communication or written information made or conveyed by a participant or peer support advisor in a peer support counseling session is not admissible in any judicial proceeding, arbitration proceeding, or other adjudicatory proceeding, except to the extent necessary to enforce subsection (f) of Section 20.

Section 30. First Responders Suicide Task Force.

(a) The First Responders Suicide Task Force is created to pursue recommendations to help reduce the risk and rates of suicide among first responders, along with developing a mechanism to help reduce the risk and rates of suicide among first responders. The Task Force shall be composed of the following members:

(1) the Director of State Police or his or her designee;

(2) the Director of Public Health or his or her designee;

(3) 2 members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall serve as co-chair;

(4) 2 members of the House of Representatives appointed by the Minority Leader of the House of Representatives;

(5) 2 members of the Senate appointed by the President of the Senate, one of whom shall serve as co-chair;

(6) 2 members of the Senate appointed by the Minority Leader of the Senate;

(7) 2 members who represent 2 different mental health organizations, one appointed by the Minority Leader of the House of Representatives and one appointed by the Minority Leader of the Senate;

(8) one member who represents an organization that advocates on behalf of police appointed by the Speaker of the House of Representatives;

(9) one member who represents the Chicago Police Department appointed by the Minority Leader of the House of Representatives;

(10) 2 members who represent organizations that advocate on behalf of firefighters appointed by the President of the Senate;

(11) one member who represents the Chicago Fire Department appointed by the Minority Leader of the Senate; and

(12) one member who represents an organization that advocates on behalf of sheriffs in the State of Illinois appointed by the President of the Senate.

(b) Members of the Task Force shall be appointed within 30 days after the effective date of this Act and shall serve without compensation. The Task Force shall begin meeting no later than 30 days after all members have been appointed. The Department of State Police shall provide administrative support for the Task Force, and if the subject matter is either sensitive or classified, the Task Force may hold its hearings in private.

(c) The Task Force shall issue a final report to the General Assembly on or December 31, 2020 and, one year after the filing of its report, is dissolved.

Section 35. Other provisions of law. Nothing in this Act limits or reduces any confidentiality protections or legal privileges that are otherwise provided by law or rule, including, but not limited to, local ordinance, State or federal law, or court rule. Any confidentiality provision enacted by local ordinance on or after the effective date of this Act may not diminish the protections enumerated in this Act.

Section 105. The Freedom of Information Act is amended by changing Section 7.5 as follows:
(5 ILCS 140/7.5)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by carriers under the Emergency Telephone System Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act or the St. Clair County Transit District under the Bi-State Transit Safety Act.

(q) Information prohibited from being disclosed by the Personnel ~~Record~~ ~~Records~~ Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) All identified or deidentified health information in the form of health data or

medical records contained in, stored in, submitted to, transferred by, or released from the Illinois Health Information Exchange, and identified or deidentified health information in the form of health data and medical records of the Illinois Health Information Exchange in the possession of the Illinois Health Information Exchange Authority due to its administration of the Illinois Health Information Exchange. The terms "identified" and "deidentified" shall be given the same meaning as in the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, or any subsequent amendments thereto, and any regulations promulgated thereunder.

(u) Records and information provided to an independent team of experts under the Developmental Disability and Mental Health Safety Act (also known as Brian's Law

).

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

(ee) Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.

(ff) Information that is exempted from disclosure under the Revised Uniform Unclaimed Property Act.

(gg) Information that is prohibited from being disclosed under Section 7-603.5 of the Illinois Vehicle Code.

(hh) Records that are exempt from disclosure under Section 1A-16.7 of the Election Code.

(ii) Information which is exempted from disclosure under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.

(jj) Information and reports that are required to be submitted to the Department of Labor by registering day and temporary labor service agencies but are exempt from disclosure under subsection (a-1) of Section 45 of the Day and Temporary Labor Services Act.

(kk) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act.

(ll) Information the disclosure of which is restricted and exempted under Section 5-30.8 of the Illinois Public Aid Code.

(mm) (H) Records that are exempt from disclosure under Section 4.2 of the Crime Victims Compensation Act.

(nn) (H) Information that is exempt from disclosure under Section 70 of the Higher Education Student Assistance Act.

(oo) Communications, notes, records, and reports arising out of a peer support counseling session prohibited from disclosure under the First Responders Suicide Prevention Act.

(pp) Names and all identifying information relating to an employee of an emergency services provider or law enforcement agency under the First Responders Suicide Prevention Act.

(Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff. 8-19-16; 100-20, eff. 7-1-17; 100-22, eff. 1-1-18; 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff. 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517, eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19; 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; revised 10-12-18.)

Section 110. The Department of State Police Law of the Civil Administrative Code of Illinois is amended by adding Section 2605-610 as follows:

(20 ILCS 2605/2605-610 new)

Sec. 2605-610. Possession of a Firearm Owner's Identification Card. The Department shall not make possession of a Firearm Owner's Identification Card a condition of continued employment if the State Police officer's Firearm Owner's Identification Card is revoked or seized because the State Police officer has been a patient of a mental health facility and the State Police officer has not been determined to pose a clear and present danger to himself, herself, or others as determined by a physician, clinical psychologist, or qualified examiner. Nothing in this Section shall otherwise impair an employer's ability to determine a State Police officer's fitness for duty. A collective bargaining agreement already in effect on this issue on the effective date of this amendatory Act of the 101st General Assembly cannot be modified, but on or after the effective date of this amendatory Act of the 101st General Assembly, the employer cannot require a Firearm Owner's Identification Card as a condition of continued employment in a collective bargaining agreement. The employer shall document if and why a State Police officer has been determined to pose a clear and present danger.

Section 115. The Illinois Police Training Act is amended by changing Section 7 as follows:

(50 ILCS 705/7) (from Ch. 85, par. 507)

Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include, but not be limited to, the following:

a. The curriculum for probationary police officers which shall be offered by all certified schools shall include, but not be limited to, courses of procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning, civil rights, human rights, human relations, cultural competency, including implicit bias and racial and ethnic sensitivity, criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first-aid (including cardiopulmonary resuscitation), training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act, handling of juvenile offenders, recognition of mental conditions and crises, including, but not limited to, the disease of addiction, which require immediate assistance and response and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children, including cultural perceptions and common myths of sexual assault and sexual abuse as well as interview techniques that are age sensitive and are trauma informed, victim centered, and victim sensitive. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by police officers that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum for permanent police officers shall include, but not be limited to: (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized

training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary police officers, including University police officers.

b. Minimum courses of study, attendance requirements and equipment requirements.

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary police officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a participating local governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).

e. Minimum basic training requirements, which a probationary county corrections officer must satisfactorily complete before being eligible for permanent employment as a county corrections officer for a participating local governmental agency.

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to his or her successful completion of the training course; (ii) attesting to his or her satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of June 1, 1997 (the effective date of Public Act 89-685). Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after June 1, 1997 (the effective date of Public Act 89-685) shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

g. Minimum in-service training requirements, which a police officer must satisfactorily complete every 3 years. Those requirements shall include constitutional and proper use of law enforcement authority, procedural justice, civil rights, human rights, mental health awareness and response, and cultural competency.

h. Minimum in-service training requirements, which a police officer must satisfactorily complete at least annually. Those requirements shall include law updates and use of force training which shall include scenario based training, or similar training approved by the Board.

(Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642, eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18; 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff. 1-1-19; revised 9-28-19.)

Section 117. The Uniform Peace Officers' Disciplinary Act is amended by changing Section 7.2 as follows:

(50 ILCS 725/7.2)

Sec. 7.2. Possession of a Firearm Owner's Identification Card. An employer of an officer shall not make possession of a Firearm Owner's Identification Card a condition of continued employment if the officer's Firearm Owner's Identification Card is revoked or seized because the officer has been a patient of a mental health facility and the officer has not been determined to pose a clear and present danger to himself, herself, or others as determined by a physician, clinical psychologist, or qualified examiner. Nothing in this Section shall otherwise impair an employer's ability to determine an officer's fitness for duty. On and after the effective date of this amendatory Act of the 100th General Assembly, Section 6 of this Act shall not apply to the prohibition requiring a Firearm Owner's Identification Card as a condition of continued employment, but a collective bargaining agreement already in effect on that issue on the effective date of this amendatory Act of the 100th General Assembly cannot be modified. The employer shall document if and why an officer has been determined to pose a clear and present danger.

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(Source: P.A. 100-911, eff. 8-17-18.)

Section 120. The Illinois Fire Protection Training Act is amended by changing Section 8 as follows:
(50 ILCS 740/8) (from Ch. 85, par. 538)

Sec. 8. Rules and minimum standards for schools. The Office shall adopt rules and minimum standards for such schools which shall include but not be limited to the following:

a. Minimum courses of study, resources, facilities, apparatus, equipment, reference material, established records and procedures as determined by the Office.

b. Minimum requirements for instructors.

c. Minimum basic training requirements, which a trainee must satisfactorily complete before being eligible for permanent employment as a ~~firefighter~~ ~~fire fighter~~ in the fire department of a participating local governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation) and training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act.

d. Training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by firefighters that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting.

(Source: P.A. 99-480, eff. 9-9-15; 100-759, eff. 1-1-19.)

Section 130. The Counties Code is amended by adding Section 3-6012.2 as follows:
(55 ILCS 5/3-6012.2 new)

Sec. 3-6012.2. Mental health specialists; sheriff's offices. Sheriff's offices shall ensure that mental health resources, including counselors or therapists, are available to each sheriff's office's employees, whether through direct employment by that office, contract employment, or other means.

Section 135. The Illinois Municipal Code is amended by adding Sections 11-1-14 and 11-6-11 as follows:

(65 ILCS 5/11-1-14 new)

Sec. 11-1-14. Mental health specialists; police. The corporate authorities of each municipality which has established a police department shall ensure that mental health resources, including counselors or therapists, are available to that police department's employees, whether through direct employment by that department, contract employment, or other means.

(65 ILCS 5/11-6-11 new)

Sec. 11-6-11. Mental health specialists; fire. The corporate authorities of each municipality which has established firefighting services shall ensure that mental health resources, including counselors or therapists, are available to that fire department's employees, whether through direct employment by that department, contract employment, or other means.

Section 999. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Link, **House Bill No. 2766** 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 48; NAYS 7.

The following voted in the affirmative:

Anderson
Aquino

DeWitte
Ellman

Koehler
Landek

Rezin
Sandoval

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Belt	Fine	Lightford	Sims
Bennett	Fowler	Link	Stadelman
Bertino-Tarrant	Gillespie	Manar	Steans
Brady	Glowiak	Martinez	Syverson
Bush	Harmon	McConchie	Van Pelt
Castro	Harris	McGuire	Villivalam
Collins	Hastings	Morrison	Mr. President
Crowe	Holmes	Mulroe	
Cullerton, T.	Hunter	Muñoz	
Cunningham	Hutchinson	Murphy	
Curran	Jones, E.	Peters	

The following voted in the negative:

Barickman	Righter	Stewart	Wilcox
Oberweis	Schimpf	Weaver	

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.

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 2078
Amendment No. 1 to House Bill 2304

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment 1 to Senate Bill 86
Motion to Concur in House Amendment 2 to Senate Bill 944
Motion to Concur in House Amendment 1 to Senate Bill 946
Motion to Concur in House Amendment 1 to Senate Bill 1090
Motion to Concur in House Amendment 1 to Senate Bill 1343
Motion to Concur in House Amendment 1 to Senate Bill 1371
Motion to Concur in House Amendment 2 to Senate Bill 1473
Motion to Concur in House Amendment 1 to Senate Bill 1495
Motion to Concur in House Amendment 1 to Senate Bill 1506
Motion to Concur in House Amendment 1 to Senate Bill 1518
Motion to Concur in House Amendment 1 to Senate Bill 1524

At the hour of 3:13 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, May 23, 2019, at 12:00 o'clock noon.