SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED SECOND GENERAL ASSEMBLY

28TH LEGISLATIVE DAY

WEDNESDAY, APRIL 21, 2021

11:08 O'CLOCK A.M.

NO. 28
[April 21, 2021]

SENATE
Daily Journal Index
28th Legislative Day

The Senate met pursuant to adjournment.
Senator Linda Holmes, Aurora, Illinois, presiding.
Silent prayer was observed by all members of the Senate.
Senator Bennett led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 20, 2021, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Peru Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Athens Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Bethany Police Department.

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the Bethany Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Sycamore Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Jacksonville Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Sterling Police Department.

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Peru Police Department.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

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

Amendment No. 3 to Senate Bill 677
Amendment No. 4 to Senate Bill 677
Amendment No. 2 to Senate Bill 701
Amendment No. 2 to Senate Bill 740
Amendment No. 2 to Senate Bill 825
Amendment No. 2 to Senate Bill 923
Amendment No. 2 to Senate Bill 1040
Amendment No. 1 to Senate Bill 1096
Amendment No. 1 to Senate Bill 1500
Amendment No. 2 to Senate Bill 2122
Amendment No. 2 to Senate Bill 2137

Amendment No. 1 to Senate Bill 2434
Amendment No. 1 to Senate Bill 2494
Amendment No. 2 to Senate Bill 2663
Amendment No. 1 to Senate Bill 2665

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

Amendment No. 1 to Senate Bill 317
Amendment No. 1 to Senate Bill 1605

REPORTS FROM STANDING COMMITTEES

Senator Martwick, Chair of the Committee on Pensions, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1056
Senate Amendment No. 3 to Senate Bill 2103
Senate Amendment No. 2 to Senate Bill 2107
Senate Amendment No. 1 to Senate Bill 2168

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

Senator Holmes, Chair of the Committee on Labor, to which was referred **Senate Bills Numbered 1905 and 2486**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.
Under the rules, the bills were ordered to a second reading.

Senator Gillespie, Chair of the Committee on Ethics, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 4

Under the rules, the foregoing floor amendment is 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 75
A bill for AN ACT concerning education.

HOUSE BILL NO. 192
A bill for AN ACT concerning health.

HOUSE BILL NO. 2408
A bill for AN ACT concerning safety.

HOUSE BILL NO. 3496
A bill for AN ACT concerning education.

HOUSE BILL NO. 3513
A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 3620
A bill for AN ACT concerning public aid.

Passed the House, April 20, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 75, 192, 2408, 3496, 3513 and 3620** were taken up, ordered printed and placed on first reading.

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

HOUSE BILL NO. 96

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 165

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 268

A bill for AN ACT concerning local government.

HOUSE BILL NO. 279

A bill for AN ACT concerning health.

HOUSE BILL NO. 2616

A bill for AN ACT concerning finance.

HOUSE BILL NO. 3165

A bill for AN ACT concerning property.

HOUSE BILL NO. 3289

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 3485

A bill for AN ACT concerning domestic violence.

HOUSE BILL NO. 3879

A bill for AN ACT concerning State government.

Passed the House, April 20, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 96, 165, 268, 279, 2616, 3165, 3289, 3485 and 3879** were taken up, ordered printed and placed on first reading.

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

HOUSE BILL NO. 118

A bill for AN ACT concerning employment.

HOUSE BILL NO. 234

A bill for AN ACT concerning education.

HOUSE BILL NO. 594

A bill for AN ACT concerning government.

HOUSE BILL NO. 1290

A bill for AN ACT concerning government.

HOUSE BILL NO. 1739

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1838

A bill for AN ACT concerning human rights.

HOUSE BILL NO. 2412

A bill for AN ACT concerning civil law.

Passed the House, April 20, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 118, 234, 594, 1290, 1739, 1838 and 2412** were taken up, ordered printed and placed on first reading.

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

HOUSE BILL NO. 721
A bill for AN ACT concerning finance.

HOUSE BILL NO. 796
A bill for AN ACT concerning education.

HOUSE BILL NO. 1769
A bill for AN ACT concerning revenue.

HOUSE BILL NO. 2406
A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2622
A bill for AN ACT concerning employment.

HOUSE BILL NO. 3281
A bill for AN ACT concerning education.

HOUSE BILL NO. 3355
A bill for AN ACT concerning criminal law.

Passed the House, April 20, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 721, 796, 1769, 2406, 2622, 3281 and 3355** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 75, sponsored by Senator Villivalam, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 96, sponsored by Senator Stadelman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 118, sponsored by Senator Villivalam, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 165, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 192, sponsored by Senator Villivalam, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 234, sponsored by Senator Villa, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 268, sponsored by Senator T. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 279, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 601, sponsored by Senator Villa, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 721, sponsored by Senator Aquino, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 796, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1290, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1769, sponsored by Senator Cunningham, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1838, sponsored by Senator Villivalam, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2408, sponsored by Senator Castro, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2412, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2616, sponsored by Senator Fine, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3289, sponsored by Senator Connor, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3355, sponsored by Senator Plummer, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3496, sponsored by Senator Villanueva, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3513, sponsored by Senator Connor, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3620, sponsored by Senator Pacione-Zayas, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3879, sponsored by Senator Villa, was taken up, read by title a first time and referred to the Committee on Assignments.

MOTION

Senator Hunter moved that pursuant to Senate Rule 4-1(e), Senators Harris, Lightford, Plummer, Van Pelt and Wilcox be allowed to remotely participate and vote in today's session.

The motion prevailed.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 21, 2021 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Floor Amendment No. 1 to Senate Bill 2474**.

Education: **Floor Amendment No. 1 to Senate Bill 810; Floor Amendment No. 3 to Senate Bill 814**.

Executive: **Senate Bill No. 1770; Floor Amendment No. 2 to Senate Bill 820; Floor Amendment No. 2 to Senate Bill 825; Floor Amendment No. 2 to Senate Bill 828**.

Higher Education: **Floor Amendment No. 1 to Senate Bill 661; Floor Amendment No. 1 to Senate Bill 662**.

Insurance: **Committee Amendment No. 3 to Senate Bill 1672**.

Licensed Activities: **Floor Amendment No. 1 to Senate Bill 965; Floor Amendment No. 2 to Senate Bill 1732**.

Revenue: **Floor Amendment No. 1 to Senate Bill 855; Committee Amendment No. 1 to Senate Bill 1983**.

State Government: **Floor Amendment No. 1 to Senate Bill 2459; Committee Amendment No. 1 to Senate Bill 2469**.

Senator Hunter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Barickman asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 11:26 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 12:21 o'clock p.m., the Senate resumed consideration of business.
Senator Holmes, presiding.

MOTION

Senator Collins moved that pursuant to Senate Rule 4-1(e), Senator Pacione-Zayas be allowed to remotely participate and vote in today’s session.
The motion prevailed.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Barickman, **Senate Bill No. 47** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 105** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 105

AMENDMENT NO. 1 . Amend Senate Bill 105 by replacing everything after the enacting clause with the following:

"Section 5. The Nurse Practice Act is amended by changing Section 65-43 as follows:

(225 ILCS 65/65-43)

(Section scheduled to be repealed on January 1, 2028)

Sec. 65-43. Full practice authority.

(a) An Illinois-licensed advanced practice registered nurse certified as a nurse practitioner, nurse midwife, or clinical nurse specialist shall be deemed by law to possess the ability to practice without a written collaborative agreement as set forth in this Section.

(b) An advanced practice registered nurse certified as a nurse midwife, clinical nurse specialist, or nurse practitioner who files with the Department a notarized attestation of completion of at least 250 hours of continuing education or training and at least 4,000 hours of clinical experience after first attaining national certification shall not require a written collaborative agreement~~, except as specified in subsection (c)~~. Documentation of successful completion shall be provided to the Department upon request.

Continuing education or training hours required by subsection (b) shall be in the advanced practice registered nurse's area of certification as set forth by Department rule.

The clinical experience must be in the advanced practice registered nurse's area of certification. The clinical experience shall be in collaboration with a physician or physicians. Completion of the clinical experience must be attested to by the collaborating physician or physicians or employer and the advanced practice registered nurse. If the collaborating physician or physicians or employer is unable to attest to the completion of the clinical experience, the Department may accept other evidence of clinical experience as established by rule.

(c) The scope of practice of an advanced practice registered nurse with full practice authority includes:

(1) all matters included in subsection (c) of Section 65-30 of this Act;

(2) practicing without a written collaborative agreement in all practice settings consistent with national certification;

(3) authority to prescribe both legend drugs and Schedule II through V controlled substances; this authority includes prescription of, selection of, orders for, administration of, storage of, acceptance of samples of, and dispensing over the counter medications, legend drugs, and controlled substances categorized as any Schedule II through V controlled substances, as defined in Article II of the Illinois Controlled Substances Act, and other preparations, including, but not limited to, botanical and herbal remedies;

(4) prescribing benzodiazepines or Schedule II narcotic drugs, such as opioids, only in a consultation relationship with a physician; this consultation relationship shall be recorded in the Prescription Monitoring Program website, pursuant to Section 316 of the Illinois Controlled Substances Act, by the physician and advanced practice registered nurse with full practice authority and is not required to be filed with the Department; the specific Schedule II narcotic drug must be identified by either brand name or generic name; the specific Schedule II narcotic drug, such as an opioid, may be administered by oral dosage or topical or transdermal application; delivery by injection or other route of administration is not permitted; at least monthly, the advanced practice registered nurse and the physician must discuss the condition of any patients for whom a benzodiazepine or opioid is prescribed; nothing in this subsection shall be construed to require a prescription by an advanced practice registered nurse with full practice authority to require a physician name;

(5) authority to obtain an Illinois controlled substance license and a federal Drug Enforcement Administration number; and

(6) use of only local anesthetic.

The scope of practice of an advanced practice registered nurse does not include operative surgery. Nothing in this Section shall be construed to preclude an advanced practice registered nurse from assisting in surgery.

(d) The Department may adopt rules necessary to administer this Section, including, but not limited to, requiring the completion of forms and the payment of fees.

(e) Nothing in this Act shall be construed to authorize an advanced practice registered nurse with full practice authority to provide health care services required by law or rule to be performed by a physician. (Source: P.A. 100-513, eff. 1-1-18; 101-13, eff. 6-12-19.)".

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

On motion of Senator Murphy, **Senate Bill No. 140** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 208** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 208

AMENDMENT NO. 1 . Amend Senate Bill 208 as follows:

on page 2, lines 1 and 2, by replacing "one employee" with "5 employees"; and

on page 2, lines 19 and 20, by replacing "~~or small employer~~" with "or small employer"; and

on page 3, by replacing lines 1 through 8 with the following:

"Small employer" means a person or entity engaged in a business, industry, profession, trade, or other enterprise in Illinois, whether for profit or not for profit, that (i) employed less than 5 ~~25~~ employees during any quarter of ~~at any one time in the State throughout~~ the previous calendar year, or (ii) has been in business less than 2 years, or both items (i) and (ii), but that notifies the Board that it is interested in being a participating employer."; and

on page 9, by replacing lines 16 through 18 with the following:

"The enrollment deadline for employers with fewer than 25 employees and more than 15 employees shall be no sooner than September 1, 2022. The enrollment deadline for employers with at least 5 employees but not more than 15 employees shall be no sooner than September 1, 2023. ~~Board's implementation timeline shall ensure that all employees are required to be enrolled in the Program by December 31, 2020.~~ The provisions of this Section shall be in"; and

on page 10, by replacing lines 5 through 12 with the following:

"Program. Small employers may, but are not required to, provide payroll deduction retirement savings arrangements for each employee who elects to participate in the Program. ~~Small employers' use of automatic enrollment for employees is subject to final rules from the United States Department of Labor.~~ Utilization of automatic enrollment by small employers may be allowed only if it does not create employer liability under the federal Employee Retirement Income Security Act."; and

on page 14, line 4, by replacing "90" with "120 ~~90~~"; and

on page 14, by replacing line 8 with the following:

"subsection (c) of this Section or come into full compliance with the Program as required under Section 60 of this Act."; and

on page 14, line 9, by replacing "90" with "120 ~~90~~"; and

on page 14, line 19, by replacing "90" with "120 ~~90~~"; and

on page 16, line 11, by replacing "90" with "120 ~~90~~".

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

On motion of Senator Cunningham, **Senate Bill No. 221** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 225** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeWitte, **Senate Bill No. 273** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 273

AMENDMENT NO. 1 . Amend Senate Bill 273 by replacing everything after the enacting clause with the following:

"Section 5. The Public Funds Investment Act is amended by changing Section 2 as follows:
(30 ILCS 235/2) (from Ch. 85, par. 902)
Sec. 2. Authorized investments.
(a) Any public agency may invest any public funds as follows:

(1) in bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued, which are guaranteed by the full faith and credit of the United States of America as to principal and interest;

(2) in bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities;

(3) in interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act;

(4) in short-term obligations of corporations organized in the United States with assets exceeding $500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and which mature not later than 270 days ~~3 years~~ from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding obligations, and (iii) no more than one-third of the public agency's funds may be invested in short-term ~~short term~~ obligations of corporations under this paragraph (4); ~~or~~

(4.5) in obligations of corporations organized in the United States with assets exceeding $500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and which mature more than 270 days but less than 3 years from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding obligations, and (iii) no more than one-third of the public agency's funds may be invested in obligations of corporations under this paragraph (4.5); or

(5) in money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.

(a-1) In addition to any other investments authorized under this Act, a municipality, park district, forest preserve district, conservation district, county, or other governmental unit may invest its public funds in interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be registered in the name of the municipality, park district, forest preserve district, conservation district, county, or other governmental unit, or held under a custodial agreement at a

bank. The bonds shall be rated at the time of purchase within the 4 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.

(b) Investments may be made only in banks which are insured by the Federal Deposit Insurance Corporation. Any public agency may invest any public funds in short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of such governing authority, the public funds so invested will be required for expenditure by such public agency or its governing authority. The expressed judgment of any such governing authority as to the time when any public funds will be required for expenditure or be redeemable is final and conclusive. Any public agency may invest any public funds in dividend-bearing share accounts, share certificate accounts or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.

(c) For purposes of this Section, the term "agencies of the United States of America" includes: (i) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) and Acts amendatory thereto; (ii) the federal home loan banks and the federal home loan mortgage corporation; and (iii) any other agency created by Act of Congress.

(d) Except for pecuniary interests permitted under subsection (f) of Section 3-14-4 of the Illinois Municipal Code or under Section 3.2 of the Public Officer Prohibited Practices Act, no person acting as treasurer or financial officer or who is employed in any similar capacity by or for a public agency may do any of the following:

(1) have any interest, directly or indirectly, in any investments in which the agency is authorized to invest.

(2) have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.

(3) receive, in any manner, compensation of any kind from any investments in which the agency is authorized to invest.

(e) Any public agency may also invest any public funds in a Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. Any public agency may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.

(f) To the extent a public agency has custody of funds not owned by it or another public agency and does not otherwise have authority to invest such funds, the public agency may invest such funds as if they were its own. Such funds must be released to the appropriate person at the earliest reasonable time, but in no case exceeding 31 days, after the private person becomes entitled to the receipt of them. All earnings accruing on any investments or deposits made pursuant to the provisions of this Act shall be credited to the public agency by or for which such investments or deposits were made, except as provided otherwise in Section 4.1 of the State Finance Act or the Local Governmental Tax Collection Act, and except where by specific statutory provisions such earnings are directed to be credited to and paid to a particular fund.

(g) A public agency may purchase or invest in repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued thereunder. The government securities, unless registered or inscribed in the name of the public agency, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

(h) Except for repurchase agreements of government securities which are subject to the Government Securities Act of 1986, as now or hereafter amended or succeeded, no public agency may purchase or invest in instruments which constitute repurchase agreements, and no financial institution may enter into such an

agreement with or on behalf of any public agency unless the instrument and the transaction meet the following requirements:

(1) The securities, unless registered or inscribed in the name of the public agency, are purchased through banks or trust companies authorized to do business in the State of Illinois.

(2) An authorized public officer after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The "custodial bank" is the bank or trust company, or agency of government, which acts for the public agency in connection with repurchase agreements involving the investment of funds by the public agency. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements. To the extent the Treasurer acts in this capacity, he is hereby authorized to pass through to such public agencies any charges assessed by the Federal Reserve Bank.

(3) A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank's computer records through a member bank of the Federal Reserve System. These securities must be credited to the public agency on the records of the custodial bank and the transaction must be confirmed in writing to the public agency by the custodial bank.

(4) Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.

(5) The security interest must be perfected.

(6) The public agency enters into a written master repurchase agreement which outlines the basic responsibilities and liabilities of both buyer and seller.

(7) Agreements shall be for periods of 330 days or less.

(8) The authorized public officer of the public agency informs the custodial bank in writing of the maturity details of the repurchase agreement.

(9) The custodial bank must take delivery of and maintain the securities in its custody for the account of the public agency and confirm the transaction in writing to the public agency. The Custodial Undertaking shall provide that the custodian takes possession of the securities exclusively for the public agency; that the securities are free of any claims against the trading partner; and any claims by the custodian are subordinate to the public agency's claims to rights to those securities.

(10) The obligations purchased by a public agency may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the public agency or officer authorized to make such investments.

(11) The custodial bank shall be liable to the public agency for any monetary loss suffered by the public agency due to the failure of the custodial bank to take and maintain possession of such securities.

(i) Notwithstanding the foregoing restrictions on investment in instruments constituting repurchase agreements the Illinois Housing Development Authority may invest in, and any financial institution with capital of at least $250,000,000 may act as custodian for, instruments that constitute repurchase agreements, provided that the Illinois Housing Development Authority, in making each such investment, complies with the safety and soundness guidelines for engaging in repurchase transactions applicable to federally insured banks, savings banks, savings and loan associations or other depository institutions as set forth in the Federal Financial Institutions Examination Council Policy Statement Regarding Repurchase Agreements and any regulations issued, or which may be issued by the supervisory federal authority pertaining thereto and any amendments thereto; provided further that the securities shall be either (i) direct general obligations of, or obligations the payment of the principal of and/or interest on which are unconditionally guaranteed by, the United States of America or (ii) any obligations of any agency, corporation or subsidiary thereof controlled or supervised by and acting as an instrumentality of the United States Government pursuant to authority granted by the Congress of the United States and provided further that the security interest must be perfected by either the Illinois Housing Development Authority, its custodian or its agent receiving possession of the securities either physically or transferred through a nationally recognized book entry system.

(j) In addition to all other investments authorized under this Section, a community college district may invest public funds in any mutual funds that invest primarily in corporate investment grade or global government short term bonds. Purchases of mutual funds that invest primarily in global government short term bonds shall be limited to funds with assets of at least $100 million and that are rated at the time of purchase as one of the 10 highest classifications established by a recognized rating service. The investments

shall be subject to approval by the local community college board of trustees. Each community college board of trustees shall develop a policy regarding the percentage of the college's investment portfolio that can be invested in such funds.

Nothing in this Section shall be construed to authorize an intergovernmental risk management entity to accept the deposit of public funds except for risk management purposes.
(Source: P.A. 100-752, eff. 8-10-18.)

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

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

On motion of Senator Castro, **Senate Bill No. 294** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Feigenholtz, **Senate Bill No. 330** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 330

AMENDMENT NO. 2 . Amend Senate Bill 330 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Housing Development Act is amended by adding Section 13.1 as follows:
(20 ILCS 3805/13.1 new)

Sec. 13.1. Form for local agencies. The Authority shall develop a form and include it with the final financing agreement that summarizes the terms of the financing agreement, which should include the following: the length of the affordability period guaranteed under the financing agreement; a legal description; if then available, the address and property index numbers for all applicable property contemplated by the agreement; and any other information that may be relevant for a local county assessor's office and local county and municipal housing development authority to qualify or evidence eligibility for an applicable reduction in the assessed value of an affordable rental housing. This form may vary by county only if the Authority deems necessary. The nonprofit corporation, housing corporation, limited-profit entity, developer, or other entity receiving financing or other assistance under this Act shall file the form with the local county assessor's office and, where applicable, the local county and municipal housing authority for the county in which the property is located. No fees shall be levied against the nonprofit corporation, housing corporation, limited-profit entity, developer, or other entity for filing the form with the county assessor's office of local housing authority.

Section 10. The Property Tax Code is amended by adding Section 15-178 as follows:
(35 ILCS 200/15-178 new)

Sec. 15-178. Reduction in assessed value for affordable rental housing construction or rehabilitation.

(a) The General Assembly finds that there is a shortage of high quality affordable rental homes for low-income and very-low-income households throughout Illinois; that owners and developers of rental housing face significant challenges building newly constructed apartments or undertaking rehabilitation of existing properties that result in rents that are affordable for low-income and very-low-income households; and that it will help Cook County and other parts of Illinois address the extreme shortage of affordable rental housing by developing a Statewide policy to determine the assessed value for newly constructed and rehabilitated affordable rental housing that both encourages investment and incentivizes property owners to keep rents affordable.

(b) Any county with 3,000,000 or more inhabitants shall implement a special assessment program to reduce the assessed value of all eligible newly-constructed residential real property or qualifying rehabilitation to all eligible existing residential real property in accordance with subsection (c) for 10 taxable

years after the newly constructed residential real property or improvements to existing residential real property are put in service. Any county with less than 3,000,000 inhabitants may decide not to implement this special assessment program upon passage of an ordinance by a majority vote of the county board. Subsequent to a vote to opt-out of this special assessment program, any county with less than 3,000,000 inhabitants may decide to implement this special assessment program upon passage of an ordinance by a majority vote of the county board. Property is eligible for the special assessment program if and only if all of the following factors have been met:

(1) the property consists of a newly-constructed multifamily building containing 7 or more rental dwelling units or an existing multifamily building that has undergone qualifying rehabilitation resulting in 7 or more rental dwelling units;

(2) except as defined in subparagraphs (E), (F), and (G) of paragraph (6) of subsection (d) of this Section, prior to the newly-constructed residential real property or improvements to existing residential real property being put in service, the owner of the residential real property commits that, for a period of 10 years, at least 15% of the multifamily building's units will have rents as defined in this Section that are at or below maximum rents and are occupied by households with household incomes at or below maximum income limits; and

(3) the property meets the application requirements defined in subsection (d).

(c) The amount of the reduction shall be calculated as follows:

(1) if the owner of the residential real property commits for a period of at least 10 years that at least 15% but fewer than 35% of the multifamily building's units have rents at or below maximum rents and are occupied by households with household incomes at or below maximum income limits, the assessed value of the property used to calculate the tax bill shall be reduced by an amount equal to 25% of the assessed value of the property as initially determined by the assessor for the property in the current taxable year for the newly-constructed residential real property or based on the improvements to an existing residential real property; and

(2) if the owner of the residential real property commits for a period of at least 10 years that at least 35% of the multifamily building's units have rents at or below maximum rents and are occupied by households with household incomes at or below maximum income limits, the assessed value of the property used to calculate the tax bill shall be reduced by an amount equal to 35% of the assessed value of the property as initially determined by the assessor for the property in the current assessment year for the newly constructed residential real property or based on the improvements to an existing residential real property.

(d) Application requirements.

(1) In order to receive the reduced valuation under this Section, the owner must submit an application containing the following information to the chief county assessment officer for review in the form required by the chief county assessment officer:

(A) the owner's name;

(B) the postal address and permanent index number or numbers of the parcel or parcels for which the owner is applying to receive reduced valuation under this Section;

(C) a deed or other instrument conveying the parcel or parcels to the current owner;

(D) written evidence that the new construction or qualifying rehabilitation has been completed with respect to the residential real property, including, but not limited to, copies of building permits, a notarized contractor's sworn affidavit, and photographs of the interior and exterior of the building after new construction or rehabilitation is completed;

(E) written evidence that the residential real property meets local building codes, or if there are no local building codes, Housing Quality Standards, as determined by the United States Department of Housing and Urban Development;

(F) a list identifying the affordable units in residential real property and a written statement that the affordable units are comparable to the market rate units in terms of unit type, number of bedrooms per unit, quality of exterior appearance, energy efficiency, and overall quality of construction;

(G) a written schedule certifying the rents in each affordable unit and a written statement that these rents do not exceed the maximum rents allowable for the area in which the residential real property is located;

(H) documentation from the administering agency verifying the owner's participation in a qualifying income-based rental subsidy program as defined in subsection (e) of this Section if

units receiving rental subsidies are to be counted among the affordable units in order to meet the thresholds defined in this Section;

(I) a written statement identifying the household income for every household occupying an affordable unit and certifying that the household income does not exceed the maximum income limits allowable for the area in which the residential real property is located;

(J) a written statement that the owner has verified and retained documentation of household income for every household occupying an affordable unit; and

(K) any additional information consistent with this Section as reasonably required by the chief county assessment officer, including, but not limited to, any information necessary to ensure compliance with applicable local ordinances and to ensure the owner is complying with the provisions of this Section.

(2) The application requirements contained in subparagraphs (A), (B), (C), (F), (G), (H), (I), (J), and (K) of paragraph (1) of this subsection (d) are continuing requirements for the duration of the reduction in assessed value and may be annually or periodically verified by the chief county assessment officer for the county in which the reduced valuation is being issued.

(3) In lieu of submitting an application containing the information prescribed in paragraph (1) of this subsection (d), the chief county assessment officer may allow for the submission of a substantially similar certification granted by the Illinois Housing Development Authority or a comparable local authority provided that the chief county assessment officer independently verifies the veracity of the certification with the Illinois Housing Development Authority or comparable local authority.

(4) The chief county assessment officer shall notify the owner as to whether or not the property meets the requirements of this Section. If the property does not meet the requirements of this Section, the chief county assessment officer shall provide written notice of any deficiencies to the owner, who shall then have 30 days from the date of notification to provide supplemental information showing compliance with this Section. If the owner does not exercise this right to cure the deficiency, or if the information submitted, in the sole judgment of the chief county assessment officer, is insufficient to meet the requirements of this Section, the chief county assessment officer shall provide a written explanation of the reasons for denial.

(5) The chief county assessment officer may charge a reasonable application fee to offset the administrative expenses associated with the program.

(6) The reduced valuation conferred by this Section is limited as follows:

(A) The owner is eligible to apply for the reduced valuation conferred by this Section beginning in the first assessment cycle after the effective date of this amendatory Act of the 102nd General Assembly through December 31, 2031. If approved, the reduction will be effective for the current assessment year, which will be reflected in the tax bill issued in the following calendar year. Owners that are approved for the reduced valuation under this Section before December 31, 2031 shall, at minimum, be eligible for annual renewal of the reduced valuation during an initial 10-year period if annual certification requirements are met for each of the 10 years, as described in subparagraph (B) of this paragraph (6) of this Section until December 31, 2041.

(B) Property receiving a reduction outlined in this Section shall continue to be eligible for an initial period of up to 10 years if annual certification requirements are met for each of the 10 years, but shall be extended for up to 2 additional 10-year periods with annual renewals if the owner continues to meet the requirements of this Section, including annual certifications, and excluding the requirements regarding new construction or qualifying rehabilitation defined in subparagraph (D) of paragraph (1) of this subsection.

(C) The annual certification materials in the year prior to final year of eligibility for the reduction in assessed value must include a dated copy of the written notice provided to tenants informing them of the date of the termination if the owner is not seeking a renewal.

(D) If the property is sold or transferred, the purchaser or transferee must comply with all requirements of this Section, excluding the requirements regarding new construction or qualifying rehabilitation defined in subparagraph (D) of paragraph (1) of this subsection, in order to continue receiving the reduction in assessed value. Purchasers and transferees who comply with all requirements of this Section excluding the requirements regarding new

construction or qualifying rehabilitation defined in subparagraph (D) of paragraph (1) of this subsection are eligible to apply for renewal on the schedule set by the initial application.

(E) The owner may apply for the reduced valuation if the residential real property meets all requirements of this Section and the newly-constructed residential real property or improvements to existing residential real property were put in service on or after January 1, 2015. However, the initial 10-year eligibility period shall be reduced by the number of years between the placed in service date and the date the owner first receives this reduced valuation.

(F) The owner may apply for the reduced valuation within 2 years after the newly-constructed residential real property or improvements to existing residential real property are put in service. However, the initial 10 year eligibility period shall be reduced for the number of years between the placed in service date and the date the owner first receives this reduced valuation.

(G) Owners of a multifamily building receiving a reduced valuation through the Cook County Class 9 program during the year in which this amendatory Act of the 102nd General Assembly takes effect shall be deemed automatically eligible for the reduced valuation defined in this Section in terms of meeting the criteria for new construction or substantial rehabilitation for a specific multifamily building regardless of when the newly-constructed residential real property or improvements to existing residential real property were put in service. If a Cook County Class 9 owner had Class 9 status revoked on or after January 1, 2017 but can provide documents sufficient to prove that the revocation was in error or any deficiencies leading to the revocation have been cured, the chief county assessment officer may deem the owner to be eligible. However, owners may not receive the both the reduced valuation under this Section and the reduced valuation under the Cook County Class 9 program in any single assessment year. In addition, the number of years during which an owner has participated in the Class 9 program shall count against the number of remaining years eligible for the reduced valuation as defined in this Section.

(H) At the completion of the assessment reduction period described in this Section, the entire parcel will be assessed as otherwise provided in State law.

(e) For the purposes of this Section,

"Affordable units" means units that have rents that do not exceed the maximum rents as defined in this Section.

"Household income" includes the annual income for all the people who occupy a housing unit that is anticipated to be received from a source outside of the family during the 12-month period following admission or the annual recertification, including related family members and all the unrelated people who share the housing unit. Household income includes the sum total of the following income sources: wages, salaries and tips before any payroll deductions; net business income; interest and dividends; payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay; Social Security income, including lump sum payments; payments from insurance policies, annuities, pensions, disability benefits and other types of periodic payments, alimony, child support, and other regular monetary contributions; and public assistance, except for assistance from the Supplemental Nutrition Assistance Program (SNAP). "Household income" does not include: earnings of children under age 18; temporary income such as cash gifts; reimbursement for medical expenses; lump sums from inheritance, insurance payments, settlements for personal or property losses; student financial assistance paid directly to the student or to an educational institution; foster child care payments; receipts from government-funded training programs; assistance from the Supplemental Nutrition Assistance Program (SNAP).

"Maximum income limits" means the maximum regular income limits for 60% of area median income for the geographic area in which the multifamily building is located for multifamily programs as determined by the United States Department of Housing and Urban Development and published annually by the Illinois Housing Development Authority.

"Maximum rent" means the maximum regular rent for 60% of the area median income for the geographic area in which the multifamily building is located for multifamily programs as determined by the United States Department of Housing and Urban Development and published annually by the Illinois Housing Development Authority. To be eligible for the reduced valuation defined in this Section, maximum rents are to be consistent with the Illinois Housing Development Authority's rules; or if the owner is leasing an affordable unit to a household with an income at or below the maximum income limit who is

participating in qualifying income-based rental subsidy program, "maximum rent" means the maximum rents allowable under the guidelines of the qualifying income-based rental subsidy program.

"Qualifying income-based rental subsidy program" means a Housing Choice Voucher issued by a housing authority under Section 8 of the United States Housing Act of 1937, a tenant voucher converted to a project-based voucher by a housing authority or any other program administered or funded by a housing authority, the Illinois Housing Development Authority, another State agency, a federal agency, or a unit of local government where participation is limited to households with incomes at or below the maximum income limits as defined in this Section and the tenants' portion of the rent payment is based on a percentage of their income or a flat amount that does not exceed the maximum rent as defined in this Section.

"Qualifying rehabilitation" means, at a minimum, compliance with local building codes and the replacement or renovation of at least 2 primary building systems. Although the cost of each primary building system may vary, to be approved for the reduced valuation under paragraph (1) of subsection (c) of this Section, the combined expenditure for making the building compliant with local codes and replacing primary building systems must be at least $8 per square foot for work completed between January 1 of the year in which this amendatory Act of the 102nd General Assembly takes effect and December 31 of the year in which this amendatory Act of the 102nd General Assembly takes effect and in subsequent years, $8 adjusted by the Consumer Price Index for All Urban Consumers, as published annually by the U.S. Department of Labor. To be approved for the reduced valuation under paragraph (2) of subsection (c) of this Section, the combined expenditure for making the building compliant with local codes and replacing primary building systems must be at least $12.50 per square foot for work completed between January 1 of the year in which this amendatory Act of the 102nd General Assembly takes effect and December 31 of the year in which this amendatory Act of the 102nd General Assembly takes effect, and in subsequent years, $12.50 adjusted by the Consumer Price Index for All Urban Consumers, as published annually by the U.S. Department of Labor. Primary building systems, together with their related rehabilitations, specifically approved for this program are:

(1) Electrical. All electrical work must comply with applicable codes; it may consist of a combination of any of the following alternatives:

(A) installing individual equipment and appliance branch circuits as required by code (the minimum being a kitchen appliance branch circuit);

(B) installing a new emergency service, including emergency lighting with all associated conduits and wiring;

(C) rewiring all existing feeder conduits ("home runs") from the main switchgear to apartment area distribution panels;

(D) installing new in-wall conduits for receptacles, switches, appliances, equipment, and fixtures;

(E) replacing power wiring for receptacles, switches, appliances, equipment, and fixtures;

(F) installing new light fixtures throughout the building including closets and central areas;

(G) replacing, adding, or doing work as necessary to bring all receptacles, switches, and other electrical devices into code compliance;

(H) installing a new main service, including conduit, cables into the building, and main disconnect switch; and

(I) installing new distribution panels, including all panel wiring, terminals, circuit breakers, and all other panel devices.

(2) Heating. All heating work must comply with applicable codes; it may consist of a combination of any of the following alternatives:

(A) installing a new system to replace one of the following heat distribution systems:

(i) piping and heat radiating units, including new main line venting and radiator venting; or

(ii) duct work, diffusers, and cold air returns; or

(iii) any other type of existing heat distribution and radiation/diffusion components; or

(B) installing a new system to replace one of the following heat generating units:

(i) hot water/steam boiler;

(ii) gas furnace; or

(iii) any other type of existing heat generating unit.

(3) Plumbing. All plumbing work must comply with applicable codes. Replace all or a part of the in-wall supply and waste plumbing; however, main supply risers, waste stacks and vents, and code-conforming waste lines need not be replaced.

(4) Roofing. All roofing work must comply with applicable codes; it may consist of either of the following alternatives, separately or in combination:

(A) replacing all rotted roof decks and insulation; or

(B) replacing or repairing leaking roof membranes (10% is the suggested minimum replacement of membrane); restoration of the entire roof is an acceptable substitute for membrane replacement.

(5) Exterior doors and windows. Replace the exterior doors and windows. Renovation of ornate entry doors is an acceptable substitute for replacement.

(6) Floors, walls, and ceilings. Finishes must be replaced or covered over with new material. Acceptable replacement or covering materials are as follows:

(A) floors must have new carpeting, vinyl tile, ceramic, refurbished wood finish, or a similar substitute;

(B) walls must have new drywall, including joint taping and painting; or

(C) new ceilings must be either drywall, suspended type, or a similar

(7) Exterior walls.

(A) replace loose or crumbling mortar and masonry with new material;

(B) replace or paint wall siding and trim as needed;

(C) bring porches and balconies to a sound condition; or

(D) any combination of (A), (B), and (C).

(8) Elevators. Where applicable, at least 4 of the following 7 alternatives must be accomplished:

(A) replace or rebuild the machine room controls and refurbish the elevator machine (or equivalent mechanisms in the case of hydraulic elevators);

(B) replace hoistway electro-mechanical items including: ropes, switches, limits, buffers, levelers, and deflector sheaves (or equivalent mechanisms in the case of hydraulic elevators);

(C) replace hoistway wiring;

(D) replace door operators and linkage;

(E) replace door panels at each opening;

(F) replace hall stations, car stations, and signal fixtures; or

(G) rebuild the car shell and refinish the interior.

(9) Health and safety.

(A) install or replace fire suppression systems;

(B) install or replace security systems; or

(C) environmental remediation of lead-based paint, asbestos, leaking underground storage tanks, or radon.

(10) Energy conservation improvements undertaken to limit the amount of solar energy absorbed by a building's roof or to reduce energy use for the property, including, but not limited to, any of the following activities:

(A) installing or replacing reflective roof coatings (flat roofs);

(B) installing or replacing R-49 roof insulation;

(C) installing or replacing R-19 perimeter wall insulation;

(D) installing or replacing insulated entry doors;

(E) installing or replacing Low E, insulated windows;

(F) installing or replacing WaterSense labeled plumbing fixtures;

(G) installing or replacing 90% or better sealed combustion heating systems;

(H) installing Energy Star hot water heaters;

(I) installing or replacing mechanical ventilation to exterior for kitchens and baths;

(J) installing or replacing Energy Star appliances;

(K) installing or replacing Energy Star certified lighting in common areas; or

(L) installing or replacing grading and landscaping to promote on-site water retention if the retained water is used to replace water that is provided from a municipal source.

(11) Accessibility improvements. All accessibility improvements must comply with applicable codes. An owner may make accessibility improvements to residential real property to increase access for people with disabilities. As used in this paragraph (11), "disability" has the meaning given to that

term in the Illinois Human Rights Act. As used in this paragraph (11), "accessibility improvements" means a home modification listed under the Home Services Program administered by the Department of Human Services (Part 686 of Title 89 of the Illinois Administrative Code) including, but not limited to: installation of ramps, grab bars, or wheelchair lifts; widening doorways or hallways; re-configuring rooms and closets; and any other changes to enhance the independence of people with disabilities.

(12) Any applicant who has purchased the property in an arm's length transaction not more than 90 days before applying for this reduced valuation may use the cost of rehabilitation or repairs required by documented code violations, up to a maximum of $2 per square foot, to meet the qualifying rehabilitation requirements.

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

Committee Amendment No. 3 was held in the Committee on Revenue.

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

On motion of Senator Crowe, **Senate Bill No. 336** having been printed, was taken up, read by title a second time.

Senator Crowe offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 336

AMENDMENT NO. 1 . Amend Senate Bill 336 by replacing everything after the enacting clause with the following:

"Section 5. The Vital Records Act is amended by adding Section 17.1 as follows:
(410 ILCS 535/17.1 new)
Sec. 17.1. Redacted certificate of birth.
(a) The Department shall issue a certificate of birth with the identity of the certifier redacted upon request by:

(1) any person named on the certificate of birth, if the person is 18 years of age or older;
(2) a parent of the person named on the certificate of birth;
(3) the legal representative of the person named on the certificate of birth; or
(4) an attorney at law authorized in writing by the person named on the certificate of birth.

(b) The Department may adopt any rules necessary to implement the provisions of this Section.

Section 99. Effective date. This Act takes effect 120 days after becoming law.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Peters, **Senate Bill No. 347** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 347

AMENDMENT NO. 1 . Amend Senate Bill 347 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Alternatives to Crisis Escalation (ACE) Act.

Section 5. Purpose. This Act is intended to strengthen and bring community awareness to underutilized Medicaid mental health and substance use crisis response services, called adult mobile crisis response services, to enable timely community-based stabilization, symptom management, and connection to treatment before crisis symptoms escalate to an emergent level, and to enable similar crisis response services for anyone regardless of insurance status.

Section 10. Public awareness campaign. The Department of Public Health, or a third-party contractor with experience in successful public education and awareness campaigns selected by the Department of Public Health, shall develop and lead a 2-year educational campaign within each of Illinois' 11 health regions on the availability of adult mobile crisis response services within each region and how to access such services. The Department of Public Health shall develop and implement this public awareness and educational campaign in collaboration with community stakeholders, including the types of organizations and individuals listed in paragraph (5), the Department of Healthcare and Family Services, and the Department of Human Services. This campaign shall align with and be coordinated with any rollout of a centralized 988 crisis line in Illinois for the development of a coordinated mental health and substance use crisis response system of care and to ensure aligned messaging around such services. Such a campaign shall also take into account crisis services, if any, offered under Section 15, and shall begin by no later than January 1, 2022.

(1) The public awareness campaign shall be culturally competent and locally tailored to ensure local buy-in and community understanding and use of adult mobile crisis response services.

(2) Any written public or community awareness materials must be written in plain, easy-to-understand language, and shall be available in multiple languages that are representative of the communities in a particular health region.

(3) All written or visual materials, videos, webinars, presentations, social media, or other methods of communication or marketing used for increasing community awareness and public support and use of adult mobile crisis response services shall be specifically tailored for different types of community stakeholders or audiences, including, but not limited to, healthcare providers, law enforcement, and community groups, for purposes of increasing support for and use of such services.

(4) The public awareness and educational campaign shall be directed toward community entities and actors, including, but not limited to, those listed in paragraph (5), that are likely to come into contact with individuals in crisis or that have broad community involvement and support, as well as to individuals who might seek mental health or substance use crisis support services.

(5) The following types of stakeholders shall be included as partner-stakeholders in the development of the campaign:

(A) Individuals who have or might use adult mobile crisis response services.

(B) Mental health and substance use disorder organizations representing individuals and family members, including peer support networks.

(C) Hospitals and primary care clinics.

(D) Local law enforcement, including units trained in crisis intervention team training.

(E) Law enforcement associations.

(F) The Illinois Law Enforcement Training Standards Board.

(G) The Illinois State Police.

(H) Local fire departments.

(I) Municipalities.

(J) Faith-based organizations.

(K) Food pantries.

(L) Homeless shelters.

(M) Local public officials.

(N) Nursing homes, specialized mental health rehabilitation facilities, and facilities that qualify as an institution for mental diseases as defined in 42 U.S.C. 1369(d)(i).

(N) Other community organizations or providers that may come into frequent contact with individuals in a mental health or substance use crisis, or that have broad community support and involvement.

Section 15. Enabling universal access to adult mobile crisis response services. Subject to appropriation, the Department of Human Services shall establish a grant program for purposes of providing

adult mobile crisis response services to any adult age 18 or older experiencing a mental health or substance use crisis regardless of insurance status. The adult mobile crisis response services covered by this grant shall mirror the adult mobile crisis services covered by Illinois' Medicaid program at a minimum. Such grant shall also cover linkage, case management, and any wrap around treatment and support services that are medically necessary for up to 90 days following a mental health or substance use crisis. Such grant shall also support the service provider's work on enrolling the individual in Medicaid if they are eligible for enrollment. The grant services covered in accordance with this Section shall not be used to pay for adult mobile crisis response services or other services for individuals enrolled in Illinois' Medicaid program, or for individuals whose private insurance plan covers similar mobile crisis response or wrap around services. The Department of Human Services' Division of Mental Health and Division of Substance Use Prevention and Recovery shall convene a working group of providers and other stakeholders for purposes of receiving meaningful input on development of the grant program covered by this Section to ensure that there is no duplication of services, and to avoid placing any unnecessary barriers that impede access to crisis response services. This grant program for adult mobile crisis response services shall not replace or diminish existing Department of Human Services grants for crisis services, and are intended to fill the gap in mobile crisis response services for individuals not covered by Medicaid.

Section 20. Strengthening CARES line capacity and implementing best practices.

(a) By no later than one year after the effective date of this Act, the Department of Healthcare and Family Services, with meaningful stakeholder input and input from states and localities across the country that have implemented nationally recognized or emerging best practices in crisis response systems of care, shall do all of the following:

(1) Develop and implement training and protocols for individuals answering crisis calls to the Crisis and Referral Entry Services (CARES) line that support and enable providing triage and de-escalation to CARES line callers when appropriate and safe. The Department of Healthcare and Family Services shall ensure that CARES line call takers are trained mental health professionals, which may also include peers who are individuals with a lived experience of a mental health or substance use condition.

(2) Develop and implement protocols and training for CARES line staff to conduct quality control and caller satisfaction follow up.

(3) Ensure coordination of adult mobile crisis response services and CARES line services with other existing and future crisis response services and hotlines, such as any future 988 centralized crisis line that may be established.

(b) By no later than one year after the effective date of this Act, the Department of Healthcare and Family Services, with meaningful input from adult mobile crisis response and CARES line providers and organizations representing individuals and families with lived experience of mental health and substance use conditions, shall identify crisis response policies and practices that must be standardized across providers to ensure quality and consistency of crisis response care, and shall identify strategies to expand staffing for CARES line call takers to reduce wait times. Any standardization of policies and practices must also allow for variability to ensure the ability to effectively provide these services in a manner that reflects the unique needs of the communities served in each health region.

(c) The Department of Healthcare and Family Services shall convene a workgroup that includes the appropriate stakeholders to help inform the development and implementation of this subsection.

Section 25. Use of data to strengthen CARES line responses and adult mobile crisis response services.

(a) The Department of Healthcare and Family Services shall annually track the following data related to CARES line calls for purposes of developing a crisis response system of care in each of Illinois' 11 health regions.

(1) The number and percentage of calls to the CARES line by adults in a mental health crisis by health region.

(2) The number and percentage of calls to the CARES line by adults in a substance use crisis by health region.

(3) The number and percentage of CARES line calls for which adult mobile crisis response services were rejected or not provided and why.

(4) The annual percentage increase or decrease from the previous year in CARES line calls for mental health crises and for substance use crises following the first year of data collection.

(5) The number of callers to the CARES line who needed to be referred to a second provider due to a wait list or the inability to access timely services.

(b) The Department of Healthcare and Family Services shall track the following data annually related to adult mobile crisis response services by using the data reported by adult mobile crisis response providers of such services on the Illinois Medicaid – Crisis Assessment Tool.

(1) Demographics (race, gender expression, and Illinois health region of residence) for individuals who received adult mobile crisis response services.

(2) The number of providers delivering adult mobile crisis response services in each of Illinois' 11 health regions, and the zip codes in which they operate.

(3) The number and percentage of adult mobile crisis response services calls that involved law enforcement, including transportation services and safety risks.

(4) The types of mental health or substance use services to which individuals are linked and the percentage of that type of linkage through the year following receiving adult mobile crisis response services, including:

(A) Hospital emergency rooms.

(B) Inpatient hospitalization.

(C) Crisis stabilization or triage units.

(D) Detoxification services.

(E) Substance use disorder residential treatment.

(F) Outpatient substance use disorder treatment.

(G) Living room services.

(H) Assertive community treatment.

(I) Community support treatment.

(J) Case management.

(K) Individual or group mental health or substance use services.

(L) Placement in a nursing home, an institution for mental diseases, or a specialized mental health rehabilitation facility.

(c) The data collected under this Section shall be reported annually on the official website of the Department of Healthcare and Family Services by July 1st of each year beginning in calendar year 2022.

Section 30. Rulemaking Authority. The Departments of Public Health, Human Services, and Healthcare and Family Services shall adopt, within one year after the effective date of this Act, any rules necessary to implement the provisions of this Act.

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

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

On motion of Senator Van Pelt, **Senate Bill No. 363** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Healthcare Access and Availability, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 363

AMENDMENT NO. 1 . Amend Senate Bill 363 by replacing everything after the enacting clause with the following:

"Section 5. The Secretary of State Act is amended by adding Section 35 as follows:

(15 ILCS 305/35 new)

Sec. 35. Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations.

(a) The General Assembly finds and declares that:

(1) Non-transplant organ donation organizations that accept or process whole body donations or body parts not for transplantation owe a duty of transparency and safekeeping to the donor and his or her next of kin. Medical and scientific research is critical to a continued understanding of the human

body, disease, and training the next generation of medical professionals, funeral home directors, coroners, and mortuary students. Non-transplant organ donation organizations do not include organizations that receive body parts for the purposes of transplantation.

(2) Recently, non-transplant organizations that receive or process whole body donation or body part donation not for transplantation purposes, have misused or mishandled donor bodies and body parts.

(3) Neither State nor federal law adequately regulates this industry.

(b) As used in this Section, "Task Force" means the Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations.

(c) There is created a Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations to review and report on national standards for best practices in relation to the licensing and regulation of organizations that solicit or accept non-transplantation whole bodies and body parts, including licensing standards, State regulation, identification of bodies and body parts, and sanctions. The goal of the Task Force is to research the industry, investigate State and local standards, and provide recommendations to the General Assembly and Office of the Governor.

(d) The Task Force's report shall include, but not be limited to, standards for organizations that accept whole body and body part donation, the application process for licensure, best practices regarding consent, the identification, labeling, handling and return of bodies and body parts to ensure proper end-use and return to the next of kin, and best practices for ensuring donors and next of kin are treated with transparency and dignity. The report shall also evaluate and make a recommendation as to the area of State government most appropriate for licensing organizations and regulation of the industry. The report shall also make a recommendation on legislation to enact the findings of the Task Force.

(e) The Task Force shall meet no less than 5 times between the effective date of this amendatory Act of the 102nd General Assembly and December 31, 2021. The Task Force shall prepare a report that summarizes its work and makes recommendations resulting from its review. The Task Force shall submit the report of its findings and recommendations to the Governor and General Assembly no later than January 15, 2022.

(f) The Task Force shall consist of the following 8 members:

(1) the Secretary of State or his or her designee;

(2) one member appointed by the Secretary of State from the Department of Organ Donor of the Office of the Secretary of State;

(3) one member appointed by the President of the Senate;

(4) one member appointed by the Minority Leader of the Senate;

(5) one member appointed by the Speaker of the House of Representatives;

(6) one member appointed by the Minority Leader of the House of Representatives;

(7) one member appointed by the Director of Public Health; and

(8) one member from a University or Mortuary School that has experience in receiving whole body donations, appointed by the Governor.

(g) The Secretary of State shall designate which member shall serve as chairperson and facilitate the Task Force. The members of the Task Force shall be appointed no later than 90 days after the effective date of this amendatory Act of the 102nd General Assembly. Vacancies in the membership of the Task Force shall be filled in the same manner as the original appointment. The members of the Task Force shall not receive compensation for serving as members of the Task Force.

(h) The Office of the Secretary of State shall provide the Task Force with administrative and other support.

(i) This Section is repealed on July 1, 2022.

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

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

On motion of Senator Barickman, **Senate Bill No. 500** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 500

AMENDMENT NO. 1 . Amend Senate Bill 500 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Anatomical Gift Act is amended by changing Section 5-15 as follows:
(755 ILCS 50/5-15) (was 755 ILCS 50/4.5)
Sec. 5-15. Disability of recipient.

(a) A hospital, physician and surgeon, procurement organization, or other person shall not, solely on the basis of an individual's mental or physical disability:

(1) deem an individual ineligible to receive an anatomical gift or organ transplant;

(2) deny medical and other services related to organ transplantation, including evaluation, surgery, counseling, postoperative treatment, and services;

(3) refuse to refer the individual to a transplant center or other related specialist for the purpose of evaluation for or receipt of an organ transplant;

(4) refuse to place an individual on an organ transplant waiting list or place an individual at a lower priority position on the waiting list than the position at which the individual would have been placed if not for the individual's disability;

(5) decline insurance coverage for any procedure associated with the receipt of the anatomical gift, including posttransplantation care; or

(6) if an individual has the necessary support system to assist the individual in complying with posttransplant medical requirements, consider the individual's inability to independently comply with posttransplant medical requirements to be medically significant for the purposes of subsection (a-5).

A covered entity shall make reasonable modifications to its policies, practices, or procedures to allow individuals with disabilities access to transplantation-related services, including diagnostic services, surgery, coverage, postoperative treatment, and counseling, unless the covered entity can demonstrate that making such modifications would fundamentally alter the nature of such services.

A covered entity shall take steps necessary to ensure that an individual with a disability is not denied medical services or other services related to organ transplantation, including diagnostic services, surgery, postoperative treatment, or counseling, due to the absence of auxiliary aids or services, unless the covered entity demonstrates that taking the steps would fundamentally alter the nature of the medical services or other services related to organ transplantation or would result in an undue burden for the covered entity.

(a-5) Notwithstanding subsection (a), a hospital, physician and surgeon, procurement organization, or other person may take an individual's disability into account when making treatment or coverage recommendations or decisions solely to the extent that the physical or mental disability has been found by a physician or surgeon, following an individualized evaluation of the potential recipient, to be medically significant to the provision of the anatomical gift. ~~No hospital, physician and surgeon, procurement organization, or other person shall determine the ultimate recipient of an anatomical gift based upon a potential recipient's physical or mental disability, except to the extent that the physical or mental disability has been found by a physician and surgeon, following a case-by-case evaluation of the potential recipient, to be medically significant to the provision of the anatomical gift.~~

(b) Subsection (a) shall apply to each part of the organ transplant process.

(c) The court shall accord priority on its calendar and handle expeditiously any action brought to seek any remedy authorized by law for purposes of enforcing compliance with this Section.

(d) This Section shall not be deemed to require referrals or recommendations for or the performance of medically inappropriate organ transplants.

(e) As used in this Section "disability" has the same meaning as in the federal Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq., Public Law 101-336) as may be amended from time to time.
(Source: P.A. 98-172, eff. 1-1-14.)".

Senator Barickman offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 500

AMENDMENT NO. 2 . Amend Senate Bill 500, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, by replacing line 17 on page 2 through line 6 on page 3 with the following:

"A covered entity shall comply with the requirements of the Americans with Disabilities Act of 1990 and its implementing regulations in making reasonable modifications to its policies or procedures in response to a request from an individual with disabilities regarding access to transplantation-related services, including diagnostic services, surgery, coverage, postoperative treatment, and counseling."; and

on page 4, directly below line 9, by inserting the following:

"(f) As used in this Section, "covered entity" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Bush, **Senate Bill No. 536** having been printed, was taken up, read by title a second time.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 536

AMENDMENT NO. 1 . Amend Senate Bill 536 on page 5, line 13, by replacing "dependent elder home care" with "care of a dependent family member"; and

on page 5, line 16, by replacing "dependent elder home care" with "care of a dependent family member"; and

on page 5, by replacing lines 18 through 20 with "duties, activities, or purposes. The changes made by this"; and

on page 5, immediately below line 22, by inserting the following:

"As used in this subsection (e), "care of a dependent family member" includes caregiving, personal care, adult day services, and home health services for elderly persons and persons with an illness, injury, or disability who require assistance in caring for themselves.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Villivalam, **Senate Bill No. 573** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 573

AMENDMENT NO. 1 . Amend Senate Bill 573 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-100.1, 3-104, 3-104.5, 3-112.1, 3-113, 3-202, 3-209, 3-403, 3-405.1, 3-506, 3-802, 3-805, 3-806.1, 3-806.5, 5-100, 5-101, 5-101.1, 5-101.2, 5-102, 5-102.8, and 5-301 and by adding Sections 1-213.8 and 5-505 as follows:

(625 ILCS 5/1-213.8 new)

Sec. 1-213.8. Uniform Invoice. A form created by the Secretary for the purpose of transporting vehicles and essential parts that does not convey or transfer ownership rights of a vehicle from one entity to another.

(625 ILCS 5/3-100.1)

Sec. 3-100.1. Use of electronic records.

(a) To the extent authorized by the Secretary of State and in accordance with standards and procedures prescribed by the Secretary of State:

(1) Certificates, certifications, affidavits, applications, assignments, statements, notices, documents, and other records required under this Chapter may be created, distributed, and received in electronic form.

(2) Signatures required under this Chapter may be made as electronic signatures or may be waived.

(3) Delivery of records required under this Chapter may be made by any means, including electronic delivery.

(4) Fees and taxes required to be paid under this Chapter may be made by electronic means; provided that any forms, records, electronic records, and methods of electronic payment relating to the filing and payment of taxes shall be prescribed by the Department of Revenue.

(a-5) No later than July 1, 2022 ~~2021~~, the Secretary of State shall implement, manage, and administer an electronic lien and title system that will permit a lienholder to perfect, assign, and release a lien under this Code. The system may include the points in subsection (a) as to the identified objectives of the program. The Secretary shall establish by administrative rule the standards and procedures relating to the management and implementation of the mandatory electronic lien and title system established under this subsection. The Secretary may charge a reasonable fee for performing the services and functions relating to the management and administration of the system. The fee shall be set by administrative rule adopted by the Secretary.

(b) Electronic records accepted by the Secretary of State have the same force and effect as records created on paper by writing, typing, printing, or similar means. The procedures established by the Secretary of State concerning the acceptance of electronic filings and electronic records shall ensure that the electronic filings and electronic records are received and stored accurately and that they are readily available to satisfy any statutory requirements that call for a written record.

(c) Electronic signatures accepted by the Secretary of State shall have the same force and effect as manual signatures.

(d) Electronic delivery of records accepted by the Secretary of State shall have the same force and effect as physical delivery of records.

(e) Electronic records and electronic signatures accepted by the Secretary of State shall be admissible in all administrative, quasi-judicial, and judicial proceedings. In any such proceeding, nothing in the application of the rules of evidence shall apply so as to deny the admissibility of an electronic record or electronic signature into evidence on the sole ground that it is an electronic record or electronic signature, or on the grounds that it is not in its original form or is not an original. Information in the form of an electronic record shall be given due evidentiary weight by the trier of fact.

(f) The Secretary may contract with a private contractor to carry out the Secretary's duties under this Section.

(Source: P.A. 101-490, eff. 1-1-20.)

(625 ILCS 5/3-104) (from Ch. 95 1/2, par. 3-104)

Sec. 3-104. Application for certificate of title.

(a) The application for a certificate of title for a vehicle in this State must be made by the owner to the Secretary of State on the form prescribed and must contain:

1. The name, Illinois residence, mail address, and, if available, email address of the owner;

2. A description of the vehicle including, so far as the following data exists: Its make, year-model, identifying number, type of body, whether new or used, as to house trailers as defined in Section 1-128 of this Code, and as to manufactured homes as defined in Section 1-144.03 of this Code, the square footage based upon the outside dimensions excluding the length of the tongue and hitch, and, as to vehicles of the second division, whether for-hire, not-for-hire, or both for-hire and not-for-hire;

3. The date of purchase by applicant and, if applicable, the name and address of the person from whom the vehicle was acquired and the names and addresses of any lienholders in the order of their priority and signatures of owners;

4. The current odometer reading at the time of transfer and that the stated odometer reading is one of the following: actual mileage, not the actual mileage or mileage is in excess of its mechanical limits; and

5. Any further information the Secretary of State reasonably requires to identify the vehicle and to enable him to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle.

(a-5) The Secretary of State shall designate on the prescribed application form a space where the owner of a vehicle may designate a beneficiary, to whom ownership of the vehicle shall pass in the event of the owner's death.

(b) If the application refers to a vehicle purchased from a dealer, it must also be signed by the dealer as well as the owner, and the dealer must promptly mail or deliver the application and required documents to the Secretary of State.

(c) If the application refers to a vehicle last previously registered in another State or country, the application must contain or be accompanied by:

1. Any certified document of ownership so recognized and issued by the other State or country and acceptable to the Secretary of State, and

2. Any other information and documents the Secretary of State reasonably requires to establish the ownership of the vehicle and the existence or nonexistence of security interests in it.

(d) If the application refers to a new vehicle it must be accompanied by the Manufacturer's Statement of Origin, or other documents as required and acceptable by the Secretary of State, with such assignments as may be necessary to show title in the applicant.

(e) If an application refers to a vehicle rebuilt from a vehicle previously salvaged, that application shall comply with the provisions set forth in Sections 3-302 through 3-304 of this Code.

(f) An application for a certificate of title for any vehicle, whether purchased in Illinois or outside Illinois, and even if previously registered in another State, must be accompanied by either an exemption determination from the Department of Revenue showing that no tax imposed pursuant to the Use Tax Act or the vehicle use tax imposed by Section 3-1001 of the Illinois Vehicle Code is owed by anyone with respect to that vehicle, or a receipt from the Department of Revenue showing that any tax so imposed has been paid. An application for a certificate of title for any vehicle purchased outside Illinois, even if previously registered in another state, must be accompanied by either an exemption determination from the Department of Revenue showing that no tax imposed pursuant to the Municipal Use Tax Act or the County Use Tax Act is owed by anyone with respect to that vehicle, or a receipt from the Department of Revenue showing that any tax so imposed has been paid. In the absence of such a receipt for payment or determination of exemption from the Department, no certificate of title shall be issued to the applicant.

If the proof of payment of the tax or of nonliability therefor is, after the issuance of the certificate of title and display certificate of title, found to be invalid, the Secretary of State shall revoke the certificate and require that the certificate of title and, when applicable, the display certificate of title be returned to him.

(g) If the application refers to a vehicle not manufactured in accordance with federal safety and emission standards, the application must be accompanied by all documents required by federal governmental agencies to meet their standards before a vehicle is allowed to be issued title and registration.

(h) If the application refers to a vehicle sold at public sale by a sheriff, it must be accompanied by the required fee and a bill of sale issued and signed by a sheriff. The bill of sale must identify the new owner's name and address, the year model, make and vehicle identification number of the vehicle, court order document number authorizing such sale, if applicable, and the name and address of any lienholders in order of priority, if applicable.

(i) If the application refers to a vehicle for which a court of law determined the ownership, it must be accompanied with a certified copy of such court order and the required fee. The court order must indicate the new owner's name and address, the complete description of the vehicle, if known, the name and address of the lienholder, if any, and must be signed and dated by the judge issuing such order.

(j) If the application refers to a vehicle sold at public auction pursuant to the Labor and Storage Lien (Small Amount) Act, it must be accompanied by an affidavit or affirmation furnished by the Secretary of State along with the documents described in the affidavit or affirmation and the required fee.

(k) The Secretary may provide an expedited process for the issuance of vehicle titles. Expedited title applications must be delivered to the Secretary of State's Vehicle Services Department in Springfield by express mail service or hand delivery. Applications must be complete, including necessary forms, fees, and taxes. Applications received before noon on a business day will be processed and shipped that same day. Applications received after noon on a business day will be processed and shipped the next business day. The Secretary shall charge an additional fee of $30 for this service, and that fee shall cover the cost of return shipping via an express mail service. All fees collected by the Secretary of State for expedited services shall

be deposited into the Motor Vehicle License Plate Fund. In the event the Vehicle Services Department determines that the volume of expedited title requests received on a given day exceeds the ability of the Vehicle Services Department to process those requests in an expedited manner, the Vehicle Services Department may decline to provide expedited services, and the additional fee for the expedited service shall be refunded to the applicant.

(l) If the application refers to a homemade trailer, (i) it must be accompanied by the appropriate documentation regarding the source of materials used in the construction of the trailer, as required by the Secretary of State, (ii) the trailer must be inspected by a Secretary of State employee prior to the issuance of the title, and (iii) upon approval of the Secretary of State, the trailer must have a vehicle identification number, as provided by the Secretary of State, stamped or riveted to the frame.

(m) The holder of a Manufacturer's Statement of Origin to a manufactured home may deliver it to any person to facilitate conveying or encumbering the manufactured home. Any person receiving any such Manufacturer's Statement of Origin so delivered holds it in trust for the person delivering it.

(n) Within 45 days after the completion of the first retail sale of a manufactured home, the Manufacturer's Statement of Origin to that manufactured home must be surrendered to the Secretary of State either in conjunction with an application for a certificate of title for that manufactured home or in accordance with Section 3-116.1.

(o) Each application for certificate of title for a motor vehicle shall be verified by the National Motor Vehicle Title Information System (NMVTIS) for a vehicle history report prior to the Secretary issuing a certificate of title.

(p) The Secretary, at the Secretary's discretion, may use any commercially available title history service to assist in determining the proper title designation of a motor vehicle before the issuance of a certificate of title.

(Source: P.A. 99-414, eff. 8-20-15; 100-145, eff. 1-1-18.)

(625 ILCS 5/3-104.5)

Sec. 3-104.5. Application NMVTIS warnings or errors.

(a) Each application for a certificate of title or a salvage certificate for a motor vehicle that is verified by the National Motor Vehicle Title Information System (NMVTIS) that is returned with a warning or error shall be reviewed by the Secretary of State, or his or her designees, as to whether the warning or error warrants a change to the type of title or brand that is issued to a motor vehicle. If the Secretary needs supplemental information to verify or corroborate the information received from a NMVTIS report, then the Secretary may use any available commercial title history services or other Secretary of State resources to assist in determining the vehicle's proper designation.

(b) Any motor vehicle application for a certificate of title or a salvage certificate that another state has previously issued a title or brand indicating that the status of the motor vehicle is equivalent to a junk vehicle, as defined in Section 1-134.1 of this Code, shall receive a title with a "prior out of state junk" brand if that history item was issued 120 months or more before the date of the submission of the current application for title.

(c) Any motor vehicle application for a certificate of title or a salvage certificate that is returned with a NMVTIS warning or error indicating that another state has previously issued a title or brand indicating the status of the motor vehicle is equivalent to a junk vehicle, as defined in Section 1-134.1 of this Code, shall be issued a junk certificate that reflects the motor vehicle's structural history, if the previously issued title or brand from another state was issued less than 120 months before the date of the submission of the current application for title.

(d) Any motor vehicle application for a certificate of title or a salvage certificate that is returned with a NMVTIS warning or error indicating a brand or label from another jurisdiction, that does not have a similar or comparable brand or label in this State, shall include a notation or brand on the certificate of title stating "previously branded".

(e) Any motor vehicle that is subject to the federal Truth in Mileage Act, and is returned with a NMVTIS warning or error indicating the stated mileage of the vehicle on the application for certificate of title is 1,500 or fewer miles less than a previously recorded mileage for the vehicle, shall be deemed as having an acceptable margin of error and the higher of the 2 figures shall be indicated on the new certificate of title, if the previous mileage was recorded within 90 days of the date of the current application for title and if there are no indications of fraud or malfeasance, or of altering or tampering with the odometer.

(f) Any applicant for a certificate of title or a salvage certificate who receives an alternative salvage or junk certificate, or who receives a certificate of title with a brand or label indicating the vehicle was

previously rebuilt prior out of state junk, previously branded, or flood, may contest the Secretary's designations by requesting an administrative hearing under Section 2-116 of this Code.

(g) The Secretary may adopt any rules necessary to implement this Section.

(h) The Secretary, in the Secretary's discretion, may use any commercially available title history service to assist in determining the proper title designation of a motor vehicle before the issuance of a certificate of title.

(Source: P.A. 99-414, eff. 8-20-15.)

(625 ILCS 5/3-112.1) (from Ch. 95 1/2, par. 3-112.1)

Sec. 3-112.1. Odometer.

(a) All titles issued by the Secretary of State beginning January, 1990, shall provide for an odometer certification substantially as follows:

"I certify to the best of my knowledge that the odometer reading is and reflects the actual mileage of the vehicle unless one of the following statements is checked.

.....

( ) 1. The mileage stated is in excess of its mechanical limits.

( ) 2. The odometer reading is not the actual mileage. Warning - Odometer Discrepancy."

(b) When executing any transfer of title which contains the odometer certification as described in paragraph (a) above, each transferor of a motor vehicle must supply on the title form the following information:

(1) The odometer reading at the time of transfer and an indication if the mileage is in excess of its mechanical limits or if it is not the actual mileage;

(2) The date of transfer;

(3) The transferor's printed name and signature; and

(4) The transferee's printed name and address.

(c) The transferee must sign on the title form indicating that he or she is aware of the odometer certification made by the transferor.

(d) The transferor will not be required to disclose the current odometer reading and the transferee will not have to acknowledge such disclosure under the following circumstances:

(1) A vehicle having a Gross Vehicle Weight Rating of more than 16,000 pounds;

(2) A vehicle that is not self-propelled;

(3) A vehicle that: ~~is~~

(A) before January 1, 2031, is model year 2010 or older; or

(B) after January 1, 2031, is 20 ~~10~~ years old or older;

(4) A vehicle sold directly by the manufacturer to any agency of the United States; and

(5) A vehicle manufactured without an odometer.

(e) When the transferor signs the title transfer such transferor acknowledges that he or she is aware that Federal regulations and State law require him or her to state the odometer mileage upon transfer of ownership. An inaccurate or untruthful statement with intent to defraud subjects the transferor to liability for damages to the transferee pursuant to the federal Motor Vehicle Information and Cost Act of 1972, P.L. 92-513 as amended by P.L. 94-364. No transferor shall be liable for damages as provided under this Section who transfers title to a motor vehicle which has an odometer reading that has been altered or tampered with by a previous owner, unless that transferor knew or had reason to know of such alteration or tampering and sold such vehicle with an intent to defraud. A cause of action is hereby created by which any person who, with intent to defraud, violates any requirement imposed under this Section shall be liable in an amount equal to the sum of:

(1) three times the amount of actual damages sustained or $1,500, whichever is the greater; and

(2) in the case of any successful action to enforce the foregoing liability, the costs of the action together with reasonable attorney fees as determined by the court.

Any recovery based on a cause of action under this Section shall be offset by any recovery made pursuant to the federal Motor Vehicle Information and Cost Savings Act of 1972.

(f) The provisions of this Section shall not apply to any motorcycle, motor driven cycle, moped, antique vehicle, or expanded-use antique vehicle.

(g) The Secretary of State may adopt rules and regulations providing for a transition period for all non-conforming titles.

(Source: P.A. 97-412, eff. 1-1-12.)

(625 ILCS 5/3-113) (from Ch. 95 1/2, par. 3-113)

Sec. 3-113. Transfer to or from dealer; records.

(a) After a dealer buys a vehicle and holds it for resale, the dealer must procure the certificate of title from the owner or the lienholder. The dealer may hold the certificate until he or she transfers the vehicle to another person. Upon transferring the vehicle to another person, the dealer shall promptly and within 20 days execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale, in the spaces provided therefor on the certificate or as the Secretary of State prescribes, and mail or deliver the certificate to the Secretary of State with the transferee's application for a new certificate, except as provided in Section 3-117.2. A dealer has complied with this Section if the date of the mailing of the certificate, as indicated by the postmark, is within 20 days of the date on which the vehicle was transferred to another person.

(b) The Secretary of State may decline to process any application for a transfer of an interest in a vehicle if any fees or taxes due under this Code from the transferor or the transferee have not been paid upon reasonable notice and demand.

(c) Any person who violates this Section shall be guilty of a petty offense.

(d) Beginning January 1, 2014, the Secretary of State is authorized to impose a delinquent vehicle dealer transfer fee of $20 if the certificate of title is received by the Secretary from the dealer 30 days but less than 60 days after the date of sale. If the certificate of title is received by the Secretary from the dealer 60 days but less than 90 days after the date of sale, the delinquent dealer transfer fee shall be $35. If the certificate of title is received by the Secretary from the dealer 90 days but less than 120 days after the date of sale, the delinquent vehicle dealer transfer fee shall be $65. If the certificate of title is received by the Secretary from the dealer 120 days or more after the date of the sale, the delinquent vehicle dealer transfer fee shall be $100. All monies collected under this subsection shall be deposited into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

(e) Beginning January 1, 2022, the Secretary of State is authorized to issue a certificate of title in the name of the dealership to a licensed dealer under Chapter 5 for $20 if the surrendered certificate of title has no space to assign the certificate of title again.

(f) Any licensee under Chapter 5 who sells, transfers, or wholesales a vehicle out of State shall mail the certificate of title to the physical business address in the requisite jurisdiction in lieu of transferring title at the time of sale.

(Source: P.A. 98-177, eff. 1-1-14.)

(625 ILCS 5/3-202) (from Ch. 95 1/2, par. 3-202)

Sec. 3-202. Perfection of security interest.

(a) Unless excepted by Section 3-201, a security interest in a vehicle of a type for which a certificate of title is required is not valid against subsequent transferees or lienholders of the vehicle unless perfected as provided in this Act. A purchase money security interest in a manufactured home is perfected against the rights of judicial lien creditors and execution creditors on and after the date such purchase money security interest attaches.

(b) A security interest is perfected by the delivery to the Secretary of State of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the lienholder and the required fee. The security interest is perfected as of the time of its creation if the delivery to the Secretary of State is completed within 30 days after the creation of the security interest or receipt by the new lienholder of the existing certificate of title from a prior lienholder or licensed dealer, otherwise as of the time of the delivery.

(c) If a vehicle is subject to a security interest when brought into this State, the validity of the security interest is determined by the law of the jurisdiction where the vehicle was when the security interest attached, subject to the following:

1. If the parties understood at the time the security interest attached that the vehicle would be kept in this State and it was brought into this State within 30 days thereafter for purposes other than transportation through this State, the validity of the security interest in this State is determined by the law of this State.

2. If the security interest was perfected under the law of the jurisdiction where the vehicle was when the security interest attached, the following rules apply:

(A) If the name of the lienholder is shown on an existing certificate of title issued by that jurisdiction, his security interest continues perfected in this State.

(B) If the name of the lienholder is not shown on an existing certificate of title issued by that jurisdiction, a security interest may be perfected by the lienholder delivering to the Secretary of State the prescribed notice and by payment of the required fee. Such security interest is perfected as of the time of delivery of the prescribed notice and payment of the required fee.

3. If the security interest was not perfected under the law of the jurisdiction where the vehicle was when the security interest attached, it may be perfected in this State; in that case perfection dates from the time of perfection in this State.

4. A security interest may be perfected under paragraph 3 of this subsection either as provided in subsection (b) or by the lienholder delivering to the Secretary of State a notice of security interest in the form the Secretary of State prescribes and the required fee.

(d) Except as otherwise provided in Sections 3-116.1, 3-116.2, 3-207, and the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, after a certificate of title has been issued for a manufactured home and as long as the manufactured home is subject to any security interest perfected pursuant to this Section, the Secretary of State shall not file an affidavit of affixation, nor cancel the Manufacturer's Statement of Origin, nor revoke the certificate of title, nor issue a certificate of title under Section 3-106, and, in any event, the validity and priority of any security interest perfected pursuant to this Section shall continue, notwithstanding the provision of any other law.

(e) A purchaser of a vehicle in this State who obtains a security interest in a vehicle in good faith for value takes free of any undisclosed liens unless the purchaser has notice of such liens. Upon the perfection of such a security interest, the Secretary shall invalidate the undisclosed lienholder's interest in the vehicle subject to an investigation by the Secretary of State Department of Police.

(Source: P.A. 98-749, eff. 7-16-14.)

(625 ILCS 5/3-209) (from Ch. 95 1/2, par. 3-209)

Sec. 3-209. Powers of Secretary of State.

(a) The Secretary of State shall prescribe and provide suitable forms of applications, certificates of title, notices of security interests, and all other notices and forms necessary to carry out the provisions of this chapter.

(b) The Secretary of State may:

1. Make necessary investigations to procure information required to carry out the provisions of this Act.;

2. Assign a new identifying number to a vehicle if it has none, or its identifying number is destroyed or obliterated, or its motor is changed, and shall either issue a new certificate of title showing the new identifying number or make an appropriate endorsement on the original certificate.

3. Remove a franchise affiliate's lien so that the franchise affiliate may pursue the balance of the lien with the defunct dealership instead of the constituent. This item applies if a franchise dealer neglects to pay off a trade-in vehicle's lien, and that lien is held by the franchise affiliate. The Secretary shall make this determination pursuant to an investigation by the Secretary of State Department of Police.

(Source: P.A. 76-1586.)

(625 ILCS 5/3-403) (from Ch. 95 1/2, par. 3-403)

Sec. 3-403. Trip and Short-term permits.

(a) The Secretary of State may issue a short-term permit to operate a nonregistered first or second division vehicle within the State of Illinois for a period of not more than 7 days. Any second division vehicle operating on such permit may operate only on empty weight. The fee for the short-term permit shall be $6 for permits purchased on or before June 30, 2003 and $10 for permits purchased on or after July 1, 2003. For short-term permits purchased on or after July 1, 2003, $4 of the fee collected for the purchase of each permit shall be deposited into the General Revenue Fund.

This permit may also be issued to operate an unladen registered vehicle which is suspended under the Vehicle Emissions Inspection Law and allow it to be driven on the roads and highways of the State in order to be repaired or when traveling ~~travelling~~ to and from an emissions inspection station.

(b) The Secretary of State may, subject to reciprocal agreements, arrangements or declarations made or entered into pursuant to Section 3-402, 3-402.4 or by rule, provide for and issue registration permits for the use of Illinois highways by vehicles of the second division on an occasional basis or for a specific and special short-term use, in compliance with rules and regulations promulgated by the Secretary of State, and upon payment of the prescribed fee as follows:

One-trip permits. A registration permit for one trip, or one round-trip into and out of Illinois, for a period not to exceed 72 consecutive hours or 3 calendar days may be provided, for a fee as prescribed in Section 3-811.

Three-month ~~One Month~~ permits. A registration permit for 90 ~~30~~ days may be provided for a fee of $13 for registration plus 1/10 of the flat weight tax. ~~The minimum fee for such permit shall be $31.~~

In-transit permits. A registration permit for one trip may be provided for vehicles in transit by the driveaway or towaway method and operated by a transporter in compliance with the Illinois Motor Carrier of Property Law, for a fee as prescribed in Section 3-811.

Illinois Temporary Apportionment Authorization Permits. An apportionment authorization permit for forty-five days for the immediate operation of a vehicle upon application for and prior to receiving apportioned credentials or interstate credentials from the State of Illinois. The fee for such permit shall be $3.

Illinois Temporary Prorate Authorization Permit. A prorate authorization permit for forty-five days for the immediate operation of a vehicle upon application for and prior to receiving prorate credentials or interstate credentials from the State of Illinois. The fee for such permit shall be $3.

(c) The Secretary of State shall promulgate by such rule or regulation, schedules of fees and taxes for such permits and in computing the amount or amounts due, may round off such amount to the nearest full dollar amount.

(d) The Secretary of State shall further prescribe the form of application and permit and may require such information and data as necessary and proper, including confirming the status or identity of the applicant and the vehicle in question.

(e) Rules or regulations promulgated by the Secretary of State under this Section shall provide for reasonable and proper limitations and restrictions governing the application for and issuance and use of permits, and shall provide for the number of permits per vehicle or per applicant, so as to preclude evasion of annual registration requirements as may be required by this Act.

(f) Any permit under this Section is subject to suspension or revocation under this Act, and in addition, any such permit is subject to suspension or revocation should the Secretary of State determine that the vehicle identified in any permit should be properly registered in Illinois. In the event any such permit is suspended or revoked, the permit is then null and void, may not be re-instated, nor is a refund therefor available. The vehicle identified in such permit may not thereafter be operated in Illinois without being properly registered as provided in this Chapter.

(Source: P.A. 92-680, eff. 7-16-02; 93-32, eff. 7-1-03.)

(625 ILCS 5/3-405.1) (from Ch. 95 1/2, par. 3-405.1)

Sec. 3-405.1. Application for vanity and personalized license plates.

(a) Vanity license plates mean any license plates, assigned to a passenger motor vehicle of the first division, to a motor vehicle of the second division registered at not more than 8,000 pounds, to a trailer weighing 8,000 pounds or less paying the flat weight tax, to a funeral home vehicle, an electric vehicle, or ~~to~~ a recreational vehicle, which display a registration number containing 1 to 7 letters and no numbers or 1, 2, or 3 numbers and no letters as requested by the owner of the vehicle and license plates issued to retired members of Congress under Section 3-610.1 or to retired members of the General Assembly as provided in Section 3-606.1. Personalized license plates mean any license plates, assigned to a passenger motor vehicle of the first division, to a motor vehicle of the second division registered at not more than 8,000 pounds, to a trailer weighing 8,000 pounds or less paying the flat weight tax, to a funeral home vehicle, an electric vehicle, or ~~to~~ a recreational vehicle, which display a registration number containing one of the following combinations of letters and numbers, as requested by the owner of the vehicle:

Standard Passenger Plates
First Division Vehicles

1 letter plus 0-99
2 letters plus 0-99
3 letters plus 0-99
4 letters plus 0-99
5 letters plus 0-99
6 letters plus 0-9

Second Division Vehicles 8,000 pounds or less, Trailers 8,000 pounds or less paying the flat weight tax, and Recreation Vehicles	
	0-999 plus 1 letter
	0-999 plus 2 letters
	0-999 plus 3 letters
	0-99 plus 4 letters
	0-9 plus 5 letters

(b) For any registration period commencing after December 31, 2003, any person who is the registered owner of a passenger motor vehicle of the first division, of a motor vehicle of the second division registered at not more than 8,000 pounds, of a trailer weighing 8,000 pounds or less paying the flat weight tax, of a funeral home vehicle, of an electric vehicle, or of a recreational vehicle registered with the Secretary of State or who makes application for an original registration of such a motor vehicle or renewal registration of such a motor vehicle may, upon payment of a fee prescribed in Section 3-806.1 or Section 3-806.5, apply to the Secretary of State for vanity or personalized license plates.

(c) Except as otherwise provided in this Chapter 3, vanity and personalized license plates as issued under this Section shall be the same color and design as other passenger vehicle license plates or electric vehicle license plates and shall not in any manner conflict with any other existing passenger, commercial, trailer, motorcycle, or special license plate series. However, special registration plates issued under Sections 3-611 and 3-616 for vehicles operated by or for persons with disabilities may also be vanity or personalized license plates.

(d) Vanity and personalized license plates shall be issued only to the registered owner of the vehicle on which they are to be displayed, except as provided in Sections 3-611 and 3-616 for special registration plates for vehicles operated by or for persons with disabilities.

(e) An applicant for the issuance of vanity or personalized license plates or subsequent renewal thereof shall file an application in such form and manner and by such date as the Secretary of State may, in his discretion, require.

No vanity nor personalized license plates shall be approved, manufactured, or distributed that contain any characters, symbols other than the international accessibility symbol for vehicles operated by or for persons with disabilities, foreign words, or letters of punctuation.

(f) Vanity and personalized license plates as issued pursuant to this Act may be subject to the Staggered Registration System as prescribed by the Secretary of State.

(g) For purposes of this Section, "funeral home vehicle" means any motor vehicle of the first division or motor vehicle of the second division weighing 8,000 pounds or less that is owned or leased by a funeral home.

(h) As used in this Section, "electric vehicle" means any vehicle that is required to be registered under Section 3-805.

(Source: P.A. 100-956, eff. 1-1-19.)

(625 ILCS 5/3-506)

Sec. 3-506. Transfer of plates to spouses of military service members. Upon the death of a military service member who has been issued a special plate under Section 3-609.1, 3-620, 3-621, 3-622, 3-623, 3-624, 3-625, 3-626, 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, 3-651, 3-666, 3-667, 3-668, 3-669, 3-676, 3-677, 3-680, 3-681, 3-683, 3-686, 3-688, 3-693, 3-698, 3-699.12, 3-699.15, 3-699.16, ~~or~~ 3-699.17, 3-699.19, or 3-699.20 of this Code, the surviving spouse of that service member may retain the plate so long as that spouse is a resident of Illinois and transfers the registration to his or her name within 180 days of the death of the service member.

For the purposes of this Section, "service member" means any individual who is serving or has served in any branch of the United States Armed Forces, including the National Guard or other reserve components of the Armed Forces, and has been issued a special plate listed in this Section.

(Source: P.A. 100-201, eff. 8-18-17; 101-51, eff. 7-12-19.)

(625 ILCS 5/3-802) (from Ch. 95 1/2, par. 3-802)

Sec. 3-802. Reclassifications and upgrades.

(a) Definitions. For the purposes of this Section, the following words shall have the meanings ascribed to them as follows:

"Reclassification" means changing the registration of a vehicle from one plate category to another.

"Upgrade" means increasing the registered weight of a vehicle within the same plate category.

(b) When reclassing the registration of a vehicle from one plate category to another, the owner shall receive credit for the unused portion of the present plate and be charged the current portion fees for the new plate. In addition, the appropriate replacement plate and replacement sticker fees shall be assessed.

(b-5) Beginning with the 2019 registration year, any individual who has a registration issued under either Section 3-405 or 3-405.1 that qualifies for a special license plate under Section 3-609, 3-609.1, 3-620, 3-621, 3-622, 3-623, 3-624, 3-625, 3-626, 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, 3-651, 3-664, 3-666, 3-667, 3-668, 3-669, 3-676, 3-677, 3-680, 3-681, 3-683, 3-686, 3-688, 3-693, 3-698, 3-699.12, 3-699.15, 3-699.16, 3-699.17, 3-699.19, or 3-699.20 ~~or 3-699.17~~ may reclass his or her registration upon acquiring a special license plate listed in this subsection (b-5) without a replacement plate or digital plate fee or registration sticker or digital registration sticker cost.

(b-10) Beginning with the 2019 registration year, any individual who has a special license plate issued under Section 3-609, 3-609.1, 3-620, 3-621, 3-622, 3-623, 3-624, 3-625, 3-626, 3-628, 3-638, 3-642, 3-645, 3-647, 3-650, 3-651, 3-664, 3-666, 3-667, 3-668, 3-669, 3-676, 3-677, 3-680, 3-681, 3-683, 3-686, 3-688, 3-693, 3-698, 3-699.12, or 3-699.17 may reclass his or her special license plate upon acquiring a new registration under Section 3-405 or 3-405.1 without a replacement plate or digital plate fee or registration sticker or digital registration sticker cost.

(c) When upgrading the weight of a registration within the same plate category, the owner shall pay the difference in current period fees between the 2 ~~two~~ plates. In addition, the appropriate replacement plate and replacement sticker fees shall be assessed. In the event new plates are not required, the corrected registration card fee shall be assessed.

(d) In the event the owner of the vehicle desires to change the registered weight and change the plate category, the owner shall receive credit for the unused portion of the registration fee of the current plate and pay the current portion of the registration fee for the new plate, and in addition, pay the appropriate replacement plate and replacement sticker fees.

(e) Reclassing from one plate category to another plate category can be done only once within any registration period.

(f) No refunds shall be made in any of the circumstances found in subsection (b), subsection (c), or subsection (d); however, when reclassing from a flat weight plate to an apportioned plate, a refund may be issued if the credit amounts to an overpayment.

(g) In the event the registration of a vehicle registered under the mileage tax option is revoked, the owner shall be required to pay the annual registration fee in the new plate category and shall not receive any credit for the mileage plate fees.

(h) Certain special interest plates may be displayed on first division vehicles, second division vehicles weighing 8,000 pounds or less, and recreational vehicles. Those plates can be transferred within those vehicle groups.

(i) Plates displayed on second division vehicles weighing 8,000 pounds or less and passenger vehicle plates may be reclassed from one division to the other.

(j) Other than in subsection (i), reclassing from one division to the other division is prohibited. In addition, a reclass from a motor vehicle to a trailer or a trailer to a motor vehicle is prohibited.

(Source: P.A. 100-246, eff. 1-1-18; 100-450, eff. 1-1-18; 100-863, eff. 8-14-18; 101-51, eff. 7-12-19; 101-395, eff. 8-16-19; revised 9-24-19.)

(625 ILCS 5/3-805) (from Ch. 95 1/2, par. 3-805)

Sec. 3-805. Electric vehicles.

(a) The ~~Until January 1, 2020, the~~ owner of a motor vehicle of the first division or a motor vehicle of the second division weighing 8,000 pounds or less propelled by an electric engine and not utilizing motor fuel~~,~~ may register such vehicle for a ~~fee not to exceed $35 for a 2 year registration period. The Secretary may, in his discretion, prescribe that electric vehicle registration plates be issued for an indefinite term, such term to correspond to the term of registration plates issued generally, as provided in Section 3-414.1. In no event may the registration fee for electric vehicles exceed $18 per registration year. Beginning on January 1, 2020, the~~ registration fee ~~for these vehicles shall be~~ equal to the fee set forth in Section 3-806 for motor vehicles of the first division, other than Autocycles, Motorcycles, Motor Driven Cycles, and Pedalcycles. In addition to the registration fees, the Secretary shall assess an additional $100 per year in lieu of the payment

of motor fuel taxes. $1 of the additional fees shall be deposited into the Secretary of State Special Services Fund and the remainder of the additional fees shall be deposited into the Road Fund.

(b) Beginning with the 2023 registration year, upon the request of the vehicle owner, an electric vehicle owner may register an electric vehicle with any qualifying registration issued under this Chapter, and an additional $100 surcharge shall be collected in addition to the applicable registration fee. The $100 additional fee is to identify the vehicle as an electric vehicle. The $100 additional fee is an annual, flat fee that shall be based on an applicant's new or existing registration year for the vehicle's corresponding weight category. A designation as an electric vehicle under this subsection shall not alter a vehicle's registration. Of the additional fees, $1 shall be deposited into the Secretary of State Special Services Fund, and the remainder of the additional fees shall be deposited into the Road Fund. The Secretary shall adopt any rules necessary to implement this subsection (b).

(Source: P.A. 101-32, eff. 6-28-19.)

(625 ILCS 5/3-806.1) (from Ch. 95 1/2, par. 3-806.1)

Sec. 3-806.1. Additional fees for vanity license plates. In addition to the regular registration fee or electric vehicle registration fee, an applicant for a vanity license plate, other than a vanity plate in any military series or a vanity plate issued under Section 3-664, shall be charged $94 for each set of vanity license plates issued to a vehicle of the first division or a vehicle of the second division registered at not more than 8,000 pounds or to a recreational vehicle and $50 for each set of vanity plates issued to an autocycle or motorcycle. In addition to the regular renewal fee or electric vehicle registration renewal fee, an applicant for a vanity plate, other than a vanity plate in any military series or a vanity plate issued under Section 3-664, shall be charged $13 for the renewal of each set of vanity license plates. There shall be no additional fees for a vanity license plate in any military series of plates or a vanity plate issued under Section 3-664.

(Source: P.A. 98-777, eff. 1-1-15.)

(625 ILCS 5/3-806.5)

Sec. 3-806.5. Additional fees for personalized license plates. For registration periods commencing after December 31, 2003, in addition to the regular registration fee or electric vehicle registration fee, an applicant for a personalized license plate, other than a personalized plate in any military series or a personalized plate issued under Section 3-664, shall be charged $47 for each set of personalized license plates issued to a vehicle of the first division or a vehicle of the second division registered at not more than 8,000 pounds or to a recreational vehicle and $25 for each set of personalized plates issued to an autocycle or motorcycle. In addition to the regular renewal fee or electric vehicle registration renewal fee, an applicant for a personalized plate other than a personalized plate in any military series or a personalized plate issued under Section 3-664, shall be charged $7 for the renewal of each set of personalized license plates. There shall be no additional fees charged for a personalized plate in any military series of plates or a personalized plate issued under Section 3-664. Of the money received by the Secretary of State as additional fees for personalized license plates, 50% shall be deposited into the Secretary of State Special License Plate Fund and 50% shall be deposited into the General Revenue Fund.

(Source: P.A. 98-777, eff. 1-1-15.)

(625 ILCS 5/5-100) (from Ch. 95 1/2, par. 5-100)

Sec. 5-100. Definitions. For the purposes of this Chapter, the following words shall have the meanings ascribed to them as follows:

"Additional place of business" means a place owned or leased and occupied by the dealer in addition to its established place of business, at which the dealer conducts or intends to conduct business on a permanent or long term basis. The term does not include an area where an off site sale or exhibition is conducted. The Secretary of State shall adopt guidelines for the administration and enforcement of this definition by rule.

"Display exhibition" means a temporary display of vehicles by a dealer licensed under Section 5-101 or 5-102, at a location at which no vehicles are offered for sale, that is conducted at a place other than the dealer's established and additional places of business.

"Established place of business" means the place owned or leased and occupied by any person duly licensed or required to be licensed as a dealer for the purpose of engaging in selling, buying, bartering, displaying, exchanging or dealing in, on consignment or otherwise, vehicles and their essential parts and for such other ancillary purposes as may be permitted by the Secretary by rule. It shall include an office in which the dealer's records shall be separate and distinct from any other business or tenant which may occupy space in the same building except as provided in Section 5-101.1. This office shall not be located in a house

trailer, residence, tent, temporary stand, temporary address, room or rooms in a hotel or rooming house, nor the premises occupied by a single or multiple unit residence. "Established place of business" only includes a place with an outdoor lot capable of parking at least 5 vehicles or an indoor lot with space for a minimum of one vehicle to be parked in its indoor showroom. The established place of business of a scrap processor shall be the fixed location where the scrap processor maintains its principal place of business. The Secretary of State shall, by rule and regulation, adopt guidelines for the administration and enforcement of this definition, such as, but not limited to issues concerning the required hours of operation, describing where vehicles are displayed and offered for sale, where books and records are maintained and requirements for the fulfillment of warranties. A dealer may have an additional place of business as defined under this Section.

"Motor vehicle financing affiliate" means a business organization registered to do business in Illinois that, pursuant to a written contract with either (1) a single new or used motor vehicle dealer or (2) a single group of new or used motor vehicle dealers that share a common ownership within the group, purchases new or used motor vehicles on behalf of the dealer or group of dealers and then sells, transfers, or assigns those motor vehicles to the dealer or group of dealers. The motor vehicle financing affiliate must be incorporated or organized solely to purchase new or used vehicles on behalf of the new or used motor vehicle dealer or group of dealers with which it has contracted, shall not sell motor vehicles at retail, shall perform only those business functions related to the purchasing of motor vehicles and selling, transferring, or assigning those motor vehicles to the dealer or group of dealers. The motor vehicle financing affiliate must be licensed under the provisions of Section 5-101.1 and must not be licensed as a new or used motor vehicle dealer.

"Off site sale" means the temporary display and sale of vehicles, for a period of not more than 7 calendar days (excluding Sundays), by a dealer licensed under Section 5-101 or 5-102 at a place other than the dealer's established and additional places of business.

"Relevant market area", for a new vehicle dealer licensed under Section 5-101 and for a used vehicle dealer licensed under Section 5-102, means the area within 10 miles of the established or additional place of business of the dealer located in a county with a population of 300,000 or more, or within 15 miles if the established place of business is located in a county with a population of less than 300,000.

"Trade show exhibition" means a temporary display of vehicles, by dealers licensed under Section 5-101 or 5-102, or any other person as defined in subsection (c) of Section 5-102.1, at a location at which no vehicles are offered for sale that is conducted at a place other than the dealer's established and additional places of business. In order for a display exhibition to be considered a trade show exhibition, it must be participated in by at least 3 dealers, 2 of which must be licensed under Section 5-101 or 5-102; and a trade show exhibition of new vehicles shall only be participated in by licensed new vehicle dealers at least 2 of which must be licensed under Section 5-101.

(Source: P.A. 90-89, eff. 1-1-98; 91-415, eff. 1-1-00.)

(625 ILCS 5/5-101) (from Ch. 95 1/2, par. 5-101)

Sec. 5-101. New vehicle dealers must be licensed.

(a) No person shall engage in this State in the business of selling or dealing in, on consignment or otherwise, new vehicles of any make, or act as an intermediary or agent or broker for any licensed dealer or vehicle purchaser other than as a salesperson, or represent or advertise that he is so engaged or intends to so engage in such business unless licensed to do so in writing by the Secretary of State under the provisions of this Section.

(b) An application for a new vehicle dealer's license shall be filed with the Secretary of State, duly verified by oath, on such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization of the applicant and his established and additional places of business, if any, in this State.

2. If the applicant is a corporation, a list of its officers, directors, and shareholders having a ten percent or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the name and residence address of the proprietor or of each partner, member, officer, director, trustee, or manager.

3. The make or makes of new vehicles which the applicant will offer for sale at retail in this State.

4. The name of each manufacturer or franchised distributor, if any, of new vehicles with whom the applicant has contracted for the sale of such new vehicles. As evidence of this fact, the application shall be accompanied by a signed statement from each such manufacturer or franchised distributor. If the applicant is in the business of offering for sale new conversion vehicles, trucks or vans, except for trucks modified to serve a special purpose which includes but is not limited to the following vehicles: street sweepers, fertilizer spreaders, emergency vehicles, implements of husbandry or maintenance type vehicles, he must furnish evidence of a sales and service agreement from both the chassis manufacturer and second stage manufacturer.

5. A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act by the Department of Revenue: Provided that this requirement does not apply to a dealer who is already licensed hereunder with the Secretary of State, and who is merely applying for a renewal of his license. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that that Department has approved the applicant for registration under the Retailers' Occupation Tax Act.

6. A statement that the applicant has complied with the appropriate liability insurance requirement. A Certificate of Insurance in a solvent company authorized to do business in the State of Illinois shall be included with each application covering each location at which he proposes to act as a new vehicle dealer. The policy must provide liability coverage in the minimum amounts of $100,000 for bodily injury to, or death of, any person, $300,000 for bodily injury to, or death of, two or more persons in any one accident, and $50,000 for damage to property. Such policy shall expire not sooner than December 31 of the year for which the license was issued or renewed. The expiration of the insurance policy shall not terminate the liability under the policy arising during the period for which the policy was filed. Trailer and mobile home dealers are exempt from this requirement.

If the permitted user has a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, then the permitted user's insurer shall be the primary insurer and the dealer's insurer shall be the secondary insurer. If the permitted user does not have a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, or does not have any insurance at all, then the dealer's insurer shall be the primary insurer and the permitted user's insurer shall be the secondary insurer.

When a permitted user is "test driving" a new vehicle dealer's automobile, the new vehicle dealer's insurance shall be primary and the permitted user's insurance shall be secondary.

As used in this paragraph 6, a "permitted user" is a person who, with the permission of the new vehicle dealer or an employee of the new vehicle dealer, drives a vehicle owned and held for sale or lease by the new vehicle dealer which the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle. The term "permitted user" also includes a person who, with the permission of the new vehicle dealer, drives a vehicle owned or held for sale or lease by the new vehicle dealer for loaner purposes while the user's vehicle is being repaired or evaluated.

As used in this paragraph 6, "test driving" occurs when a permitted user who, with the permission of the new vehicle dealer or an employee of the new vehicle dealer, drives a vehicle owned and held for sale or lease by a new vehicle dealer that the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle.

As used in this paragraph 6, "loaner purposes" means when a person who, with the permission of the new vehicle dealer, drives a vehicle owned or held for sale or lease by the new vehicle dealer while the user's vehicle is being repaired or evaluated.

7. (A) An application for a new motor vehicle dealer's license shall be accompanied by the following license fees:

(i) $1,000 for applicant's established place of business, and $100 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the license fee shall be $500 for applicant's established place of business plus $50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. All moneys received by the Secretary of State as license fees under this subparagraph (i) prior to

applications for the 2004 licensing year shall be deposited into the Motor Vehicle Review Board Fund and shall be used to administer the Motor Vehicle Review Board under the Motor Vehicle Franchise Act. Of the money received by the Secretary of State as license fees under this subparagraph (i) for the 2004 licensing year and thereafter, 10% shall be deposited into the Motor Vehicle Review Board Fund and shall be used to administer the Motor Vehicle Review Board under the Motor Vehicle Franchise Act and 90% shall be deposited into the General Revenue Fund.

(ii) Except for dealers selling 25 or fewer automobiles or as provided in subsection (h) of Section 5-102.7 of this Code, an Annual Dealer Recovery Fund Fee in the amount of $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the fee shall be $250 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. For a license renewal application, the fee shall be based on the amount of automobiles sold in the past year according to the following formula:

(1) $0 for dealers selling 25 or less automobiles;

(2) $150 for dealers selling more than 25 but less than 200 automobiles;

(3) $300 for dealers selling 200 or more automobiles but less than 300 automobiles; and

(4) $500 for dealers selling 300 or more automobiles.

License fees shall be returnable only in the event that the application is denied by the Secretary of State. Moneys received under this subparagraph (ii) shall be deposited into the Dealer Recovery Trust Fund.

(B) An application for a new vehicle dealer's license, other than for a new motor vehicle dealer's license, shall be accompanied by the following license fees:

(i) $1,000 for applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the license fee shall be $500 for applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. Of the money received by the Secretary of State as license fees under this subparagraph (i) for the 2004 licensing year and thereafter, 95% shall be deposited into the General Revenue Fund.

(ii) Except as provided in subsection (h) of Section 5-102.7 of this Code, an Annual Dealer Recovery Fund Fee in the amount of $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the fee shall be $250 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. Moneys received under this subparagraph (ii) shall be deposited into the Dealer Recovery Trust Fund.

8. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein, proprietor, a partner, member, officer, director, trustee, manager or other principals in the business have not committed in the past 3 years any one violation as determined in any civil, criminal or administrative proceedings of any one of the following Acts:

(A) The Anti-Theft Laws of the Illinois Vehicle Code;

(B) The Certificate of Title Laws of the Illinois Vehicle Code;

(C) The Offenses against Registration and Certificates of Title Laws of the Illinois Vehicle Code;

(D) The Dealers, Transporters, Wreckers and Rebuilders Laws of the Illinois Vehicle Code;

(E) Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles; or

(F) The Retailers' Occupation Tax Act.

9. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other

principals in the business have not committed in any calendar year 3 or more violations, as determined in any civil, criminal or administrative proceedings, of any one or more of the following Acts:

(A) The Consumer Finance Act;

(B) The Consumer Installment Loan Act;

(C) The Retail Installment Sales Act;

(D) The Motor Vehicle Retail Installment Sales Act;

(E) The Interest Act;

(F) The Illinois Wage Assignment Act;

(G) Part 8 of Article XII of the Code of Civil Procedure; or

(H) The Consumer Fraud Act.

9.5. A statement that, within 10 years of application, each officer, director, shareholder having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principal in the business of the applicant has not committed, as determined in any civil, criminal, or administrative proceeding, in any calendar year one or more forcible felonies under the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of either or both Article 16 or 17 of the Criminal Code of 1961 or a violation of either or both Article 16 or 17 of the Criminal Code of 2012, Article 29B of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar out-of-state offense. For the purposes of this paragraph, "forcible felony" has the meaning provided in Section 2-8 of the Criminal Code of 2012.

10. A bond or certificate of deposit in the amount of $50,000 for each location at which the applicant intends to act as a new vehicle dealer. The bond shall be for the term of the license, or its renewal, for which application is made, and shall expire not sooner than December 31 of the year for which the license was issued or renewed. The bond shall run to the People of the State of Illinois, with surety by a bonding or insurance company authorized to do business in this State. It shall be conditioned upon the proper transmittal of all title and registration fees and taxes (excluding taxes under the Retailers' Occupation Tax Act) accepted by the applicant as a new vehicle dealer.

11. Such other information concerning the business of the applicant as the Secretary of State may by rule or regulation prescribe.

12. A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

13. The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(c) Any change which renders no longer accurate any information contained in any application for a new vehicle dealer's license shall be amended within 30 days after the occurrence of such change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of $2.

(d) Anything in this Chapter 5 to the contrary notwithstanding no person shall be licensed as a new vehicle dealer unless:

1. He is authorized by contract in writing between himself and the manufacturer or franchised distributor of such make of vehicle to so sell the same in this State, and

2. Such person shall maintain an established place of business as defined in this Act.

(e) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted to him under this Section and unless he makes a determination that the application submitted to him does not conform with the requirements of this Section or that grounds exist for a denial of the application, under Section 5-501 of this Chapter, grant the applicant an original new vehicle dealer's license in writing for his established place of business and a supplemental license in writing for each additional place of business in such form as he may prescribe by rule or regulation which shall include the following:

1. The name of the person licensed;

2. If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;

3. In the case of an original license, the established place of business of the licensee;

4. In the case of a supplemental license, the established place of business of the licensee and the additional place of business to which such supplemental license pertains;

5. The make or makes of new vehicles which the licensee is licensed to sell;

6. The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(f) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State, shall be kept posted conspicuously in the established place of business of the licensee and in each additional place of business, if any, maintained by such licensee.

(g) Except as provided in subsection (h) hereof, all new vehicle dealer's licenses granted under this Section shall expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked or cancelled under the provisions of Section 5-501 of this Chapter.

(h) A new vehicle dealer's license may be renewed upon application and payment of the fee required herein, and submission of proof of coverage under an approved bond under the Retailers' Occupation Tax Act or proof that applicant is not subject to such bonding requirements, as in the case of an original license, but in case an application for the renewal of an effective license is made during the month of December, the effective license shall remain in force until the application is granted or denied by the Secretary of State.

(i) All persons licensed as a new vehicle dealer are required to furnish each purchaser of a motor vehicle:

1. In the case of a new vehicle a manufacturer's statement of origin and in the case of a used motor vehicle a certificate of title, in either case properly assigned to the purchaser;

2. A statement verified under oath that all identifying numbers on the vehicle agree with those on the certificate of title or manufacturer's statement of origin;

3. A bill of sale properly executed on behalf of such person;

4. A copy of the Uniform Invoice-transaction reporting return referred to in Section 5-402 hereof;

5. In the case of a rebuilt vehicle, a copy of the Disclosure of Rebuilt Vehicle Status; and

6. In the case of a vehicle for which the warranty has been reinstated, a copy of the warranty.

(j) Except at the time of sale or repossession of the vehicle, no person licensed as a new vehicle dealer may issue any other person a newly created key to a vehicle unless the new vehicle dealer makes a color photocopy or electronic scan of the driver's license or State identification card of the person requesting or obtaining the newly created key. The new vehicle dealer must retain the photocopy or scan for 30 days.

A new vehicle dealer who violates this subsection (j) is guilty of a petty offense. Violation of this subsection (j) is not cause to suspend, revoke, cancel, or deny renewal of the new vehicle dealer's license.

This amendatory Act of 1983 shall be applicable to the 1984 registration year and thereafter.

(k) Only a licensed dealer under this Section may use the reassignment portion included on a certificate of title to reassign a vehicle to another licensed dealer under this Chapter.

(l) If a licensee under this Section voluntarily surrenders a license to the Illinois Secretary of State Police or a representative of the Secretary of State Vehicle Services Department due to the licensee's inability to adhere to recordkeeping provisions, or the inability to properly issue certificates of title or registrations under this Code, or the Secretary revokes a license under this Section, then the licensee and the licensee's agent, designee, or legal representative, if applicable, may not be named on a new application for a licensee under this Section or under this Chapter, nor is the licensee or the licensee's agent, designee, or legal representative permitted to work for another licensee under this Chapter in a recordkeeping, management, or financial position or as an employee who handles certificate of title and registration documents and applications.

(Source: P.A. 100-450, eff. 1-1-18; 100-956, eff. 1-1-19; 101-505, eff. 1-1-20.)

(625 ILCS 5/5-101.1)

Sec. 5-101.1. Motor vehicle financing affiliates; licensing.

(a) In this State no business shall engage in the business of a motor vehicle financing affiliate without a license to do so in writing from the Secretary of State.

(b) An application for a motor vehicle financing affiliate's license must be filed with the Secretary of State, duly verified by oath, on a form prescribed by the Secretary of State and shall contain all of the following:

(1) The name and type of business organization of the applicant and the applicant's established place of business and any additional places of business in this State.

(2) The name and address of the licensed new or used vehicle dealer to which the applicant will be selling, transferring, or assigning new or used motor vehicles pursuant to a written contract. If more than one dealer is on the application, the applicant shall state in writing the basis of common ownership among the dealers.

(3) A list of the business organization's officers, directors, members, and shareholders having a 10% or greater ownership interest in the business, providing the residential address for each person listed.

(4) If selling, transferring, or assigning new motor vehicles, the make or makes of new vehicles that it will sell, assign, or otherwise transfer to the contracting new motor vehicle dealer listed on the application pursuant to paragraph (2).

(5) The name of each manufacturer or franchised distributor, if any, of new vehicles with whom the applicant has contracted for the sale of new vehicles and a signed statement from each manufacturer or franchised distributor acknowledging the contract.

(6) A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act by the Department of Revenue. This requirement does not apply to a motor vehicle financing affiliate that is already licensed with the Secretary of State and is applying for a renewal of its license.

(7) A statement that the applicant has complied with the appropriate liability insurance requirement and a Certificate of Insurance that shall not expire before December 31 of the year for which the license was issued or renewed with a minimum liability coverage of $100,000 for the bodily injury or death of any person, $300,000 for the bodily injury or death of 2 or more persons in any one accident, and $50,000 for damage to property. The expiration of the insurance policy shall not terminate the liability under the policy arising during the period for which the policy was filed. Trailer and mobile home dealers are exempt from the requirements of this paragraph. A motor vehicle financing affiliate is exempt from the requirements of this paragraph if it is covered by the insurance policy of the new or used dealer listed on the application pursuant to paragraph (2).

(8) A license fee of $1,000 for the applicant's established place of business and $250 for each additional place of business, if any, to which the application pertains. However, if the application is made after June 15 of any year, the license fee shall be $500 for the applicant's established place of business and $125 for each additional place of business, if any, to which the application pertains. These license fees shall be returnable only in the event that the application is denied by the Secretary of State.

(9) A statement incorporating the requirements of paragraphs 8 and 9 of subsection (b) of Section 5-101.

(10) Any other information concerning the business of the applicant as the Secretary of State may prescribe.

(11) A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

(12) The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(c) Any change which renders no longer accurate any information contained in any application for a motor vehicle financing affiliate's license shall be amended within 30 days after the occurrence of the change on a form prescribed by the Secretary of State, accompanied by an amendatory fee of $2.

(d) If a new vehicle dealer is not listed on the application, pursuant to paragraph (2) of subsection (b), the motor vehicle financing affiliate shall not receive, possess, or transfer any new vehicle. If a new motor vehicle dealer is listed on the application, pursuant to paragraph (2) of subsection (b), the new motor vehicle dealer can only receive those new cars it is permitted to receive under its franchise agreement. If both a new and used motor vehicle dealer are listed on the application, pursuant to paragraph (2) of subsection (b), only the new motor vehicle dealer may receive new motor vehicles. If a used motor vehicle is listed on the application, pursuant to paragraph (2) of subsection (b), the used motor vehicle dealer shall not receive any new motor vehicles.

(e) The applicant and dealer provided pursuant to paragraph (2) of subsection (b) must be business organizations registered to conduct business in Illinois. Three-fourths of the dealer's board of directors must be members of the motor vehicle financing affiliate's board of directors, if applicable.

(f) Unless otherwise provided in this Chapter 5, no business organization registered to do business in Illinois shall be licensed as a motor vehicle financing affiliate unless:

(1) The motor vehicle financing affiliate shall only sell, transfer, or assign motor vehicles to the licensed new or used dealer listed on the application pursuant to paragraph (2) of subsection (b).

(2) The motor vehicle financing affiliate sells, transfers, or assigns to the new motor vehicle dealer listed on the application, if any, only those new motor vehicles the motor vehicle financing affiliate has received under the contract set forth in paragraph (5) of subsection (b).

(3) Any new vehicle dealer listed pursuant to paragraph (2) of subsection (b) has a franchise agreement that permits the dealer to receive motor vehicles from the motor vehicle franchise affiliate.

(4) The new or used motor vehicle dealer listed on the application pursuant to paragraph (2) of subsection (b) has one established place of business or supplemental places of business as referenced in subsection (g).

(g) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted pursuant to this Section and, unless it is determined that the application does not conform with the requirements of this Section or that grounds exist for a denial of the application under Section 5-501, grant the applicant a motor vehicle financing affiliate license in writing for the applicant's established place of business and a supplemental license in writing for each additional place of business in a form prescribed by the Secretary, which shall include all of the following:

(1) The name of the business licensed;

(2) The name and address of its officers, directors, or members, as applicable;

(3) In the case of an original license, the established place of business of the licensee; ~~and~~

(4) If applicable, the make or makes of new vehicles which the licensee is licensed to sell to the new motor vehicle dealer listed on the application pursuant to paragraph (2) of subsection (b); and~~.~~

(5) The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(h) The appropriate instrument evidencing the license or a certified copy, provided by the Secretary of State, shall be kept posted conspicuously in the established place of business of the licensee.

(i) Except as provided in subsection (h), all motor vehicle financing affiliate's licenses granted under this Section shall expired by operation of law on December 31 of the calendar year for which they are granted, unless revoked or canceled at an earlier date pursuant to Section 5-501.

(j) A motor vehicle financing affiliate's license may be renewed upon application and payment of the required fee. However, when an application for renewal of a motor vehicle financing affiliate's license is made during the month of December, the effective license shall remain in force until the application is granted or denied by the Secretary of State.

(k) The contract a motor vehicle financing affiliate has with a manufacturer or franchised distributor, as provided in paragraph (5) of subsection (b), shall only permit the applicant to sell, transfer, or assign new motor vehicles to the new motor vehicle dealer listed on the application pursuant to paragraph (2) of subsection (b). The contract shall specifically prohibit the motor vehicle financing affiliate from selling motor vehicles at retail. This contract shall not be considered the granting of a franchise as defined in Section 2 of the Motor Vehicle Franchise Act.

(l) When purchasing of a motor vehicle by a new or used motor vehicle dealer, all persons licensed as a motor vehicle financing affiliate are required to furnish all of the following:

(1) For a new vehicle, a manufacturer's statement of origin properly assigned to the purchasing dealer. For a used vehicle, a certificate of title properly assigned to the purchasing dealer.

(2) A statement verified under oath that all identifying numbers on the vehicle agree with those on the certificate of title or manufacturer's statement of origin.

(3) A bill of sale properly executed on behalf of the purchasing dealer.

(4) A copy of the Uniform Invoice-transaction report pursuant to Section 5-402.

(5) In the case of a rebuilt vehicle, a copy of the Disclosure of Rebuilt Vehicle Status pursuant to Section 5-104.3.

(6) In the case of a vehicle for which a warranty has been reinstated, a copy of the warranty.

(m) The motor vehicle financing affiliate shall use the established and supplemental place or places of business the new or used vehicle dealer listed on the application pursuant to paragraph (2) of subsection (b) as its established and supplemental place or places of business.

(n) The motor vehicle financing affiliate shall keep all books and records required by this Code with the books and records of the new or used vehicle dealer listed on the application pursuant to paragraph (2) of subsection (b). The motor vehicle financing affiliate may use the books and records of the new or used motor vehicle dealer listed on the application pursuant to paragraph (2) of subsection (b).

(o) Under no circumstances shall a motor vehicle financing affiliate sell, transfer, or assign a new vehicle to any place of business of a new motor vehicle dealer, unless that place of business is licensed under this Chapter to sell, assign, or otherwise transfer the make of the new motor vehicle transferred.

(p) All moneys received by the Secretary of State as license fees under this Section shall be deposited into the Motor Vehicle Review Board Fund and shall be used to administer the Motor Vehicle Review Board under the Motor Vehicle Franchise Act.

(q) Except as otherwise provided in this Section, a motor vehicle financing affiliate shall comply with all provisions of this Code.

(r) If a licensee under this Section voluntarily surrenders a license to the Illinois Secretary of State Police or a representative of the Secretary of State Vehicle Services Department due to the licensee's inability to adhere to recordkeeping provisions, or the inability to properly issue certificates of title or registrations under this Code, or the Secretary revokes a license under this Section, then the licensee and the licensee's agent, designee, or legal representative, if applicable, may not be named on a new application for a licensee under this Section or under this Chapter, nor is the licensee or the licensee's agent, designee, or legal representative permitted to work for another licensee under this Chapter in a recordkeeping, management, or financial position or as an employee who handles certificate of title and registration documents and applications.

(Source: P.A. 91-415, eff. 1-1-00.)

(625 ILCS 5/5-101.2)

Sec. 5-101.2. Manufactured home dealers; licensing.

(a) For the purposes of this Section, the following words shall have the meanings ascribed to them as follows:

"Community-based manufactured home dealer" means an individual or entity that operates a tract of land or 2 or more contiguous tracts of land which contain sites with the necessary utilities for 5 or more independent manufactured homes for permanent habitation, either free of charge or for revenue purposes, and shall include any building, structure, vehicle, or enclosure used or intended for use as a part of the equipment of the manufactured home park who may, incidental to the operation of the manufactured home community, sell, trade, or buy no more than 2 manufactured homes or park models per calendar year that are located within the manufactured home community pursuant to a franchise agreement or similar agreement with a manufacturer, or used manufactured homes or park models located within the manufactured home community or additional place of business that is owned or managed by the community-based manufactured home dealer.

"Established place of business" means the place owned or leased and occupied by any person duly licensed or required to be licensed as a manufactured home dealer or a community-based manufactured home dealer for the purpose of engaging in selling, buying, bartering, displaying, exchanging, or dealing in, on consignment or otherwise, manufactured homes or park models and for such other ancillary purposes as may be permitted by the Secretary by rule. An established place of business shall include a single or central office in which the manufactured home dealer's or community-based manufactured home dealer's records shall be separate and distinct from any other business or tenant which may occupy space in the same building, except as provided in this Section, and the office shall not be located in a tent, temporary stand, temporary address, room or rooms in a hotel or rooming house, nor the premises occupied by a single or multiple unit residence, unless the multiple unit residence has a separate and distinct office.

"Manufactured home" means a factory assembled structure built on a permanent chassis, transportable in one or more sections in the travel mode, incapable of self-propulsion, and bears a label indicating the manufacturer's compliance with the United States Department of Housing and Urban Development standards, as applicable, that is without a permanent foundation and is designed for year round occupancy as a single-family residence when connected to approved water, sewer, and electrical utilities.

"Manufactured home dealer" means an individual or entity that engages in the business of acquiring or disposing of a manufactured home or park model, either a new manufactured home or park model, pursuant to a franchise agreement with a manufacturer, or used manufactured homes or park models, and who has an established place of business that is not in a residential community-based setting.

"Park model" means a vehicle that is incapable of self-propulsion that is less than 400 square feet of habitable space that is built to American National Standards Institute (ANSI) standards that prohibits occupancy on a permanent basis and is built on a vehicle chassis.

"Supplemental license" means a license that a community-based manufactured home dealer receives and displays at locations in which the licensee is authorized to sell, buy, barter, display,

exchange, or deal in, on consignment or otherwise, manufactured homes or park models, but is not the established place of business of the licensee.

(b) No person shall engage in this State in the business of selling or dealing in, on consignment or otherwise, manufactured homes or park models of any make, or act as an intermediary, agent, or broker for any manufactured home or park model purchaser, other than as a salesperson or to represent or advertise that he or she is so engaged, or intends to so engage, in the business, unless licensed to do so by the Secretary of State under the provisions of this Section.

(c) An application for a manufactured home dealer's license or a community-based manufactured home dealer's license shall be filed with the Secretary of State and duly verified by oath, on such form as the Secretary of State may by rule prescribe and shall contain all of the following:

(1) The name and type of business organization of the applicant, and his or her established and additional places of business, if any, in this State.

(2) If the applicant is a corporation, a list of its officers, directors, and shareholders having a 10% or greater ownership interest in the corporation. If the applicant is a sole proprietorship, a partnership, a limited liability company, an unincorporated association, a trust, or any similar form of business organization, the name and residence address of the proprietor, or the name and residence address of each partner, member, officer, director, trustee, or manager.

(3) The make or makes of new manufactured homes or park models that the applicant will offer for sale at retail in the State.

(4) The name of each manufacturer or franchised distributor, if any, of new manufactured homes or park models with whom the applicant has contracted for the sale of new manufactured homes or park models. As evidence of this fact, the application shall be accompanied by a signed statement from each manufacturer or franchised distributor.

(5) A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act by the Department of Revenue, provided that this requirement does not apply to a manufactured home dealer who is already licensed with the Secretary of State, and who is merely applying for a renewal of his or her license. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that the Department has approved the applicant for registration under the Retailers' Occupation Tax Act.

(6) An application for:

(A) a manufactured home dealer's license, when the applicant is selling new manufactured homes or park models on behalf of a manufacturer of manufactured homes or park models, or 5 or more used manufactured homes or park models during the calendar year, shall be accompanied by a $1,000 license fee for the applicant's established place of business, and $100 for each additional place of business, if any, to which the application pertains. If the application is made after June 15 in any year, the license fee shall be $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State; or

(B) a community-based manufactured home dealer's license, when the applicant is selling new manufactured homes or park models on behalf of a manufacturer of manufactured homes or park models, or 5 or more used manufactured homes or park models during the calendar year, but within a community setting, shall be accompanied by a license fee of $500 for the applicant's established place of business, and $50 for each additional place of business within a 50-mile radius of the established place of business, if any to which the application pertains. If the application is made after June 15 in any year, the license fee shall be $250 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State.

Of the monies received by the Secretary of State as license fees under this paragraph (6), 95% shall be deposited into the General Revenue Fund and 5% into the Motor Vehicle License Plate Fund.

(7) A statement that the applicant's officers, directors, and shareholders having a 10% or greater ownership interest therein, proprietor, a partner, member, officer, director, trustee, manager, or other principals in the business, have not committed in the past 3 years any one violation, as determined in any civil, criminal, or administrative hearing proceeding, of any one of the following Acts:

(A) the Anti Theft Laws of the Illinois Vehicle Code;

(B) the Certificate of Title Laws of the Illinois Vehicle Code;

(C) the Offenses against Registration and Certificates of Title Laws of the Illinois Vehicle Code;

(D) the Dealers, Transporters, Wreckers, and Rebuilders Laws of the Illinois Vehicle Code;

(E) Section 21-2 of the Criminal Code of 2012 (criminal trespass to vehicles);

(F) the Retailers Occupation Tax Act;

(G) the Consumer Finance Act;

(H) the Consumer Installment Loan Act;

(I) the Retail Installment Sales Act;

(J) the Motor Vehicle Retail Installment Sales Act;

(K) the Interest Act;

(L) the Illinois Wage Assignment Act;

(M) Part 8 of Article XII of the Code of Civil Procedure; or

(N) the Consumer Fraud Act.

(8) A bond or certificate of deposit in the amount of $20,000 for each license holder applicant intending to act as a manufactured home dealer or community-based manufactured home dealer under this Section. The bond shall be for the term of the license, for which application is made, and shall expire not sooner than December 31 of the year for which the license was issued. The bond shall run to the People of the State of Illinois, with surety by a bonding or insurance company authorized to do business in this State. It shall be conditioned upon the proper transmittal of all title and registration fees and taxes (excluding taxes under the Retailers' Occupation Tax Act) accepted by the applicant as a manufactured home dealer.

(9) Dealers in business for over 5 years may substitute a certificate of insurance in lieu of the bond or certificate of deposit upon renewing their license.

(10) Any other information concerning the business of the applicant as the Secretary of State may by rule prescribe.

(11) A statement that the applicant has read and understands Chapters 1 through 5 of this Code.

(12) The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(d) Any change which renders no longer accurate any information contained in any application for a license under this Section shall be amended within 30 days after the occurrence of the change on a form the Secretary of State may prescribe, by rule, accompanied by an amendatory fee of $25.

(e) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted to him or her under this Section, and unless he or she makes a determination that the application submitted to him or her does not conform with the requirements of this Section or that grounds exist for a denial of the application under Section 5-501 of this Chapter, grant the applicant an initial manufactured home dealer's license or a community-based manufactured home dealer's license in writing for his or her established place of business and a supplemental license in writing for each additional place of business in a form the Secretary may prescribe by rule, which shall include the following:

(1) the name of the person or entity licensed;

(2) if a corporation, the name and address of its officers; if a sole proprietorship, a partnership, an unincorporated association, or any similar form of business organization, the name and address of the proprietor, or the name and address of each partner, member, officer, director, trustee or manager; or if a limited liability company, the name and address of the general partner or partners, or managing member or members;

(3) in the case of an original license, the established place of business of the licensee;

(4) in the case of a supplemental license, the established place of business of the licensee and the distance to each additional place of business to which the supplemental license pertains; ~~and~~

(5) if applicable, the make or makes of new manufactured homes or park models to which a manufactured home dealer is licensed to sell; and~~.~~

(6) the full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(e-5) A manufactured home dealer may operate a supplemental lot if the lot is located within 50 miles of the manufactured home dealer's principal place of business. Records pertaining to a supplemental lot may be maintained at the principal place of business.

(f) The appropriate instrument evidencing the license or a certified copy of the instrument, provided by the Secretary of State, shall be kept posted conspicuously in the established place of business of the licensee and in each additional place of business, if any, maintained by the licensee, unless the licensee is a community-based manufactured home dealer, then the license shall be posted in the community-based manufactured home dealer's central office and it shall include a list of the other locations that the community-based manufactured home dealer may oversee.

(g) Except as provided in subsection (i) of this Section, all licenses granted under this Section shall expire by operation of law on December 31 of the calendar year for which the licenses were granted, unless sooner revoked or cancelled under the provisions of Section 5-501 of this Chapter.

(h) All persons licensed as a manufactured home dealer or a community-based manufactured home dealer are required to furnish each purchaser of a manufactured home or park model:

(1) in the case of a new manufactured home or park model, a manufacturer's statement of origin, and in the case of a previously owned manufactured home or park model, a certificate of title, in either case properly assigned to the purchaser;

(2) a statement verified under oath that all identifying numbers on the vehicle match the identifying numbers on the certificate of title or manufacturer's statement of origin;

(3) a bill of sale properly executed on behalf of the purchaser;

(4) a copy of the Uniform Invoice-transaction reporting return form referred to in Section 5-402; and

(5) for a new manufactured home or park model, a warranty, and in the case of a manufactured home or park model for which the warranty has been reinstated, a copy of the warranty; if no warranty is provided, a disclosure or statement that the manufactured home or park model is being sold "AS IS".

(i) This Section shall not apply to a (i) seller who privately owns his or her manufactured home or park model as his or her main residence and is selling the manufactured home or park model to another individual or to a licensee; (ii) a retailer or entity licensed under either Section 5-101 or 5-102 of this Code; or (iii) an individual or entity licensed to sell truck campers, travel trailers, motor homes, or mini motor homes as defined by this Code. Any vehicle not covered by this Section that requires an individual or entity to obtain a license to sell 5 or more vehicles must obtain a license under the relevant provisions of this Code.

(j) This Section shall not apply to any person licensed under the Real Estate License Act of 2000.

(k) The Secretary of State may adopt any rules necessary to implement this Section.

(l) Only a licensed dealer under this Section may use the reassignment portion included on a certificate of title to reassign a vehicle to another licensed dealer under this Chapter.

(Source: P.A. 101-407, eff. 8-16-19.)

(625 ILCS 5/5-102) (from Ch. 95 1/2, par. 5-102)

Sec. 5-102. Used vehicle dealers must be licensed.

(a) No person, other than a licensed new vehicle dealer, shall engage in the business of selling or dealing in, on consignment or otherwise, 5 or more used vehicles of any make during the year (except house trailers as authorized by paragraph (j) of this Section and rebuilt salvage vehicles sold by their rebuilders to persons licensed under this Chapter), or act as an intermediary, agent or broker for any licensed dealer or vehicle purchaser (other than as a salesperson) or represent or advertise that he is so engaged or intends to so engage in such business unless licensed to do so by the Secretary of State under the provisions of this Section.

(b) An application for a used vehicle dealer's license shall be filed with the Secretary of State, duly verified by oath, in such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization established and additional places of business, if any, in this State.

2. If the applicant is a corporation, a list of its officers, directors, and shareholders having a ten percent or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the names and residence address of the proprietor or of each partner, member, officer, director, trustee or manager.

3. A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act by the Department of Revenue. However, this requirement does not apply to a dealer who is already licensed hereunder with the Secretary of State, and who is merely applying for a renewal of his license. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that the Department has approved the applicant for registration under the Retailers' Occupation Tax Act.

4. A statement that the applicant has complied with the appropriate liability insurance requirement. A Certificate of Insurance in a solvent company authorized to do business in the State of Illinois shall be included with each application covering each location at which he proposes to act as a used vehicle dealer. The policy must provide liability coverage in the minimum amounts of $100,000 for bodily injury to, or death of, any person, $300,000 for bodily injury to, or death of, two or more persons in any one accident, and $50,000 for damage to property. Such policy shall expire not sooner than December 31 of the year for which the license was issued or renewed. The expiration of the insurance policy shall not terminate the liability under the policy arising during the period for which the policy was filed. Trailer and mobile home dealers are exempt from this requirement.

If the permitted user has a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, then the permitted user's insurer shall be the primary insurer and the dealer's insurer shall be the secondary insurer. If the permitted user does not have a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, or does not have any insurance at all, then the dealer's insurer shall be the primary insurer and the permitted user's insurer shall be the secondary insurer.

When a permitted user is "test driving" a used vehicle dealer's automobile, the used vehicle dealer's insurance shall be primary and the permitted user's insurance shall be secondary.

As used in this paragraph 4, a "permitted user" is a person who, with the permission of the used vehicle dealer or an employee of the used vehicle dealer, drives a vehicle owned and held for sale or lease by the used vehicle dealer which the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle. The term "permitted user" also includes a person who, with the permission of the used vehicle dealer, drives a vehicle owned or held for sale or lease by the used vehicle dealer for loaner purposes while the user's vehicle is being repaired or evaluated.

As used in this paragraph 4, "test driving" occurs when a permitted user who, with the permission of the used vehicle dealer or an employee of the used vehicle dealer, drives a vehicle owned and held for sale or lease by a used vehicle dealer that the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle.

As used in this paragraph 4, "loaner purposes" means when a person who, with the permission of the used vehicle dealer, drives a vehicle owned or held for sale or lease by the used vehicle dealer while the user's vehicle is being repaired or evaluated.

5. An application for a used vehicle dealer's license shall be accompanied by the following license fees:

(A) $1,000 for applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; however, if the application is made after June 15 of any year, the license fee shall be $500 for applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that the application is denied by the Secretary of State. Of the money received by the Secretary of State as license fees under this subparagraph (A) for the 2004 licensing year and thereafter, 95% shall be deposited into the General Revenue Fund.

(B) Except for dealers selling 25 or fewer automobiles or as provided in subsection (h) of Section 5-102.7 of this Code, an Annual Dealer Recovery Fund Fee in the amount of $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the fee shall be $250 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. For a license renewal

application, the fee shall be based on the amount of automobiles sold in the past year according to the following formula:

(1) $0 for dealers selling 25 or less automobiles;

(2) $150 for dealers selling more than 25 but less than 200 automobiles;

(3) $300 for dealers selling 200 or more automobiles but less than 300 automobiles; and

(4) $500 for dealers selling 300 or more automobiles.

License fees shall be returnable only in the event that the application is denied by the Secretary of State. Moneys received under this subparagraph (B) shall be deposited into the Dealer Recovery Trust Fund.

6. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other principals in the business have not committed in the past 3 years any one violation as determined in any civil, criminal or administrative proceedings of any one of the following Acts:

(A) The Anti-Theft Laws of the Illinois Vehicle Code;

(B) The Certificate of Title Laws of the Illinois Vehicle Code;

(C) The Offenses against Registration and Certificates of Title Laws of the Illinois Vehicle Code;

(D) The Dealers, Transporters, Wreckers and Rebuilders Laws of the Illinois Vehicle Code;

(E) Section 21-2 of the Illinois Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles; or

(F) The Retailers' Occupation Tax Act.

7. A statement that the applicant's officers, directors, shareholders having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other principals in the business have not committed in any calendar year 3 or more violations, as determined in any civil or criminal or administrative proceedings, of any one or more of the following Acts:

(A) The Consumer Finance Act;

(B) The Consumer Installment Loan Act;

(C) The Retail Installment Sales Act;

(D) The Motor Vehicle Retail Installment Sales Act;

(E) The Interest Act;

(F) The Illinois Wage Assignment Act;

(G) Part 8 of Article XII of the Code of Civil Procedure; or

(H) The Consumer Fraud and Deceptive Business Practices Act.

7.5. A statement that, within 10 years of application, each officer, director, shareholder having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principal in the business of the applicant has not committed, as determined in any civil, criminal, or administrative proceeding, in any calendar year one or more forcible felonies under the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of either or both Article 16 or 17 of the Criminal Code of 1961 or a violation of either or both Article 16 or 17 of the Criminal Code of 2012, Article 29B of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar out-of-state offense. For the purposes of this paragraph, "forcible felony" has the meaning provided in Section 2-8 of the Criminal Code of 2012.

8. A bond or Certificate of Deposit in the amount of $50,000 for each location at which the applicant intends to act as a used vehicle dealer. The bond shall be for the term of the license, or its renewal, for which application is made, and shall expire not sooner than December 31 of the year for which the license was issued or renewed. The bond shall run to the People of the State of Illinois, with surety by a bonding or insurance company authorized to do business in this State. It shall be conditioned upon the proper transmittal of all title and registration fees and taxes (excluding taxes under the Retailers' Occupation Tax Act) accepted by the applicant as a used vehicle dealer.

9. Such other information concerning the business of the applicant as the Secretary of State may by rule or regulation prescribe.

10. A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

11. A copy of the certification from the prelicensing education program.

12. The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(c) Any change which renders no longer accurate any information contained in any application for a used vehicle dealer's license shall be amended within 30 days after the occurrence of each change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of $2.

(d) Anything in this Chapter to the contrary notwithstanding, no person shall be licensed as a used vehicle dealer unless such person maintains an established place of business as defined in this Chapter.

(e) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted to him under this Section. Unless the Secretary makes a determination that the application submitted to him does not conform to this Section or that grounds exist for a denial of the application under Section 5-501 of this Chapter, he must grant the applicant an original used vehicle dealer's license in writing for his established place of business and a supplemental license in writing for each additional place of business in such form as he may prescribe by rule or regulation which shall include the following:

1. The name of the person licensed;

2. If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;

3. In case of an original license, the established place of business of the licensee;

4. In the case of a supplemental license, the established place of business of the licensee and the additional place of business to which such supplemental license pertains;.

5. The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(f) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State shall be kept posted, conspicuously, in the established place of business of the licensee and in each additional place of business, if any, maintained by such licensee.

(g) Except as provided in subsection (h) of this Section, all used vehicle dealer's licenses granted under this Section expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked or cancelled under Section 5-501 of this Chapter.

(h) A used vehicle dealer's license may be renewed upon application and payment of the fee required herein, and submission of proof of coverage by an approved bond under the "Retailers' Occupation Tax Act" or proof that applicant is not subject to such bonding requirements, as in the case of an original license, but in case an application for the renewal of an effective license is made during the month of December, the effective license shall remain in force until the application for renewal is granted or denied by the Secretary of State.

(i) All persons licensed as a used vehicle dealer are required to furnish each purchaser of a motor vehicle:

1. A certificate of title properly assigned to the purchaser;

2. A statement verified under oath that all identifying numbers on the vehicle agree with those on the certificate of title;

3. A bill of sale properly executed on behalf of such person;

4. A copy of the Uniform Invoice-transaction reporting return referred to in Section 5-402 of this Chapter;

5. In the case of a rebuilt vehicle, a copy of the Disclosure of Rebuilt Vehicle Status; and

6. In the case of a vehicle for which the warranty has been reinstated, a copy of the warranty.

(j) A real estate broker holding a valid certificate of registration issued pursuant to "The Real Estate Brokers and Salesmen License Act" may engage in the business of selling or dealing in house trailers not his own without being licensed as a used vehicle dealer under this Section; however such broker shall maintain a record of the transaction including the following:

(1) the name and address of the buyer and seller,

(2) the date of sale,

(3) a description of the mobile home, including the vehicle identification number, make, model, and year, and

(4) the Illinois certificate of title number.

The foregoing records shall be available for inspection by any officer of the Secretary of State's Office at any reasonable hour.

(k) Except at the time of sale or repossession of the vehicle, no person licensed as a used vehicle dealer may issue any other person a newly created key to a vehicle unless the used vehicle dealer makes a color photocopy or electronic scan of the driver's license or State identification card of the person requesting or obtaining the newly created key. The used vehicle dealer must retain the photocopy or scan for 30 days.

A used vehicle dealer who violates this subsection (k) is guilty of a petty offense. Violation of this subsection (k) is not cause to suspend, revoke, cancel, or deny renewal of the used vehicle dealer's license.

(l) Used vehicle dealers licensed under this Section shall provide the Secretary of State a register for the sale at auction of each salvage or junk certificate vehicle. Each register shall include the following information:

1. The year, make, model, style and color of the vehicle;

2. The vehicle's manufacturer's identification number or, if applicable, the Secretary of State or Illinois Department of State Police identification number;

3. The date of acquisition of the vehicle;

4. The name and address of the person from whom the vehicle was acquired;

5. The name and address of the person to whom any vehicle was disposed, the person's Illinois license number or if the person is an out-of-state salvage vehicle buyer, the license number from the state or jurisdiction where the buyer is licensed; and

6. The purchase price of the vehicle.

(m) Only a licensed dealer under this Section may use the reassignment portion included on a certificate of title to reassign a vehicle to another licensed dealer under this Chapter.

(n) If a licensee under this Section voluntarily surrenders a license to the Illinois Secretary of State Police or a representative of the Secretary of State Vehicle Services Department due to the licensee's inability to adhere to recordkeeping provisions, or the inability to properly issue certificates of title or registrations under this Code, or the Secretary revokes a license under this Section, then the licensee and the licensee's agent, designee, or legal representative, if applicable, may not be named on a new application for a licensee under this Section or under this Chapter, nor is the licensee or the licensee's agent, designee, or legal representative permitted to work for another licensee under this Chapter in a recordkeeping, management, or financial position or as an employee who handles certificate of title and registration documents and applications.

The register shall be submitted to the Secretary of State via written or electronic means within 10 calendar days from the date of the auction.

(Source: P.A. 100-450, eff. 1-1-18; 100-956, eff. 1-1-19; 101-505, eff. 1-1-20.)

(625 ILCS 5/5-102.8)

Sec. 5-102.8. Licensure of Buy Here, Pay Here used vehicle dealers.

(a) As used in this Section, "Buy Here, Pay Here used vehicle dealer" means any entity that engages in the business of selling or leasing of vehicles and finances the sale or purchase price of the vehicle to a customer without the customer using a third-party lender.

(b) No person shall engage in the business of selling or dealing in, on consignment or otherwise, 5 or more used vehicles of any make during the year (except rebuilt salvage vehicles sold by their rebuilders to persons licensed under this Chapter), or act as an intermediary, agent, or broker for any licensed dealer or vehicle purchaser (other than as a salesperson) or represent or advertise that he or she is so engaged or intends to so engage in such business of a Buy Here, Pay Here used vehicle dealer unless licensed to do so by the Secretary of State under the provisions of this Section.

(c) An application for a Buy Here, Pay Here used vehicle dealer's license shall be filed with the Secretary of State, duly verified by oath, in such form as the Secretary of State may by rule or regulation prescribe and shall contain:

(1) The name and type of business organization established and additional places of business, if any, in this State.

(2) If the applicant is a corporation, a list of its officers, directors, and shareholders having a 10% or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the names and residence address of the proprietor or of each partner, member, officer, director, trustee, or manager.

(3) A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act by the Department of Revenue. However, this requirement does not apply to a dealer who is already licensed hereunder with the Secretary of State, and who is merely applying for a

renewal of his or her license. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that the Department has approved the applicant for registration under the Retailers' Occupation Tax Act.

(4) A statement that the applicant has complied with the appropriate liability insurance requirement. A Certificate of Insurance in a solvent company authorized to do business in the State of Illinois shall be included with each application covering each location at which he or she proposes to act as a Buy Here, Pay Here used vehicle dealer. The policy must provide liability coverage in the minimum amounts of $100,000 for bodily injury to, or death of, any person, $300,000 for bodily injury to, or death of, 2 or more persons in any one accident, and $50,000 for damage to property. Such policy shall expire not sooner than December 31 of the year for which the license was issued or renewed. The expiration of the insurance policy shall not terminate the liability under the policy arising during the period for which the policy was filed.

If the permitted user has a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, then the permitted user's insurer shall be the primary insurer and the dealer's insurer shall be the secondary insurer. If the permitted user does not have a liability insurance policy that provides automobile liability insurance coverage of at least $100,000 for bodily injury to or the death of any person, $300,000 for bodily injury to or the death of any 2 or more persons in any one accident, and $50,000 for damage to property, or does not have any insurance at all, then the dealer's insurer shall be the primary insurer and the permitted user's insurer shall be the secondary insurer.

When a permitted user is "test driving" a Buy Here, Pay Here used vehicle dealer's automobile, the Buy Here, Pay Here used vehicle dealer's insurance shall be primary and the permitted user's insurance shall be secondary.

As used in this paragraph, "permitted user" means a person who, with the permission of the Buy Here, Pay Here used vehicle dealer or an employee of the Buy Here, Pay Here used vehicle dealer, drives a vehicle owned and held for sale or lease by the Buy Here, Pay Here used vehicle dealer that the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle. "Permitted user" includes a person who, with the permission of the Buy Here, Pay Here used vehicle dealer, drives a vehicle owned or held for sale or lease by the Buy Here, Pay Here used vehicle dealer for loaner purposes while the user's vehicle is being repaired or evaluated.

As used in this paragraph, "test driving" occurs when a permitted user who, with the permission of the Buy Here, Pay Here used vehicle dealer or an employee of the Buy Here, Pay Here used vehicle dealer, drives a vehicle owned and held for sale or lease by a Buy Here, Pay Here used vehicle dealer that the person is considering to purchase or lease, in order to evaluate the performance, reliability, or condition of the vehicle.

As used in this paragraph, "loaner purposes" means when a person who, with the permission of the Buy Here, Pay Here used vehicle dealer, drives a vehicle owned or held for sale or lease by the used vehicle dealer while the user's vehicle is being repaired or evaluated.

(5) An application for a Buy Here, Pay Here used vehicle dealer's license shall be accompanied by the following license fees:

(A) $1,000 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; however, if the application is made after June 15 of any year, the license fee shall be $500 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only if the application is denied by the Secretary of State. Of the money received by the Secretary of State as license fees under this subparagraph, 95% shall be deposited into the General Revenue Fund.

(B) Except for dealers selling 25 or fewer automobiles or as provided in subsection (h) of Section 5-102.7 of this Code, an Annual Dealer Recovery Fund Fee in the amount of $500 for the applicant's established place of business, and $50 for each additional place of business, if any, to which the application pertains; but if the application is made after June 15 of any year, the fee shall be $250 for the applicant's established place of business plus $25 for each additional place of business, if any, to which the application pertains. For a license renewal

application, the fee shall be based on the amount of automobiles sold in the past year according to the following formula:

(1) $0 for dealers selling 25 or less automobiles;

(2) $150 for dealers selling more than 25 but less than 200 automobiles;

(3) $300 for dealers selling 200 or more automobiles but less than 300 automobiles; and

(4) $500 for dealers selling 300 or more automobiles.

Fees shall be returnable only if the application is denied by the Secretary of State. Money received under this subparagraph shall be deposited into the Dealer Recovery Trust Fund. A Buy Here, Pay Here used vehicle dealer shall pay into the Dealer Recovery Trust Fund for every vehicle that is financed, sold, or otherwise transferred to an individual or entity other than the Buy Here, Pay Here used vehicle dealer even if the individual or entity to which the Buy Here, Pay Here used vehicle dealer transfers the vehicle is unable to continue to adhere to the terms of the transaction by the Buy Here, Pay Here used vehicle dealer.

(6) A statement that each officer, director, shareholder having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principal in the business of the applicant has not committed in the past 3 years any one violation as determined in any civil, criminal, or administrative proceedings of any one of the following:

(A) the Anti-Theft Laws of this Code;

(B) the Certificate of Title Laws of this Code;

(C) the Offenses against Registration and Certificates of Title Laws of this Code;

(D) the Dealers, Transporters, Wreckers and Rebuilders Laws of this Code;

(E) Section 21-2 of the Illinois Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles; or

(F) the Retailers' Occupation Tax Act.

(7) A statement that each officer, director, shareholder having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principal in the business of the applicant has not committed in any calendar year 3 or more violations, as determined in any civil, criminal, or administrative proceedings, of any one or more of the following:

(A) the Consumer Finance Act;

(B) the Consumer Installment Loan Act;

(C) the Retail Installment Sales Act;

(D) the Motor Vehicle Retail Installment Sales Act;

(E) the Interest Act;

(F) the Illinois Wage Assignment Act;

(G) Part 8 of Article XII of the Code of Civil Procedure; or

(H) the Consumer Fraud and Deceptive Business Practices Act.

(8) A statement that, within 10 years of application, each officer, director, shareholder having a 10% or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principal in the business of the applicant has not committed, as determined in any civil, criminal, or administrative proceeding, in any calendar year one or more forcible felonies under the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of either or both Article 16 or 17 of the Criminal Code of 1961, or a violation of either or both Article 16 or 17 of the Criminal Code of 2012, Article 29B of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar out-of-state offense. For the purposes of this paragraph, "forcible felony" has the meaning provided in Section 2-8 of the Criminal Code of 2012.

(9) A bond or Certificate of Deposit in the amount of $50,000 for each location at which the applicant intends to act as a Buy Here, Pay Here used vehicle dealer. The bond shall be for the term of the license. The bond shall run to the People of the State of Illinois, with surety by a bonding or insurance company authorized to do business in this State. It shall be conditioned upon the proper transmittal of all title and registration fees and taxes (excluding taxes under the Retailers' Occupation Tax Act) accepted by the applicant as a Buy Here, Pay Here used vehicle dealer.

(10) Such other information concerning the business of the applicant as the Secretary of State may by rule prescribe.

(11) A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

(12) A copy of the certification from the prelicensing education program.

(13) The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(d) Any change that renders no longer accurate any information contained in any application for a Buy Here, Pay Here used vehicle dealer's license shall be amended within 30 days after the occurrence of each change on such form as the Secretary of State may prescribe by rule, accompanied by an amendatory fee of $2.

(e) Anything in this Chapter to the contrary notwithstanding, no person shall be licensed as a Buy Here, Pay Here used vehicle dealer unless the person maintains an established place of business as defined in this Chapter.

(f) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted under this Section. Unless the Secretary makes a determination that the application does not conform to this Section or that grounds exist for a denial of the application under Section 5-501 of this Chapter, the Secretary must grant the applicant an original Buy Here, Pay Here used vehicle dealer's license in writing for his or her established place of business and a supplemental license in writing for each additional place of business in such form as the Secretary may prescribe by rule that shall include the following:

(1) The name of the person licensed.

(2) If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association, or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee, or manager.

(3) In the case of an original license, the established place of business of the licensee.

(4) In the case of a supplemental license, the established place of business of the licensee and the additional place of business to which the supplemental license pertains.

(5) The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(g) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State shall be kept posted, conspicuously, in the established place of business of the licensee and in each additional place of business, if any, maintained by the licensee.

(h) Except as provided in subsection (i), all Buy Here, Pay Here used vehicle dealer's licenses granted under this Section expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked or cancelled under Section 5-501 of this Chapter.

(i) A Buy Here, Pay Here used vehicle dealer's license may be renewed upon application and payment of the fee required herein, and submission of proof of coverage by an approved bond under the Retailers' Occupation Tax Act or proof that the applicant is not subject to such bonding requirements, as in the case of an original license, but in the case of an application for the renewal of an effective license made during the month of December, the effective license shall remain in force until the application for renewal is granted or denied by the Secretary of State.

(j) Each person licensed as a Buy Here, Pay Here used vehicle dealer is required to furnish each purchaser of a motor vehicle:

(1) a certificate of title properly assigned to the purchaser;

(2) a statement verified under oath that all identifying numbers on the vehicle agree with those on the certificate of title;

(3) a bill of sale properly executed on behalf of the person;

(4) a copy of the Uniform Invoice-transaction reporting return referred to in Section 5-402;

(5) in the case of a rebuilt vehicle, a copy of the Disclosure of Rebuilt Vehicle Status; and

(6) in the case of a vehicle for which the warranty has been reinstated, a copy of the warranty.

(k) Except at the time of sale or repossession of the vehicle, no person licensed as a Buy Here, Pay Here used vehicle dealer may issue any other person a newly created key to a vehicle unless the Buy Here, Pay Here used vehicle dealer makes a color photocopy or electronic scan of the driver's license or State identification card of the person requesting or obtaining the newly created key. The Buy Here, Pay Here used vehicle dealer must retain the photocopy or scan for 30 days.

A Buy Here, Pay Here used vehicle dealer who violates this subsection (k) is guilty of a petty offense. Violation of this subsection (k) is not cause to suspend, revoke, cancel, or deny renewal of the used vehicle dealer's license.

(l) A Buy Here, Pay Here used vehicle dealer licensed under this Section shall provide the Secretary of State a register for the sale at auction of each salvage or junk certificate vehicle. Each register shall include the following information:

(1) the year, make, model, style, and color of the vehicle;

(2) the vehicle's manufacturer's identification number or, if applicable, the Secretary of State or Illinois Department of State Police identification number;

(3) the date of acquisition of the vehicle;

(4) the name and address of the person from whom the vehicle was acquired;

(5) the name and address of the person to whom any vehicle was disposed, the person's Illinois license number or, if the person is an out-of-state salvage vehicle buyer, the license number from the state or jurisdiction where the buyer is licensed; and

(6) the purchase price of the vehicle.

(m) Only a licensed dealer under this Section may use the reassignment portion included on a certificate of title to reassign a vehicle to another licensed dealer under this Chapter.

(n) If a licensee under this Section voluntarily surrenders a license to the Illinois Secretary of State Police or a representative of the Secretary of State Vehicle Services Department due to the licensee's inability to adhere to recordkeeping provisions, or the inability to properly issue certificates of title or registrations under this Code, or the Secretary revokes a license under this Section, then the licensee and the licensee's agent, designee, or legal representative, if applicable, may not be named on a new application for a licensee under this Section or under this Chapter, nor is the licensee or the licensee's agent, designee, or legal representative permitted to work for another licensee under this Chapter in a recordkeeping, management, or financial position or as an employee who handles certificate of title and registration documents and applications.

The register shall be submitted to the Secretary of State via written or electronic means within 10 calendar days from the date of the auction.

(Source: P.A. 101-505, eff. 1-1-20.)

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

Sec. 5-301. Automotive parts recyclers, scrap processors, repairers and rebuilders must be licensed.

(a) No person in this State shall, except as an incident to the servicing of vehicles, carry on or conduct the business of an automotive parts recycler, a scrap processor, a repairer, or a rebuilder, unless licensed to do so in writing by the Secretary of State under this Section. No person shall rebuild a salvage vehicle unless such person is licensed as a rebuilder by the Secretary of State under this Section. No person shall engage in the business of acquiring 5 or more previously owned vehicles in one calendar year for the primary purpose of disposing of those vehicles in the manner described in the definition of a "scrap processor" in this Code unless the person is licensed as an automotive parts recycler by the Secretary of State under this Section. No person shall engage in the act of dismantling, crushing, or altering a vehicle into another form using machinery or equipment unless licensed to do so and only from the fixed location identified on the license issued by the Secretary. Each license shall be applied for and issued separately, except that a license issued to a new vehicle dealer under Section 5-101 of this Code shall also be deemed to be a repairer license.

(b) Any application filed with the Secretary of State, shall be duly verified by oath, in such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization of the applicant and his principal or additional places of business, if any, in this State.

2. The kind or kinds of business enumerated in subsection (a) of this Section to be conducted at each location.

3. If the applicant is a corporation, a list of its officers, directors, and shareholders having a ten percent or greater ownership interest in the corporation, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, a trust, or any similar form of business organization, the names and residence address of the proprietor or of each partner, member, officer, director, trustee or manager.

4. A statement that the applicant's officers, directors, shareholders having a ten percent or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager, or other principals in the business have not committed in the past three years any one violation as determined in any civil or criminal or administrative proceedings of any one of the following Acts:

(a) the Anti-Theft Laws of the Illinois Vehicle Code;

(b) the "Certificate of Title Laws" of the Illinois Vehicle Code;

(c) the "Offenses against Registration and Certificates of Title Laws" of the Illinois Vehicle Code;

(d) the "Dealers, Transporters, Wreckers and Rebuilders Laws" of the Illinois Vehicle Code;

(e) Section 21-2 of the Criminal Code of 1961 or the Criminal Code of 2012, Criminal Trespass to Vehicles; or

(f) the Retailers Occupation Tax Act.

5. A statement that the applicant's officers, directors, shareholders having a ten percent or greater ownership interest therein, proprietor, partner, member, officer, director, trustee, manager or other principals in the business have not committed in any calendar year 3 or more violations, as determined in any civil or criminal or administrative proceedings, of any one or more of the following Acts:

(a) the Consumer Finance Act;

(b) the Consumer Installment Loan Act;

(c) the Retail Installment Sales Act;

(d) the Motor Vehicle Retail Installment Sales Act;

(e) the Interest Act;

(f) the Illinois Wage Assignment Act;

(g) Part 8 of Article XII of the Code of Civil Procedure; or

(h) the Consumer Fraud Act.

6. An application for a license shall be accompanied by the following fees: $50 for applicant's established place of business; $25 for each additional place of business, if any, to which the application pertains; provided, however, that if such an application is made after June 15 of any year, the license fee shall be $25 for applicant's established place of business plus $12.50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that such application shall be denied by the Secretary of State.

7. A statement that the applicant understands Chapter 1 through Chapter 5 of this Code.

8. A statement that the applicant shall comply with subsection (e) of this Section.

9. A statement indicating if the applicant, including any of the applicant's affiliates or predecessor corporations, has been subject to the revocation or nonrenewal of a business license by a municipality under Section 5-501.5 of this Code.

10. The applicant's National Motor Vehicle Title Information System number and a statement of compliance if applicable.

11. The full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(c) Any change which renders no longer accurate any information contained in any application for a license filed with the Secretary of State shall be amended within 30 days after the occurrence of such change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of $2.

(d) Anything in this Chapter to the contrary, notwithstanding, no person shall be licensed under this Section unless such person shall maintain an established place of business as defined in this Chapter.

(e) The Secretary of State shall within a reasonable time after receipt thereof, examine an application submitted to him under this Section and unless he makes a determination that the application submitted to him does not conform with the requirements of this Section or that grounds exist for a denial of the application, as prescribed in Section 5-501 of this Chapter, grant the applicant an original license as applied for in writing for his established place of business and a supplemental license in writing for each additional place of business in such form as he may prescribe by rule or regulation which shall include the following:

1. the name of the person licensed;

2. if a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;

3. a designation of the kind or kinds of business enumerated in subsection (a) of this Section to be conducted at each location;

4. in the case of an original license, the established place of business of the licensee;

5. in the case of a supplemental license, the established place of business of the licensee and the additional place of business to which such supplemental license pertains;.

6. the full name, address, and contact information of each of the dealer's agents or legal representatives who is an Illinois resident and liable for the performance of the dealership.

(f) The appropriate instrument evidencing the license or a certified copy thereof, provided by the Secretary of State shall be kept, posted, conspicuously in the established place of business of the licensee and in each additional place of business, if any, maintained by such licensee. The licensee also shall post conspicuously in the established place of business and in each additional place of business a notice which states that such business is required to be licensed by the Secretary of State under Section 5-301, and which provides the license number of the business and the license expiration date. This notice also shall advise the consumer that any complaints as to the quality of service may be brought to the attention of the Attorney General. The information required on this notice also shall be printed conspicuously on all estimates and receipts for work by the licensee subject to this Section. The Secretary of State shall prescribe the specific format of this notice.

(g) Except as provided in subsection (h) hereof, licenses granted under this Section shall expire by operation of law on December 31 of the calendar year for which they are granted unless sooner revoked, nonrenewed, or cancelled under the provisions of Section 5-501 or 5-501.5 of this Chapter.

(h) Any license granted under this Section may be renewed upon application and payment of the fee required herein as in the case of an original license, provided, however, that in case an application for the renewal of an effective license is made during the month of December, such effective license shall remain in force until such application is granted or denied by the Secretary of State.

(i) All automotive repairers and rebuilders shall, in addition to the requirements of subsections (a) through (h) of this Section, meet the following licensing requirements:

1. provide proof that the property on which first time applicants plan to do business is in compliance with local zoning laws and regulations, and a listing of zoning classification;

2. provide proof that the applicant for a repairer's license complies with the proper workers' compensation rate code or classification, and listing the code of classification for that industry;

3. provide proof that the applicant for a rebuilder's license complies with the proper workers' compensation rate code or classification for the repair industry or the auto parts recycling industry and listing the code of classification;

4. provide proof that the applicant has obtained or applied for a hazardous waste generator number, and listing the actual number if available or certificate of exemption;

5. provide proof that applicant has proper liability insurance, and listing the name of the insurer and the policy number; and

6. provide proof that the applicant has obtained or applied for the proper State sales tax classification and federal identification tax number, and listing the actual numbers if available.

(i-1) All automotive repairers shall provide proof that they comply with all requirements of the Automotive Collision Repair Act.

(j) All automotive parts recyclers shall, in addition to the requirements of subsections (a) through (h) of this Section, meet the following licensing requirements:

1. provide a statement that the applicant purchases 5 vehicles per year or has 5 hulks or chassis in stock;

2. provide proof that the property on which all first time applicants will do business does comply to the proper local zoning laws in existence, and a listing of zoning classifications;

3. provide proof that applicant complies with the proper workers' compensation rate code or classification, and listing the code of classification; and

4. provide proof that applicant has obtained or applied for the proper State sales tax classification and federal identification tax number, and listing the actual numbers if available.

(Source: P.A. 100-409, eff. 8-25-17; 101-572, eff. 8-23-19.)

(625 ILCS 5/5-505 new)

Sec. 5-505. License suspension or revocation; penalty. The Secretary shall suspend the license of any licensee under this Chapter who permits an individual who is not an authorized agent or employee of the licensee to use the license of the licensee to purchase a vehicle from an auction. The suspension shall be for a period of no less than 30 days for the first violation. Upon a second or subsequent violation, the Secretary shall revoke the license of the licensee.".

AMENDMENT NO. 2 TO SENATE BILL 573

AMENDMENT NO. 2 . Amend Senate Bill 573, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 1, line 6, by deleting "3-202,"; and

by deleting line 19 on page 17 through line 18 on page 20; and

on page 52, by deleting lines 18 through 21; and

on page 52, line 22, by replacing "(l)" with "(k)"; and

on page 74, by deleting lines 16 through 19; and

by deleting line 23 on page 87 through line 16 on page 88; and

on page 88, by inserting immediately below line 19 the following:

"(m) If a licensee under this Section voluntarily surrenders a license to the Illinois Secretary of State Police or a representative of the Secretary of State Vehicle Services Department due to the licensee's inability to adhere to recordkeeping provisions, or the inability to properly issue certificates of title or registrations under this Code, or the Secretary revokes a license under this Section, then the licensee and the licensee's agent, designee, or legal representative, if applicable, may not be named on a new application for a licensee under this Section or under this Chapter, nor is the licensee or the licensee's agent, designee, or legal representative permitted to work for another licensee under this Chapter in a recordkeeping, management, or financial position or as an employee who handles certificate of title and registration documents and applications."; and

by deleting line 20 on page 101 through line 13 on page 102; and

on page 102, by inserting immediately below line 16 the following:

"(m) If a licensee under this Section voluntarily surrenders a license to the Illinois Secretary of State Police or a representative of the Secretary of State Vehicle Services Department due to the licensee's inability to adhere to recordkeeping provisions, or the inability to properly issue certificates of title or registrations under this Code, or the Secretary revokes a license under this Section, then the licensee and the licensee's agent, designee, or legal representative, if applicable, may not be named on a new application for a licensee under this Section or under this Chapter, nor is the licensee or the licensee's agent, designee, or legal representative permitted to work for another licensee under this Chapter in a recordkeeping, management, or financial position or as an employee who handles certificate of title and registration documents and applications.".

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 573

AMENDMENT NO. 3 . Amend Senate Bill 573, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, line 5, after "3-100.1,", by inserting "3-100.2,"; and

on page 4, by inserting immediately below line 7 the following:

"(625 ILCS 5/3-100.2)

Sec. 3-100.2. Electronic access; agreements with submitters.

(a) No later than July 1, 2022 ~~2021~~, the Secretary of State shall require a licensee under Chapter 3 or 5 of this Code to submit any record required to be submitted to the Secretary of State by using electronic media deemed feasible by the Secretary of State. The Secretary of State may also require the licensee to submit the original paper record. The Secretary of State shall also require a person or licensee to receive any record to be provided by the Secretary of State by using electronic media deemed feasible by the Secretary of State, instead of providing the original paper record.

(b) No later than July 1, 2022 ~~2021~~, electronic submittal, receipt, and delivery of records and electronic signatures shall be supported by a signed agreement between the Secretary of State and the submitter. The agreement shall require, at a minimum, each record to include all information necessary to complete a transaction, certification by the submitter upon its best knowledge as to the truthfulness of the data to be submitted to the Secretary of State, and retention by the submitter of supporting records.

(c) No later than July 1, 2022 ~~2021~~, the Secretary of State shall establish minimum transaction volume levels, audit and security standards, technological requirements, and other terms and conditions he or she deems necessary for approval of the electronic delivery process.

(d) When an agreement is made to accept electronic records, the Secretary of State shall not be required to produce a written record for the submitter with whom the Secretary of State has the agreement until requested to do so by the submitter.

(e) No later than July 1, 2022 ~~2021~~, the Secretary of State shall provide electronic notification to the lienholder submitter to verify the notation and perfection of the lienholder's security interest in a vehicle on the certificate of title required to be created as an electronic record under Section 3-100.1. Upon receipt of an electronic message from a lienholder submitter with a security interest in a vehicle for which the certificate of title is an electronic record that the lien should be released, the Secretary of State shall enter the appropriate electronic record of the release of lien and print and mail a paper certificate of title to the owner or lienholder at no expense. The Secretary of State may also mail the certificate to any other person that delivers to the Secretary of State an authorization from the owner to receive the certificate. If another lienholder holds a properly perfected security interest in the vehicle as reflected in the records of the Secretary of State, the certificate shall be delivered to that lienholder instead of the owner.

(f) The Secretary may contract with a private contractor to carry out the Secretary's duties under this Section.

(Source: P.A. 101-490, eff. 1-1-20.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Peters, **Senate Bill No. 654** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 658** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 665** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 3 TO SENATE BILL 665

AMENDMENT NO. 3 . Amend Senate Bill 665 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 15-65 as follows:

(35 ILCS 200/15-65)

Sec. 15-65. Charitable purposes. All property of the following is exempt when actually and exclusively used for charitable or beneficent purposes, and not leased or otherwise used with a view to profit:

(a) Institutions of public charity.

(b) Beneficent and charitable organizations incorporated in any state of the United States, including organizations whose owner, and no other person, uses the property exclusively for the distribution, sale, or resale of donated goods and related activities and uses all the income from those activities to support the charitable, religious or beneficent activities of the owner, whether or not such activities occur on the property.

(c) Old people's homes, facilities for persons with a developmental disability, and not-for-profit organizations providing services or facilities related to the goals of educational, social and physical development, if, upon making application for the exemption, the applicant provides affirmative evidence that the home or facility or organization is an exempt organization under paragraph (3) of Section 501(c) of the Internal Revenue Code or its successor, and either: (i) the bylaws of the home or facility or not-for-profit organization provide for a waiver or reduction, based on an individual's ability to pay, of any entrance fee, assignment of assets, or fee for services, or (ii) the home or facility is qualified, built or financed under Section 202 of the National Housing Act of 1959, as amended.

An applicant that has been granted an exemption under this subsection on the basis that its bylaws provide for a waiver or reduction, based on an individual's ability to pay, of any entrance fee, assignment of assets, or fee for services may be periodically reviewed by the Department to determine if the waiver or reduction was a past policy or is a current policy. The Department may revoke the exemption if it finds that the policy for waiver or reduction is no longer current.

If a not-for-profit organization leases property that is otherwise exempt under this subsection to an organization that conducts an activity on the leased premises that would entitle the lessee to an exemption from real estate taxes if the lessee were the owner of the property, then the leased property is exempt.

(d) Not-for-profit health maintenance organizations certified by the Director of the Illinois Department of Insurance under the Health Maintenance Organization Act, including any health maintenance organization that provides services to members at prepaid rates approved by the Illinois Department of Insurance if the membership of the organization is sufficiently large or of indefinite classes so that the community is benefited by its operation. No exemption shall apply to any hospital or health maintenance organization which has been adjudicated by a court of competent jurisdiction to have denied admission to any person because of race, color, creed, sex or national origin.

(e) All free public libraries.

(f) Historical societies.

(g) Cultivation and sale of fresh fruits and vegetables. A vacant lot that is leased from a municipality or owned by a nonprofit corporation or association for the cultivation, sale, or cultivation and sale of fresh fruits and vegetables under Section 11-11-4 of the Illinois Municipal Code is exempt when actually and exclusively used for such purposes. To qualify for the exemption, the nonprofit corporation or association must verify that it is not controlled, directly or indirectly, by any agricultural, commercial, or other business. The nonprofit corporation or association must also verify that, if the fresh fruits or vegetables are sold, any profits are used to further the mission of the exempt organization.

Property otherwise qualifying for an exemption under this Section shall not lose its exemption because the legal title is held (i) by an entity that is organized solely to hold that title and that qualifies under paragraph (2) of Section 501(c) of the Internal Revenue Code or its successor, whether or not that entity receives rent from the charitable organization for the repair and maintenance of the property, (ii) by an entity that is organized as a partnership or limited liability company, in which the charitable organization, or an affiliate or subsidiary of the charitable organization, is a general partner of the partnership or managing member of the limited liability company, for the purposes of owning and operating a residential rental property that has received an allocation of Low Income Housing Tax Credits for 100% of the dwelling units under Section 42 of the Internal Revenue Code of 1986, as amended, or (iii) for any assessment year including and subsequent to January 1, 1996 for which an application for exemption has been filed and a decision on which has not become final and nonappealable, by a limited liability company organized under the Limited Liability Company Act provided that (A) the limited liability company's sole member or members, as that term is used in Section 1-5 of the Limited Liability Company Act, are the institutions of public charity that actually and exclusively use the property for charitable and beneficent purposes; (B) the limited liability company is a disregarded entity for federal and Illinois income tax purposes and, as a result, the limited liability company is deemed exempt from income tax liability by virtue of the Internal Revenue Code Section 501(c)(3) status of its sole member or members; and (C) the limited liability company does not lease the property or otherwise use it with a view to profit.

(Source: P.A. 96-763, eff. 8-25-09.)

Section 10. The Illinois Municipal Code is amended by adding Section 11-11-4 as follows:
(65 ILCS 5/11-11-4 new)

Sec. 11-11-4. Lease or sale of property for cultivation and sale of fresh fruits and vegetables.

(a) The General Assembly finds:

(1) There exists in certain older, urban municipalities an excess of vacant property that is not needed for public use.

(2) Vacant properties present numerous problems for these municipalities, such as: presenting the opportunity for criminal activity; deterring neighboring property owners from improving their properties and prospective purchasers and renters from locating into these areas; and serving as a location to dispose of unwanted items.

(3) These municipalities are often centers of high and increasing populations and population densities comprised, in part, of lower-income families.

(4) Due, in part, to increasing population densities, the deterioration of infrastructure, and fiscal constraints, these municipalities have been challenged to offer residents opportunities to enhance the quality of their lives.

(5) Due to the scarcity of full service supermarkets and farmer's markets within these municipalities, municipal residents often suffer from a shortage of fresh fruits and vegetables.

(6) The shortages of sources of fresh fruits and vegetables have contributed to alarming increases in childhood obesity and other adverse health consequences for municipal residents.

(7) It would be beneficial to enlist nonprofit corporations or associations to develop these properties for public purposes that could enhance the nutritional needs of local residents.

(8) Authorization for municipalities to lease and sell vacant land to nonprofit entities to cultivate these lands can provide a source of fresh, locally-grown fruits and vegetables for local residents.

(9) The nonprofit cultivation of previously vacant land by nonprofit entities is a public purpose for which the long term lease and sale of these properties, and exemption from property taxation, is warranted, even in those instances when produce is sold to further the mission of these nonprofit corporations or associations.

(b) A leasehold for a term not in excess of 25 years may be made with a nonprofit corporation or association, and extended in increments of no more than 25 years, by ordinance or resolution thereafter for one or more of the following purposes:

(1) The cultivation or use of vacant lots for gardening fruits and vegetables.

(2) The use of vacant lots to sell fresh fruits and vegetables. Any lease entered into pursuant to this paragraph may permit the nonprofit corporation or association to sell fresh fruits and vegetables on the leased land, off the leased land, or both, provided, that the sales are related and incidental to the nonprofit purposes of the corporation or association and the net proceeds received by the nonprofit corporation or association are used to further the nonprofit purposes of the corporation or association.

(c) When the city council of a municipality determines that all or any part of a municipal-owned tract of land, with or without improvements, is not then needed for municipal purposes, the city council may, by resolution or ordinance, authorize a private sale and conveyance of the same, or any part thereof, for nominal consideration, without compliance with any other law governing disposal of lands by municipalities requiring adequate consideration, to a nonprofit corporation or association for use for one or more of the following purposes:

(1) The cultivation of vacant lots for gardening fruits and vegetables.

(2) The use of vacant lots to sell fresh fruits and vegetables. Any conveyance entered into pursuant to this paragraph may permit the nonprofit corporation or association to sell fresh fruits and vegetables on the leased land, off the leased land, or both, provided, that the sales are related and incidental to the nonprofit purposes of the corporation or association and the net proceeds received by the nonprofit corporation or association are used to further the nonprofit purposes of the corporation or association.

Such conveyance shall contain a limitation that the lands or buildings shall be used only for the purposes of such organization or association, and to render such services or to provide such facilities as may be agreed upon and, if said lands or buildings are not used in accordance with the limitation, title shall revert back to the municipality without any entry or reentry made on the property on behalf of the municipality.

Whenever a sale of property is proposed pursuant to this subsection, the municipality shall give at least 10 days' notice of such sale prior to a public hearing where an ordinance or resolution approving the sale is adopted.

Property subject to an unexpired lease under subsection (b) is not eligible to be sold under this subsection, unless the lease would allow such a sale.

(d) If the nonprofit organization or association uses the property leased or purchased under this Section for the cultivation, sale, or cultivation and sale of fresh fruits and vegetables on a tract of land, the nonprofit organization or association may not be controlled, directly or indirectly, by any agricultural, commercial, or other business. The nonprofit organization or association is authorized to sell fresh fruits and vegetables either on the land that was leased or conveyed, off that land, or both, and the sales must be related and incidental to the nonprofit purposes of the organization or association and the net proceeds received by the nonprofit organization or association must be used to further the nonprofit purposes of the organization or association.

(e) Property leased or conveyed under this Section is exempt from property taxation under the Property Tax Code if the property is actually used for the cultivation, sale, or cultivation and sale of fresh fruits and vegetables and owned by a nonprofit organization or association that includes among its principal purposes the cultivation, sale, or cultivation and sale of fresh fruits and vegetables. Before property may be leased or conveyed under this Section, the nonprofit organization or association shall provide to the municipality proof of exemption issued under Section 15-65 of the Property Tax Code.".

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 665

AMENDMENT NO. 4 . Amend Senate Bill 665, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 15-65 as follows:

(35 ILCS 200/15-65)

Sec. 15-65. Charitable purposes. All property of the following is exempt when actually and exclusively used for charitable or beneficent purposes, and not leased or otherwise used with a view to profit:

(a) Institutions of public charity.

(b) Beneficent and charitable organizations incorporated in any state of the United States, including organizations whose owner, and no other person, uses the property exclusively for the distribution, sale, or resale of donated goods and related activities and uses all the income from those activities to support the charitable, religious or beneficent activities of the owner, whether or not such activities occur on the property.

(c) Old people's homes, facilities for persons with a developmental disability, and not-for-profit organizations providing services or facilities related to the goals of educational, social and physical development, if, upon making application for the exemption, the applicant provides affirmative evidence that the home or facility or organization is an exempt organization under paragraph (3) of Section 501(c) of the Internal Revenue Code or its successor, and either: (i) the bylaws of the home or facility or not-for-profit organization provide for a waiver or reduction, based on an individual's ability to pay, of any entrance fee, assignment of assets, or fee for services, or (ii) the home or facility is qualified, built or financed under Section 202 of the National Housing Act of 1959, as amended.

An applicant that has been granted an exemption under this subsection on the basis that its bylaws provide for a waiver or reduction, based on an individual's ability to pay, of any entrance fee, assignment of assets, or fee for services may be periodically reviewed by the Department to determine if the waiver or reduction was a past policy or is a current policy. The Department may revoke the exemption if it finds that the policy for waiver or reduction is no longer current.

If a not-for-profit organization leases property that is otherwise exempt under this subsection to an organization that conducts an activity on the leased premises that would entitle the lessee to an exemption from real estate taxes if the lessee were the owner of the property, then the leased property is exempt.

(d) Not-for-profit health maintenance organizations certified by the Director of the Illinois Department of Insurance under the Health Maintenance Organization Act, including any health maintenance organization that provides services to members at prepaid rates approved by the Illinois Department of Insurance if the membership of the organization is sufficiently large or of indefinite classes so that the community is benefited by its operation. No exemption shall apply to any hospital

or health maintenance organization which has been adjudicated by a court of competent jurisdiction to have denied admission to any person because of race, color, creed, sex or national origin.

(e) All free public libraries.

(f) Historical societies.

(g) Cultivation and sale of fresh fruits and vegetables. A vacant lot that is leased from a municipality or owned by a nonprofit corporation or association for the cultivation, sale, or cultivation and sale of fresh fruits and vegetables under Section 11-11-4 of the Illinois Municipal Code is exempt when actually and exclusively used for such purposes. To qualify for the exemption, the nonprofit corporation or association must verify that it is not controlled, directly or indirectly, by any agricultural, commercial, or other business. The nonprofit corporation or association must also verify that, if the fresh fruits or vegetables are sold, any profits are used to further the mission of the exempt organization.

Property otherwise qualifying for an exemption under this Section shall not lose its exemption because the legal title is held (i) by an entity that is organized solely to hold that title and that qualifies under paragraph (2) of Section 501(c) of the Internal Revenue Code or its successor, whether or not that entity receives rent from the charitable organization for the repair and maintenance of the property, (ii) by an entity that is organized as a partnership or limited liability company, in which the charitable organization, or an affiliate or subsidiary of the charitable organization, is a general partner of the partnership or managing member of the limited liability company, for the purposes of owning and operating a residential rental property that has received an allocation of Low Income Housing Tax Credits for 100% of the dwelling units under Section 42 of the Internal Revenue Code of 1986, as amended, or (iii) for any assessment year including and subsequent to January 1, 1996 for which an application for exemption has been filed and a decision on which has not become final and nonappealable, by a limited liability company organized under the Limited Liability Company Act provided that (A) the limited liability company's sole member or members, as that term is used in Section 1-5 of the Limited Liability Company Act, are the institutions of public charity that actually and exclusively use the property for charitable and beneficent purposes; (B) the limited liability company is a disregarded entity for federal and Illinois income tax purposes and, as a result, the limited liability company is deemed exempt from income tax liability by virtue of the Internal Revenue Code Section 501(c)(3) status of its sole member or members; and (C) the limited liability company does not lease the property or otherwise use it with a view to profit.

(Source: P.A. 96-763, eff. 8-25-09.)

Section 10. The Illinois Municipal Code is amended by adding Section 11-11-4 as follows:

(65 ILCS 5/11-11-4 new)

Sec. 11-11-4. Lease, conveyance, or sale of property for cultivation and sale of fresh fruits and vegetables.

(a) As used in this Section, "vacant lot" means all or any part of municipal-owned property, with or without improvements, not then needed for municipal purposes, as determined by the city council of a municipality.

(b) A city council may, by resolution or ordinance, authorize a leasehold to be made with a nonprofit corporation or association for a term not in excess of 25 years, and extended in increments of no more than 25 years, by ordinance or resolution thereafter for one or more of the following purposes:

(1) The cultivation or use of a vacant lot for gardening fruits and vegetables.

(2) The use of a vacant lot to sell fresh fruits and vegetables. Any lease entered into pursuant to this paragraph may permit the nonprofit corporation or association to sell fresh fruits and vegetables on the leased land, off the leased land, or both, if the sales are related and incidental to the nonprofit purposes of the corporation or association and the net proceeds received by the nonprofit corporation or association are used to further the nonprofit purposes of the corporation or association.

(c) A city council may, by resolution or ordinance, authorize a private sale or conveyance of a vacant lot, or any part thereof, for nominal consideration, without compliance with any other law governing disposal of lands by municipalities requiring adequate consideration, to a nonprofit corporation or association for use for one or more of the following purposes:

(1) The cultivation or use of the lot for gardening fruits and vegetables.

(2) The use of the lot to sell fresh fruits and vegetables. Any sale or conveyance entered into pursuant to this paragraph may permit the nonprofit corporation or association to sell fresh fruits and vegetables on the lot, off the lot, or both, provided, that: (i) the sales are related and incidental to the

purpose of the nonprofit corporation or association and (ii) the net proceeds received by the nonprofit corporation or association are used to further the purposes of the nonprofit corporation or association.

Any conveyance or sale of property pursuant to this subsection shall contain a limitation that the property shall only be used by the nonprofit corporation or association for one or more of the following purposes: (i) the cultivation of land for gardening fruits and vegetables; or (ii) the sale of fresh fruits and vegetables. If it is determined by the city council of the municipality that the property is being used for any purpose other than the purposes set forth in this subsection, its full right and title shall revert back to the municipality without any entry or reentry made on the property on behalf of the municipality.

Whenever a sale of property is proposed pursuant to this subsection, the municipality shall give at least 10 days' notice of such sale prior to a public hearing where an ordinance or resolution approving the sale is adopted.

Property subject to an unexpired lease under subsection (b) is not eligible to be sold under this subsection, unless the lease would allow such a sale.

(d) A nonprofit organization or association leasing, conveyed, or sold a lot under this Section may not be controlled, directly or indirectly, by any agricultural, commercial, or other business. The nonprofit organization or association must also include among its principal purposes the cultivation, sale, or cultivation and sale of fresh fruits and vegetables.

(e) A nonprofit organization or association leasing, conveyed, or sold a lot under this Section is authorized to sell fresh fruits and vegetables either on the land, off the land, or both, and the sales must be related and incidental to the nonprofit purposes of the organization or association and the net proceeds received by the nonprofit organization or association must be used to further the nonprofit purposes of the organization or association.

(f) Property leased, conveyed, or sold under this Section may be exempt from property taxation if the requirements of subsection (g) of Section 15-65 of the Property Tax Code are sufficiently met and the property is actually and exclusively used for the cultivation, sale, or cultivation and sale of fresh fruits and vegetables.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Bush, **Senate Bill No. 672** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Bush, **Senate Bill No. 693** having been printed, was taken up, read by title a second time.

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

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 693

AMENDMENT NO. 2 . Amend Senate Bill 693 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Medical Services (EMS) Systems Act is amended by changing Section 3.155 as follows:

(210 ILCS 50/3.155)

Sec. 3.155. General Provisions.

(a) Authority and responsibility for the EMS System shall be vested in the EMS Resource Hospital, through the EMS Medical Director or his designee.

(b) For an inter-hospital emergency or non-emergency medical transport, in which the physician from the sending hospital provides the EMS personnel with written medical orders, such written medical orders cannot exceed the scope of care which the EMS personnel are authorized to render pursuant to this Act.

(c) For an inter-hospital emergency or non-emergency medical transport of a patient who requires medical care beyond the scope of care which the EMS personnel are authorized to render pursuant to this

Act, a qualified physician, nurse, perfusionist, or respiratory therapist familiar with the scope of care needed must accompany the patient and the transferring hospital and physician shall assume medical responsibility for that portion of the medical care.

(d) No emergency medical services vehicles or personnel from another State or nation may be utilized on a regular basis to pick up and transport patients within this State without first complying with this Act and all rules adopted by the Department pursuant to this Act.

(e) This Act shall not prevent emergency medical services vehicles or personnel from another State or nation from rendering requested assistance in this State in a disaster situation, or operating from a location outside the State and occasionally transporting patients into this State for needed medical care. Except as provided in Section 31 of this Act, this Act shall not provide immunity from liability for such activities.

(f) Except as provided in subsection (e) of this Section, no person or entity shall transport emergency or non-emergency patients by ambulance, SEMSV, or medical carrier without first complying with the provisions of this Act and all rules adopted pursuant to this Act.

(g) Nothing in this Act or the rules adopted by the Department under this Act shall be construed to authorize any medical treatment to or transportation of any person who objects on religious grounds.

(h) Patients, individuals who accompany a patient, and emergency medical services personnel may not smoke while inside an ambulance or SEMSV. The Department of Public Health may impose a civil penalty on an individual who violates this subsection in the amount of $100.

(i) When a patient has been determined by EMS personnel to (1) have no immediate life-threatening injuries or illness, (2) not be under the influence of drugs or alcohol, (3) have no immediate or obvious need for transport to an emergency department, and (4) have an immediate need for transport to an EMS System-approved mental health facility, the EMS personnel may contact Online Medical Control or his or her EMS Medical Director or Emergency Communications Registered Nurse to request bypass or diversion of the closest emergency department, as outlined in paragraph (5) of subsection (c) of Section 3.20, and request transport to the closest or appropriate EMS System-approved mental health facility. In addition, EMS personnel may transport a patient to an EMS System-approved urgent care or immediate care facility that meets the proper criteria and is approved by Online Medical Control or his or her EMS Medical Director or Emergency Communications Registered Nurse.

(Source: P.A. 92-376, eff. 8-15-01.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Bush, **Senate Bill No. 695** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 695

AMENDMENT NO. 1 . Amend Senate Bill 695 on page 1, line 8, by replacing "~~applies through December 31, 2021 and~~" with "applies through December 31, 2026 ~~2021~~ and".

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

On motion of Senator Villanueva, **Senate Bill No. 1561** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Loughran Cappel, **Senate Bill No. 1566** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 1575** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 1582** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Cunningham, **Senate Bill No. 1610** having been printed, was taken up, read by title a second time.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1610

AMENDMENT NO. 1 . Amend Senate Bill 1610 as follows:

on page 2, line 12, after "Education", by inserting ", in consultation with the Office of the Attorney General, as necessary,"; and

on page 10, line 10, by replacing "$150,000" with "$50,000".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Rose, **Senate Bill No. 1640** having been printed, was taken up, read by title a second time.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1640

AMENDMENT NO. 1 . Amend Senate Bill 1640 on page 3, immediately below line 15, by inserting the following:

"(7) Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Bush, **Senate Bill No. 1741** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1741

AMENDMENT NO. 1 . Amend Senate Bill 1741 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Lottery Law is amended by changing Section 21.13 as follows:

(20 ILCS 1605/21.13)

Sec. 21.13. Scratch-off for Alzheimer's care, support, education, and awareness.

(a) The Department shall offer a special instant scratch-off game for the benefit of Alzheimer's care, support, education, and awareness. The game shall commence on January 1, 2020 or as soon thereafter, at the discretion of the Director, as is reasonably practical, and shall be discontinued on January 1, 2025 ~~2022~~. The operation of the game shall be governed by this Act and any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The net revenue from the Alzheimer's care, support, education, and awareness scratch-off game shall be deposited into the Alzheimer's Awareness Fund.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and from gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

For the purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in the prizes and the actual administrative expenses of the Department solely related to the scratch-off game under this Section.

(c) During the time that tickets are sold for the Alzheimer's care, support, education, and awareness scratch-off game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

(Source: P.A. 101-561, eff. 8-23-19; 101-645, eff. 6-26-20.)

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

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

On motion of Senator Bush, **Senate Bill No. 1747** having been printed, was taken up, read by title a second time.

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

Floor Amendment Nos. 2 and 3 were held in the Committee on Revenue.

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

On motion of Senator Hastings, **Senate Bill No. 1751** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Belt, **Senate Bill No. 1768** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 1780** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1780

AMENDMENT NO. 1 . Amend Senate Bill 1780 on page 1, line 13, by replacing "5-day" with "3-day".

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1780

AMENDMENT NO. 2 . Amend Senate Bill 1780 on page 1, directly below line 15, by inserting the following:

"This Section does not apply if the disruption of water service originates from factors outside the control of the mobile home park.".

The motion prevailed.

And the amendments were adopted and ordered printed.

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

On motion of Senator Rose, **Senate Bill No. 1808** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1808

AMENDMENT NO. 1 . Amend Senate Bill 1808 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 12-812 and 15-102 as follows:

(625 ILCS 5/12-812) (from Ch. 95 1/2, par. 12-812)

Sec. 12-812. Rules and regulations. (a) The Department may promulgate rules and regulations to more completely specify the equipment requirements of this Article and may establish by rule a pilot program to permit the testing of safety equipment not otherwise prohibited by State or federal law.

(b) All rules, regulations and standards promulgated from time to time by the State Board of Education and the Department for the safety and construction of school buses shall be applicable to every motor vehicle in this State defined as a school bus under Section 1-182.

(Source: P.A. 81-1508.)

(625 ILCS 5/15-102) (from Ch. 95 1/2, par. 15-102)

Sec. 15-102. Width of vehicles.

(a) On Class III and non-designated State and local highways, the total outside width of any vehicle or load thereon shall not exceed 8 feet 6 inches.

(b) Except during those times when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1000 feet, the following vehicles may exceed the 8 feet 6 inch limitation during the period from a half hour before sunrise to a half hour after sunset:

(1) Loads of hay, straw or other similar farm products provided that the load is not more than 12 feet wide.

(2) Implements of husbandry being transported on another vehicle and the transporting vehicle while loaded.

The following requirements apply to the transportation on another vehicle of an implement of husbandry wider than 8 feet 6 inches on the National System of Interstate and Defense Highways or other highways in the system of State highways:

(A) The driver of a vehicle transporting an implement of husbandry that exceeds 8 feet 6 inches in width shall obey all traffic laws and shall check the roadways prior to making a movement in order to ensure that adequate clearance is available for the movement. It is prima facie evidence that the driver of a vehicle transporting an implement of husbandry has failed to check the roadway prior to making a movement if the vehicle is involved in a collision with a bridge, overpass, fixed structure, or properly placed traffic control device or if the vehicle blocks traffic due to its inability to proceed because of a bridge, overpass, fixed structure, or properly placed traffic control device.

(B) Flags shall be displayed so as to wave freely at the extremities of overwidth objects and at the extreme ends of all protrusions, projections, and overhangs. All flags shall be clean, bright red flags with no advertising, wording, emblem, or insignia inscribed upon them and at least 18 inches square.

(C) "OVERSIZE LOAD" signs are mandatory on the front and rear of all vehicles with loads over 10 feet wide. These signs must have 12-inch high black letters with a 2-inch stroke on a yellow sign that is 7 feet wide by 18 inches high.

(D) One civilian escort vehicle is required for a load that exceeds 14 feet 6 inches in width and 2 civilian escort vehicles are required for a load that exceeds 16 feet in width on the National System of Interstate and Defense Highways or other highways in the system of State highways.

(E) The requirements for a civilian escort vehicle and driver are as follows:

(1) The civilian escort vehicle shall be a vehicle not exceeding a gross vehicle weight rating of 26,000 pounds that is designed to afford clear and unobstructed vision to both front and rear.

(2) The escort vehicle driver must be properly licensed to operate the vehicle.

(3) While in use, the escort vehicle must be equipped with illuminated rotating, oscillating, or flashing amber lights or flashing amber strobe lights mounted on top that are of sufficient intensity to be visible at 500 feet in normal sunlight.

(4) "OVERSIZE LOAD" signs are mandatory on all escort vehicles. The sign on an escort vehicle shall have 8-inch high black letters on a yellow sign that is 5 feet wide by 12 inches high.

(5) When only one escort vehicle is required and it is operating on a two-lane highway, the escort vehicle shall travel approximately 300 feet ahead of the load. The rotating, oscillating, or flashing lights or flashing amber strobe lights and an "OVERSIZE LOAD" sign shall be displayed on the escort vehicle and shall be visible from the front. When only one escort vehicle is required and it is operating on a multilane divided highway, the escort vehicle shall travel approximately 300 feet behind the load and the sign and lights shall be visible from the rear.

(6) When 2 escort vehicles are required, one escort shall travel approximately 300 feet ahead of the load and the second escort shall travel approximately 300 feet behind the load. The rotating, oscillating, or flashing lights or flashing amber strobe lights and an "OVERSIZE LOAD" sign shall be displayed on the escort vehicles and shall be visible from the front on the lead escort and from the rear on the trailing escort.

(7) When traveling within the corporate limits of a municipality, the escort vehicle shall maintain a reasonable and proper distance from the oversize load, consistent with existing traffic conditions.

(8) A separate escort shall be provided for each load hauled.

(9) The driver of an escort vehicle shall obey all traffic laws.

(10) The escort vehicle must be in safe operational condition.

(11) The driver of the escort vehicle must be in radio contact with the driver of the vehicle carrying the oversize load.

(F) A transport vehicle while under load of more than 8 feet 6 inches in width must be equipped with an illuminated rotating, oscillating, or flashing amber light or lights or a flashing amber strobe light or lights mounted on the top of the cab that are of sufficient intensity to be visible at 500 feet in normal sunlight. If the load on the transport vehicle blocks the visibility of the amber lighting from the rear of the vehicle, the vehicle must also be equipped with an illuminated rotating, oscillating, or flashing amber light or lights or a flashing amber strobe light or lights mounted on the rear of the load that are of sufficient intensity to be visible at 500 feet in normal sunlight.

(G) When a flashing amber light is required on the transport vehicle under load and it is operating on a two-lane highway, the transport vehicle shall display to the rear at least one rotating, oscillating, or flashing light or a flashing amber strobe light and an "OVERSIZE LOAD" sign. When a flashing amber light is required on the transport vehicle under load and it is operating on a multilane divided highway, the sign and light shall be visible from the rear.

(H) Maximum speed shall be 45 miles per hour on all such moves or 5 miles per hour above the posted minimum speed limit, whichever is greater, but the vehicle shall not at any time exceed the posted maximum speed limit.

(3) Portable buildings designed and used for agricultural and livestock raising operations that are not more than 14 feet wide and with not more than a 1 foot overhang along the left side of the hauling vehicle. However, the buildings shall not be transported more than 10 miles and not on any route that is part of the National System of Interstate and Defense Highways.

All buildings when being transported shall display at least 2 red cloth flags, not less than 12 inches square, mounted as high as practicable on the left and right side of the building.

A State Police escort shall be required if it is necessary for this load to use part of the left lane when crossing any 2 laned State highway bridge.

(c) Vehicles propelled by electric power obtained from overhead trolley wires operated wholly within the corporate limits of a municipality are also exempt from the width limitation.

(d) (Blank).

(d-1) A recreational vehicle, as defined in Section 1-169, may exceed 8 feet 6 inches in width if:

(1) the excess width is attributable to appurtenances that extend 6 inches or less beyond either side of the body of the vehicle; and

(2) the roadway on which the vehicle is traveling has marked lanes for vehicular traffic that are at least 11 feet in width.

As used in this subsection (d-1) and in subsection (d-2), the term appurtenance includes (i) a retracted awning and its support hardware and (ii) any appendage that is intended to be an integral part of a recreation vehicle.

(d-2) A recreational vehicle that exceeds 8 feet 6 inches in width as provided in subsection (d-1) may travel any roadway of the State if the vehicle is being operated between a roadway permitted under subsection (d-1) and:

(1) the location where the recreation vehicle is garaged;

(2) the destination of the recreation vehicle; or

(3) a facility for food, fuel, repair, services, or rest.

(e) A vehicle and load traveling upon the National System of Interstate and Defense Highways or any other highway in the system of State highways that has been designated as a Class I or Class II highway by the Department, or any street or highway designated by local authorities, may have a total outside width of 8 feet 6 inches, provided that certain safety devices that the Department determines as necessary for the safe and efficient operation of motor vehicles shall not be included in the calculation of width.

Section 5-35 of the Illinois Administrative Procedure Act relating to procedures for rulemaking shall not apply to the designation of highways under this paragraph (e).

(f) Mirrors required by Section 12-502 of this Code ~~and other safety devices identified by the Department~~ may project up to 14 inches beyond each side of a bus and up to 6 inches beyond each side of any other vehicle, and that projection shall not be deemed a violation of the width restrictions of this Section.

(g) Any person who is convicted of violating this Section is subject to the penalty as provided in paragraph (b) of Section 15-113.

(h) Safety devices identified by the Department in accordance with Section 12-812 shall not be deemed a violation of the width restrictions of this Section.

(Source: P.A. 100-830, eff. 1-1-19.)".

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

On motion of Senator Hunter, **Senate Bill No. 1838** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1838

AMENDMENT NO. 1 . Amend Senate Bill 1838 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Freedom to Work Act is amended by changing Sections 5 and 10 and by adding Sections 7, 15, 20, 25, 30, and 35 as follows:

(820 ILCS 90/5)

Sec. 5. Definitions. In this Act:

"Adequate consideration" means (1) the employee worked for the employer for at least 2 years after the employee signed an agreement containing a covenant not to compete or a covenant not to solicit or (2) the employer otherwise provided consideration adequate to support an agreement to not compete or to not solicit, which could consist of a period of employment plus additional consideration or merely other consideration adequate by itself.

"Covenant not to compete" means an agreement:

(1) between an employer and an ~~a low wage~~ employee that restricts the ~~such low wage~~ employee from performing:

(A) any work for another employer for a specified period of time;

(B) any work in a specified geographical area; or

(C) work for another employer that is similar to the ~~such low wage~~ employee's work for the employer included as a party to the agreement; and

(2) that is entered into after the effective date of this Act.

"Covenant not to compete" also means an agreement between an employer and an employee, entered into after the effective date of this amendatory Act of the 102nd General Assembly, that by its terms imposes adverse financial consequences on a former employee if the employee engages in competitive activities after the termination of the employee's employment with the employer. "Covenant not to compete" does not include (i) a covenant not to solicit, (ii) a confidentiality agreement or covenant, (iii) a covenant or agreement prohibiting use or disclosure of trade secrets or inventions, (iv) invention assignment agreements or covenants, (v) a covenant or agreement entered into by a person purchasing or selling the goodwill of a business or otherwise acquiring or disposing of an ownership interest, (vi) clauses or an agreement between an employer and an employee requiring advance notice of termination of employment, during which notice period the employee remains employed by the employer and receives compensation, or (vii) agreements by which the employee agrees not to reapply for employment to the same employer after termination of the employee.

"Covenant not to solicit" means an agreement that is entered into after the effective date of this amendatory Act of the 102nd General Assembly between an employer and an employee that (i) restricts the employee from soliciting for employment the employer's employees or (ii) restricts the employee from soliciting for the purpose of selling products or services of any kind to, or from interfering with the employer's relationships with, the employer's clients, prospective clients, vendors, prospective vendors, suppliers, prospective suppliers, or other business relationships.

"Earnings" means the compensation, including earned salary, earned bonuses, earned commissions, or any other form of taxable compensation, reflected or that is expected to be reflected as wages, tips, and other compensation on the employee's IRS Form W-2 plus any elective deferrals not reflected as wages, tips, and other compensation on the employee's IRS Form W-2, such as, without limitation, employee contributions to a 401(k) plan, a 403(b) plan, a flexible spending account, or a health savings account, or commuter benefit-related deductions.

"Employee" has the meaning ascribed to that term in Section 2 of the Illinois Wage Payment and Collection Act and includes individuals currently or formerly employed by an employer.

"Employer" has the meaning given to such term in subsection (c) of Section 3 of the Minimum Wage Law. "Employer" does not include governmental or quasi-governmental bodies.

~~"Low-wage employee" means an employee whose earnings do not exceed the greater of (1) the hourly rate equal to the minimum wage required by the applicable federal, State, or local minimum wage law or (2) $13.00 per hour.~~

(Source: P.A. 99-860, eff. 1-1-17; 100-225, eff. 8-18-17.)

(820 ILCS 90/7 new)

Sec. 7. Legitimate business interest of the employer. In determining the legitimate business interest of the employer (consistent with the decision of the Supreme Court of Illinois in Reliable Fire Equipment Company v. Arredondo, 2011 IL 111871), the totality of the facts and circumstances of the individual case shall be considered. Factors that may be considered in this analysis include, but are not limited to, the employee's exposure to the employer's customer relationships or other employees, the near-permanence of customer relationships, the employee's acquisition, use, or knowledge of confidential information through the employee's employment, the time restrictions, the place restrictions, and the scope of the activity restrictions. No factor carries any more weight than any other, but rather its importance will depend on the specific facts and circumstances of the individual case. Such factors are only nonconclusive aids in determining the employer's legitimate business interest, which in turn is but one component in the three-prong rule of reason, grounded in the totality of the circumstances. Each situation must be determined on its own particular facts. Reasonableness is gauged not just by some but by all of the circumstances. The same identical contract and restraint may be reasonable and valid under one set of circumstances and unreasonable and invalid under another set of circumstances.

(820 ILCS 90/10)

Sec. 10. Prohibiting covenants not to compete for ~~low-wage~~ employees.

(a) A covenant not to compete shall not be valid or enforceable unless the employee's actual or expected annualized rate of earnings exceeds $75,000 per year. This figure shall increase to $80,000 per year beginning on January 1, 2027, $85,000 per year beginning on January 1, 2032, and $90,000 per year beginning on January 1, 2037. ~~No employer shall enter into a covenant not to compete with any low-wage employee of the employer.~~

(b) A covenant not to solicit shall not be valid or enforceable unless the employee's actual or expected annualized rate of earnings exceeds $45,000 per year. This figure shall increase to $47,500 per year

beginning on January 1, 2027, $50,000 per year beginning on January 1, 2032, and $52,500 per year beginning on January 1, 2037. ~~A covenant not to compete entered into between an employer and a low-wage employee is illegal and void.~~

(c) A covenant not to compete is void and illegal for any employee who an employer terminates or furloughs or lays off as the result of business circumstances or governmental orders related to the COVID-19 pandemic, or under circumstances that are similar to the COVID-19 pandemic, unless enforcement of the covenant not to compete includes compensation equivalent to the employee's base salary at the time of termination for the period of enforcement minus compensation earned through subsequent employment during the period of enforcement.

(d) A covenant not to compete is void and illegal for individuals covered by a collective bargaining agreement under the Illinois Public Labor Relations Act or the Illinois Educational Labor Relations Act.

(Source: P.A. 99-860, eff. 1-1-17.)

(820 ILCS 90/15 new)

Sec. 15. Enforceability of a covenant not to compete or a covenant not to solicit. A covenant not to compete or a covenant not to solicit is illegal and void unless (i) the employee receives adequate consideration, (ii) the covenant is ancillary to a valid employment relationship, (iii) the covenant is no greater than is required for the protection of a legitimate business interest of the employer, (iv) the covenant does not impose undue hardship on the employee, and (v) the covenant is not injurious to the public.

(820 ILCS 90/20 new)

Sec. 20. Ensuring employees are informed about their obligations. A covenant not to compete or a covenant not to solicit is illegal and void unless (i) the employer advises the employee in writing to consult with an attorney before entering into the covenant and (ii) the employer provides the employee with a copy of the covenant at least 14 calendar days before the commencement of the employee's employment or the employer provides the employee with at least 14 calendar days to review the covenant. An employer is in compliance with this Section even if the employee voluntarily elects to sign the covenant before the expiration of the 14-day period.

(820 ILCS 90/25 new)

Sec. 25. Remedies. In addition to any remedies available under any agreement between an employer and an employee or under any other statute, in a civil action or arbitration filed by an employer (including, but not limited to, a complaint or counterclaim), if an employee prevails on a claim to enforce a covenant not to compete or a covenant not to solicit, the employee shall recover from the employer all costs and all reasonable attorney's fees regarding such claim to enforce a covenant not to compete or a covenant not to solicit.

(820 ILCS 90/30 new)

Sec. 30. Reformation.

(a) Extensive judicial reformation of a covenant not to compete or a covenant not to solicit may be against the public policy of this State and a court may refrain from wholly rewriting contracts.

(b) In some circumstances, a court may, in its discretion, choose to reform or sever provisions of a covenant not to compete or a covenant not to solicit rather than hold such covenant unenforceable. Factors which may be considered when deciding whether such reformation is appropriate include the fairness of the restraints as originally written, whether the original restriction reflects a good-faith effort to protect a legitimate business interest of the employer, the extent of such reformation, and whether the parties included a clause authorizing such modifications in their agreement.

(820 ILCS 90/35 new)

Sec. 35. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect on January 1, 2022.".

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

On motion of Senator Hunter, **Senate Bill No. 1839** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 1842** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crowe, **Senate Bill No. 1920** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 1962** having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Lightford, **Senate Bill No. 1965** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Belt, **Senate Bill No. 2090** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2103** having been printed, was taken up, read by title a second time.

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

Floor Amendment No. 2 was postponed in the Committee on Pensions.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2103

AMENDMENT NO. 3 . Amend Senate Bill 2103 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 15-202, 16-204, and 24-104 as follows:

(40 ILCS 5/15-202)

Sec. 15-202. Optional deferred compensation plan ~~defined contribution benefit~~.

(a) As soon as practicable after August 10, 2018 (the effective date of Public Act 100-769) ~~this amendatory Act of the 100th General Assembly~~, the System shall offer a deferred compensation plan that is eligible under Section 457(b) of the Internal Revenue Code of 1986, as amended, ~~defined contribution benefit~~ to participating employees ~~active members~~ of the System employed by employers described in Section 15-106 of this Code that qualify as eligible employers under Section 457(e)(1)(A) of the Internal Revenue Code of 1986, as amended. Such eligible employers shall adopt the plan with an effective date no later than September 1, 2021. Participating employees may voluntarily elect to make elective deferrals to the eligible deferred compensation plan. Eligible employers may make optional employer contributions to the plan on behalf of participating employees, which contributions may be maintained, increased, reduced, or eliminated at the discretion of the employer from plan year to plan year. ~~The defined contribution benefit shall be an optional benefit to any member who chooses to participate.~~ The plan ~~defined contribution benefit~~ shall collect voluntary ~~optional~~ employee and optional employer contributions into an account for each participant and shall offer investment options to the participant. The plan ~~benefit~~ under this Section shall be operated in full compliance with any applicable State and federal laws, and the System shall utilize generally accepted practices in creating and maintaining the plan ~~benefit~~ for the best interest of the participants. The System may use funds from the employee and employer contributions to defray any and all costs of creating and maintaining the plan ~~benefit~~. The System shall produce an annual report on the participation in the plan ~~benefit~~ and shall make the report public.

(b) The System shall automatically enroll in the eligible deferred compensation plan any employee of an eligible employer who first becomes a participating employee of the System on or after July 1, 2022 under an eligible automatic contribution arrangement that is subject to Section 414(w) of the Internal Revenue Code of 1986, as amended, and the United States Department of Treasury regulations promulgated thereunder. An employee who is automatically enrolled under this subsection (b) shall have 3% of his or her compensation, as defined by the plan, for each pay period deferred on a pre-tax basis into his or her account,

subject to any contribution limits applicable to the plan. The Board may increase the default percentage of compensation deferred under this subsection (b).

An employee shall have 30 days from the date on which the System provides the notice required under Section 414(w) of the Internal Revenue Code of 1986, as amended, to elect to not participate in the eligible deferred compensation plan or to elect to increase or reduce the initial amount of elective deferrals made to the plan. In the absence of such affirmative election, the employee shall be automatically enrolled in the plan on the first day of the calendar month, or as soon as administratively practicable thereafter, following the 30th day from the date on which the System provides the required notice. An employee who has been automatically enrolled in the plan under this subsection (b) may elect, within 90 days of enrollment, to withdraw from the plan and receive a refund of amounts deferred, adjusted by applicable earnings and fees. An employee making such an election shall forfeit all employer matching contributions, if any, made with respect to such refunded elective deferrals and such forfeited amounts shall be used to defray plan expenses. Any refunded elective deferrals shall be included in the employee's gross income for the taxable year in which the refund is issued.

(c) The System may provide for one or more automatic contribution arrangements, which shall comply with all applicable Internal Revenue Service rules and regulations, in conjunction with or in lieu of the eligible automatic contribution arrangement under subsection (b), for participating employees of eligible employers whose annual earnings are limited by application of subsection (b) of Section 15-111 of this Code. The amount of elective deferrals made for the employee each pay period under an automatic contribution arrangement shall equal the default percentage specified by resolution of the Board multiplied by the employee's compensation as defined by the plan, subject to any contribution limits applicable to the plan, and shall be made on a pre-tax basis. An employee subject to this subsection (c) shall have 30 days from the date on which the System provides written notice to the employee to elect to not participate in the eligible deferred compensation plan or to elect to increase or reduce the amount of initial elective deferrals made to the plan. In the absence of such affirmative election, the employee shall be automatically enrolled in the plan beginning the first day of the calendar month, or as soon as administratively practicable thereafter, following the 30th day from the date on which the System provides the required notice.

(d) The System may provide that the default percentage for any employee automatically enrolled in the eligible deferred compensation plan under subsection (b) or (c) be increased by a specified percentage each plan year after the plan year in which the employee is automatically enrolled in the plan. The amount of automatic annual increases in any plan year shall not exceed 1% of compensation as defined by the plan.

(e) The changes made to this Section by this amendatory Act of the 102nd General Assembly are corrections of existing law and are intended to be retroactive to the effective date of Public Act 100-769, notwithstanding Section 1-103.1 of this Code.

(Source: P.A. 100-769, eff. 8-10-18.)

(40 ILCS 5/16-204)

Sec. 16-204. Optional defined contribution benefit. As soon as practicable after the effective date of this amendatory Act of the 100th General Assembly, the System shall offer a defined contribution benefit to active members of the System. The defined contribution benefit shall be an optional benefit to any member who chooses to participate. The defined contribution benefit shall collect optional employee and optional employer contributions into an account and shall offer investment options to the participant. The benefit under this Section shall be operated in full compliance with any applicable State and federal laws, and the System shall utilize generally accepted practices in creating and maintaining the benefit for the best interest of the participants. The System may use funds from the employee and employer contributions to defray any and all costs of creating and maintaining the benefit. In addition, the System may use funds provided under Section 16-158 of this Code to defray any and all costs of creating and maintaining the benefit and then shall reimburse those costs from funds received from the employee and employer contributions under this Section. All employers must comply with the reporting and administrative functions established by the System and are required to implement the benefits established under this Section. The System shall produce an annual report on the participation in the benefit and shall make the report public.

As soon as is practicable on or after January 1, 2022, the System shall automatically enroll any employee who first becomes an active member or participant in the System. A member automatically enrolled under this Section shall have 3% of his or her pre-tax gross compensation for each compensation period deferred into his or her deferred compensation account, unless the member otherwise instructs the System on forms approved by the System. A member may elect, in a manner provided for by the System, to not participate in the defined contribution benefit or to increase or reduce the amount of pre-tax gross

compensation contributed, consistent with State or federal law. A member shall be automatically enrolled in the benefit beginning the first day of the pay period following the member's 30th day of employment. A member who has been automatically enrolled in the benefit may elect, within 90 days of enrollment, to withdraw from the benefit and receive a refund of amounts deferred, plus or minus any applicable earnings, investment fees, and administrative fees. Any refunded amount shall be included in the member's gross income for the taxable year in which the refund is issued.

On or after January 1, 2023, the System may elect to increase the automatic annual contributions under this Section. The increase in the rate of contribution, however, shall not exceed 2% of a member's pre-tax gross compensation per year, and at no time shall any total contribution exceed any contribution limits established by State or federal law.

(Source: P.A. 100-769, eff. 8-10-18.)

(40 ILCS 5/24-104) (from Ch. 108 1/2, par. 24-104)

Sec. 24-104. The Illinois State Board of Investment created under Article 22A of this Act shall develop and establish a deferred compensation plan for employees of the State which shall be known as the State Employees Deferred Compensation Plan. The Plan shall provide for the Board to review proposed investment offerings and shall require that only investments determined to be acceptable by the Board may be used for investing compensation deferred.

The Plan shall include appropriate provisions pertaining to its day to day operation providing for methods of electing to defer income, methods of changing the amount of income to be deferred, methods of selecting from among investment options available under the plan and such other provisions as may be appropriate.

The Plan shall provide for the preparation, and distribution from time to time to all eligible State employees, of pamphlets describing the Plan and outlining the options and opportunities available to State employees under the Plan. Such pamphlets, however, shall not be distributed to employees who are covered under Articles 7, 15, or 16 of this Code.

The Plan established under this Section shall not be implemented or amended until the Board is satisfied that compensation deferred under the Plan is not subject to income tax for the year in which it is earned and that the taxation of such compensation will be deferred until the time of its distribution to the employee.

The Board shall also review and oversee the administration of the Plan.

(Source: P.A. 81-671.)

Section 90. The State Mandates Act is amended by adding Section 8.45 as follows:

(30 ILCS 805/8.45 new)

Sec. 8.45. 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 102nd General Assembly.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Simmons, **Senate Bill No. 2133** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Human Rights.

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

On motion of Senator Collins, **Senate Bill No. 2136** having been printed, was taken up, read by title a second time.

Senator Collins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2136

AMENDMENT NO. 1 . Amend Senate Bill 2136 by deleting line 1 on page 50 through line 2 on page 51; and

on page 51, line 3, by replacing "(2)" with "(1)"; and

on page 52, line 7, by replacing "(3)" with "(2)"; and

on page 53, line 2, by replacing "(4)" with "(3)"; and

on page 53, line 6, by replacing "(5)" with "(4)"; and

on page 53, line 11, by replacing "(6)" with "(5)"; and

on page 53, line 14, by replacing "(7)" with "(6)"; and

on page 53, line 19, by replacing "(8)" with "(7)"; and

on page 54, line 3, after "122-1", by inserting "and by adding Section 122-9"; and

on page 54, by replacing line 6 through line 8 with the following:

"(a) Any person imprisoned in the penitentiary"; and

on page 57, immediately below line 19, by inserting the following:

"(725 ILCS 5/122-9 new)

Sec. 122-9. Institution of proceedings. Any individual may at any time institute proceedings under this Article, notwithstanding that he or she is no longer imprisoned and notwithstanding that his or her liberties are not being currently curtailed by action of the State, if his or her conviction has potential consequences under federal immigration law. For purposes of this subsection, "conviction" refers to any disposition where the individual has pleaded or been found guilty in state court, regardless of whether the state court entered judgment on the matter.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Rezin, **Senate Bill No. 2153** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Gillespie, **Senate Bill No. 2298** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 2338** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 2339** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2339

AMENDMENT NO. 1 . Amend Senate Bill 2339 by replacing everything after the enacting clause with the following:

"Section 5. The Privacy of Child Victims of Criminal Sexual Offenses Act is amended by changing Section 3 as follows:

(725 ILCS 190/3) (from Ch. 38, par. 1453)

Sec. 3. Confidentiality of Law Enforcement and Court Records. Notwithstanding any other law to the contrary, inspection and copying of law enforcement records maintained by any law enforcement agency or all circuit court records maintained by any circuit clerk relating to any investigation or proceeding pertaining to a criminal sexual offense, by any person, except a judge, state's attorney, assistant state's attorney, psychologist, psychiatrist, social worker, doctor, parent, parole agent, aftercare specialist, probation officer, defendant or defendant's attorney in any criminal proceeding or investigation related thereto, shall be restricted to exclude the identity of any child who is a victim of such criminal sexual offense or alleged criminal sexual offense unless a court order is issued authorizing the removal of such restriction as provided under this Section of a particular case record or particular records of cases maintained by any circuit court clerk. A court may for the child's protection and for good cause shown, prohibit any person or agency present in court from further disclosing the child's identity.

When a criminal sexual offense is committed or alleged to have been committed by a school district employee or any individual contractually employed by a school district, a copy of the criminal history record information relating to the investigation of the offense or alleged offense shall be transmitted to the superintendent of schools of the district immediately upon request or if the law enforcement agency knows that a school district employee or any individual contractually employed by a school district has committed or is alleged to have committed a criminal sexual offense, the superintendent of schools of the district shall be immediately provided a copy of the criminal history record information. The superintendent shall be restricted from specifically revealing the name of the victim without written consent of the victim or victim's parent or guardian.

A court may prohibit such disclosure only after giving notice and a hearing to all affected parties. In determining whether to prohibit disclosure of the minor's identity the court shall consider:

(a) the best interest of the child; and

(b) whether such nondisclosure would further a compelling State interest.

For the purposes of this Act, "criminal history record information" means:

(i) chronologically maintained arrest information, such as traditional arrest logs or blotters;

(ii) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;

(iii) court records that are public;

(iv) records that are otherwise available under State or local law; or

(v) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of Section 7 of the Freedom of Information Act.

(Source: P.A. 98-558, eff. 1-1-14.)".

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

On motion of Senator Lightford, **Senate Bill No. 2340** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2340

AMENDMENT NO. 1 . Amend Senate Bill 2340 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Privacy of Adult Victims of Criminal Sexual Offenses Act.

Section 5. Definitions.

"Adult victim" means any person 18 years of age or older.

"Criminal history record information" means:

(a) chronologically maintained arrest information, such as traditional arrest logs or blotters;

(b) the name of a person in the custody of a law enforcement agency and the charges for which that person is being held;

(c) court records that are public; records that are otherwise available under State or local law; or

(d) records in which the requesting party is the individual identified, except as provided under part (vii) of paragraph (c) of subsection (1) of Section 7 of the Freedom of Information Act.

Section 10. Victim privacy. Notwithstanding any other law to the contrary, inspection and copying of law enforcement records maintained by any law enforcement agency or all circuit court records maintained by any circuit clerk relating to any investigation or proceeding pertaining to a criminal sexual offense, by any person, except a judge, state's attorney, assistant state's attorney, psychologist, psychiatrist, social worker, doctor, parent, parole agent, aftercare specialist, probation officer, defendant or defendant's attorney in any criminal proceeding or investigation related thereto shall be restricted to exclude the identity of any adult victim of such criminal sexual offense or alleged criminal sexual offense unless a court order is issued authorizing the removal of such restriction as provided under this Section of a particular case record or particular records of cases maintained by any circuit court clerk.

A court may for the adult victim's protection and for good cause shown, prohibit any person or agency present in court from further disclosing the adult victim's identity.

Section 15. Criminal sexual offense and school districts. When a criminal sexual offense is committed or alleged to have been committed by a school district employee or any individual contractually employed by a school district, a copy of the criminal history record information relating to the investigation of the offense or alleged offense shall be transmitted to the superintendent of schools of the district immediately upon request or if the law enforcement agency knows that a school district employee or any individual contractually employed by a school district has committed or is alleged to have committed a criminal sexual offense, the superintendent of schools of the district shall be immediately provided a copy of the criminal history record information. The superintendent shall be restricted from specifically revealing the name of the adult victim without written consent of the victim.

A court may prohibit such disclosure only after giving notice and a hearing to all affected parties. In determining whether to prohibit disclosure of the adult victim's identity the court shall consider

(a) the best interest of the adult victim; and

(b) whether such nondisclosure would further a compelling State interest.".

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

On motion of Senator Rezin, **Senate Bill No. 2354** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeWitte, **Senate Bill No. 2357** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Connor, **Senate Bill No. 2360** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2360

AMENDMENT NO. 1 . Amend Senate Bill 2360 by replacing everything after the enacting clause with the following:

"Section 5. The Banking Emergencies Act is amended by changing Sections 2, 3, and 4 and by adding Section 6 as follows:

(205 ILCS 610/2) (from Ch. 17, par. 1002)

Sec. 2. Power of Commissioner.

(a) Whenever the Commissioner is notified by any officer of a bank or by any other means becomes aware that an emergency exists, or is impending, he may, by proclamation, authorize all banks in the State of

Illinois to close or alter the hours at any or all of their offices, or if only a bank or banks, or offices thereof, in a particular area or areas of the State of Illinois are affected by the emergency or impending emergency, the Commissioner may authorize only the affected bank, banks, or offices thereof, to close. The office or offices so closed may remain closed until the Commissioner declares, by further proclamation, that the emergency or impending emergency has ended, or until an earlier time when the officers of the bank determine that the office or offices so closed should reopen, and, in either event, for the further amount of time reasonably necessary to reopen. The Commissioner during an emergency or while an impending emergency exists, which affects, or may affect, a particular bank or banks, or a particular office or offices thereof, but not banks located in the area generally of the said county or municipality, may authorize the particular bank or banks, or office or offices so affected, to close. The office or offices so closed shall remain closed until the Commissioner is notified by a bank officer of the closed bank that the emergency has ended, or until an earlier time when the officers of the bank determine that the office or offices so closed should reopen, and, in either event, for the further amount of time reasonably necessary to reopen. ~~The Commissioner shall notify, at such time, the officers of the bank that one or more offices, heretofore closed because of the emergency, should reopen and, in either event, for such further time thereafter as may reasonably be required to reopen.~~

(b) Whenever the Secretary becomes aware that an emergency exists, or is impending, he or she may, by proclamation, waive any requirements to the notices, applications, or reports required to be filed and authorize any bank organized under the laws of this State, of another state, or of the United States, to open and operate offices in this State, notwithstanding any other laws of this State to the contrary. Any office or offices opened in accordance with this subsection may remain open until the Commissioner declares, by further proclamation, that the emergency or impending emergency has ended. The Department of Financial and Professional Regulation may adopt rules to implement this subsection (b).

(c) When the officers of a bank are of the opinion that an emergency exists, or is impending, which affects or may affect the bank's offices, they shall have the authority, in the reasonable exercise of their discretion, to determine not to open any of the bank's offices on any day or, if having opened, to close an office during the continuation of the emergency, even if the Commissioner does not issue a proclamation. The office closed shall remain closed until the time that the officers determine the emergency has ended, and for the further amount of time reasonably necessary to reopen. No bank office shall remain closed for more than 48 consecutive hours, excluding legal holidays and other days on which the bank is permitted to remain closed under the Promissory Note and Bank Holiday Act, without the prior approval of the Commissioner.

(Source: P.A. 95-77, eff. 8-13-07; 96-1365, eff. 7-28-10.)

(205 ILCS 610/3) (from Ch. 17, par. 1003)

Sec. 3. Notice to Commissioner and the Public. A bank closing an office or offices ~~pursuant to the authority granted herein~~ under Section 2 of this Act shall give as prompt notice of its action as conditions will permit and by any means available, to the Commissioner, or in the case of a national bank, to the Comptroller of the Currency. In addition the bank shall post notice of the temporary closing and the authorization for the closing on the main entrance doors of the office or offices ~~bank~~ affected.

(Source: P.A. 77-1782.)

(205 ILCS 610/4) (from Ch. 17, par. 1004)

Sec. 4. Effect of Closing. Any day on which a bank, or any one or more of its offices, is closed during all or any part of its normal banking hours ~~pursuant to the authorization granted~~ under Section 2 of this Act shall be, with respect to such bank or, if not all of its offices are closed, then with respect to any office or offices which are closed, a legal holiday for all purposes with respect to any banking business of any character. No liability, or loss of rights of any kind, on the part of any bank, or director, officer, or employee thereof, shall accrue or result by virtue of any closing authorized by this Act.

The provisions of this Act shall be construed and applied as being in addition to, and not in substitution for or limitation of, any other law of this State or of the United States, authorizing the closing of a bank or excusing the delay by a bank in the performance of its duties and obligations because of emergencies or conditions beyond the bank's control, or otherwise.

(Source: P.A. 77-1782.)

(205 ILCS 610/6 new)

Sec. 6. Rulemaking. The Department of Financial and Professional Regulation may adopt rules to address the closing or alteration of hours by banks at one or more of their offices when affected by an emergency or impending emergency.".

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

On motion of Senator Connor, **Senate Bill No. 2373** having been printed, was taken up, read by title a second time.

Senator Connor offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2373

AMENDMENT NO. 1 . Amend Senate Bill 2373 by replacing everything after the enacting clause with the following:

"Section 5. The Drug Court Treatment Act is amended by changing Sections 10, 20 and 35 as follows:

(730 ILCS 166/10)

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

"Drug court", "drug court program", or "program" means an immediate and highly structured judicial intervention process for substance abuse treatment of eligible defendants that brings together substance abuse professionals, local social programs, and intensive judicial monitoring in accordance with the nationally recommended 10 key components of drug courts and according to the rules promulgated by the Illinois Supreme Court. "Drug court" also means any court that primarily accepts defendants charged with driving while impaired with either alcohol or drugs.

"Drug court professional" means a member of the drug court team, including but not limited to a judge, prosecutor, defense attorney, probation officer, coordinator, treatment provider, or peer recovery coach.

"Pre-adjudicatory drug court program" means a program that allows the defendant, with the consent of the prosecution, to expedite the defendant's criminal case before conviction or before filing of a criminal case and requires successful completion of the drug court program as part of the agreement.

"Post-adjudicatory drug court program" means a program in which the defendant has admitted guilt or has been found guilty and agrees, along with the prosecution, to enter a drug court program as part of the defendant's sentence.

"Combination drug court program" means a drug court program that includes a pre-adjudicatory drug court program and a post-adjudicatory drug court program.

(Source: P.A. 97-946, eff. 8-13-12.)

(730 ILCS 166/20)

Sec. 20. Eligibility.

(a) A defendant may be admitted into a drug court program only upon the agreement of the defendant and with the approval of the court.

(b) A defendant shall be excluded from a drug court program if any of one of the following apply:

(1) The crime is a crime of violence as set forth in clause (4) of this subsection (b).

(2) The defendant denies his or her use of or addiction to drugs.

(3) The defendant does not demonstrate a willingness to participate in a treatment program.

(4) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time. As used in this Section, "crime of violence" means: first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnaping, kidnaping, aggravated battery resulting in great bodily harm or permanent disability, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

(b-5) A defendant shall be excluded from a pre-adjudicatory drug court program if the defendant held a commercial driver's license, commercial learner's permit or was operating a commercial motor vehicle at the time of the arrest for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance, but may participate in a post-adjudicatory drug court program.

(c) (Blank). ~~Notwithstanding subsection (a), the defendant may be admitted into a drug court program only upon the agreement of the prosecutor if:~~

~~(1) the defendant is charged with a Class 2 or greater felony violation of:~~

~~(A) Section 401, 401.1, 405, or 405.2 of the Illinois Controlled Substances Act;~~

~~(B) Section 5, 5.1, or 5.2 of the Cannabis Control Act;~~

~~(C) Section 15, 20, 25, 30, 35, 40, 45, 50, 55, 56, or 65 of the Methamphetamine Control and Community Protection Act; or~~

~~(2) the defendant has previously, on 3 or more occasions, either completed a drug court program, been discharged from a drug court program, or been terminated from a drug court program.~~

(Source: P.A. 99-480, eff. 9-9-15.)

(730 ILCS 166/35)

Sec. 35. Violation; termination; discharge.

(a) If the court finds from the evidence presented including but not limited to the reports or proffers of proof from the drug court professionals that:

(1) the defendant is not performing satisfactorily in the assigned program;

(2) the defendant is not benefitting from education, treatment, or rehabilitation;

(3) the defendant has engaged in criminal conduct rendering him or her unsuitable for the program; or

(4) the defendant has otherwise violated the terms and conditions of the program or his or her sentence or is for any reason unable to participate;

the court may impose reasonable sanctions under prior written agreement of the defendant, including but not limited to imprisonment or dismissal of the defendant from the program and the court may reinstate criminal proceedings against him or her or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-5) A defendant who is assigned to a substance abuse treatment program under this Act for opioid abuse or dependence is not in violation of the terms or conditions of the program on the basis of his or her participation in medication assisted treatment under the care of a physician licensed in this State to practice medicine in all of its branches.

(b) Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the defendant or successfully terminate the defendant's sentence or otherwise discharge him or her from any further proceedings against him or her in the original prosecution.

(c) Notwithstanding any other provision of this Act to the contrary, the Secretary of State shall maintain, on the defendant's driving abstract, any conviction for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance that was dismissed as the result of successful completion of the terms and conditions of the program.

(Source: P.A. 99-554, eff. 1-1-17.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Harris, **Senate Bill No. 2406** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **Senate Bill No. 2408** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2408

AMENDMENT NO. 1 . Amend Senate Bill 2408 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 532, 538, and 538.7 as follows:

(215 ILCS 5/532) (from Ch. 73, par. 1065.82)

Sec. 532. Purpose.

(a) The purpose of this Article is to provide a mechanism for the payment of covered claims under certain insurance policies, to avoid excessive delay in payment of covered claims, to avoid financial loss to

claimants or policyholders because of the entry of an Order of Liquidation against an insolvent company, including through services offered to the Director in her or his capacity as receiver under Article XIII of this Code that relate to covered claims, ~~and~~ to provide a Fund to assess among member companies the costs ~~cost~~ of such protection and maintain the continuity and self-sufficient operation of the Fund, and to offset the costs associated with maintaining the Fund's continuity and self-sufficient operations when practical by providing assistance and services to the Director in her or his capacity as receiver under Article XIII of this Code as described in this Section ~~among member companies~~.

(b) The purpose of this Article is also to provide a mechanism for the Fund to participate in and facilitate the process by which the assets of an insolvent company are marshaled and distributed pursuant to Article XIII of this Code beyond reimbursing the cost of covered claims. This subsection (b) is inoperative 5 years after the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 85-576.)

(215 ILCS 5/538) (from Ch. 73, par. 1065.88)

Sec. 538. Powers of the Fund. The Fund shall have the powers enumerated in the Sections following this Section and preceding Section 539 ~~538.1 through 538.8~~.

(Source: P.A. 77-305.)

(215 ILCS 5/538.7) (from Ch. 73, par. 1065.88-7)

Sec. 538.7. (a) The Fund may perform such other acts as are necessary or proper to effectuate the purposes of this Article.

(b) The Fund may contract with the Office of Special Deputy Receiver or any other person or organizations authorized by law to carry out the duties of the Director in her or his capacity as a receiver under Article XIII of this Code. The power of the Fund to contract with these persons or entities includes, but is not limited to, providing consulting services and claims administration services that assist with these persons or entities in the performance of their respective statutory and legal functions provided by law. The Fund may only exercise the authority to contract pursuant to this subsection upon the board of director's written determination that the provisioning of such services will advance the purposes set forth in Section 532. Any contract the Fund may enter into to provide services pursuant to this subsection shall be subordinate and subject to the Fund's statutory obligations to timely pay covered claims and avoid financial loss to claimants or policyholders described in this Article.

This subsection (b) is inoperative 5 years after the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 82-210.)

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

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

On motion of Senator Harris, **Senate Bill No. 2409** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2409

AMENDMENT NO. 1 . Amend Senate Bill 2409 on page 22, lines 8 through 10, by replacing "this Article, with the exception of information submitted pursuant to Section 131.5 through Section 131.10 that is not personal financial information," with "paragraphs (12) and (13) of Section 131.5 and Sections 131.13 through 131.21 ~~this Article~~".

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

On motion of Senator Harris, **Senate Bill No. 2411** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2411

AMENDMENT NO. 1 . Amend Senate Bill 2411, on page 21, by replacing lines 7 through 11 with the following:

"Article and all information reported or provided to the Department pursuant to paragraphs (12) and (13) of Section 131.5 and Sections 131.13 through 131.21 are recognized by this State as being proprietary and to contain trade secrets, and ~~this Article~~ shall be".

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

On motion of Senator Harris, **Senate Bill No. 2424** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 2474** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was referred to the Committee on Agriculture earlier today.

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

On motion of Senator Villivalam, **Senate Bill No. 2481** having been printed, was taken up, read by title a second time.

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

Floor Amendment No. 2 was held in the Committee on Commerce.

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

On motion of Senator Villivalam, **Senate Bill No. 2494** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Bush, **Senate Bill No. 2553** having been printed, was taken up, read by title a second time.

Senator Bush offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2553

AMENDMENT NO. 1 . Amend Senate Bill 2553 on page 1, line 8, by replacing "it has one" with "the website is maintained by the unit of local government's full-time staff".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Bush, **Senate Bill No. 2565** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2565

AMENDMENT NO. 1 . Amend Senate Bill 2565 by replacing everything after the enacting clause with the following:

"Section 5. The Drug Court Treatment Act is amended by changing Sections 5, 10, 25, 30, 35, 45, and 50 as follows:

(730 ILCS 166/5)

Sec. 5. Purposes. The General Assembly recognizes that individuals struggling with drug and alcohol dependency or addiction and substance use disorders may come into contact with the criminal justice system

and be charged with felony or misdemeanor offenses. The General Assembly also recognizes that substance use disorders and mental illness co-occur in a substantial percentage of criminal defendants. ~~the use and abuse of drugs has a dramatic effect on the criminal justice system in the State of Illinois.~~ There is a critical need for the criminal justice system to recognize individuals struggling with these issues, provide alternatives to incarceration to address incidences ~~a criminal justice system program that will reduce the incidence~~ of ~~drug use,~~ drug addiction, and provide appropriate access to treatment and support to persons with substance use disorders. ~~crimes committed as a result of drug use and drug addiction.~~ It is the intent of the General Assembly to create specialized drug courts, in accordance with national best practices, for addressing addiction and co-occurring disorders with the necessary flexibility to meet the needs for an array of services and supports among participants in drug court programs ~~problems~~ in the State of Illinois.
(Source: P.A. 92-58, eff. 1-1-02.)

(730 ILCS 166/10)

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

"Drug court", "drug court program", or "program" means an immediate and highly structured judicial intervention process for substance use ~~abuse~~ treatment of eligible defendants that brings together substance use ~~abuse~~ professionals, local social programs, and intensive judicial monitoring in accordance with the nationally recommended 10 key components of drug courts.

"Drug court professional" means a member of the drug court team, including but not limited to a judge, prosecutor, defense attorney, probation officer, coordinator, licensed treatment provider, or peer recovery coach.

"Pre-adjudicatory drug court program" means a program that allows the defendant, with the consent of the prosecution, to expedite the defendant's criminal case before conviction or before filing of a criminal case and requires successful completion of the drug court program as part of the agreement.

"Post-adjudicatory drug court program" means a program in which the defendant has admitted guilt or has been found guilty and agrees, along with the prosecution, to enter a drug court program as part of the defendant's sentence.

"Combination drug court program" means a drug court program that includes a pre-adjudicatory drug court program and a post-adjudicatory drug court program.

"Clinical treatment plan" means an evidence-based, comprehensive, and individualized plan that defines the scope of treatment services to be delivered by a court treatment provider.

"Validated clinical assessment" may include assessment tools required by public or private insurance.

"Peer recovery coach" means a mentor assigned to a defendant during participation in a drug treatment court program who has been trained by the court, a service provider utilized by the court for substance use or mental health treatment, or be a recovery support specialist certified by the State of Illinois. Peer recovery coaches should be individuals with lived experience and shall guide and mentor the participant to successfully complete the assigned requirements and work to help facilitate participants' independence for continued success once the supports of the court are no longer available to them.
(Source: P.A. 97-946, eff. 8-13-12.)

(730 ILCS 166/25)

Sec. 25. Procedure.

(a) The court shall order an eligibility screening and an assessment of the defendant by an agent designated by the State of Illinois to provide assessment services for the Illinois Courts. The assessment shall include a validated clinical assessment. The clinical assessment shall include, but not be limited to, assessments of substance use, mental and behavioral health needs. The clinical assessment shall be administered by a qualified clinician and used to inform any clinical treatment plans. Clinical treatment plans shall be developed, in part, upon the known availability of treatment resources available. An assessment need not be ordered if the court finds a valid assessment related to the present charge pending against the defendant has been completed within the previous 60 days.

(b) The judge shall inform the defendant that if the defendant fails to meet the conditions of the drug court program, eligibility to participate in the program may be revoked and the defendant may be sentenced or the prosecution continued as provided in the Unified Code of Corrections for the crime charged.

(c) The defendant shall execute a written agreement as to his or her participation in the program and shall agree to all of the terms and conditions of the program, including but not limited to the possibility of sanctions or incarceration for failing to abide or comply with the terms of the program.

(d) In addition to any conditions authorized under the Pretrial Services Act and Section 5-6-3 of the Unified Code of Corrections, the court may order the defendant to complete substance use ~~abuse~~ treatment

in an outpatient, inpatient, residential, or jail-based custodial treatment program, order the defendant to complete mental health counseling in an inpatient or outpatient basis, comply with physicians' recommendation regarding medications and all follow up treatment for any mental health diagnosis made by the provider. Substance use treatment programs must be licensed by the State of Illinois as a Substance Use Prevention and Recovery (SUPR) provider and utilize evidence-based treatment. When referring participants to mental health treatment programs, the court shall prioritize providers certified as community mental health or behavioral health centers as possible. The court shall prioritize the least restrictive treatment option when ordering mental health or substance use treatment for participants. The court may order jail-based custodial treatment if it finds that jail-based treatment is the least restrictive alternative based on evidence that efforts were made to locate less restrictive alternatives to secure confinement and the reasons why efforts were unsuccessful in locating a less restrictive alternative to jail-based custodial treatment. Any period of time a defendant shall serve in a jail-based treatment program may not be reduced by the accumulation of good time or other credits and may be for a period of up to 120 days.

(e) The drug court program shall include a regimen of graduated requirements and rewards and sanctions, including but not limited to: ~~fines, fees, costs,~~ restitution, incarceration of up to 180 days, individual and group therapy, drug analysis testing, close monitoring by the court at a minimum of once every 30 days and supervision of progress, educational or vocational counseling as appropriate, and other requirements necessary to fulfill the drug court program. If the defendant needs treatment for opioid use ~~abuse~~ or dependence, the court may not prohibit the defendant from participating in and receiving medication assisted treatment under the care of a physician licensed in this State to practice medicine in all of its branches. Drug court participants may not be required to refrain from using medication assisted treatment as a term or condition of successful completion of the drug court program.

(f) Recognizing that individuals struggling with mental health, addiction, and related co-occurring disorders have often experienced trauma, drug court programs may include specialized service programs specifically designed to address trauma. These specialized services may be offered to defendants admitted to the drug court program. Judicial circuits establishing these specialized programs shall partner with advocates, survivors, and service providers in the development of the programs. Trauma-informed services and programming should be operated in accordance with best practices outlined by the Substance Abuse and Mental Health Service Administration's National Center for Trauma Informed Care (SAMHSA).

(g) The Court may establish a mentorship program that provides access and support to program participants by peer recovery coaches. Courts shall be responsible to administer the mentorship program with the support of mentors and local mental health and substance use treatment organizations. Peer recovery coaches shall be trained by the court, a service provider utilized by the court for substance use or mental health treatment, or be a recovery support specialist certified by the State of Illinois. Peer recovery coaches shall be approved by the Court and complete orientation with the court team prior to being assigned to participants in the program.

(Source: P.A. 99-554, eff. 1-1-17.)

(730 ILCS 166/30)

Sec. 30. Mental health and substance use ~~Substance abuse~~ treatment.

(a) The drug court program shall maintain a network of substance use ~~abuse~~ treatment programs representing a continuum of graduated substance use ~~abuse~~ treatment options commensurate with the needs of defendants.

(b) Any substance use ~~abuse~~ treatment program to which defendants are referred must be licensed by the State of Illinois as SUPR providers and utilize evidence-based treatment, meet all of the rules and governing programs in Parts 2030 and 2060 of Title 77 of the Illinois Administrative Code.

(c) The drug court program may, at its discretion, employ additional services or interventions, as it deems necessary on a case by case basis.

(d) The drug court program may maintain or collaborate with a network of mental health treatment programs representing a continuum of treatment options commensurate with the needs of the defendant and available resources including programs with the State of Illinois and community-based programs supported and sanctioned by the State of Illinois. Partnerships with providers certified as community mental health or behavioral health centers shall be prioritized when possible.

(Source: P.A. 92-58, eff. 1-1-02.)

(730 ILCS 166/35)

Sec. 35. Violation; termination; discharge.

(a) If the court finds from the evidence presented including but not limited to the reports or proffers of proof from the drug court professionals that:

(1) the defendant is not performing satisfactorily in the assigned program;

(2) the defendant is not benefitting from education, treatment, or rehabilitation;

(3) the defendant has engaged in criminal conduct rendering him or her unsuitable for the program; or

(4) the defendant has otherwise violated the terms and conditions of the program or his or her sentence or is for any reason unable to participate;

the court may impose reasonable sanctions under prior written agreement of the defendant, including but not limited to imprisonment or dismissal of the defendant from the program and the court may reinstate criminal proceedings against him or her or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-5) A defendant who is assigned to a substance use ~~abuse~~ treatment program under this Act for opioid use ~~abuse~~ or dependence is not in violation of the terms or conditions of the program on the basis of his or her participation in medication assisted treatment under the care of a physician licensed in this State to practice medicine in all of its branches.

(b) Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the defendant or successfully terminate the defendant's sentence or otherwise discharge him or her from any further proceedings against the defendant ~~him or her~~ in the original prosecution.

(c) Upon successful completion of the terms and conditions of the program, any State's Attorney in the county of conviction may move to vacate convictions held by the defendant that are eligible for sealing under the Criminal Identification Act. Participants may immediately file petitions to expunge vacated convictions and the associated underlying records per the Criminal Identification Act. In cases where the State's Attorney moves to vacate a conviction, the State's Attorney may not object to expungement of that conviction or the underlying record.

(d) The drug court program may maintain or collaborate with a network of legal aid organizations that specialize in conviction relief to support participants navigating the expungement and sealing process.

(Source: P.A. 99-554, eff. 1-1-17.)

(730 ILCS 166/45)

Sec. 45. Education seminars for drug court prosecutors. Subject to appropriation, the Office of the State's Attorneys Appellate Prosecutor shall conduct mandatory education seminars on the subjects of substance use disorder ~~abuse~~ and addiction for all drug court prosecutors throughout the State.

(Source: P.A. 99-480, eff. 9-9-15.)

(730 ILCS 166/50)

Sec. 50. Education seminars for public defenders. Subject to appropriation, the Office of the State Appellate Defender shall conduct mandatory education seminars on the subjects of substance use disorder ~~abuse~~ and addiction for all public defenders and assistant public defenders practicing in drug courts throughout the State.

(Source: P.A. 99-480, eff. 9-9-15.)

Section 10. The Veterans and Servicemembers Court Treatment Act is amended by changing Sections 5, 10, 20, 25, 30, and 35 and by adding Sections 40, 45, and 50 as follows:

(730 ILCS 167/5)

Sec. 5. Purposes. The General Assembly recognizes that veterans and active, Reserve and National Guard servicemembers have provided or are currently providing an invaluable service to our country. In so doing, some may suffer the effects of, including but not limited to, post traumatic stress disorder, traumatic brain injury, depression and may also suffer drug and alcohol dependency or addiction and co-occurring mental illness and substance use disorders ~~abuse problems~~. As a result of this, some veterans or active duty servicemembers come into contact with the criminal justice system and are charged with felony or misdemeanor offenses. There is a critical need for the criminal justice system to recognize these veterans, provide accountability for their wrongdoing, provide for the safety of the public and provide for the treatment of our veterans. It is the intent of the General Assembly to create specialized veteran and servicemember courts or programs with the necessary flexibility to meet the specialized needs ~~problems~~ faced by these veteran and servicemember defendants.

(Source: P.A. 96-924, eff. 6-14-10.)

(730 ILCS 167/10)

Sec. 10. Definitions. In this Act:

"Combination Veterans and Servicemembers Court program" means a court program that includes a pre-adjudicatory and a post-adjudicatory Veterans and Servicemembers court program.

"Court" means Veterans and Servicemembers Court.

"IDVA" means the Illinois Department of Veterans' Affairs.

"Peer recovery coach" means a ~~volunteer~~ veteran mentor assigned to a veteran or servicemember during participation in a veteran treatment court program who has been trained and certified by the court, a service provider utilized by the court for substance use or mental health treatment, or be a recovery support specialist certified by the State of Illinois. Peer recovery coaches should be individuals with lived experience and shall ~~to~~ guide and mentor the participant to successfully complete ~~the~~ assigned requirements and work to help facilitate participants' independence for continued success once the supports of the court are no longer available to them.

"Post-adjudicatory Veterans and Servicemembers Court Program" means a program in which the defendant has admitted guilt or has been found guilty and agrees, along with the prosecution, to enter a Veterans and Servicemembers Court program as part of the defendant's sentence.

"Pre-adjudicatory Veterans and Servicemembers Court Program" means a program that allows the defendant with the consent of the prosecution, to expedite the defendant's criminal case before conviction or before filing of a criminal case and requires successful completion of the Veterans and Servicemembers Court programs as part of the agreement.

"Servicemember" means a person who is currently serving in the Army, Air Force, Marines, Navy, or Coast Guard on active duty, reserve status or in the National Guard.

"VA" means the United States Department of Veterans' Affairs.

"VAC" means a veterans assistance commission.

"Veteran" means a person who served in the active military, naval, or air service and who was discharged or released therefrom under conditions other than dishonorable.

"Veterans and Servicemembers Court professional" means a member of the Veterans and Servicemembers Court team, including but not limited to a judge, prosecutor, defense attorney, probation officer, coordinator, treatment provider, or peer recovery coach.

"Veterans and Servicemembers Court" means a court or program with an immediate and highly structured judicial intervention process for substance use ~~abuse~~ treatment, mental health, or other assessed treatment needs of eligible veteran and servicemember defendants that brings together substance use ~~abuse~~ professionals, mental health professionals, VA professionals, local social programs and intensive judicial monitoring in accordance with the nationally recommended 10 key components of drug courts.

"Clinical treatment plan" means an evidence-based, comprehensive, and individualized plan that defines the scope of treatment services to be delivered by a treatment provider.

"Validated clinical assessment" may include assessment tools required by public or private insurance.

(Source: P.A. 99-314, eff. 8-7-15; 99-819, eff. 8-15-16.)

(730 ILCS 167/25)

Sec. 25. Procedure.

(a) The Court shall order the defendant to submit to an eligibility screening and an assessment through the VA, VAC, and/or the IDVA to provide information on the defendant's veteran or servicemember status.

(b) The Court shall order the defendant to submit to an eligibility screening and mental health and drug/alcohol screening and assessment of the defendant by the VA, VAC, or by the IDVA to provide assessment services for Illinois Courts. The assessment shall include a validated clinical assessment. The clinical assessment shall include, but not be limited to, assessments of substance use, mental and behavioral health needs. The clinical assessment shall be administered by a qualified clinician and used to inform any clinical treatment plans. Clinical treatment plans shall be developed ~~risks assessment and be based~~, in part, upon the known availability of treatment resources available to the Veterans and Servicemembers Court. The assessment shall also include recommendations for treatment of the conditions which are indicating a need for treatment under the monitoring of the Court and be reflective of a level of risk assessed for the individual seeking admission. An assessment need not be ordered if the Court finds a valid screening and/or assessment related to the present charge pending against the defendant has been completed within the previous 60 days.

(c) The judge shall inform the defendant that if the defendant fails to meet the conditions of the Veterans and Servicemembers Court program, eligibility to participate in the program may be revoked and

the defendant may be sentenced or the prosecution continued as provided in the Unified Code of Corrections for the crime charged.

(d) The defendant shall execute a written agreement with the Court as to his or her participation in the program and shall agree to all of the terms and conditions of the program, including but not limited to the possibility of sanctions or incarceration for failing to abide or comply with the terms of the program.

(e) In addition to any conditions authorized under the Pretrial Services Act and Section 5-6-3 of the Unified Code of Corrections, the Court may order the defendant to complete substance use ~~abuse~~ treatment in an outpatient, inpatient, residential, or jail-based custodial treatment program, order the defendant to complete mental health counseling in an inpatient or outpatient basis, comply with physicians' recommendation regarding medications and all follow up treatment for any mental health diagnosis made by the provider. Substance use treatment programs must be licensed by the State of Illinois as a Substance Use Prevention and Recovery (SUPR) provider and utilize evidence-based treatment. When referring participants to mental health treatment programs, the court shall prioritize providers certified as community mental health or behavioral health centers as possible. The court shall prioritize the least restrictive treatment option when ordering mental health or substance use treatment for participants. The court may order jail-based custodial treatment if it finds that jail-based treatment is the least restrictive alternative based on evidence that efforts were made to locate less restrictive alternatives to secure confinement and the reasons why efforts were unsuccessful in locating a less restrictive alternative to jail-based custodial treatment. ~~This treatment may include but is not limited to post-traumatic stress disorder, traumatic brain injury and depression.~~

(e-5) Recognizing that individuals struggling with mental health, addiction and related co-occurring disorders have often experienced trauma, veterans and servicemembers court programs may include specialized service programs specifically designed to address trauma. These specialized services may be offered to defendants admitted to the mental health court program. Judicial circuits establishing these specialized programs shall partner with advocates, survivors, and service providers in the development of the programs. Trauma-informed services and programming should be operated in accordance with best practices outlined by the Substance Abuse and Mental Health Service Administration's National Center for Trauma Informed Care (SAMHSA).

(f) The Court may establish a mentorship program that provides access and support to program participants by peer recovery coaches. Courts shall be responsible to administer the mentorship program with the support of volunteer veterans and local veteran service organizations, including a VAC. Peer recovery coaches shall be trained ~~and certified~~ by the Court, a service provider utilized by the court for substance use or mental health treatment, or be a recovery support specialist certified by the State of Illinois. Peer recovery coaches shall be approved by the Court and complete orientation with the court team prior to being assigned to participants in the program.

(Source: P.A. 99-314, eff. 8-7-15; 99-819, eff. 8-15-16.)

(730 ILCS 167/30)

Sec. 30. Mental health and substance use ~~abuse~~ treatment.

(a) The Veterans and Servicemembers Court program may maintain a network of substance use ~~abuse~~ treatment programs representing a continuum of graduated substance use ~~abuse~~ treatment options commensurate with the needs of defendants; these shall include programs with the VA, IDVA, a VAC, the State of Illinois and community-based programs supported and sanctioned by either or both.

(b) Any substance use ~~abuse~~ treatment program to which defendants are referred must be licensed by the State of Illinois as SUPR providers and utilize best practices, recognized by the Substance Abuse and Mental Health Services Administration or other equivalent state or federal agencies, meet all of the rules and governing programs in Parts 2030 and 2060 of Title 77 of the Illinois Administrative Code.

(c) The Veterans and Servicemembers Court program may, in its discretion, employ additional services or interventions, as it deems necessary on a case by case basis.

(d) The Veterans and Servicemembers Court program may maintain or collaborate with a network of mental health treatment programs and, if it is a co-occurring mental health and substance use ~~abuse~~ court program, a network of substance use ~~abuse~~ treatment programs representing a continuum of treatment options commensurate with the needs of the defendant and available resources including programs with the VA, the IDVA, a VAC, and the State of Illinois. When not utilizing mental health treatment or services available through the VA, IDVA or VAC, partnerships with providers certified as community mental health or behavioral health centers shall be prioritized as possible.

(Source: P.A. 99-819, eff. 8-15-16.)

(730 ILCS 167/35)

Sec. 35. Violation; termination; discharge.

(a) If the Court finds from the evidence presented including but not limited to the reports or proffers of proof from the Veterans and Servicemembers Court professionals that:

(1) the defendant is not performing satisfactorily in the assigned program;

(2) the defendant is not benefitting from education, treatment, or rehabilitation;

(3) the defendant has engaged in criminal conduct rendering him or her unsuitable for the program; or

(4) the defendant has otherwise violated the terms and conditions of the program or his or her sentence or is for any reason unable to participate; the Court may impose reasonable sanctions under prior written agreement of the defendant, including but not limited to imprisonment or dismissal of the defendant from the program and the Court may reinstate criminal proceedings against him or her or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(b) Upon successful completion of the terms and conditions of the program, the Court may dismiss the original charges against the defendant or successfully terminate the defendant's sentence or otherwise discharge him or her from any further proceedings against him or her in the original prosecution.

(c) Upon successful completion of the terms and conditions of the program, any State's Attorney in the county of conviction may move to vacate any convictions eligible for sealing under the Criminal Identification Act. Defendants may immediately file petitions to expunge vacated convictions and the associated underlying records per the Criminal Identification Act. In cases where the State's Attorney moves to vacate a conviction, the State's Attorney may not object to expungement of that conviction or the underlying record.

(d) Veterans and servicemembers court programs may maintain or collaborate with a network of legal aid organizations that specialize in conviction relief to support participants navigating the expungement and sealing process.

(Source: P.A. 96-924, eff. 6-14-10.)

(730 ILCS 167/40 new)

Sec. 40. Education seminars for judges. The Administrative Office of the Illinois Courts shall conduct education seminars for judges throughout the State on how to operate Veterans and Servicemembers Court Programs.

(730 ILCS 167/45 new)

Sec. 45. Education seminars for Veterans and Servicemembers Court prosecutors. Subject to appropriation, the Office of the State's Attorneys Appellate Prosecutor shall conduct mandatory education seminars on the subjects of substance use, addiction, and mental health, for all Veterans and Servicemembers Court prosecutors throughout the State.

(730 ILCS 167/50 new)

Sec. 50. Education seminars for public defenders. Subject to appropriation, the Office of the State Appellate Defender shall conduct mandatory education seminars on the subjects of substance use, addiction, and mental health, for all public defenders and assistant public defenders practicing in Veterans and Servicemembers Courts throughout the State.

Section 15. The Mental Health Court Treatment Act is amended by changing Sections 5, 10, 20, 25, 30, and 35 and by adding Sections 45, 50, and 55 as follows:

(730 ILCS 168/5)

Sec. 5. Purposes. The General Assembly recognizes that a large percentage of criminal defendants have a diagnosable mental illness and that mental illnesses have a dramatic effect on the criminal justice system in the State of Illinois. The General Assembly also recognizes that mental illness and substance use disorders ~~abuse problems~~ co-occur in a substantial percentage of criminal defendants. There is a critical need for a criminal justice system program that will reduce the number of persons with mental illnesses and with co-occurring mental illness and substance use disorders ~~abuse problems~~ in the criminal justice system, reduce recidivism among persons with mental illness and with co-occurring mental illness and substance use disorders ~~abuse problems~~, provide appropriate treatment to persons with mental illnesses and co-occurring mental illness and substance use disorders ~~abuse problems~~ and reduce the incidence of crimes committed as a result of mental illnesses or co-occurring mental illness and substance use disorders ~~abuse problems~~. It is the intent of the General Assembly to create specialized mental health courts with the necessary flexibility

to meet the needs ~~problems~~ of criminal defendants with mental illnesses and co-occurring mental illness and substance use disorders ~~abuse problems~~ in the State of Illinois.
(Source: P.A. 95-606, eff. 6-1-08.)

(730 ILCS 168/10)

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

"Mental health court", "mental health court program", or "program" means a structured judicial intervention process for mental health treatment of eligible defendants that brings together mental health professionals, local social programs, and intensive judicial monitoring.

"Mental health court professional" means a member of the mental health court team, including but not limited to a judge, prosecutor, defense attorney, probation officer, coordinator, treatment provider, or peer recovery coach.

"Pre-adjudicatory mental health court program" means a program that allows the defendant, with the consent of the prosecution, to expedite the defendant's criminal case before conviction or before filing of a criminal case and requires successful completion of the mental health court program as part of the agreement.

"Post-adjudicatory mental health court program" means a program in which the defendant has admitted guilt or has been found guilty and agrees, along with the prosecution, to enter a mental health court program as part of the defendant's sentence.

"Combination mental health court program" means a mental health court program that includes a pre-adjudicatory mental health court program and a post-adjudicatory mental health court program.

"Co-occurring mental health and substance use ~~abuse~~ court program" means a program that includes persons with co-occurring mental illness and substance use disorders ~~abuse problems~~. Such programs shall include professionals with training and experience in treating persons with substance use disorders ~~abuse problems~~ and mental illness.

"Clinical treatment plan" means an evidence-based, comprehensive, and individualized plan that defines the scope of treatment services to be delivered by a treatment provider.

"Validated clinical assessment" may include assessment tools required by public or private insurance.

"Peer recovery coach" means a mentor assigned to a defendant during participation in a mental health treatment court program who has been trained by the court, a service provider utilized by the court for substance use or mental health treatment, or be a recovery support specialist certified by the State of Illinois. Peer recovery coaches should be individuals with lived experience and shall guide and mentor the participant to successfully complete the assigned requirements and work to help facilitate participants' independence for continued success once the supports of the court are no longer available to them.
(Source: P.A. 97-946, eff. 8-13-12.)

(730 ILCS 168/20)

Sec. 20. Eligibility.

(a) A defendant, who is eligible for probation based on the nature of the crime convicted of and in consideration of his or her criminal background, if any, may be admitted into a mental health court program only upon the agreement of the defendant and with the approval of the court.

(b) A defendant shall be excluded from a mental health court program if any one of the following applies:

(1) The crime is a crime of violence as set forth in clause (3) of this subsection (b).

(2) The defendant does not demonstrate a willingness to participate in a treatment program.

(3) The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time. As used in this paragraph (3), "crime of violence" means: first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability, stalking, aggravated stalking, or any offense involving the discharge of a firearm.

(4) (Blank).

(5) The crime for which the defendant has been convicted is non-probationable.

(6) The sentence imposed on the defendant, whether the result of a plea or a finding of guilt, renders the defendant ineligible for probation.

~~(c) A defendant charged with prostitution under Section 11-14 of the Criminal Code of 2012 may be admitted into a mental health court program, if available in the jurisdiction and provided that the requirements in subsections (a) and (b) are satisfied. Mental health court programs may include specialized~~

~~service programs specifically designed to address the trauma associated with prostitution and human trafficking, and may offer those specialized services to defendants admitted to the mental health court program. Judicial circuits establishing these specialized programs shall partner with prostitution and human trafficking advocates, survivors, and service providers in the development of the programs.~~

(Source: P.A. 100-426, eff. 1-1-18.)

(730 ILCS 168/25)

Sec. 25. Procedure.

(a) The court shall require an eligibility screening and an assessment of the defendant. The assessment shall include a validated clinical assessment. The clinical assessment shall include, but not be limited to, assessments of substance use, mental and behavioral health needs. The clinical assessment shall be administered by a qualified clinician and used to inform any clinical treatment plans. Clinical treatment plans shall be developed, in part, upon the known availability of treatment resources available. An assessment need not be ordered if the court finds a valid assessment related to the present charge pending against the defendant has been completed within the previous 60 days.

(b) The judge shall inform the defendant that if the defendant fails to meet the requirements of the mental health court program, eligibility to participate in the program may be revoked and the defendant may be sentenced or the prosecution continued, as provided in the Unified Code of Corrections, for the crime charged.

(c) The defendant shall execute a written agreement as to his or her participation in the program and shall agree to all of the terms and conditions of the program, including but not limited to the possibility of sanctions or incarceration for failing to abide or comply with the terms of the program.

(d) In addition to any conditions authorized under the Pretrial Services Act and Section 5-6-3 of the Unified Code of Corrections, the court may order the defendant to complete mental health or substance use ~~abuse~~ treatment in an outpatient, inpatient, residential, or jail-based custodial treatment program, order the defendant to complete mental health counseling in an inpatient or outpatient basis, comply with physicians' recommendation regarding medications and all follow up treatment for any mental health diagnosis made by the provider. Substance abuse treatment programs must be licensed by the State of Illinois as a Substance Use Prevention and Recovery (SUPR) provider and utilize evidence-based treatment. When referring participants to mental health treatment programs, the court shall prioritize providers certified as community mental health or behavioral health centers as possible. The court shall prioritize the least restrictive treatment option when ordering mental health or substance use treatment for participants. The court may order jail-based custodial treatment if it finds that jail-based treatment is the least restrictive alternative based on evidence that efforts were made to locate less restrictive alternatives to secure confinement and the reasons why efforts were unsuccessful in locating a less restrictive alternative to jail-based custodial treatment. Any period of time a defendant shall serve in a jail-based treatment program may not be reduced by the accumulation of good time or other credits and may be for a period of up to 120 days.

(e) The mental health court program may include a regimen of graduated requirements and rewards and sanctions, including but not limited to: ~~fines, fees, costs,~~ restitution, incarceration of up to 180 days, individual and group therapy, medication, drug analysis testing, close monitoring by the court and supervision of progress, educational or vocational counseling as appropriate and other requirements necessary to fulfill the mental health court program.

(f) The Mental Health Court program may maintain or collaborate with a network of mental health treatment programs and, if it is a co-occurring mental health and substance use court program, a network of substance use treatment programs representing a continuum of treatment options commensurate with the needs of the defendant and available resources including programs with the State of Illinois.

(g) Recognizing that individuals struggling with mental health, addiction and related co-occurring disorders have often experienced trauma, mental health court programs may include specialized service programs specifically designed to address trauma. These specialized services may be offered to defendants admitted to the mental health court program. Judicial circuits establishing these specialized programs shall partner with service providers in the development of the programs. Trauma-informed services and programming should be operated in Accordance with best practices outlined by the Substance Abuse and Mental Health Service Administration's National Center for Trauma Informed Care (SAMHSA).

(h) The Court may establish a mentorship program that provides access and support to program participants by peer recovery coaches. Courts shall be responsible to administer the mentorship program with the support of mentors and local mental health and substance use treatment organizations. Peer recovery coaches shall be trained and licensed by the court, a service provider utilized by the court for

substance use or mental health treatment, or be a recovery support specialist certified by the State of Illinois. Peer recovery coaches shall be approved by the Court and complete orientation with the court team prior to being assigned to participants in the program.

(Source: P.A. 95-606, eff. 6-1-08.)

(730 ILCS 168/30)

Sec. 30. Mental health and substance use ~~abuse~~ treatment.

(a) The mental health court program may maintain or collaborate with a network of mental health treatment programs and, if it is a co-occurring mental health and substance use ~~abuse~~ court program, a network of substance use ~~abuse~~ treatment programs representing a continuum of treatment options commensurate with the needs of defendants and available resources.

(b) Any substance use ~~abuse~~ treatment program to which defendants are referred must be licensed by the State of Illinois as SUPR providers and utilize evidence-based treatment, meet all of the rules and governing programs in Parts 2030 and 2060 of Title 77 of the Illinois Administrative Code.

(c) The mental health court program may, at its discretion, employ additional services or interventions, as it deems necessary on a case by case basis.

(Source: P.A. 95-606, eff. 6-1-08.)

(730 ILCS 168/35)

Sec. 35. Violation; termination; discharge.

(a) If the court finds from the evidence presented, including but not limited to the reports or proffers of proof from the mental health court professionals that:

(1) the defendant is not performing satisfactorily in the assigned program;

(2) the defendant is not benefiting from education, treatment, or rehabilitation;

(3) the defendant has engaged in criminal conduct rendering him or her unsuitable for the program; or

(4) the defendant has otherwise violated the terms and conditions of the program or his or her sentence or is for any reason unable to participate;

the court may impose reasonable sanctions under prior written agreement of the defendant, including but not limited to imprisonment or dismissal of the defendant from the program; and the court may reinstate criminal proceedings against him or her or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing. No defendant may be dismissed from the program unless, prior to such dismissal, the defendant is informed in writing: (i) of the reason or reasons for the dismissal; (ii) the evidentiary basis supporting the reason or reasons for the dismissal; (iii) that the defendant has a right to a hearing at which he or she may present evidence supporting his or her continuation in the program. Based upon the evidence presented, the court shall determine whether the defendant has violated the conditions of the program and whether the defendant should be dismissed from the program or whether some other alternative may be appropriate in the interests of the defendant and the public.

(b) Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the defendant or successfully terminate the defendant's sentence or otherwise discharge him or her from the program or from any further proceedings against him or her in the original prosecution.

(c) Upon successful completion of the terms and conditions of the program, any State's Attorney in the county of conviction may move to vacate any convictions eligible for sealing under the Criminal Identification Act. Defendants may immediately file petitions to expunge vacated convictions and the associated underlying records per the Criminal Identification Act. In cases where the State's Attorney moves to vacate a conviction, the State's Attorney may not object to expungement of that conviction or the underlying record.

(d) The mental health court program may maintain or collaborate with a network of legal aid organizations that specialize in conviction relief to support participants navigating the expungement and sealing process.

(Source: P.A. 95-606, eff. 6-1-08.)

(730 ILCS 168/45 new)

Sec. 45. Education seminars for judges. The Administrative Office of the Illinois Courts shall conduct education seminars for judges throughout the State on how to operate Mental Health Court programs.

(730 ILCS 168/50 new)

Sec. 50. Education seminars for Mental Health Court prosecutors. Subject to appropriation, the Office of the State's Attorneys Appellate Prosecutor shall conduct mandatory education seminars on the subjects of substance use, addiction and mental health, for all prosecutors serving in Mental Health courts throughout the State.

(730 ILCS 168/55 new)

Sec. 55. Education seminars for public defenders. Subject to appropriation, the Office of the State Appellate Defender shall conduct mandatory education seminars on the subjects of substance use, addiction, and mental health, for all public defenders and assistant public defenders practicing in Mental Health courts throughout the State.".

Floor Amendment No. 2 was held in the Committee on Criminal Law.

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

On motion of Senator Bush, **Senate Bill No. 2567** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2567

AMENDMENT NO. 1 . Amend Senate Bill 2567 on page 1, immediately below line 3, by inserting:

"Section 5. The Abused and Neglected Child Reporting Act is amended by changing Section 3 as follows:

(325 ILCS 5/3) (from Ch. 23, par. 2053)

Sec. 3. As used in this Act unless the context otherwise requires:

"Adult resident" means any person between 18 and 22 years of age who resides in any facility licensed by the Department under the Child Care Act of 1969. For purposes of this Act, the criteria set forth in the definitions of "abused child" and "neglected child" shall be used in determining whether an adult resident is abused or neglected.

"Agency" means a child care facility licensed under Section 2.05 or Section 2.06 of the Child Care Act of 1969 and includes a transitional living program that accepts children and adult residents for placement who are in the guardianship of the Department.

"Blatant disregard" means an incident where the real, significant, and imminent risk of harm would be so obvious to a reasonable parent or caretaker that it is unlikely that a reasonable parent or caretaker would have exposed the child to the danger without exercising precautionary measures to protect the child from harm. With respect to a person working at an agency in his or her professional capacity with a child or adult resident, "blatant disregard" includes a failure by the person to perform job responsibilities intended to protect the child's or adult resident's health, physical well-being, or welfare, and, when viewed in light of the surrounding circumstances, evidence exists that would cause a reasonable person to believe that the child was neglected. With respect to an agency, "blatant disregard" includes a failure to implement practices that ensure the health, physical well-being, or welfare of the children and adult residents residing in the facility.

"Child" means any person under the age of 18 years, unless legally emancipated by reason of marriage or entry into a branch of the United States armed services.

"Department" means Department of Children and Family Services.

"Local law enforcement agency" means the police of a city, town, village or other incorporated area or the sheriff of an unincorporated area or any sworn officer of the Illinois Department of State Police.

"Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon such child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits or allows to be committed any sex offense against such child, as such sex offenses are defined in the Criminal Code of 2012 or in the Wrongs to Children Act, and extending those definitions of sex offenses to include children under 18 years of age;

(d) commits or allows to be committed an act or acts of torture upon such child;

(e) inflicts excessive corporal punishment or, in the case of a person working for an agency who is prohibited from using corporal punishment, inflicts corporal punishment upon a child or adult resident with whom the person is working in his or her professional capacity;

(f) commits or allows to be committed the offense of female genital mutilation, as defined in Section 12-34 of the Criminal Code of 2012, against the child;

(g) causes to be sold, transferred, distributed, or given to such child under 18 years of age, a controlled substance as defined in Section 102 of the Illinois Controlled Substances Act in violation of Article IV of the Illinois Controlled Substances Act or in violation of the Methamphetamine Control and Community Protection Act, except for controlled substances that are prescribed in accordance with Article III of the Illinois Controlled Substances Act and are dispensed to such child in a manner that substantially complies with the prescription; or

(h) commits or allows to be committed the offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons as defined in Section 10-9 of the Criminal Code of 2012 against the child.

A child shall not be considered abused for the sole reason that the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act.

"Neglected child" means any child who is not receiving the proper or necessary nourishment or medically indicated treatment including food or care not provided solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise is not receiving the proper or necessary support or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is subjected to an environment which is injurious insofar as (i) the child's environment creates a likelihood of harm to the child's health, physical well-being, or welfare and (ii) the likely harm to the child is the result of a blatant disregard of parent, caretaker, person responsible for the child's welfare, or agency responsibilities; or who is abandoned by his or her parents or other person responsible for the child's welfare without a proper plan of care; or who has been provided with interim crisis intervention services under Section 3-5 of the Juvenile Court Act of 1987 and whose parent, guardian, or custodian refuses to permit the child to return home and no other living arrangement agreeable to the parent, guardian, or custodian can be made, and the parent, guardian, or custodian has not made any other appropriate living arrangement for the child; or who is a newborn infant whose blood, urine, or meconium contains any amount of a controlled substance as defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act or a metabolite thereof, with the exception of a controlled substance or metabolite thereof whose presence in the newborn infant is the result of medical treatment administered to the mother or the newborn infant. A child shall not be considered neglected for the sole reason that the child's parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time. A child shall not be considered neglected for the sole reason that the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act. A child shall not be considered neglected or abused for the sole reason that such child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of this Act. A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of The School Code, as amended.

"Child Protective Service Unit" means certain specialized State employees of the Department assigned by the Director to perform the duties and responsibilities as provided under Section 7.2 of this Act.

"Near fatality" means an act that, as certified by a physician, places the child in serious or critical condition, including acts of great bodily harm inflicted upon children under 13 years of age, and as otherwise defined by Department rule.

"Great bodily harm" includes bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm.

"Person responsible for the child's welfare" means the child's parent; guardian; foster parent; relative caregiver; any person responsible for the child's welfare in a public or private residential agency or institution; any person responsible for the child's welfare within a public or private profit or not for profit child care facility; or any other person responsible for the child's welfare at the time of the alleged abuse or neglect, including any person who commits or allows to be committed, ~~that is the custodian of a child under 18 years of age who commits or allows to be committed,~~ against the child, the offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons for forced labor or services, as provided in Section 10-9 of the Criminal Code of 2012, including but not limited to the custodian of the minor, or any person who came to know the child through an official capacity or position of trust, including but not limited to health care professionals, educational personnel, recreational supervisors, members of the clergy, and volunteers or support personnel in any setting where children may be subject to abuse or neglect.

"Temporary protective custody" means custody within a hospital or other medical facility or a place previously designated for such custody by the Department, subject to review by the Court, including a licensed foster home, group home, or other institution; but such place shall not be a jail or other place for the detention of criminal or juvenile offenders.

"An unfounded report" means any report made under this Act for which it is determined after an investigation that no credible evidence of abuse or neglect exists.

"An indicated report" means a report made under this Act if an investigation determines that credible evidence of the alleged abuse or neglect exists.

"An undetermined report" means any report made under this Act in which it was not possible to initiate or complete an investigation on the basis of information provided to the Department.

"Subject of report" means any child reported to the central register of child abuse and neglect established under Section 7.7 of this Act as an alleged victim of child abuse or neglect and the parent or guardian of the alleged victim or other person responsible for the alleged victim's welfare who is named in the report or added to the report as an alleged perpetrator of child abuse or neglect.

"Perpetrator" means a person who, as a result of investigation, has been determined by the Department to have caused child abuse or neglect.

"Member of the clergy" means a clergyman or practitioner of any religious denomination accredited by the religious body to which he or she belongs.

(Source: P.A. 99-350, eff. 6-1-16; 100-733, eff. 1-1-19.)"; and

on page 1, line 4, by replacing "5" with "10".

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

On motion of Senator Muñoz, **Senate Bill No. 1542** having been printed, was taken up, read by title a second time.

Senator Muñoz offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1542

AMENDMENT NO. 1 . Amend Senate Bill 1542 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 5-402.1 as follows:

(625 ILCS 5/5-402.1) (from Ch. 95 1/2, par. 5-402.1)

Sec. 5-402.1. Use of Secretary of State Uniform Invoice for Essential Parts.

(a) Except for scrap processors, every person licensed or required to be licensed under Section 5-101, 5-101.1, 5-102, 5-102.8, or 5-301 of this Code shall issue, in a form the Secretary of State may by rule or regulation prescribe, a Uniform Invoice, which may also act as a bill of sale, ~~made out in triplicate~~ with respect to each transaction in which he disposes of an essential part other than quarter panels and transmissions of vehicles of the first division. Such Invoice shall be made out at the time of the disposition

of the essential part. If the licensee disposes of several essential parts in the same transaction, the licensee may issue one Uniform Invoice covering all essential parts disposed of in that transaction.

(b) The following information shall be contained on the Uniform Invoice:

(1) the business name, address and dealer license number of the person disposing of the essential part;

(2) the name and address of the person acquiring the essential part, and if that person is a dealer, the Illinois or out-of-state dealer license number of that dealer;

(3) the date of the disposition of the essential part;

(4) the year, make, model, color and description of each essential part disposed of by the person;

(5) the manufacturer's vehicle identification number, Secretary of State identification number or Illinois Department of State Police identification number, for each essential part disposed of by the person;

(6) the printed name and legible signature of the person or agent disposing of the essential part; and

(7) if the person is a dealer the printed name and legible signature of the dealer or his agent or employee accepting delivery of the essential part.

(c) Except for scrap processors, and except as set forth in subsection (d) of this Section, whenever a person licensed or required to be licensed by Section 5-101, 5-101.1, 5-102, or 5-301 accepts delivery of an essential part, other than quarter panels and transmissions of vehicles of the first division, that person shall, at the time of the acceptance or delivery, comply with the following procedures:

(1) Before acquiring or accepting delivery of any essential part, the licensee or his authorized agent or employee shall inspect the part to determine whether the vehicle identification number, Secretary of State identification number, Illinois Department of State Police identification number, or identification plate or sticker attached to or stamped on any part being acquired or delivered has been removed, falsified, altered, defaced, destroyed, or tampered with. If the licensee or his agent or employee determines that the vehicle identification number, Secretary of State identification number, Illinois Department of State Police identification number, identification plate or identification sticker containing an identification number, or Federal Certificate label of an essential part has been removed, falsified, altered, defaced, destroyed or tampered with, the licensee or agent shall not accept or receive that part.

If that part was physically acquired by or delivered to a licensee or his agent or employee while that licensee, agent or employee was outside this State, that licensee or agent or employee shall not bring that essential part into this State or cause it to be brought into this State.

(2) If the person disposing of or delivering the essential part to the licensee is a licensed in-state or out-of-state dealer, the licensee or his agent or employee, after inspecting the essential part as required by paragraph (1) of this subsection (c), shall examine the Uniform Invoice, or bill of sale, as the case may be, to ensure that it contains all the information required to be provided by persons disposing of essential parts as set forth in subsection (b) of this Section. If the Uniform Invoice or bill of sale does not contain all the information required to be listed by subsection (b) of this Section, the dealer disposing of or delivering such part or his agent or employee shall record such additional information or other needed modifications on the Uniform Invoice or bill of sale or, if needed, an attachment thereto. The dealer or his agent or employee delivering the essential part shall initial all additions or modifications to the Uniform Invoice or bill of sale and legibly print his name at the bottom of each document containing his initials. If the transaction involves a bill of sale rather than a Uniform Invoice, the licensee or his agent or employee accepting delivery of or acquiring the essential part shall affix his printed name and legible signature on the space on the bill of sale provided for his signature or, if no space is provided, on the back of the bill of sale. If the dealer or his agent or employee disposing of or delivering the essential part cannot or does not provide all the information required by subsection (b) of this Section, the licensee or his agent or employee shall not accept or receive any essential part for which that required information is not provided. If such essential part for which the information required is not fully provided was physically acquired while the licensee or his agent or employee was outside this State, the licensee or his agent or employee shall not bring that essential part into this State or cause it to be brought into this State.

(3) If the person disposing of the essential part is not a licensed dealer, the licensee or his agent or employee shall, after inspecting the essential part as required by paragraph (1) of subsection (c) of

this Section verify the identity of the person disposing of the essential part by examining 2 sources of identification, one of which shall be either a driver's license or state identification card. The licensee or his agent or employee shall then prepare a Uniform Invoice listing all the information required to be provided by subsection (b) of this Section. In the space on the Uniform Invoice provided for the dealer license number of the person disposing of the part, the licensee or his agent or employee shall list the numbers taken from the documents of identification provided by the person disposing of the part. The person disposing of the part shall affix his printed name and legible signature on the space on the Uniform Invoice provided for the person disposing of the essential part and the licensee or his agent or employee acquiring the part shall affix his printed name and legible signature on the space provided on the Uniform Invoice for the person acquiring the essential part. If the person disposing of the essential part cannot or does not provide all the information required to be provided by this paragraph, or does not present 2 satisfactory forms of identification, the licensee or his agent or employee shall not acquire that essential part.

(d) If an essential part other than quarter panels and transmissions of vehicles of the first division was delivered by a licensed commercial delivery service delivering such part on behalf of a licensed dealer, the person required to comply with subsection (c) of this Section may conduct the inspection of that part required by paragraph (1) of subsection (c) and examination of the Uniform Invoice or bill of sale required by paragraph (2) of subsection (c) of this Section immediately after the acceptance of the part.

(1) If the inspection of the essential part pursuant to paragraph (1) of subsection (c) reveals that the vehicle identification number, Secretary of State identification number, Illinois Department of State Police identification number, identification plate or sticker containing an identification number, or Federal Certificate label of an essential part has been removed, falsified, altered, defaced, destroyed or tampered with, the licensee or his agent shall immediately record such fact on the Uniform Invoice or bill of sale, assign the part an inventory or stock number, place such inventory or stock number on both the essential part and the Uniform Invoice or bill of sale, and record the date of the inspection of the part on the Uniform Invoice or bill of sale. The licensee shall, within 7 days of such inspection, return such part to the dealer from whom it was acquired.

(2) If the examination of the Uniform Invoice or bill of sale pursuant to paragraph (2) of subsection (c) reveals that any of the information required to be listed by subsection (b) of this Section is missing, the licensee or person required to be licensed shall immediately assign a stock or inventory number to such part, place such stock or inventory number on both the essential part and the Uniform Invoice or bill of sale, and record the date of examination on the Uniform Invoice or bill of sale. The licensee or person required to be licensed shall acquire the information missing from the Uniform Invoice or bill of sale within 7 days of the examination of such Uniform Invoice or bill of sale. Such information may be received by telephone conversation with the dealer from whom the part was acquired. If the dealer provides the missing information the licensee shall record such information on the Uniform Invoice or bill of sale along with the name of the person providing the information. If the dealer does not provide the required information within the aforementioned 7 day period, the licensee shall return the part to that dealer.

(e) Except for scrap processors, all persons licensed or required to be licensed who acquire or dispose of essential parts other than quarter panels and transmissions of vehicles of the first division shall retain a copy of the Uniform Invoice required to be made by subsections (a), (b) and (c) of this Section for a period of 3 years.

(f) Except for scrap processors, any person licensed or required to be licensed under Sections 5-101, 5-102 or 5-301 who knowingly fails to record on a Uniform Invoice any of the information or entries required to be recorded by subsections (a), (b) and (c) of this Section, or who knowingly places false entries or other misleading information on such Uniform Invoice, or who knowingly fails to retain for 3 years a copy of a Uniform Invoice reflecting transactions required to be recorded by subsections (a), (b) and (c) of this Section, or who knowingly acquires or disposes of essential parts without receiving, issuing, or executing a Uniform Invoice reflecting that transaction as required by subsections (a), (b) and (c) of this Section, or who brings or causes to be brought into this State essential parts for which the information required to be recorded on a Uniform Invoice is not recorded as prohibited by subsection (c) of this Section, or who knowingly fails to comply with the provisions of this Section in any other manner shall be guilty of a Class 2 felony. Each violation shall constitute a separate and distinct offense and a separate count may be brought in the same indictment or information for each essential part for which a record was not kept as required by this Section or for which the person failed to comply with other provisions of this Section.

(g) The records required to be kept by this Section may be examined by a person or persons making a lawful inspection of the licensee's premises pursuant to Section 5-403.

(h) The records required to be kept by this Section shall be retained by the licensee at his principal place of business for a period of 3 ~~7~~ years.

(i) The requirements of this Section shall not apply to the disposition of an essential part other than a cowl which has been damaged or altered to a state in which it can no longer be returned to a usable condition and which is being sold or transferred to a scrap processor or for delivery to a scrap processor. (Source: P.A. 101-505, eff. 1-1-20.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Muñoz, **Senate Bill No. 1545** having been printed, was taken up, read by title a second time.

Senator Muñoz offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1545

AMENDMENT NO. 1 . Amend Senate Bill 1545 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-114, 3-117.1, 3-301 and as follows:

(625 ILCS 5/3-114) (from Ch. 95 1/2, par. 3-114)

Sec. 3-114. Transfer by operation of law.

(a) If the interest of an owner in a vehicle passes to another other than by voluntary transfer, the transferee shall, except as provided in paragraph (b), promptly mail or deliver within 20 days to the Secretary of State the last certificate of title, if available, proof of the transfer, and his application for a new certificate in the form the Secretary of State prescribes. It shall be unlawful for any person having possession of a certificate of title for a motor vehicle, semi-trailer, or house car by reason of his having a lien or encumbrance on such vehicle, to fail or refuse to deliver such certificate to the owner, upon the satisfaction or discharge of the lien or encumbrance, indicated upon such certificate of title.

(b) If the interest of an owner in a vehicle passes to another under the provisions of the Small Estates provisions of the Probate Act of 1975 the transferee shall promptly mail or deliver to the Secretary of State, within 120 days, the last certificate of title, if available, the documentation required under the provisions of the Probate Act of 1975, and an application for certificate of title. The Small Estate Affidavit form shall be furnished by the Secretary of State. The transfer may be to the transferee or to the nominee of the transferee.

(c) If the interest of an owner in a vehicle passes to another under other provisions of the Probate Act of 1975, as amended, and the transfer is made by a representative or guardian, such transferee shall promptly mail or deliver to the Secretary of State, the last certificate of title, if available, and a certified copy of the letters of office or guardianship, and an application for certificate of title. Such application shall be made before the estate is closed. The transfer may be to the transferee or to the nominee of the transferee.

(d) If the interest of an owner in joint tenancy passes to the other joint tenant with survivorship rights as provided by law, the transferee shall promptly mail or deliver to the Secretary of State, the last certificate of title, if available, proof of death of the one joint tenant and survivorship of the surviving joint tenant, and an application for certificate of title. Such application shall be made within 120 days after the death of the joint tenant. The transfer may be to the transferee or to the nominee of the transferee.

(d-5) If the interest of an owner passes to the owner's spouse or if the spouse otherwise acquires ownership of the vehicle, then the transferee shall promptly mail or deliver to the Secretary of State, proof of (i) the owner's death; (ii) the transfer or acquisition of ownership; and (iii) proof of the marital relationship between the owner and the transferee, along with the last certificate of title, if available, and an application for certificate of title along with the appropriate fees and taxes, if applicable. The application shall be made within 180 days after the death of the owner.

(e) The Secretary of State shall transfer a decedent's vehicle title to any legatee, representative or heir of the decedent who submits to the Secretary a death certificate and an affidavit by an attorney at law on the letterhead stationery of the attorney at law stating the facts of the transfer.

(f) Repossession with assignment of title. In all cases wherein a lienholder has repossessed a vehicle by other than judicial process and holds it for resale under a security agreement, and the owner of record has executed an assignment of the existing certificate of title after default, the lienholder may proceed to sell or otherwise dispose of the vehicle as authorized under the Uniform Commercial Code. Upon selling the vehicle to another person, the lienholder need not send the certificate of title to the Secretary of State, but shall promptly and within 20 days mail or deliver to the purchaser as transferee the existing certificate of title for the repossessed vehicle, reflecting the release of the lienholder's security interest in the vehicle. The application for a certificate of title made by the purchaser shall comply with subsection (a) of Section 3-104 and be accompanied by the existing certificate of title for the repossessed vehicle. The lienholder shall execute the assignment and warranty of title showing the name and address of the purchaser in the spaces provided therefor on the certificate of title or as the Secretary of State prescribes. The lienholder shall complete the assignment of title in the certificate of title to reflect the transfer of the vehicle to the lienholder and also a reassignment to reflect the transfer from the lienholder to the purchaser. For this purpose, the lienholder is specifically authorized to complete and execute the space reserved in the certificate of title for a dealer reassignment, notwithstanding that the lienholder is not a licensed dealer. Nothing herein shall be construed to mean that the lienholder is taking title to the repossessed vehicle for purposes of liability for retailer occupation, vehicle use, or other tax with respect to the proceeds from the repossession sale. Delivery of the existing certificate of title to the purchaser shall be deemed disclosure to the purchaser of the owner of the vehicle.

(f-5) Repossession without assignment of title. Subject to subsection (f-30), in all cases wherein a lienholder has repossessed a vehicle by other than judicial process and holds it for resale under a security agreement, and the owner of record has not executed an assignment of the existing certificate of title, the lienholder shall comply with the following provisions:

(1) Prior to sale, the lienholder shall deliver or mail to the owner at the owner's last known address and to any other lienholder of record, a notice of redemption setting forth the following information: (i) the name of the owner of record and in bold type at or near the top of the notice a statement that the owner's vehicle was repossessed on a specified date for failure to make payments on the loan (or other reason), (ii) a description of the vehicle subject to the lien sufficient to identify it, (iii) the right of the owner to redeem the vehicle, (iv) the lienholder's intent to sell or otherwise dispose of the vehicle after the expiration of 21 days from the date of mailing or delivery of the notice, and (v) the name, address, and telephone number of the lienholder from whom information may be obtained concerning the amount due to redeem the vehicle and from whom the vehicle may be redeemed under Section 9-623 of the Uniform Commercial Code. At the lienholder's option, the information required to be set forth in this notice of redemption may be made a part of or accompany the notification of sale or other disposition required under Section 9-611 of the Uniform Commercial Code, but none of the information required by this notice shall be construed to impose any requirement under Article 9 of the Uniform Commercial Code.

(2) With respect to the repossession of a vehicle used primarily for personal, family, or household purposes, the lienholder shall also deliver or mail to the owner at the owner's last known address an affidavit of defense. The affidavit of defense shall accompany the notice of redemption required in subdivision (f-5)(1) of this Section. The affidavit of defense shall (i) identify the lienholder, owner, and the vehicle; (ii) provide space for the owner to state the defense claimed by the owner; and (iii) include an acknowledgment by the owner that the owner may be liable to the lienholder for fees, charges, and costs incurred by the lienholder in establishing the insufficiency or invalidity of the owner's defense. To stop the transfer of title, the affidavit of defense must be received by the lienholder no later than 21 days after the date of mailing or delivery of the notice required in subdivision (f-5)(1) of this Section. If the lienholder receives the affidavit from the owner in a timely manner, the lienholder must apply to a court of competent jurisdiction to determine if the lienholder is entitled to possession of the vehicle.

(3) Upon selling the vehicle to another person, the lienholder need not send the certificate of title to the Secretary of State, but shall promptly and within 20 days mail or deliver to the purchaser as transferee (i) the existing certificate of title for the repossessed vehicle, reflecting the release of the lienholder's security interest in the vehicle; and (ii) an affidavit of repossession made by or on behalf

of the lienholder which provides the following information: that the vehicle was repossessed, a description of the vehicle sufficient to identify it, whether the vehicle has been damaged in excess of 50% ~~33 1/3%~~ of its fair market value as required under subdivision (b)(3) of Section 3-117.1, that the owner and any other lienholder of record were given the notice required in subdivision (f-5)(1) of this Section, that the owner of record was given the affidavit of defense required in subdivision (f-5)(2) of this Section, that the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement, and the purchaser's name and address. If the vehicle is damaged in excess of 50% ~~33 1/3%~~ of its fair market value, the lienholder shall make application for a salvage certificate under Section 3-117.1 and transfer the vehicle to a person eligible to receive assignments of salvage certificates identified in Section 3-118.

(4) The application for a certificate of title made by the purchaser shall comply with subsection (a) of Section 3-104 and be accompanied by the affidavit of repossession furnished by the lienholder and the existing certificate of title for the repossessed vehicle. The lienholder shall execute the assignment and warranty of title showing the name and address of the purchaser in the spaces provided therefor on the certificate of title or as the Secretary of State prescribes. The lienholder shall complete the assignment of title in the certificate of title to reflect the transfer of the vehicle to the lienholder and also a reassignment to reflect the transfer from the lienholder to the purchaser. For this purpose, the lienholder is specifically authorized to execute the assignment on behalf of the owner as seller if the owner has not done so and to complete and execute the space reserved in the certificate of title for a dealer reassignment, notwithstanding that the lienholder is not a licensed dealer. Nothing herein shall be construed to mean that the lienholder is taking title to the repossessed vehicle for purposes of liability for retailer occupation, vehicle use, or other tax with respect to the proceeds from the repossession sale. Delivery of the existing certificate of title to the purchaser shall be deemed disclosure to the purchaser of the owner of the vehicle. In the event the lienholder does not hold the certificate of title for the repossessed vehicle, the lienholder shall make application for and may obtain a new certificate of title in the name of the lienholder upon furnishing information satisfactory to the Secretary of State. Upon receiving the new certificate of title, the lienholder may proceed with the sale described in subdivision (f-5)(3), except that upon selling the vehicle the lienholder shall promptly and within 20 days mail or deliver to the purchaser the new certificate of title reflecting the assignment and transfer of title to the purchaser.

(5) Neither the lienholder nor the owner shall file with the Office of the Secretary of State the notice of redemption or affidavit of defense described in subdivisions (f-5)(1) and (f-5)(2) of this Section. The Office of the Secretary of State shall not determine the merits of an owner's affidavit of defense, nor consider any allegations or assertions regarding the validity or invalidity of a lienholder's claim to the vehicle or an owner's asserted defenses to the repossession action.

(f-7) Notice of reinstatement in certain cases.

(1) Subject to subsection (f-30), if, at the time of repossession by a lienholder that is seeking to transfer title pursuant to subsection (f-5), the owner has paid an amount equal to 30% or more of the deferred payment price or total of payments due, the owner may, within 21 days of the date of repossession, reinstate the contract or loan agreement and recover the vehicle from the lienholder by tendering in a lump sum (i) the total of all unpaid amounts, including any unpaid delinquency or deferral charges due at the date of reinstatement, without acceleration; and (ii) performance necessary to cure any default other than nonpayment of the amounts due; and (iii) all reasonable costs and fees incurred by the lienholder in retaking, holding, and preparing the vehicle for disposition and in arranging for the sale of the vehicle. Reasonable costs and fees incurred by the lienholder include without limitation repossession and storage expenses and, if authorized by the contract or loan agreement, reasonable attorneys' fees and collection agency charges.

(2) Tender of payment and performance pursuant to this limited right of reinstatement restores to the owner his rights under the contract or loan agreement as though no default had occurred. The owner has the right to reinstate the contract or loan agreement and recover the vehicle from the lienholder only once under this subsection. The lienholder may, in the lienholder's sole discretion, extend the period during which the owner may reinstate the contract or loan agreement and recover the vehicle beyond the 21 days allowed under this subsection, and the extension shall not subject the lienholder to liability to the owner under the laws of this State.

(3) The lienholder shall deliver or mail written notice to the owner at the owner's last known address, within 3 business days of the date of repossession, of the owner's right to reinstate the

contract or loan agreement and recover the vehicle pursuant to the limited right of reinstatement described in this subsection. At the lienholder's option, the information required to be set forth in this notice of reinstatement may be made part of or accompany the notice of redemption required in subdivision (f-5)(1) of this Section and the notification of sale or other disposition required under Section 9-611 of the Uniform Commercial Code, but none of the information required by this notice of reinstatement shall be construed to impose any requirement under Article 9 of the Uniform Commercial Code.

(4) The reinstatement period, if applicable, and the redemption period described in subdivision (f-5)(1) of this Section, shall run concurrently if the information required to be set forth in the notice of reinstatement is part of or accompanies the notice of redemption. In any event, the 21 day redemption period described in subdivision (f-5)(1) of this Section shall commence on the date of mailing or delivery to the owner of the information required to be set forth in the notice of redemption, and the 21 day reinstatement period described in this subdivision, if applicable, shall commence on the date of mailing or delivery to the owner of the information required to be set forth in the notice of reinstatement.

(5) The Office of the Secretary of State shall not determine the merits of an owner's claim of right to reinstatement, nor consider any allegations or assertions regarding the validity or invalidity of a lienholder's claim to the vehicle or an owner's asserted right to reinstatement. Where a lienholder is subject to licensing and regulatory supervision by the State of Illinois, the lienholder shall be subject to all of the powers and authority of the lienholder's primary State regulator to enforce compliance with the procedures set forth in this subsection (f-7).

(f-10) Repossession by judicial process. In all cases wherein a lienholder has repossessed a vehicle by judicial process and holds it for resale under a security agreement, order for replevin, or other court order establishing the lienholder's right to possession of the vehicle, the lienholder may proceed to sell or otherwise dispose of the vehicle as authorized under the Uniform Commercial Code or the court order. Upon selling the vehicle to another person, the lienholder need not send the certificate of title to the Secretary of State, but shall promptly and within 20 days mail or deliver to the purchaser as transferee (i) the existing certificate of title for the repossessed vehicle reflecting the release of the lienholder's security interest in the vehicle; (ii) a certified copy of the court order; and (iii) a bill of sale identifying the new owner's name and address and the year, make, model, and vehicle identification number of the vehicle. The application for a certificate of title made by the purchaser shall comply with subsection (a) of Section 3-104 and be accompanied by the certified copy of the court order furnished by the lienholder and the existing certificate of title for the repossessed vehicle. The lienholder shall execute the assignment and warranty of title showing the name and address of the purchaser in the spaces provided therefor on the certificate of title or as the Secretary of State prescribes. The lienholder shall complete the assignment of title in the certificate of title to reflect the transfer of the vehicle to the lienholder and also a reassignment to reflect the transfer from the lienholder to the purchaser. For this purpose, the lienholder is specifically authorized to execute the assignment on behalf of the owner as seller if the owner has not done so and to complete and execute the space reserved in the certificate of title for a dealer reassignment, notwithstanding that the lienholder is not a licensed dealer. Nothing herein shall be construed to mean that the lienholder is taking title to the repossessed vehicle for purposes of liability for retailer occupation, vehicle use, or other tax with respect to the proceeds from the repossession sale. Delivery of the existing certificate of title to the purchaser shall be deemed disclosure to the purchaser of the owner of the vehicle. In the event the lienholder does not hold the certificate of title for the repossessed vehicle, the lienholder shall make application for and may obtain a new certificate of title in the name of the lienholder upon furnishing information satisfactory to the Secretary of State. Upon receiving the new certificate of title, the lienholder may proceed with the sale described in this subsection, except that upon selling the vehicle the lienholder shall promptly and within 20 days mail or deliver to the purchaser the new certificate of title reflecting the assignment and transfer of title to the purchaser.

(f-15) The Secretary of State shall not issue a certificate of title to a purchaser under subsection (f), (f-5), or (f-10) of this Section, unless the person from whom the vehicle has been repossessed by the lienholder is shown to be the last registered owner of the motor vehicle. The Secretary of State may provide by rule for the standards to be followed by a lienholder in assigning and transferring certificates of title with respect to repossessed vehicles.

(f-20) If applying for a salvage certificate or a junking certificate, the lienholder shall within 20 days make an application to the Secretary of State for a salvage certificate or a junking certificate, as set forth in

this Code. The Secretary of State shall not issue a salvage certificate or a junking certificate to such lienholder unless the person from whom such vehicle has been repossessed is shown to be the last registered owner of such motor vehicle and such lienholder establishes to the satisfaction of the Secretary of State that he is entitled to such salvage certificate or junking certificate. The Secretary of State may provide by rule for the standards to be followed by a lienholder in order to obtain a salvage certificate or junking certificate for a repossessed vehicle.

(f-25) If the interest of an owner in a mobile home, as defined in the Mobile Home Local Services Tax Act, passes to another under the provisions of the Mobile Home Local Services Tax Enforcement Act, the transferee shall promptly mail or deliver to the Secretary of State (i) the last certificate of title, if available, (ii) a certified copy of the court order ordering the transfer of title, and (iii) an application for certificate of title.

(f-30) Bankruptcy. If the repossessed vehicle is the subject of a bankruptcy proceeding or discharge:

(1) the lienholder may proceed to sell or otherwise dispose of the vehicle as authorized by the Bankruptcy Code and the Uniform Commercial Code;

(2) the notice of redemption, affidavit of defense, and notice of reinstatement otherwise required to be sent by the lienholder to the owner of record or other lienholder of record under this Section are not required to be delivered or mailed;

(3) the requirement to delay disposition of the vehicle for 21 days, (i) from the mailing or delivery of the notice of redemption under subdivision (f-5)(1) of this Section, (ii) from the mailing or delivery of the affidavit of defense under subdivision (f-5)(2) of this Section, or (iii) from the date of repossession when the owner is entitled to a notice of reinstatement under subsection (f-7) of this Section, does not apply;

(4) the affidavit of repossession that is required under subdivision (f-5)(3) shall contain a notation of "bankruptcy" where the affidavit requires the date of the mailing or delivery of the notice of redemption. The notation of "bankruptcy" means the lienholder makes no sworn representations regarding the mailing or delivery of the notice of redemption or affidavit of defense or lienholder's compliance with the requirements that otherwise apply to the notices listed in this subsection (f-30), and makes no sworn representation that the lienholder assumes liability or costs for any litigation that may arise from the issuance of a certificate of title based on the excluded representations;

(5) the right of redemption, the right to assert a defense to the transfer of title, and reinstatement rights under this Section do not apply; and

(6) references to judicial process and court orders in subsection (f-10) of this Section do not include bankruptcy proceedings or orders.

(g) A person holding a certificate of title whose interest in the vehicle has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificate, within 20 days upon request of the Secretary of State. The delivery of the certificate pursuant to the request of the Secretary of State does not affect the rights of the person surrendering the certificate, and the action of the Secretary of State in issuing a new certificate of title as provided herein is not conclusive upon the rights of an owner or lienholder named in the old certificate.

(h) The Secretary of State may decline to process any application for a transfer of an interest in a vehicle hereunder if any fees or taxes due under this Act from the transferor or the transferee have not been paid upon reasonable notice and demand.

(i) The Secretary of State shall not be held civilly or criminally liable to any person because any purported transferor may not have had the power or authority to make a transfer of any interest in any vehicle or because a certificate of title issued in error is subsequently used to commit a fraudulent act.

(Source: P.A. 99-260, eff. 1-1-16.)

(625 ILCS 5/3-117.1) (from Ch. 95 1/2, par. 3-117.1)

Sec. 3-117.1. When junking certificates or salvage certificates must be obtained.

(a) Except as provided in Chapter 4 and Section 3-117.3 of this Code, a person who possesses a junk vehicle shall within 15 days cause the certificate of title, salvage certificate, certificate of purchase, or a similarly acceptable out-of-state document of ownership to be surrendered to the Secretary of State along with an application for a junking certificate, except as provided in Section 3-117.2, whereupon the Secretary of State shall issue to such a person a junking certificate, which shall authorize the holder thereof to possess, transport, or, by an endorsement, transfer ownership in such junked vehicle, and a certificate of title shall not again be issued for such vehicle. The owner of a junk vehicle is not required to surrender the certificate of title under this subsection if (i) there is no lienholder on the certificate of title or (ii) the owner of the junk

vehicle has a valid lien release from the lienholder releasing all interest in the vehicle and the owner applying for the junk certificate matches the current record on the certificate of title file for the vehicle.

A licensee who possesses a junk vehicle and a Certificate of Title, Salvage Certificate, Certificate of Purchase, or a similarly acceptable out-of-state document of ownership for such junk vehicle, may transport the junk vehicle to another licensee prior to applying for or obtaining a junking certificate, by executing a uniform invoice. The licensee transferor shall furnish a copy of the uniform invoice to the licensee transferee at the time of transfer. In any case, the licensee transferor shall apply for a junking certificate in conformance with Section 3-117.1 of this Chapter. The following information shall be contained on a uniform invoice:

(1) The business name, address and dealer license number of the person disposing of the vehicle, junk vehicle or vehicle cowl;

(2) The name and address of the person acquiring the vehicle, junk vehicle or vehicle cowl, and if that person is a dealer, the Illinois or out-of-state dealer license number of that dealer;

(3) The date of the disposition of the vehicle, junk vehicle or vehicle cowl;

(4) The year, make, model, color and description of each vehicle, junk vehicle or vehicle cowl disposed of by such person;

(5) The manufacturer's vehicle identification number, Secretary of State identification number or Illinois Department of State Police number, for each vehicle, junk vehicle or vehicle cowl part disposed of by such person;

(6) The printed name and legible signature of the person or agent disposing of the vehicle, junk vehicle or vehicle cowl; and

(7) The printed name and legible signature of the person accepting delivery of the vehicle, junk vehicle or vehicle cowl.

The Secretary of State may certify a junking manifest in a form prescribed by the Secretary of State that reflects those vehicles for which junking certificates have been applied or issued. A junking manifest may be issued to any person and it shall constitute evidence of ownership for the vehicle listed upon it. A junking manifest may be transferred only to a person licensed under Section 5-301 of this Code as a scrap processor. A junking manifest will allow the transportation of those vehicles to a scrap processor prior to receiving the junk certificate from the Secretary of State.

(b) An application for a salvage certificate shall be submitted to the Secretary of State in any of the following situations:

(1) When an insurance company makes a payment of damages on a total loss claim for a vehicle, the insurance company shall be deemed to be the owner of such vehicle and the vehicle shall be considered to be salvage except that ownership of (i) a vehicle that has incurred only hail damage that does not affect the operational safety of the vehicle or (ii) any vehicle 9 model years of age or older may, by agreement between the registered owner and the insurance company, be retained by the registered owner of such vehicle. The insurance company shall promptly deliver or mail within 20 days the certificate of title along with proper application and fee to the Secretary of State, and a salvage certificate shall be issued in the name of the insurance company. Notwithstanding the foregoing, an insurer making payment of damages on a total loss claim for the theft of a vehicle shall not be required to apply for a salvage certificate unless the vehicle is recovered and has incurred damage that initially would have caused the vehicle to be declared a total loss by the insurer.

(1.1) When a vehicle of a self-insured company is to be sold in the State of Illinois and has sustained damaged by collision, fire, theft, rust corrosion, or other means so that the self-insured company determines the vehicle to be a total loss, or if the cost of repairing the damage, including labor, would be greater than 70% of its fair market value without that damage, the vehicle shall be considered salvage. The self-insured company shall promptly deliver the certificate of title along with proper application and fee to the Secretary of State, and a salvage certificate shall be issued in the name of the self-insured company. A self-insured company making payment of damages on a total loss claim for the theft of a vehicle may exchange the salvage certificate for a certificate of title if the vehicle is recovered without damage. In such a situation, the self-insured shall fill out and sign a form prescribed by the Secretary of State which contains an affirmation under penalty of perjury that the vehicle was recovered without damage and the Secretary of State may, by rule, require photographs to be submitted.

(2) When a vehicle the ownership of which has been transferred to any person through a certificate of purchase from acquisition of the vehicle at an auction, other dispositions as set forth in

Sections 4-208 and 4-209 of this Code, or a lien arising under Section 18a-501 of this Code shall be deemed salvage or junk at the option of the purchaser. The person acquiring such vehicle in such manner shall promptly deliver or mail, within 20 days after the acquisition of the vehicle, the certificate of purchase, the proper application and fee, and, if the vehicle is an abandoned mobile home under the Abandoned Mobile Home Act, a certification from a local law enforcement agency that the vehicle was purchased or acquired at a public sale under the Abandoned Mobile Home Act to the Secretary of State and a salvage certificate or junking certificate shall be issued in the name of that person. The salvage certificate or junking certificate issued by the Secretary of State under this Section shall be free of any lien that existed against the vehicle prior to the time the vehicle was acquired by the applicant under this Code.

(3) A vehicle which has been repossessed by a lienholder shall be considered to be salvage only when the repossessed vehicle, on the date of repossession by the lienholder, has sustained damage by collision, fire, theft, rust corrosion, or other means so that the cost of repairing such damage, including labor, would be greater than 50% ~~33 1/3%~~ of its fair market value without such damage. If the lienholder determines that such vehicle is damaged in excess of 50% ~~33 1/3%~~ of such fair market value, the lienholder shall, before sale, transfer or assignment of the vehicle, make application for a salvage certificate, and shall submit with such application the proper fee and evidence of possession. If the facts required to be shown in subsection (f) of Section 3-114 are satisfied, the Secretary of State shall issue a salvage certificate in the name of the lienholder making the application. In any case wherein the vehicle repossessed is not damaged in excess of 50% ~~33 1/3%~~ of its fair market value, the lienholder shall comply with the requirements of subsections (f), (f-5), and (f-10) of Section 3-114, except that the affidavit of repossession made by or on behalf of the lienholder shall also contain an affirmation under penalty of perjury that the vehicle on the date of sale is not damaged in excess of 50% ~~33 1/3%~~ of its fair market value. If the facts required to be shown in subsection (f) of Section 3-114 are satisfied, the Secretary of State shall issue a certificate of title as set forth in Section 3-116 of this Code. The Secretary of State may by rule or regulation require photographs to be submitted.

(4) A vehicle which is a part of a fleet of more than 5 commercial vehicles registered in this State or any other state or registered proportionately among several states shall be considered to be salvage when such vehicle has sustained damage by collision, fire, theft, rust, corrosion or similar means so that the cost of repairing such damage, including labor, would be greater than 50% ~~33 1/3%~~ of the fair market value of the vehicle without such damage. If the owner of a fleet vehicle desires to sell, transfer, or assign his interest in such vehicle to a person within this State other than an insurance company licensed to do business within this State, and the owner determines that such vehicle, at the time of the proposed sale, transfer or assignment is damaged in excess of 50% ~~33 1/3%~~ of its fair market value, the owner shall, before such sale, transfer or assignment, make application for a salvage certificate. The application shall contain with it evidence of possession of the vehicle. If the fleet vehicle at the time of its sale, transfer, or assignment is not damaged in excess of 50% ~~33 1/3%~~ of its fair market value, the owner shall so state in a written affirmation on a form prescribed by the Secretary of State by rule or regulation. The Secretary of State may by rule or regulation require photographs to be submitted. Upon sale, transfer or assignment of the fleet vehicle the owner shall mail the affirmation to the Secretary of State.

(5) A vehicle that has been submerged in water to the point that rising water has reached over the door sill and has entered the passenger or trunk compartment is a "flood vehicle". A flood vehicle shall be considered to be salvage only if the vehicle has sustained damage so that the cost of repairing the damage, including labor, would be greater than 50% ~~33 1/3%~~ of the fair market value of the vehicle without that damage. The salvage certificate issued under this Section shall indicate the word "flood", and the word "flood" shall be conspicuously entered on subsequent titles for the vehicle. A person who possesses or acquires a flood vehicle that is not damaged in excess of 50% ~~33 1/3%~~ of its fair market value shall make application for title in accordance with Section 3-116 of this Code, designating the vehicle as "flood" in a manner prescribed by the Secretary of State. The certificate of title issued shall indicate the word "flood", and the word "flood" shall be conspicuously entered on subsequent titles for the vehicle.

(6) When any licensed rebuilder, repairer, new or used vehicle dealer, or remittance agent has submitted an application for title to a vehicle (other than an application for title to a rebuilt vehicle) that he or she knows or reasonably should have known to have sustained damages in excess of 50% ~~33 1/3%~~ of the vehicle's fair market value without that damage; provided, however, that any

application for a salvage certificate for a vehicle recovered from theft and acquired from an insurance company shall be made as required by paragraph (1) of this subsection (b).

(c) Any person who without authority acquires, sells, exchanges, gives away, transfers or destroys or offers to acquire, sell, exchange, give away, transfer or destroy the certificate of title to any vehicle which is a junk or salvage vehicle shall be guilty of a Class 3 felony.

(d) Except as provided under subsection (a), any person who knowingly fails to surrender to the Secretary of State a certificate of title, salvage certificate, certificate of purchase or a similarly acceptable out-of-state document of ownership as required under the provisions of this Section is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for a subsequent offense; except that a person licensed under this Code who violates paragraph (5) of subsection (b) of this Section is guilty of a business offense and shall be fined not less than $1,000 nor more than $5,000 for a first offense and is guilty of a Class 4 felony for a second or subsequent violation.

(e) Any vehicle which is salvage or junk may not be driven or operated on roads and highways within this State. A violation of this subsection is a Class A misdemeanor. A salvage vehicle displaying valid special plates issued under Section 3-601(b) of this Code, which is being driven to or from an inspection conducted under Section 3-308 of this Code, is exempt from the provisions of this subsection. A salvage vehicle for which a short term permit has been issued under Section 3-307 of this Code is exempt from the provisions of this subsection for the duration of the permit.

(Source: P.A. 100-104, eff. 11-9-17; 100-956, eff. 1-1-19; 100-1083, eff. 1-1-19; 101-81, eff. 7-12-19.)

(625 ILCS 5/3-301) (from Ch. 95 1/2, par. 3-301)

Sec. 3-301. New certificate of title for rebuilt vehicle.

(a) For vehicles 8 model years of age or newer, the Secretary of State shall issue a new certificate of title to any rebuilt vehicle or any vehicle which previously had been titled as salvage in this State or any other jurisdiction upon the successful inspection of the vehicle in accordance with Section 3-308 of this Article.

(b) Vehicles more than 8 model years old shall not be required to complete a successful inspection required under Section 3-308 of this Code before being issued a new certificate of title as provided under this Section.

(c) Vehicles designated as flood vehicles that have sustained damage greater than 50% ~~33 1/3%~~ of their fair market value with that damage shall be required to complete a successful inspection required under Section 3-308 of this Code before being issued a new certificate of title provided under paragraph (5), subsection (b) of Section 3-117.1.

(Source: P.A. 88-685, eff. 1-24-95; 89-669, eff. 1-1-97.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Aquino, **Senate Bill No. 669** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 669

AMENDMENT NO. 2 . Amend Senate Bill 669 by replacing everything after the enacting clause with the following:

"Section 5. The Debt Settlement Consumer Protection Act is amended by changing Sections 10, 105, 115, 125, and 145 as follows:

(225 ILCS 429/10)

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

"Consumer" means any person who purchases or contracts for the purchase of debt settlement services or a student loan borrower.

"Consumer settlement account" means any account or other means or device in which payments, deposits, or other transfers from a consumer are arranged, held, or transferred by or to a debt settlement provider for the accumulation of the consumer's funds in anticipation of proffering an adjustment or settlement of a debt or obligation of the consumer to a creditor on behalf of the consumer.

"Debt settlement provider" means: (1) any person or entity engaging in, or holding itself out as engaging in, the business of providing debt settlement service in exchange for any fee or compensation; (2) ~~or~~ any person who solicits for or acts on behalf of any person or entity engaging in, or holding itself out as engaging in, the business of providing debt settlement service in exchange for any fee or compensation; (3) any person or entity engaging in, or holding itself out as engaging in the business of student loan debt relief services in exchange for any fee or compensation assessed against or charged to a consumer; or (4) any person who solicits for or acts on behalf of such person or entity engaging in or holding itself out as engaging in, the business of student loan debt relief services in exchange for any fee or compensation assessed against or charged to a consumer. "Debt settlement provider" does not include:

(1) attorneys licensed, or otherwise authorized, to practice in Illinois who are engaged in the practice of law;

(2) escrow agents, accountants, broker dealers in securities, or investment advisors in securities, when acting in the ordinary practice of their professions and through the entity used in the ordinary practice of their profession;

(3) any bank, agent of a bank, operating subsidiary of a bank, affiliate of a bank, trust company, savings and loan association, savings bank, credit union, crop credit association, development credit corporation, industrial development corporation, title insurance company, title insurance agent, independent escrowee or insurance company operating or organized under the laws of a state or the United States, or any other person authorized to make loans under State law while acting in the ordinary practice of that business;

(4) any person who performs credit services for his or her employer while receiving a regular salary or wage when the employer is not engaged in the business of offering or providing debt settlement service;

(5) a collection agency licensed pursuant to the Collection Agency Act that is collecting a debt on its own behalf or on behalf of a third party;

(6) an organization that is described in Section 501(c)(3) and subject to Section 501(q) of Title 26 of the United States Code and exempt from tax under Section 501(a) of Title 26 of the United States Code and governed by the Debt Management Service Act;

(7) public officers while acting in their official capacities and persons acting under court order;

(8) any person while performing services incidental to the dissolution, winding up, or liquidating of a partnership, corporation, or other business enterprise; ~~or~~

(9) persons licensed under the Real Estate License Act of 2000 when acting in the ordinary practice of their profession and not holding themselves out as debt settlement providers; or ~~.~~

(10) any institution of higher education as defined in the Higher Education Act of 1965, 20 U.S.C. 1001.

"Debt settlement service" means:

(1) offering to provide advice or service, or acting as an intermediary between or on behalf of a consumer and one or more of a consumer's creditors, where the primary purpose of the advice, service, or action is to obtain a settlement, adjustment, or satisfaction of the consumer's unsecured debt to a creditor in an amount less than the full amount of the principal amount of the debt or in an amount less than the current outstanding balance of the debt; ~~or~~

(2) offering to provide services related to or providing services advising, encouraging, assisting, or counseling a consumer to accumulate funds for the primary purpose of proposing or obtaining or seeking to obtain a settlement, adjustment, or satisfaction of the consumer's unsecured debt to a creditor in an amount less than the full amount of the principal amount of the debt or in an amount less than the current outstanding balance of the debt; or ~~.~~

(3) student loan debt relief.

"Debt settlement service" does not include (A) the services of attorneys licensed, or otherwise authorized, to practice in Illinois who are engaged in the practice of law, ~~or~~ (B) debt management service as defined in the Debt Management Service Act, (C) the services of a student loan servicer, as defined in the Student Loan Servicing Rights Act, or (D) the services of any other originator, guarantor, or servicer of federal education loans or private education loans.

"Enrollment or set up fee" means any fee, obligation, or compensation paid or to be paid by the consumer to a debt settlement provider in consideration of or in connection with establishing a contract or other agreement with a consumer related to the provision of debt settlement service.

"Federal education loan" means any loan made, guaranteed, or insured under Title IV of the federal Higher Education Act of 1965.

"Maintenance fee" means any fee, obligation, or compensation paid or to be paid by the consumer on a periodic basis to a debt settlement provider in consideration of maintaining the relationship and services to be provided by a debt settlement provider in accordance with a contract with a consumer related to the provision of debt settlement service.

"Principal amount of the debt" means the total amount or outstanding balance owed by a consumer to one or more creditors for a debt that is included in a contract for debt settlement service at the time when the consumer enters into a contract for debt settlement service.

"Savings" means the difference between the principal amount of the debt and the amount paid by the debt settlement provider to the creditor or negotiated by the debt settlement provider and paid by the consumer to the creditor pursuant to a settlement negotiated by the debt settlement provider on behalf of the consumer as full and complete satisfaction of the creditor's claim with regard to that debt.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Settlement fee" means any fee, obligation, or compensation paid or to be paid by the consumer to a debt settlement provider in consideration of or in connection with a completed agreement or other arrangement on the part of a creditor to accept less than the principal amount of the debt as satisfaction of the creditor's claim against the consumer.

"Student loan borrower" means a person who has received or agreed to pay a student loan for his or her own educational expenses; a parent, grandparent, or other family member who has received or agreed to pay a student loan for a family member receiving the education; or any co-signer who has agreed to share responsibility for repaying a student loan with the person receiving the education.

"Student loan debt relief" means, in exchange for any fee or compensation assessed against or charged to a student loan borrower, offering to provide advice or service, or acting as an intermediary between or on behalf of a consumer and the United States Department of Education or any other originator or guarantor of federal education loans or one or more of the servicers of a student loan borrowers' federal education loan, where the primary purpose of the advice, service, or action is to (1) negotiate, arrange, or obtain a settlement, adjustment, discharge, or satisfaction of the student loan borrower's federal education loan debt in an amount less than the full amount of the principal amount of the debt, a reduction or alteration to the interest rate, a reduction or alteration in the amount of monthly payment or fees owed, or in an amount less than the current outstanding balance of the debt, (2) enroll the student loan borrower in a repayment plan, forbearance, or deferment of his or her federal education loan debt, (3) apply for consolidation or consolidate the student loan borrower's federal education loans, or (4) offer to provide any other services related to altering the terms of a student loan borrower's federal education loan debt, including, but not limited to, a reduction in the amount of interest, the principal balance, or the amount of monthly payment or fees owed.

(Source: P.A. 96-1420, eff. 8-3-10.)

(225 ILCS 429/105)

Sec. 105. Advertising and marketing practices.

(a) A debt settlement provider shall not represent, expressly or by implication, any results or outcomes of its debt settlement services in any advertising, marketing, or other communication to consumers unless the debt settlement provider possesses substantiation for such representation at the time such representation is made.

(b) A debt settlement provider shall not, expressly or by implication, make any unfair or deceptive representations, or any omissions of material facts, in any of its advertising or marketing communications concerning debt settlement services.

(c) All advertising and marketing communications concerning debt settlement services shall disclose the following material information clearly and conspicuously:

> "Debt settlement services are not appropriate for everyone. Failure to pay your monthly bills in a timely manner will result in increased balances and will harm your credit rating. Not all creditors will agree to reduce principal balance, and they may pursue collection, including lawsuits."

(d) All advertising and marketing communications concerning student loan debt relief services shall disclose the following material information clearly and conspicuously, along with the legally registered name of the company:

"[Name of company] is a private company, and is not affiliated with the Department of Education or any other academic entity or governmental agency. [Name of company] is not a lender, guarantor, or servicer of federal student loans. You can apply for consolidation and other repayment plans without paid assistance through the United States Department of Education. More information is available through the Department's website or your federal student loan servicer. You can find out who your servicer is through the Department of Education.".

(Source: P.A. 96-1420, eff. 8-3-10.)

(225 ILCS 429/115)

Sec. 115. Required pre-sale consumer disclosures and warnings.

(a) Before the consumer signs a contract, the debt settlement provider shall provide an oral and written notice to the consumer that clearly and conspicuously discloses all of the following:

(1) Debt settlement services may not be suitable for all consumers.

(2) Using a debt settlement service likely will harm the consumer's credit history and credit score.

(3) Using a debt settlement service does not stop creditor collection activity, including creditor lawsuits and garnishments.

(4) Not all creditors will accept a reduction in the balance, interest rate, or fees a consumer owes.

(5) The consumer should inquire about other means of dealing with debt, including, but not limited to, nonprofit credit counseling and bankruptcy.

(6) The consumer remains obligated to make periodic or scheduled payments to creditors while participating in a debt settlement plan, and that the debt settlement provider will not make any periodic or scheduled payments to creditors on behalf of the consumer.

(7) The failure to make periodic or scheduled payments to a creditor is likely to:

(A) harm the consumer's credit history, credit rating, or credit score;

(B) lead the creditor to increase lawful collection activity, including litigation, garnishment of the consumer's wages, and judgment liens on the consumer's property; and

(C) lead to the imposition by the creditor of interest charges, late fees, and other penalty fees, increasing the principal amount of the debt.

(8) The amount of time estimated to be necessary to achieve the represented results.

(9) The estimated amount of money or the percentage of debt the consumer must accumulate before a settlement offer will be made to each of the consumer's creditors.

(10) For student loan debt relief services, before the student loan borrower signs a contract, the provider shall provide an oral and written notice to the student loan borrower that clearly and conspicuously discloses the following:

"[Name of company] is a private company, and is not affiliated with the Department of Education or any other academic entity or governmental agency. [Name of company] is not a lender, guarantor, or servicer of federal student loans. You can apply for consolidation and other repayment plans without paid assistance through the United States Department of Education. More information is available through the Department's website or your federal student loan servicer. You can find out who your servicer is through the Department of Education.".

(b) The consumer shall sign and date an acknowledgment form entitled "Consumer Notice and Rights Form" that states: "I, the debtor, have received from the debt settlement provider a copy of the form entitled "Consumer Notice and Rights Form"." The debt settlement provider or its representative shall also sign and date the acknowledgment form, which includes the name and address of the debt settlement services provider. The acknowledgment form shall be in duplicate and incorporated into the "Consumer Notice and Rights Form". The original acknowledgment form shall be retained by the debt settlement provider, and the duplicate copy shall be retained within the form by the consumer.

If the acknowledgment form is in electronic form, then it shall contain the consumer disclosures required by Section 101(c) of the federal Electronic Signatures in Global and National Commerce Act.

(c) Except as provided in subsection (d), the ~~The~~ requirements of this Section are satisfied if the provider provides the following warning verbatim, both orally and in writing, with the caption "CONSUMER NOTICE AND RIGHTS FORM" in at least 28-point font and the remaining portion in at

least 14-point font, to a consumer before the consumer signs a contract for the debt settlement provider's services:

"CONSUMER NOTICE AND RIGHTS FORM

CAUTION

We CANNOT GUARANTEE that you successfully will reduce or eliminate your debt.

If you stop paying your creditors, there is a strong likelihood some or all of the following may happen:

- CREDITORS MAY STILL CONTACT YOU AND TRY TO COLLECT.
- CREDITORS MAY STILL SUE YOU FOR THE MONEY YOU OWE.
- YOUR WAGES OR BANK ACCOUNT MAY STILL BE GARNISHED.
- YOUR CREDIT RATING AND CREDIT SCORE LIKELY WILL BE HARMED.
- NOT ALL CREDITORS WILL AGREE TO ACCEPT A BALANCE REDUCTION.
- YOU SHOULD CONSIDER ALL YOUR OPTIONS FOR ADDRESSING YOUR DEBT, SUCH AS CREDIT COUNSELING AND BANKRUPTCY FILING.
- THE AMOUNT OF MONEY YOU OWE MAY INCREASE DUE TO CREDITOR IMPOSITION OF INTEREST CHARGES, LATE FEES, AND OTHER PENALTY FEES.
- EVEN IF WE DO SETTLE YOUR DEBT, YOU MAY STILL BE REQUIRED TO PAY TAXES ON THE AMOUNT FORGIVEN.

YOUR RIGHT TO CANCEL

If you sign a contract with a Debt Settlement Provider, you have the right to cancel at any time and receive a full refund of all unearned fees you have paid to the provider and all funds placed in your settlement fund that have not been paid to any creditors.

IF YOU ARE DISSATISFIED
OR YOU HAVE QUESTIONS

If you are dissatisfied with a debt settlement provider or have any questions, please bring it to the attention of the Illinois Attorney General's Office and the Department of Financial and Professional Regulation.

Attorney General Toll-Free Numbers:

Carbondale (800) 243-0607
Springfield (800) 243-0618
Chicago (800) 386-5438

Website for Department of Financial and Professional Regulation: www.idfpr.com

I, the debtor, have received from the debt settlement provider a copy of the form entitled Consumer Notice and Rights Form.".

(d) All providers of student loan debt relief services shall include the following disclosure:

"[NAME OF COMPANY] IS A PRIVATE COMPANY, AND IS NOT AFFILIATED WITH THE DEPARTMENT OF EDUCATION OR ANY OTHER ACADEMIC ENTITY OR GOVERNMENTAL AGENCY. [NAME OF COMPANY] IS NOT A LENDER, GUARANTOR, OR SERVICER OF FEDERAL STUDENT LOANS. YOU CAN APPLY FOR CONSOLIDATION AND OTHER REPAYMENT PLANS WITHOUT PAID ASSISTANCE THROUGH THE UNITED STATES DEPARTMENT OF EDUCATION. MORE INFORMATION IS AVAILABLE THROUGH THE DEPARTMENT'S WEBSITE OR YOUR FEDERAL STUDENT LOAN SERVICER. YOU CAN FIND OUT WHO YOUR SERVICER IS THROUGH THE DEPARTMENT OF EDUCATION.".

(Source: P.A. 96-1420, eff. 8-3-10.)

(225 ILCS 429/125)

Sec. 125. Fees.

(a) A debt settlement provider shall not charge fees of any type or receive compensation from a consumer in a type, amount, or timing other than fees or compensation permitted in this Section.

(b) A debt settlement provider shall not charge or receive from a consumer any enrollment fee, set up fee, up front fee of any kind, or any maintenance fee, except for a one-time enrollment fee of no more than $50.

(c) A debt settlement provider may charge a settlement fee, which shall not exceed an amount greater than 15% of the savings. If the amount paid by the debt settlement provider to the creditor or negotiated by the debt settlement provider and paid by the consumer to the creditor pursuant to a settlement negotiated by the debt settlement provider on behalf of the consumer as full and complete satisfaction of the creditor's claim with regard to that debt is greater than the principal amount of the debt, then the debt settlement provider shall not be entitled to any settlement fee.

(d) A debt settlement provider shall not collect any settlement fee from a consumer until a creditor enters into a legally enforceable agreement to accept funds in a specific dollar amount as full and complete satisfaction of the creditor's claim with regard to that debt and those funds are provided by the debt settlement provider on behalf of the consumer or are provided directly by the consumer to the creditor pursuant to a settlement negotiated by the debt settlement provider.

(e) Any fees charged to a student loan borrower in exchange for student loan debt relief shall comply with this Section.

(Source: P.A. 96-1420, eff. 8-3-10; 97-333, eff. 8-12-11.)

(225 ILCS 429/145)

Sec. 145. Prohibited practices. A debt settlement provider shall not do any of the following:

(1) Charge or collect from a consumer any fee not permitted by, in an amount in excess of the maximum amount permitted by, or at a time earlier than permitted by Section 125 of this Act.

(2) Advise or represent, expressly or by implication, that consumers should stop making payments to their creditors, lenders, loan servicers, or loan guarantors or government entities.

(3) Advise or represent, expressly or by implication, that consumers should stop communicating with their creditors, lenders, loan servicers, loan guarantors, or attorneys or government entities.

(4) Change the mailing address on any of a consumer's creditor's statements.

(5) Make loans or offer credit or solicit or accept any note, mortgage, or negotiable instrument other than a check signed by the consumer and dated no later than the date of signature.

(6) Take any confession of judgment or power of attorney to confess judgment against the consumer or appear as the consumer or on behalf of the consumer in any judicial proceedings.

(7) Take any release or waiver of any obligation to be performed on the part of the debt settlement provider or any right of the consumer.

(8) Advertise, display, distribute, broadcast, or televise services or permit services to be displayed, advertised, distributed, broadcasted, or televised, in any manner whatsoever, that contains any false, misleading, or deceptive statements or representations with regard to any matter, including services to be performed, the fees to be charged by the debt settlement provider, or the effect those services will have on a consumer's credit rating or on creditor collection efforts.

(9) Receive any cash, fee, gift, bonus, premium, reward, or other compensation from any person other than the consumer explicitly for the provision of debt settlement service to that consumer.

(10) Offer or provide gifts or bonuses to consumers for signing a debt settlement service contract or for referring another potential customer or customer.

(11) Disclose to anyone the name or any personal information of a consumer for whom the debt settlement provider has provided or is providing debt settlement service other than to a consumer's own creditors or the debt settlement provider's agents, affiliates, or contractors for the purpose of providing debt settlement service without the prior consent of the consumer.

(12) Enter into a contract with a consumer without first providing the disclosures and financial analysis and making the determinations required by this Section.

(13) Misrepresent any material fact, make a material omission, or make a false promise directed to one or more consumers in connection with the solicitation, offering, contracting, or provision of debt settlement service.

(14) Violate the provisions of applicable do not call statutes.

(15) Purchase debts or engage in the practice or business of debt collection.

(16) Include in a debt settlement agreement any secured debt.

(17) Employ an unfair, unconscionable, or deceptive act or practice, including the knowing omission of any material information.

(18) Engage in any practice that prohibits or limits the consumer or any creditor from communication directly with one another.

(19) Represent or imply to a person participating in or considering debt settlement that purchase of any ancillary goods or services is required.

(20) Access or obtain a consumer's or student loan borrower's federal student aid information in violation of federal law.

(Source: P.A. 96-1420, eff. 8-3-10.)

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

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

On motion of Senator Aquino, **Senate Bill No. 1836** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **Senate Bill No. 525** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **Senate Bill No. 563** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 563

AMENDMENT NO. 1 . Amend Senate Bill 563 on page 1, line 13, after "nonconforming", by inserting "identities"; and

on page 2, line 3, after "individuals,", by inserting "and individuals"; and

on page 2, by replacing lines 6 and 7 with the following:

"(5) include all judicial personnel, and the entire judiciary shall".

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

On motion of Senator Sims, **Senate Bill No. 2183** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2183

AMENDMENT NO. 1 . Amend Senate Bill 2183 on page 1, line 8, by replacing "January 1, 2027" with "January 1, 2023".

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

SENATE BILL RECALLED

On motion of Senator Tracy, **Senate Bill No. 80** was recalled from the order of third reading to the order of second reading.

Senator Tracy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 80

AMENDMENT NO. 1 . Amend Senate Bill 80 on page 15, line 20, after "guardian", by inserting "or limited guardian"; and

on page 17, by replacing lines 7 through 9 with the following:

"the court. A petitioner who seeks to revoke or construe a power of attorney for the alleged person with a disability, or review the agent's conduct, shall do so in conformity with the Illinois Power of Attorney Act, and as set forth in subsection (c) of Section 11a-17 and subsection (e) of Section 11a-18 of this Act."; and

on page 21, directly below line 24, by inserting the following:

"(8) You have the right to ask a judge to find that although you lack some capacity to make your own decisions, you can make other decisions, and therefore it is best for the court to appoint only a limited guardian for you."; and

on page 22, line 18, by replacing "[END OF FORM]" with "[END OF FORM]."; and

on page 24, directly below line 26, by inserting the following:

"One person or agency may be appointed a limited or plenary guardian of the person and another person or corporate trustee appointed as a limited or plenary guardian of the estate. If different persons are appointed, the court shall consider the factors set forth in subsection (b-5) of Section 11a-5. The court shall enter a written order stating the factual basis for its findings."; and

on page 26, by replacing lines 15 through 18 with the following:

"Upon the death of the ward, fees and costs awarded under this Section shall be considered as a first-class claim for administrative expenses as set forth in Section 18-10 and may be paid from the guardianship estate or from the decedent's estate."; and

on page 54, by replacing lines 4 and 5 with the following:

"administration, ~~and~~ statutory custodial claims, and final fees and costs as determined by the court relating to guardianship, including fees awarded under Section 11a-13.5, 13-3, 13-3.1, 27-1, 27-2, or 27-4. For the".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Peters, **Senate Bill No. 64** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 39; NAYS 17.

The following voted in the affirmative:

Aquino	Ellman	Joyce	Peters
Belt	Feigenholtz	Koehler	Simmons
Bennett	Fine	Landek	Sims
Bush	Gillespie	Lightford	Stadelman
Castro	Glowiak Hilton	Loughran Cappel	Turner, D.
Collins	Harris	Martwick	Villa
Connor	Holmes	Morrison	Villanueva
Crowe	Hunter	Muñoz	Villivalam
Cullerton, T.	Johnson	Murphy	Mr. President
Cunningham	Jones, E.	Pacione-Zayas	

The following voted in the negative:

Anderson	DeWitte	Rezin	Turner, S.
Bailey	Fowler	Rose	Wilcox
Barickman	McClure	Stoller	
Bryant	McConchie	Syverson	
Curran	Plummer	Tracy	

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

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

SENATE BILL RECALLED

On motion of Senator Stoller, **Senate Bill No. 81** was recalled from the order of third reading to the order of second reading.

Senator Stoller offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 81

AMENDMENT NO. 1 . Amend Senate Bill 81 on page 1, line 11, by replacing "Moneys" with "Subject to appropriation, moneys".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 100** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Pacione-Zayas	Villa
Connor	Hunter	Peters	Villanueva
Crowe	Johnson	Plummer	Villivalam
Cullerton, T.	Jones, E.	Rezin	Wilcox
Cunningham	Joyce	Rose	Mr. President
Curran	Koehler	Simmons	

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

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

SENATE BILL RECALLED

On motion of Senator Feigenholtz, **Senate Bill No. 109** was recalled from the order of third reading to the order of second reading.

Senator Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 109

AMENDMENT NO. 1 . Amend Senate Bill 109 by replacing everything after the enacting clause with the following:

"Section 5. The Health Care Surrogate Act is amended by changing Sections 10, 20, and 65 as follows:

(755 ILCS 40/10) (from Ch. 110 1/2, par. 851-10)

Sec. 10. Definitions.

"Adult" means a person who is (i) 18 years of age or older or (ii) an emancipated minor under the Emancipation of Minors Act.

"Artificial nutrition and hydration" means supplying food and water through a conduit, such as a tube or intravenous line, where the recipient is not required to chew or swallow voluntarily, including, but not limited to, nasogastric tubes, gastrostomies, jejunostomies, and intravenous infusions. Artificial nutrition and hydration does not include assisted feeding, such as spoon or bottle feeding.

"Available" means that a person is not "unavailable". A person is unavailable if (i) the person's existence is not known, (ii) the person has not been able to be contacted by telephone or mail, or (iii) the person lacks decisional capacity, refuses to accept the office of surrogate, or is unwilling to respond in a manner that indicates a choice among the treatment matters at issue.

"Attending physician" means the physician selected by or assigned to the patient who has primary responsibility for treatment and care of the patient and who is a licensed physician in Illinois. If more than one physician shares that responsibility, any of those physicians may act as the attending physician under this Act.

"Close friend" means any person 18 years of age or older who has exhibited special care and concern for the patient and who presents an affidavit to the attending physician stating that he or she (i) is a close friend of the patient, (ii) is willing and able to become involved in the patient's health care, and (iii) has maintained such regular contact with the patient as to be familiar with the patient's activities, health, and religious and moral beliefs. The affidavit must also state facts and circumstances that demonstrate that familiarity.

"Death" means when, according to accepted medical standards, there is (i) an irreversible cessation of circulatory and respiratory functions or (ii) an irreversible cessation of all functions of the entire brain, including the brain stem.

"Decisional capacity" means the ability to understand and appreciate the nature and consequences of a decision regarding medical treatment or forgoing life-sustaining treatment and the ability to reach and communicate an informed decision in the matter as determined by the attending physician.

"Forgo life-sustaining treatment" means to withhold, withdraw, or terminate all or any portion of life-sustaining treatment with knowledge that the patient's death is likely to result.

"Guardian" means a court appointed guardian of the person who serves as a representative of a minor or as a representative of a person under legal disability.

"Health care facility" means a type of health care provider commonly known by a wide variety of titles, including but not limited to, hospitals, medical centers, nursing homes, rehabilitation centers, long term or tertiary care facilities, and other facilities established to administer health care and provide overnight stays in their ordinary course of business or practice.

"Health care provider" means a person that is licensed, certified, or otherwise authorized or permitted by the law of this State to administer health care in the ordinary course of business or practice of a profession, including, but not limited to, physicians, nurses, health care facilities, and any employee, officer, director, agent, or person under contract with such a person.

"Imminent" (as in "death is imminent") means a determination made by the attending physician according to accepted medical standards that death will occur in a relatively short period of time, even if life-sustaining treatment is initiated or continued.

"Life-sustaining treatment" means any medical treatment, procedure, or intervention that, in the judgment of the attending physician, when applied to a patient with a qualifying condition, would not be effective to remove the qualifying condition or would serve only to prolong the dying process. Those procedures can include, but are not limited to, assisted ventilation, renal dialysis, surgical procedures, blood transfusions, and the administration of drugs, antibiotics, and artificial nutrition and hydration.

"Minor" means an individual who is not an adult as defined in this Act.

"Parent" means a person who is the natural or adoptive mother or father of the child and whose parental rights have not been terminated by a court of law.

"Patient" means an adult or minor individual, unless otherwise specified, under the care or treatment of a licensed physician or other health care provider.

"Person" means an individual, a corporation, a business trust, a trust, a partnership, an association, a government, a governmental subdivision or agency, or any other legal entity.

"Qualifying condition" means the existence of one or more of the following conditions in a patient certified in writing in the patient's medical record by the attending physician and by at least one other qualified health care practitioner ~~physician~~:

(1) "Terminal condition" means an illness or injury for which there is no reasonable prospect of cure or recovery, death is imminent, and the application of life-sustaining treatment would only prolong the dying process.

(2) "Permanent unconsciousness" means a condition that, to a high degree of medical certainty, (i) will last permanently, without improvement, (ii) in which thought, sensation, purposeful action, social interaction, and awareness of self and environment are absent, and (iii) for which initiating or continuing life-sustaining treatment, in light of the patient's medical condition, provides only minimal medical benefit.

(3) "Incurable or irreversible condition" means an illness or injury (i) for which there is no reasonable prospect of cure or recovery, (ii) that ultimately will cause the patient's death even if life-sustaining treatment is initiated or continued, (iii) that imposes severe pain or otherwise imposes an inhumane burden on the patient, and (iv) for which initiating or continuing life-sustaining treatment, in light of the patient's medical condition, provides only minimal medical benefit.

The determination that a patient has a qualifying condition creates no presumption regarding the application or non-application of life-sustaining treatment. It is only after a determination by the attending physician that the patient has a qualifying condition that the surrogate decision maker may consider whether or not to forgo life-sustaining treatment. In making this decision, the surrogate shall weigh the burdens on the patient of initiating or continuing life-sustaining treatment against the benefits of that treatment.

"Qualified health care practitioner" means an individual who has personally examined the patient and who is an Illinois licensed physician, advanced practice registered nurse, physician assistant, or resident with at least one year of graduate or specialty training in this State who holds an Illinois temporary license to practice medicine and is enrolled in a residency program accredited by the Liaison Committee on Graduate Medical Education or the Bureau of Professional Education of the American Osteopathic Association.

"Physician" means a physician licensed to practice medicine in all its branches in this State.

~~"Qualified physician" means a physician licensed to practice medicine in all of its branches in Illinois who has personally examined the patient.~~

"Surrogate decision maker" means an adult individual or individuals who (i) have decisional capacity, (ii) are available upon reasonable inquiry, (iii) are willing to make medical treatment decisions on behalf of a patient who lacks decisional capacity, and (iv) are identified by the attending physician in accordance with the provisions of this Act as the person or persons who are to make those decisions in accordance with the provisions of this Act.

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

(755 ILCS 40/20) (from Ch. 110 1/2, par. 851-20)

Sec. 20. Private decision making process.

(a) Decisions whether to forgo life-sustaining or any other form of medical treatment involving an adult patient with decisional capacity may be made by that adult patient.

(b) Decisions whether to forgo life-sustaining treatment on behalf of a patient without decisional capacity are lawful, without resort to the courts or legal process, if the patient has a qualifying condition and if the decisions are made in accordance with one of the following paragraphs in this subsection and otherwise meet the requirements of this Act:

(1) Decisions whether to forgo life-sustaining treatment on behalf of a minor or an adult patient who lacks decisional capacity may be made by a surrogate decision maker or makers in consultation with the attending physician, in the order or priority provided in Section 25. A surrogate decision maker shall make decisions for the adult patient conforming as closely as possible to what the patient would have done or intended under the circumstances, taking into account evidence that includes, but is not limited to, the patient's personal, philosophical, religious and moral beliefs and ethical values relative to the purpose of life, sickness, medical procedures, suffering, and death. Where possible, the surrogate shall determine how the patient would have weighed the burdens and benefits of initiating or continuing life-sustaining treatment against the burdens and benefits of that treatment. In the event an unrevoked advance directive, such as a living will, a declaration for mental health treatment, or a power of attorney for health care, is no longer valid due to a technical deficiency or is not applicable to the patient's condition, that document may be used as evidence of a patient's wishes. The absence of a living will, declaration for mental health treatment, or power of attorney for health care shall not give rise to any presumption as to the patient's preferences regarding the initiation or continuation of life-sustaining procedures. If the adult patient's wishes are unknown and remain unknown after reasonable efforts to discern them or if the patient is a minor, the decision shall be made on the basis of the patient's best interests as determined by the surrogate decision maker. In determining the patient's best interests, the surrogate shall weigh the burdens on and benefits to the patient of initiating or continuing life-sustaining treatment against the burdens and benefits of that treatment and shall take into account any other information, including the views of family and friends, that the surrogate decision maker believes the patient would have considered if able to act for herself or himself.

(2) Decisions whether to forgo life-sustaining treatment on behalf of a minor or an adult patient who lacks decisional capacity, but without any surrogate decision maker or guardian being available determined after reasonable inquiry by the health care provider, may be made by a court appointed guardian. A court appointed guardian shall be treated as a surrogate for the purposes of this Act.

(b-5) Decisions concerning medical treatment on behalf of a patient without decisional capacity are lawful, without resort to the courts or legal process, if the patient does not have a qualifying condition and if decisions are made in accordance with one of the following paragraphs in this subsection and otherwise meet the requirements of this Act:

(1) Decisions concerning medical treatment on behalf of a minor or adult patient who lacks decisional capacity may be made by a surrogate decision maker or makers in consultation with the attending physician, in the order of priority provided in Section 25 with the exception that decisions to forgo life-sustaining treatment may be made only when a patient has a qualifying condition. A surrogate decision maker shall make decisions for the patient conforming as closely as possible to what the patient would have done or intended under the circumstances, taking into account evidence that includes, but is not limited to, the patient's personal, philosophical, religious, and moral beliefs and ethical values relative to the purpose of life, sickness, medical procedures, suffering, and death. In the event an unrevoked advance directive, such as a living will, a declaration for mental health treatment, or a power of attorney for health care, is no longer valid due to a technical deficiency or is not applicable to the patient's condition, that document may be used as evidence of a patient's wishes. The absence of a living will, declaration for mental health treatment, or power of attorney for health care shall not give rise to any presumption as to the patient's preferences regarding any process. If the adult patient's wishes are unknown and remain unknown after reasonable efforts to discern them or if the patient is a minor, the decision shall be made on the basis of the patient's best interests as determined by the surrogate decision maker. In determining the patient's best interests, the surrogate shall weigh the burdens on and benefits to the patient of the treatment against the burdens and benefits of that treatment and shall take into account any other information, including the views of family and friends, that the surrogate decision maker believes the patient would have considered if able to act for herself or himself.

(2) Decisions concerning medical treatment on behalf of a minor or adult patient who lacks decisional capacity, but without any surrogate decision maker or guardian being available as determined after reasonable inquiry by the health care provider, may be made by a court appointed guardian. A court appointed guardian shall be treated as a surrogate for the purposes of this Act.

(c) For the purposes of this Act, a patient or surrogate decision maker is presumed to have decisional capacity in the absence of actual notice to the contrary without regard to advanced age. With respect to a patient, a diagnosis of mental illness or an intellectual disability, of itself, is not a bar to a determination of decisional capacity. A determination that an adult patient lacks decisional capacity shall be made by the attending physician to a reasonable degree of medical certainty. The determination shall be in writing in the patient's medical record and shall set forth the attending physician's opinion regarding the cause, nature, and duration of the patient's lack of decisional capacity. Before implementation of a decision by a surrogate decision maker to forgo life-sustaining treatment, at least one other qualified health care practitioner ~~physician~~ must concur in the determination that an adult patient lacks decisional capacity. The concurring determination shall be made in writing in the patient's medical record after personal examination of the patient. The attending physician shall inform the patient that it has been determined that the patient lacks decisional capacity and that a surrogate decision maker will be making life-sustaining treatment decisions on behalf of the patient. Moreover, the patient shall be informed of the identity of the surrogate decision maker and any decisions made by that surrogate. If the person identified as the surrogate decision maker is not a court appointed guardian and the patient objects to the statutory surrogate decision maker or any decision made by that surrogate decision maker, then the provisions of this Act shall not apply.

(d) A surrogate decision maker acting on behalf of the patient shall express decisions to forgo life-sustaining treatment to the attending physician and one adult witness who is at least 18 years of age. This decision and the substance of any known discussion before making the decision shall be documented by the attending physician in the patient's medical record and signed by the witness.

(e) The existence of a qualifying condition shall be documented in writing in the patient's medical record by the attending physician and shall include its cause and nature, if known. The written concurrence of another qualified health care practitioner ~~physician~~ is also required.

(f) Once the provisions of this Act are complied with, the attending physician shall thereafter promptly implement the decision to forgo life-sustaining treatment on behalf of the patient unless he or she believes that the surrogate decision maker is not acting in accordance with his or her responsibilities under this Act, or is unable to do so for reasons of conscience or other personal views or beliefs.

(g) In the event of a patient's death as determined by a physician, all life-sustaining treatment and other medical care is to be terminated, unless the patient is an organ donor, in which case appropriate organ donation treatment may be applied or continued temporarily.

(h) A surrogate decision maker may execute a POLST portable medical orders form to forgo life sustaining treatment consistent with this Section.

(Source: P.A. 97-227, eff. 1-1-12.)

(755 ILCS 40/65)

Sec. 65. Department of Public Health Uniform POLST form.

(a) An individual of sound mind and having reached the age of majority or having obtained the status of an emancipated person pursuant to the Emancipation of Minors Act may execute a document (consistent with the Department of Public Health Uniform POLST form described in Section 2310-600 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois) directing that resuscitating efforts shall not be implemented. This individual may also revoke the document at will. Such a document may also be executed by a qualified ~~an attending~~ health care practitioner. If more than one practitioner shares ~~that~~ responsibility for the treatment and care of an individual, any of the qualified ~~attending~~ health care practitioners may act under this Section. Notwithstanding the existence of a do-not-resuscitate (DNR) order or Department of Public Health Uniform POLST form, appropriate organ donation treatment may be applied or continued temporarily in the event of the patient's death, in accordance with subsection (g) of Section 20 of this Act, if the patient is an organ donor.

(a-5) Execution of a Department of Public Health Uniform POLST form is voluntary; no person can be required to execute the ~~either~~ form. Execution of a POLST form shall not be a requirement for admission to any facility or a precondition to the provision of services by any provider of health care services. A person who has executed a Department of Public Health Uniform POLST form should review the form annually and when the person's condition changes.

(b) Consent to a Department of Public Health Uniform POLST form may be obtained from the individual, or from another person at the individual's direction, or from the individual's legal guardian, agent under a power of attorney for health care, or surrogate decision maker~~, and witnessed by one individual 18 years of age or older, who attests that the individual, other person, guardian, agent, or surrogate (1) has had an opportunity to read the form; and (2) has signed the form or acknowledged his or her signature or mark on the form in the witness's presence~~.

(b-5) As used in this Section: ~~,~~

~~"attending health care practitioner" means an individual who (1) is an Illinois licensed physician, advanced practice registered nurse, physician assistant, or licensed resident after completion of one year in a program; (2) is selected by or assigned to the patient; and (3) has primary responsibility for treatment and care of the patient.~~

"POLST" means practitioner orders for life-sustaining treatments.

"POLST portable medical orders form" means a medical orders form, including, but not limited to, a Medical Orders for Scope of Treatment (MOST), Medical Orders for Life Sustaining Treatment (MOLST), Physician Orders for Scope of Treatment (POST), or Physician Orders for Life Sustaining Treatment (POLST) form, that is formally authorized by a state or territory within the United States.

(c) Nothing in this Section shall be construed to affect the ability of an individual to include instructions in an advance directive, such as a power of attorney for health care. The uniform form may, but need not, be in the form adopted by the Department of Public Health pursuant to Section 2310-600 of the Department of Public Health Powers and Duties Law (20 ILCS 2310/2310-600). Except as otherwise provided by law, emergency medical service personnel, a health care provider, or a health care facility shall comply with a Department of Public Health Uniform POLST form, National POLST form, another state's POLST portable medical orders form, or an out-of-hospital Do Not Resuscitate (DNR) order sanctioned by a state in the United States that: (i) has been executed by an adult; and (ii) is apparent and immediately available.

(d) A health care professional or health care provider may presume, in the absence of knowledge to the contrary, that a completed Department of Public Health Uniform POLST form, National POLST form, another state's POLST portable medical orders form, or an out-of-hospital Do Not Resuscitate (DNR) order sanctioned by a state in the United States executed by an adult, or a copy of that form or a previous version of the uniform form, is valid. A health care professional or health care provider, or an employee of a health care professional or health care provider, who in good faith complies with a cardiopulmonary resuscitation (CPR) or life-sustaining treatment order, Department of Public Health Uniform POLST form, or a previous version of the uniform form made in accordance with this Act is not, as a result of that compliance, subject to any criminal or civil liability, except for willful and wanton misconduct, and may not be found to have committed an act of unprofessional conduct.

(d-5) Before voiding or revoking a Department of Public Health Uniform POLST form, National POLST form, or another state's POLST portable medical orders form executed by the individual, that individual's legally authorized surrogate decision maker shall first: (1) engage in consultation with a qualified health care practitioner; (2) consult the patient's advance directive, if available; and (3) make a good faith effort to act consistently, at all times, with the patient's known wishes, using substituted judgment as the standard. If the patient's wishes are unknown and remain unknown after reasonable efforts to discern them, the decision shall be made on the basis of the patient's best interests as determined by the surrogate decision maker. A qualified health care practitioner shall document the reasons for this action in the patient's medical record. This process does not apply to an individual wanting to revoke his or her own POLST form.

(e) Nothing in this Section or this amendatory Act of the 94th General Assembly or this amendatory Act of the 98th General Assembly shall be construed to affect the ability of a physician or other practitioner to make a do-not-resuscitate order.

(Source: P.A. 99-319, eff. 1-1-16; 100-513, eff. 1-1-18.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Feigenholtz, **Senate Bill No. 109** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 43; NAYS 15.

The following voted in the affirmative:

Aquino	DeWitte	Jones, E.	Peters
Barickman	Ellman	Joyce	Simmons
Belt	Feigenholtz	Koehler	Sims
Bennett	Fine	Landek	Stadelman
Bush	Gillespie	Lightford	Turner, D.
Castro	Glowiak Hilton	Loughran Cappel	Van Pelt
Collins	Harris	Martwick	Villa
Connor	Hastings	Morrison	Villanueva
Cullerton, T.	Holmes	Muñoz	Villivalam
Cunningham	Hunter	Murphy	Mr. President
Curran	Johnson	Pacione-Zayas	

The following voted in the negative:

Anderson	McClure	Rose	Tracy
Bailey	McConchie	Stewart	Turner, S.
Bryant	Plummer	Stoller	Wilcox
Fowler	Rezin	Syverson	

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

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

On motion of Senator Morrison, **Senate Bill No. 136** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Pacione-Zayas	Villanueva
Connor	Hunter	Peters	Villivalam
Crowe	Johnson	Plummer	Wilcox
Cullerton, T.	Jones, E.	Rezin	Mr. President
Cunningham	Joyce	Rose	

Curran Koehler Simmons

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

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

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 136**.

SENATE BILL RECALLED

On motion of Senator Feigenholtz, **Senate Bill No. 139** was recalled from the order of third reading to the order of second reading.

Senator Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 139

AMENDMENT NO. 1 . Amend Senate Bill 139 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Marriage and Dissolution of Marriage Act is amended by adding Section 221 as follows:

(750 ILCS 5/221 new)

Sec. 221. Request for changing or removing gender identifying language on a marriage certificate.

(a) Upon completion of an affidavit provided by the county clerk and confirmation of identity, a person, still currently married, may request a certificate of the person's current marriage free of any gender identifying language. The person may request a change from terms such as "bride" and "groom" to a nongendered term such as "spouse" or a variant of "Spouse 1" or "Spouse A". Upon such request, both parties shall be listed with a nongendered identifier on a certificate. The request shall not permanently change the gender identifying language in the clerk's records, and the affidavit and issuance shall be kept in the permanent records of the clerk.

The affidavit shall be created by the county clerk, may appear on a combined form with the form under subsection (b), and shall be substantially as follows:

REQUEST FOR NONGENDERED COPY OF A MARRIAGE CERTIFICATE

I, ..., state that I am a named spouse on a marriage license held in this office, that I am still married to the other named spouse on that marriage license as of the date of this request, and hereby request the holder of this record provide me, and only me, with a marriage certificate with any gender-identifying language removed or changed to "spouse". I affirm that this change is for purposes of this certified copy, the change will not be made to permanent records, and a record of this request shall be held by the holder of this marriage record.

Date.....

Signature.....

(b) If 2 parties currently married request a marriage certificate with gender identifiers changed, such as "bride" to "groom" or "groom" to "bride", both parties shall appear before the clerk, indicate consent, and complete an affidavit. If the clerk is technologically able and the parties desire, the change in gender is permanent.

The affidavit shall be created by the county clerk, may appear on a combined form with the form under subsection (a), and shall be substantially as follows:

REQUEST FOR NONGENDERED COPY OF A MARRIAGE CERTIFICATE

We, ...[Spouse A] and .....[Spouse B], the still-married named persons on a marriage license held in this office as of the date of this request, hereby request the holder of this record to provide a marriage certificate with gender-identifying terms such as "bride" and "groom" changed as follows:

.....[Name of Spouse A] Bride, Groom, or Spouse (select one).

.....[Name of Spouse B] Bride, Groom, or Spouse (select one).

We affirm that this change is for purposes of this certified copy, and the change will not be made to permanent records, unless indicated by selecting Yes or No (select one) and a record of this request shall be held by the holder of this marriage record.

Date.....

Signature of Spouse A.....

Signature of Spouse B.....

(c) If a county provides a certified record, photocopy, or reproduction of an original record in lieu of a summary data sheet, the county clerk shall work with the Department of Public Health to develop a new certificate that can be issued in lieu of a reproduction of the prior record. Nothing in this subsection authorizes the county clerk to permanently mark or deface a prior record in lieu of a summary data sheet certificate.

(d) When a clerk issues a nongendered marriage certificate under subsection (a), the certificate shall not include any language indicating it has been amended nor that it is not a true and accurate record of the facts stated therein.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Feigenholtz, **Senate Bill No. 139** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 44; NAYS 13.

The following voted in the affirmative:

Aquino	DeWitte	Joyce	Sims
Barickman	Ellman	Koehler	Stadelman
Belt	Feigenholtz	Landek	Turner, D.
Bennett	Fine	Lightford	Van Pelt
Bush	Gillespie	Loughran Cappel	Villa
Castro	Glowiak Hilton	Martwick	Villanueva
Collins	Harris	Morrison	Villivalam
Connor	Hastings	Muñoz	Mr. President
Crowe	Holmes	Murphy	
Cullerton, T.	Hunter	Pacione-Zayas	
Cunningham	Johnson	Peters	
Curran	Jones, E.	Simmons	

The following voted in the negative:

Bailey	McConchie	Stewart	Wilcox
Bryant	Plummer	Stoller	
Fowler	Rezin	Tracy	
McClure	Rose	Turner, S.	

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

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

On motion of Senator Ellman, **Senate Bill No. 167** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Pacione-Zayas	Villa
Connor	Hunter	Peters	Villanueva
Crowe	Johnson	Plummer	Villivalam
Cullerton, T.	Jones, E.	Rezin	Wilcox
Cunningham	Joyce	Rose	Mr. President
Curran	Koehler	Simmons	

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

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 190** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stadelman
Aquino	Ellman	Lightford	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Pacione-Zayas	Villanueva
Connor	Hunter	Peters	Villivalam
Crowe	Johnson	Plummer	Wilcox
Cullerton, T.	Jones, E.	Rose	Mr. President
Cunningham	Joyce	Simmons	
Curran	Koehler	Sims	

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

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

On motion of Senator Hastings, **Senate Bill No. 265** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 44; NAYS 15.

The following voted in the affirmative:

Aquino	Ellman	Koehler	Sims
Belt	Feigenholtz	Landek	Stadelman
Bennett	Fine	Lightford	Turner, D.
Bush	Gillespie	Loughran Cappel	Van Pelt
Castro	Glowiak Hilton	Martwick	Villa
Collins	Harris	Morrison	Villanueva
Connor	Hastings	Muñoz	Villivalam
Crowe	Holmes	Murphy	Mr. President
Cullerton, T.	Hunter	Pacione-Zayas	
Cunningham	Johnson	Peters	
Curran	Jones, E.	Rezin	
DeWitte	Joyce	Simmons	

The following voted in the negative:

Anderson	Fowler	Rose	Tracy
Bailey	McClure	Stewart	Turner, S.
Barickman	McConchie	Stoller	Wilcox
Bryant	Plummer	Syverson	

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

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

On motion of Senator Hastings, **Senate Bill No. 255** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Pacione-Zayas	Villa
Connor	Hunter	Peters	Villanueva
Crowe	Johnson	Plummer	Villivalam

Cullerton, T.	Jones, E.	Rezin	Wilcox
Cunningham	Joyce	Rose	Mr. President
Curran	Koehler	Simmons	

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

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

On motion of Senator Villanueva, **Senate Bill No. 267** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Pacione-Zayas	Villa
Connor	Hunter	Peters	Villanueva
Crowe	Johnson	Plummer	Villivalam
Cullerton, T.	Jones, E.	Rezin	Wilcox
Cunningham	Joyce	Rose	Mr. President
Curran	Koehler	Simmons	

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

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

On motion of Senator Muñoz, **Senate Bill No. 307** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS 2.

The following voted in the affirmative:

Anderson	Ellman	Lightford	Stewart
Aquino	Feigenholtz	Loughran Cappel	Syverson
Barickman	Fine	Martwick	Tracy
Belt	Fowler	McClure	Turner, D.
Bennett	Gillespie	McConchie	Turner, S.
Bryant	Glowiak Hilton	Morrison	Van Pelt
Bush	Harris	Muñoz	Villa
Castro	Hastings	Murphy	Villanueva
Collins	Holmes	Pacione-Zayas	Villivalam
Connor	Hunter	Peters	Wilcox

Crowe	Johnson	Rezin	Mr. President
Cullerton, T.	Jones, E.	Rose	
Cunningham	Joyce	Simmons	
Curran	Koehler	Sims	
DeWitte	Landek	Stadelman	

The following voted in the negative:

Bailey
Stoller

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

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

On motion of Senator Crowe, **Senate Bill No. 338** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 41; NAYS 18.

The following voted in the affirmative:

Aquino	Feigenholtz	Koehler	Sims
Belt	Fine	Landek	Stadelman
Bennett	Gillespie	Lightford	Turner, D.
Bush	Glowiak Hilton	Loughran Cappel	Van Pelt
Castro	Harris	Martwick	Villa
Collins	Hastings	Morrison	Villanueva
Connor	Holmes	Muñoz	Villivalam
Crowe	Hunter	Murphy	Mr. President
Cullerton, T.	Johnson	Pacione-Zayas	
Cunningham	Jones, E.	Peters	
Ellman	Joyce	Simmons	

The following voted in the negative:

Anderson	DeWitte	Rezin	Tracy
Bailey	Fowler	Rose	Turner, S.
Barickman	McClure	Stewart	Wilcox
Bryant	McConchie	Stoller	
Curran	Plummer	Syverson	

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

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

On motion of Senator Morrison, **Senate Bill No. 346** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Lightford	Stadelman
Aquino	Feigenholtz	Loughran Cappel	Stewart
Bailey	Fine	Martwick	Stoller
Barickman	Fowler	McClure	Syverson
Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Harris	Muñoz	Turner, S.
Bush	Hastings	Murphy	Van Pelt
Castro	Holmes	Pacione-Zayas	Villa
Collins	Hunter	Peters	Villanueva
Connor	Johnson	Plummer	Villivalam
Crowe	Jones, E.	Rezin	Wilcox
Cullerton, T.	Joyce	Rose	Mr. President
Cunningham	Koehler	Simmons	
Curran	Landek	Sims	

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

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

On motion of Senator Harris, **Senate Bill No. 460** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Pacione-Zayas	Villa
Connor	Hunter	Peters	Villanueva
Crowe	Johnson	Plummer	Villivalam
Cullerton, T.	Jones, E.	Rezin	Wilcox
Cunningham	Joyce	Rose	Mr. President
Curran	Koehler	Simmons	

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

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

SENATE BILL RECALLED

On motion of Senator Syverson, **Senate Bill No. 493** was recalled from the order of third reading to the order of second reading.

Senator Syverson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 493

AMENDMENT NO. 1 . Amend Senate Bill 493 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Uniform Electronic Transactions in Dental Care Billing Act.

Section 5. Purpose. The purpose of this Act is to standardize the forms used in the billing and reimbursement of dental care, reduce the number of forms used, increase efficiency in the reimbursement of dental care through standardization, and encourage the use of and prescribe a timetable for implementation of electronic data interchange of dental care expenses and reimbursement.

Section 10. Applicability. Except as may be otherwise specifically provided, this Act applies to all dental plan carriers.

Section 15. Definitions. As used in this Act:

"Department" means the Department of Insurance.

"Director" means the Director of Insurance.

"Dental care provider" means a dentist who bills for services in Illinois.

"Dental plan carrier" means an entity subject to the insurance laws and regulations of this State or subject to the jurisdiction of the Director that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of dental care services, including an accident and health insurance company, a health maintenance organization, a limited health service organization, a dental service plan corporation, a health services plan corporation, a voluntary health services plan, or any other entity providing a plan of dental insurance, dental benefits, or dental health care services.

Section 20. Uniform electronic claims and eligibility transactions required.

(a) Beginning January 1, 2025, no dental plan carrier is required to accept from a dental care provider eligibility for a dental plan transaction or dental care claims or equivalent encounter information transaction except as provided in this Act.

(b) All dental plan carriers and dental care providers must exchange claims and eligibility information electronically using the standard electronic data interchange transactions for claims submissions, payments, and verification of benefits required under the Health Insurance Portability and Accountability Act in order to be compensable by the dental plan carrier.

Section 25. Rules; modification of rules.

(a) The Department shall adopt rules as necessary to implement this Act and may establish exemptions to this Act by rule.

(b) A dental plan carrier or dental care provider may not add to or modify the uniform electronic claims and eligibility requirements adopted by the Department.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Hastings, **Senate Bill No. 515** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Pacione-Zayas	Villa
Connor	Hunter	Peters	Villanueva
Crowe	Johnson	Plummer	Villivalam
Cullerton, T.	Jones, E.	Rezin	Wilcox
Cunningham	Joyce	Rose	Mr. President
Curran	Koehler	Simmons	

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

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

On motion of Senator Connor, **Senate Bill No. 548** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None; Present 1.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Sims
Aquino	Ellman	Lightford	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Pacione-Zayas	Villanueva
Connor	Hunter	Peters	Villivalam
Crowe	Johnson	Plummer	Wilcox
Cullerton, T.	Jones, E.	Rezin	Mr. President
Cunningham	Joyce	Rose	
Curran	Koehler	Simmons	

The following voted present:

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 and ask their concurrence therein.

On motion of Senator Ellman, **Senate Bill No. 564** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 46; NAYS 3.

The following voted in the affirmative:

Aquino	Ellman	Koehler	Simmons
Belt	Feigenholtz	Landek	Sims
Bennett	Fine	Lightford	Stadelman
Bryant	Fowler	Loughran Cappel	Turner, D.
Bush	Gillespie	Martwick	Turner, S.
Castro	Harris	McClure	Van Pelt
Collins	Hastings	Morrison	Villa
Connor	Holmes	Muñoz	Villanueva
Cullerton, T.	Hunter	Murphy	Villivalam
Cunningham	Johnson	Pacione-Zayas	Mr. President
Curran	Jones, E.	Peters	
DeWitte	Joyce	Rezin	

The following voted in the negative:

Bailey
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 therein.

On motion of Senator Glowiak Hilton, **Senate Bill No. 590** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 47; NAYS 10.

The following voted in the affirmative:

Anderson	Ellman	Joyce	Peters
Aquino	Feigenholtz	Koehler	Rezin
Belt	Fine	Landek	Simmons
Bennett	Fowler	Lightford	Sims
Bush	Gillespie	Loughran Cappel	Stadelman
Castro	Glowiak Hilton	Martwick	Turner, D.

Collins	Harris	McClure	Van Pelt
Connor	Hastings	McConchie	Villa
Crowe	Holmes	Morrison	Villanueva
Cullerton, T.	Hunter	Muñoz	Villivalam
Cunningham	Johnson	Murphy	Mr. President
Curran	Jones, E.	Pacione-Zayas	

The following voted in the negative:

Bailey	Rose	Syverson	Wilcox
Barickman	Stewart	Tracy	
Bryant	Stoller	Turner, S.	

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

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

On motion of Senator Cunningham, **Senate Bill No. 603** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None; Present 1.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stewart
Aquino	Ellman	Lightford	Stoller
Bailey	Feigenholtz	Loughran Cappel	Syverson
Barickman	Fine	Martwick	Tracy
Belt	Fowler	McClure	Turner, D.
Bennett	Gillespie	McConchie	Turner, S.
Bryant	Glowiak Hilton	Morrison	Van Pelt
Bush	Harris	Muñoz	Villa
Castro	Hastings	Pacione-Zayas	Villanueva
Collins	Holmes	Peters	Villivalam
Connor	Hunter	Rezin	Wilcox
Crowe	Johnson	Rose	Mr. President
Cullerton, T.	Jones, E.	Simmons	
Cunningham	Joyce	Sims	
Curran	Koehler	Stadelman	

The following voted present:

Murphy

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

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

SENATE BILLS RECALLED

On motion of Senator Peters, **Senate Bill No. 652** was recalled from the order of third reading to the order of second reading.

Senator Peters offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 652

AMENDMENT NO. 2 . Amend Senate Bill 652 on page 3, line 21, after "members", by inserting "of whom at least 2 are elected members".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator D. Turner, **Senate Bill No. 1624** was recalled from the order of third reading to the order of second reading.

Senator D. Turner offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1624

AMENDMENT NO. 1 . Amend Senate Bill 1624 by replacing everything after the enacting clause with the following:

"Section 5. The University of Illinois Act is amended by changing Section 8 as follows:

(110 ILCS 305/8) (from Ch. 144, par. 29)

Sec. 8. Admissions.

(a) (Blank).

(b) No ~~In addition, commencing in the fall of 1993, no~~ new student shall ~~then or thereafter~~ be admitted to instruction in any of the departments or colleges of the University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that institutions may admit individual applicants if the institution determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of the University of Illinois shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Institutions may also admit 1) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and 2) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of the 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(c) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (b).

(d) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(e) The Board of Trustees shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 10. The Southern Illinois University Management Act is amended by changing Section 8e as follows:

(110 ILCS 520/8e) (from Ch. 144, par. 658e)

Sec. 8e. Admissions.

(a) No ~~Commencing in the fall of 1993, no~~ new student shall ~~then or thereafter~~ be admitted to instruction in any of the departments or colleges of the University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that institutions may admit individual applicants if the institution determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Southern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Institutions may also admit 1) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and 2) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 15. The Chicago State University Law is amended by changing Section 5-85 as follows:
(110 ILCS 660/5-85)
Sec. 5-85. Admissions.
(a) No new student shall be admitted to instruction in any of the departments or colleges of the Chicago State University unless such student also has satisfactorily completed:
(1) at least 15 units of high school coursework from the following 5 categories:
(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;
(B) 3 years of social studies (emphasizing history and government);
(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);
(D) 3 years of science (laboratory sciences or agricultural sciences); and
(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;
(2) except that Chicago State University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Chicago State University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Chicago State University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and
(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).
(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).
(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.
(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.
(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 20. The Eastern Illinois University Law is amended by changing Section 10-85 as follows:
(110 ILCS 665/10-85)
Sec. 10-85. Admissions.
(a) No new student shall be admitted to instruction in any of the departments or colleges of the Eastern Illinois University unless such student also has satisfactorily completed:
(1) at least 15 units of high school coursework from the following 5 categories:
(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;
(B) 3 years of social studies (emphasizing history and government);
(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that Eastern Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Eastern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Eastern Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 25. The Governors State University Law is amended by changing Section 15-85 as follows:

(110 ILCS 670/15-85)

Sec. 15-85. Admissions.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Governors State University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that Governors State University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Governors State University shall not discriminate in the University's admissions process against an applicant for admission because of the

applicant's enrollment in a charter school established under Article 27A of the School Code. Governors State University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 30. The Illinois State University Law is amended by changing Section 20-85 as follows:

(110 ILCS 675/20-85)

Sec. 20-85. Admissions.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Illinois State University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that Illinois State University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Illinois State University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Illinois State University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 35. The Northeastern Illinois University Law is amended by changing Section 25-85 as follows:

(110 ILCS 680/25-85)

Sec. 25-85. Admissions.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Northeastern Illinois University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that Northeastern Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Northeastern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Northeastern Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 40. The Northern Illinois University Law is amended by changing Section 30-85 as follows:
(110 ILCS 685/30-85)

Sec. 30-85. Admissions.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Northern Illinois University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that Northern Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Northern Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Northern Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)

Section 45. The Western Illinois University Law is amended by changing Section 35-85 as follows:
(110 ILCS 690/35-85)

Sec. 35-85. Admissions.

(a) No new student shall be admitted to instruction in any of the departments or colleges of the Western Illinois University unless such student also has satisfactorily completed:

(1) at least 15 units of high school coursework from the following 5 categories:

(A) 4 years of English (emphasizing written and oral communications and literature), of which up to 2 years may be collegiate level instruction;

(B) 3 years of social studies (emphasizing history and government);

(C) 3 years of mathematics (introductory through advanced algebra, geometry, trigonometry, or fundamentals of computer programming);

(D) 3 years of science (laboratory sciences or agricultural sciences); and

(E) 2 years of electives in foreign language (which may be deemed to include American Sign Language), music, career and technical education ~~vocational education~~, agricultural education, or art;

(2) except that Western Illinois University may admit individual applicants if it determines through assessment or through evaluation based on learning outcomes of the coursework taken, including career and technical education ~~vocational education~~ courses and courses taken in a charter school established under Article 27A of the School Code, that the applicant demonstrates knowledge and skills substantially equivalent to the knowledge and skills expected to be acquired in the high school courses required for admission. The Board of Trustees of Western Illinois University shall not discriminate in the University's admissions process against an applicant for admission because of the applicant's enrollment in a charter school established under Article 27A of the School Code. Western Illinois University may also admit (i) applicants who did not have an opportunity to complete the minimum college preparatory curriculum in high school, and (ii) educationally disadvantaged applicants who are admitted to the formal organized special assistance programs that are tailored to the needs of such students, providing that in either case, the institution incorporates in the applicant's baccalaureate curriculum courses or other academic activities that compensate for course deficiencies; and

(3) except that up to 3 of 15 units of coursework required by paragraph (1) of this subsection may be distributed by deducting no more than one unit each from the categories of social studies, mathematics, sciences and electives and completing those 3 units in any of the 5 categories of coursework described in paragraph (1).

(b) When allocating funds, local boards of education shall recognize their obligation to their students to offer the coursework required by subsection (a).

(c) A student who has graduated from high school and has scored within the University's accepted range on the ACT or SAT shall not be required to take a high school equivalency test as a prerequisite to admission.

(d) The Board shall establish an admissions process in which honorably discharged veterans are permitted to submit an application for admission to the University as a freshman student enrolling in the spring semester if the veteran was on active duty during the fall semester. The University may request that the Department of Veterans' Affairs confirm the status of an applicant as an honorably discharged veteran who was on active duty during the fall semester.

(Source: P.A. 98-718, eff. 1-1-15; 99-806, eff. 8-15-16.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

POSTING NOTICES WAIVED

Senator Bush moved to waive the six-day posting requirement on **Senate Resolution No. 105** so that the measure may be heard in the Committee on Environment and Conservation that is scheduled to meet April 22, 2021.

The motion prevailed.

Senator E. Jones III moved to waive the six-day posting requirement on **Senate Bill No. 2535** so that the measure may be heard in the Committee on Licensed Activities that is scheduled to meet April 21, 2021.

The motion prevailed.

At the hour of 3:03 o'clock p.m., Senator Koehler, presiding.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 713, sponsored by Senator Tracy, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 3:05 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 8:04 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

REPORTS FROM STANDING COMMITTEES

Senator Landek, Chair of the Committee on State Government, to which was referred **Senate Bill No. 2232**, reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

Senator Landek, Chair of the Committee on State Government, to which was referred **Senate Bills Numbered 1749, 2290 and 2469**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.
Under the rules, the bills were ordered to a second reading.

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

Senate Amendment No. 1 to Senate Bill 919
Senate Amendment No. 1 to Senate Bill 920
Senate Amendment No. 2 to Senate Bill 920
Senate Amendment No. 1 to Senate Bill 922
Senate Amendment No. 2 to Senate Bill 2037
Senate Amendment No. 1 to Senate Bill 2459
Senate Amendment No. 2 to Senate Bill 2515

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

Senator Landek, Chair of the Committee on State Government, to which was referred **Senate Resolution No. 183**, reported the same back with the recommendation that the resolution be adopted.
Under the rules, **Senate Resolution No. 183** was placed on the Secretary's Desk.

Senator E. Jones III, Chair of the Committee on Licensed Activities, to which was referred **Senate Bill No. 2535**, reported the same back with the recommendation that the bill do pass.
Under the rules, the bill was ordered to a second reading.

Senator E. Jones III, Chair of the Committee on Licensed Activities, to which was referred **Senate Bill No. 2077**, 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 E. Jones III, Chair of the Committee on Licensed Activities, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 335
Senate Amendment No. 2 to Senate Bill 335
Senate Amendment No. 1 to Senate Bill 567
Senate Amendment No. 1 to Senate Bill 965
Senate Amendment No. 2 to Senate Bill 1079
Senate Amendment No. 1 to Senate Bill 1090
Senate Amendment No. 1 to Senate Bill 1092
Senate Amendment No. 2 to Senate Bill 1732

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

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Bill No. 2350**, reported the same back with the recommendation that the bill do pass.

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

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Bill No. 2427**, 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 Castro, Chair of the Committee on Executive, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 512
Senate Amendment No. 1 to Senate Bill 555
Senate Amendment No. 1 to Senate Bill 820
Senate Amendment No. 2 to Senate Bill 820
Senate Amendment No. 1 to Senate Bill 825
Senate Amendment No. 2 to Senate Bill 825
Senate Amendment No. 1 to Senate Bill 826
Senate Amendment No. 2 to Senate Bill 828
Senate Amendment No. 1 to Senate Bill 927
Senate Amendment No. 2 to Senate Bill 928
Senate Amendment No. 1 to Senate Bill 1360
Senate Amendment No. 1 to Senate Bill 1706

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bill No. 2877**, reported the same back with the recommendation that the bill do pass.

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

Senator Hunter, Chair of the Committee on Revenue, to which was referred **Senate Bill No. 1690**, reported the same back with the recommendation that the bill do pass.

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

Senator Hunter, Chair of the Committee on Revenue, to which was referred **Senate Bills Numbered 1721 and 1983**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

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

Senate Amendment No. 3 to Senate Bill 330
Senate Amendment No. 1 to Senate Bill 508
Senate Amendment No. 1 to Senate Bill 1138
Senate Amendment No. 1 to Senate Bill 1139
Senate Amendment No. 1 to Senate Bill 1582
Senate Amendment No. 1 to Senate Bill 1823
Senate Amendment No. 2 to Senate Bill 2182
Senate Amendment No. 2 to Senate Bill 2278
Senate Amendment No. 2 to Senate Bill 2304
Senate Amendment No. 2 to Senate Bill 2531

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

Senator Harris, Chair of the Committee on Insurance, to which was referred **Senate Bills Numbered 147 and 2410**, reported the same back with the recommendation that the bills do pass.
Under the rules, the bills were ordered to a second reading.

Senator Harris, Chair of the Committee on Insurance, to which was referred **Senate Bill No. 1672**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.
Under the rules, the bill was ordered to a second reading.

Senator Harris, Chair 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 Senate Bill 968
Senate Amendment No. 1 to Senate Bill 1087
Senate Amendment No. 1 to Senate Bill 1365
Senate Amendment No. 2 to Senate Bill 1753
Senate Amendment No. 1 to Senate Bill 2112

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

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

Senate Amendment No. 1 to Senate Bill 1534

Under the rules, the foregoing floor amendment is 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 13

A bill for AN ACT concerning education.

HOUSE BILL NO. 41

A bill for AN ACT concerning education.

HOUSE BILL NO. 418

A bill for AN ACT concerning safety.

HOUSE BILL NO. 648
A bill for AN ACT concerning housing.
HOUSE BILL NO. 2649
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 2791
A bill for AN ACT concerning safety.
HOUSE BILL NO. 3145
A bill for AN ACT concerning education.
HOUSE BILL NO. 3940
A bill for AN ACT concerning business.
Passed the House, April 21, 2021.
JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 13, 41, 418, 648, 2649, 2791, 3145 and 3940** were taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:
HOUSE BILL NO. 55
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 68
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 571
A bill for AN ACT concerning local government.
HOUSE BILL NO. 2409
A bill for AN ACT concerning revenue.
HOUSE BILL NO. 2614
A bill for AN ACT concerning local government.
HOUSE BILL NO. 3662
A bill for AN ACT concerning employment.
HOUSE BILL NO. 3886
A bill for AN ACT concerning courts.
HOUSE BILL NO. 3968
A bill for AN ACT concerning regulation.
Passed the House, April 21, 2021.
JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 55, 68, 571, 2409, 2614, 3662, 3886 and 3968** were taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:
HOUSE BILL NO. 282
A bill for AN ACT concerning local government.
HOUSE BILL NO. 414
A bill for AN ACT concerning finance.
HOUSE BILL NO. 588
A bill for AN ACT concerning human rights.
HOUSE BILL NO. 714
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 2400
A bill for AN ACT concerning education.

HOUSE BILL NO. 2943
A bill for AN ACT concerning business.
HOUSE BILL NO. 3160
A bill for AN ACT concerning local government.
HOUSE BILL NO. 3497
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3665
A bill for AN ACT concerning criminal law.
Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 282, 414, 588, 714, 2400, 2943, 3160, 3497 and 3665** were taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:
HOUSE BILL NO. 1831
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 1854
A bill for AN ACT concerning health.
HOUSE BILL NO. 1955
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3218
A bill for AN ACT concerning education.
HOUSE BILL NO. 3703
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 3793
A bill for AN ACT concerning courts.
HOUSE BILL NO. 3855
A bill for AN ACT concerning transportation.
Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1831, 1854, 1955, 3218, 3703, 3793 and 3855** were taken up, ordered printed and placed on first reading.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 21, 2021 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Energy and Public Utilities: **Floor Amendment No. 2 to Senate Bill 2663**.

Tourism and Hospitality: **Committee Amendment No. 1 to Senate Bill 317**.

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 21, 2021 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 4 to Senate Bill 677

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

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 3 to Senate Bill 677**.

SENATE BILLS RECALLED

On motion of Senator Collins, **Senate Bill No. 605** was recalled from the order of third reading to the order of second reading.

Senator Collins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 605

AMENDMENT NO. 1 . Amend Senate Bill 605 as follows:

on page 2, line 9, before the period, by inserting "and the regional superintendent of schools"; and

on page 10, line 10, by replacing "2021" with "2022".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Collins, **Senate Bill No. 605** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	Morrison	Turner, D.
Belt	Gillespie	Murphy	Van Pelt
Bennett	Glowiak Hilton	Peters	Villa
Bryant	Harris	Plummer	Villanueva
Bush	Holmes	Rezin	Villivalam
Castro	Hunter	Rose	Wilcox
Collins	Johnson	Simmons	Mr. President
Connor	Joyce	Sims	
Crowe	Koehler	Stadelman	
Cullerton, T.	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 636** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None; Present 1.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stewart
Aquino	Feigenholtz	Martwick	Stoller
Bailey	Fine	McClure	Syverson
Belt	Fowler	McConchie	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Joyce	Simmons	Mr. President
Cunningham	Koehler	Sims	
Curran	Landek	Stadelman	

The following voted present:

Barickman

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

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

On motion of Senator Martwick, **Senate Bill No. 1572** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAY 1.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stewart
Aquino	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	
Curran	Koehler	Stadelman	

The following voted in the negative:

Bailey

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

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

Senator Bailey asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 1572**.

On motion of Senator Collins, **Senate Bill No. 1600** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Sims
Aquino	DeWitte	Landek	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Peters	Villanueva
Connor	Hunter	Plummer	Villivalam
Crowe	Johnson	Rezin	Wilcox
Cullerton, T.	Jones, E.	Rose	Mr. President
Cunningham	Joyce	Simmons	

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

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

On motion of Senator Bennett, **Senate Bill No. 1693** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	

Cullerton, T.	Joyce	Sims
Cunningham	Koehler	Stadelman
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bennett, **Senate Bill No. 1697** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Castro, **Senate Bill No. 1706** 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. 1 TO SENATE BILL 1706

AMENDMENT NO. 1 . Amend Senate Bill 1706 on page 3, line 18, after "device that contains", by inserting "or is only able to be used with".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Castro, **Senate Bill No. 1706** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator E. Jones III, **Senate Bill No. 1730** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 37; NAYS 18.

The following voted in the affirmative:

Aquino	Fine	Koehler	Stadelman
Belt	Gillespie	Landek	Turner, D.
Bennett	Glowiak Hilton	Loughran Cappel	Van Pelt
Bush	Harris	Martwick	Villa
Castro	Hastings	Morrison	Villanueva
Collins	Holmes	Muñoz	Villivalam
Connor	Hunter	Murphy	Mr. President
Cullerton, T.	Johnson	Peters	
Cunningham	Jones, E.	Simmons	
Feigenholtz	Joyce	Sims	

The following voted in the negative:

Anderson	DeWitte	Rezin	Tracy
Bailey	Fowler	Rose	Turner, S.
Barickman	McClure	Stewart	Wilcox
Bryant	McConchie	Stoller	

Curran	Plummer	Syverson

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

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

On motion of Senator Hastings, **Senate Bill No. 645** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 38; NAYS 17.

The following voted in the affirmative:

Aquino	Feigenholtz	Joyce	Sims
Belt	Fine	Koehler	Stadelman
Bennett	Gillespie	Landek	Turner, D.
Bush	Glowiak Hilton	Loughran Cappel	Van Pelt
Castro	Harris	Martwick	Villa
Collins	Hastings	Morrison	Villanueva
Connor	Holmes	Muñoz	Villivalam
Crowe	Hunter	Murphy	Mr. President
Cullerton, T.	Johnson	Peters	
Cunningham	Jones, E.	Simmons	

The following voted in the negative:

Bailey	Fowler	Rose	Turner, S.
Barickman	McClure	Stewart	Wilcox
Bryant	McConchie	Stoller	
Curran	Plummer	Syverson	
DeWitte	Rezin	Tracy	

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

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

SENATE BILL RECALLED

On motion of Senator Hastings, **Senate Bill No. 1753** was recalled from the order of third reading to the order of second reading.

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1753

AMENDMENT NO. 2 . Amend Senate Bill 1753 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 445 and 445.1 as follows:

(215 ILCS 5/445) (from Ch. 73, par. 1057)

Sec. 445. Surplus line.

(1) Definitions. For the purposes of this Section:

"Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured. For the purpose of this definition, an entity has control over another entity if:

(A) the entity directly or indirectly or acting through one or more other persons owns, controls, or has the power to vote 25% or more of any class of voting securities of the other entity; or

(B) the entity controls in any manner the election of a majority of the directors or trustees of the other entity.

"Affiliated group" means any group of entities that are all affiliated.

"Authorized insurer" means an insurer that holds a certificate of authority issued by the Director but, for the purposes of this Section, does not include a domestic surplus line insurer as defined in Section 445a or any residual market mechanism.

"Exempt commercial purchaser" means any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(A) The person employs or retains a qualified risk manager to negotiate insurance coverage.

(B) The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of $100,000 in the immediately preceding 12 months.

(C) The person meets at least one of the following criteria:

(I) The person possesses a net worth in excess of $20,000,000, as such amount is adjusted pursuant to the provision in this definition concerning percentage change.

(II) The person generates annual revenues in excess of $50,000,000, as such amount is adjusted pursuant to the provision in this definition concerning percentage change.

(III) The person employs more than 500 full-time or full-time equivalent employees per individual insured or is a member of an affiliated group employing more than 1,000 employees in the aggregate.

(IV) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least $30,000,000, as such amount is adjusted pursuant to the provision in this definition concerning percentage change.

(V) The person is a municipality with a population in excess of 50,000 persons.

Effective on January 1, 2015 and each fifth January 1 occurring thereafter, the amounts in subitems (I), (II), and (IV) of item (C) of this definition shall be adjusted to reflect the percentage change for such 5-year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

"Home state" means the following:

(A) With respect to an insured, except as provided in item (B) of this definition:

(I) the state in which an insured maintains its principal place of business or, in the case of an individual, the individual's principal residence; or

(II) if 100% of the insured risk is located out of the state referred to in subitem (I), the state to which the greatest percentage of the insured's taxable premium for that insurance contract is allocated.

(B) If more than one insured from an affiliated group are named insureds on a single surplus line insurance contract, then "home state" means the home state, as determined pursuant to item (A) of this definition, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.

If more than one insured from a group that is not affiliated are named insureds on a single surplus line insurance contract, then:

(I) if individual group members pay 100% of the premium for the insurance from their own funds, "home state" means the home state, as determined pursuant to item (A) of this definition, of each individual group member; each individual group member's coverage under the surplus line insurance contract shall be treated as a separate surplus line contract for the purposes of this Section;

(II) otherwise, "home state" means the home state, as determined pursuant to item (A) of this definition, of the group.

Nothing in this definition shall be construed to alter the terms of the surplus line insurance contract.

"Master policy" means a surplus line insurance contract with a single set of general contractual terms that are designed to apply on a group basis to multiple insureds who may or may not be affiliated and who may be added to or removed from the contract throughout the course of the contract period. A master policy

may include certain provisions that vary for each insured depending on the insured's characteristics and the coverage sought.

"Multi-State risk" means a risk with insured exposures in more than one State.

"NAIC" means the National Association of Insurance Commissioners or any successor entity.

"Personal lines insurance" means insurance as defined in subsection (a), (b), or (c) of Section 143.13 of this Code.

"Premium" means any amount designated as premium on the declarations page or elsewhere in a policy and on any endorsement, but does not include taxes, the Surplus Line Association of Illinois recording fee, or any other fee.

"Program business" means a clearly defined group of insurance contracts procured by a licensed surplus line producer from an unauthorized insurer, under a single agreement between the producer and insurer, for insureds with the same or similar characteristics and containing the same or similar contract terms.

"Qualified risk manager" means, with respect to a policyholder of commercial insurance, a person who meets all of the following requirements:

(A) The person is an employee of, or third-party consultant retained by, the commercial policyholder.

(B) The person provides skilled services in loss prevention, loss reduction, or risk and insurance coverage analysis, and purchase of insurance.

(C) With regard to the person:

(I) the person has:

(a) a bachelor's degree or higher from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by the Director or his designee to demonstrate minimum competence in risk management; and

(b) the following:

(i) three years of experience in risk financing, claims administration, loss prevention, risk and insurance analysis, or purchasing commercial lines of insurance; or

(ii) alternatively has:

(AA) a designation as a Chartered Property and Casualty Underwriter (in this subparagraph (ii) referred to as "CPCU") issued by the American Institute for CPCU/Insurance Institute of America;

(BB) a designation as an Associate in Risk Management (ARM) issued by the American Institute for CPCU/Insurance Institute of America;

(CC) a designation as Certified Risk Manager (CRM) issued by the National Alliance for Insurance Education & Research;

(DD) a designation as a RIMS Fellow (RF) issued by the Global Risk Management Institute; or

(EE) any other designation, certification, or license determined by the Director or his designee to demonstrate minimum competency in risk management;

(II) the person has:

(a) at least 7 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; and

(b) has any one of the designations specified in subparagraph (ii) of paragraph (b);

(III) the person has at least 10 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; or

(IV) the person has a graduate degree from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by the Director or his or her designee to demonstrate minimum competence in risk management.

"Residual market mechanism" means an association, organization, or other entity described in Article XXXIII of this Code or Section 7-501 of the Illinois Vehicle Code or any similar association, organization, or other entity.

"State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

"Surplus line insurance" means insurance on a risk:

(A) of the kinds specified in Classes 2 and 3 of Section 4 of this Code; and

(B) that is procured from an unauthorized insurer after the insurance producer representing the insured or the surplus line producer is unable, after diligent effort, to procure the insurance from authorized insurers; and

(C) where Illinois is the home state of the insured, for policies effective, renewed or extended on July 21, 2011 or later and for multiyear policies upon the policy anniversary that falls on or after July 21, 2011; and

(D) that is located in Illinois, for policies effective prior to July 21, 2011.

"Taxable premium" means a premium for any risk that is located in or attributed to any state.

"Unauthorized insurer" means an insurer that does not hold a valid certificate of authority issued by the Director but, for the purposes of this Section, shall also include a domestic surplus line insurer as defined in Section 445a.

(1.5) Procuring surplus line insurance; surplus line insurer requirements.

(a) License required. Insurance producers may procure surplus line insurance only if licensed as a surplus line producer under this Section.

(b) Domestic and foreign insurer eligibility. Licensed surplus line producers may procure surplus line insurance from an unauthorized insurer domiciled in any state ~~the United States~~ only if the insurer:

(i) is permitted in its domiciliary jurisdiction to write the type of insurance involved; and

(ii) has, based upon information available to the surplus line producer, a policyholders surplus of not less than $15,000,000 determined in accordance with the laws of its domiciliary jurisdiction; and

(iii) has standards of solvency and management that are adequate for the protection of policyholders.

Where an unauthorized insurer does not meet the standards set forth in (ii) and (iii) above, a surplus line producer may, if necessary, procure insurance from that insurer only if prior written warning of such fact or condition is given to the insured by the insurance producer or surplus line producer.

(c) Alien insurer eligibility. Licensed surplus line producers may procure surplus line insurance from an unauthorized insurer not domiciled in any state ~~outside of the United States~~ only if the insurer meets the standards for unauthorized insurers domiciled in any state ~~the United States~~ in paragraph (b) of this subsection (1.5) or is listed on the Quarterly Listing of Alien Insurers maintained by the International Insurers Department of the NAIC at the time of procurement. The Director shall make the Quarterly Listing of Alien Insurers available to surplus line producers without charge.

(d) Prohibited transactions. Insurance producers shall not procure from an unauthorized insurer an insurance policy:

(i) that is designed to satisfy the proof of financial responsibility and insurance requirements in any Illinois law where the law requires that the proof of insurance is issued by an authorized insurer or residual market mechanism;

(ii) that covers the risk of accidental injury to employees arising out of and in the course of employment according to the provisions of the Workers' Compensation Act; or

(iii) that insures any Illinois personal lines risk~~, as defined in subsection (a), (b), or (c) of Section 143.13 of this Code,~~ that is eligible for residual market mechanism coverage, unless the insured or prospective insured requests limits of liability greater than the limits provided by the residual market mechanism. In the course of making a diligent effort to procure insurance from authorized insurers, an insurance producer shall not be required to submit a risk to a residual market mechanism when the risk is not eligible for coverage or exceeds the limits available in the residual market mechanism.

Where there is an insurance policy issued by an authorized insurer or residual market mechanism insuring a risk described in item (i), (ii), or (iii) above, nothing in this paragraph shall be construed to prohibit a surplus line producer from procuring from an unauthorized insurer a policy insuring the risk on an excess or umbrella basis where the excess or umbrella policy is written over one or more underlying policies.

(e) Exempt commercial purchaser diligent effort. Licensed surplus line producers may procure surplus line insurance from an unauthorized insurer for an exempt commercial purchaser without making the required diligent effort to procure the insurance from authorized insurers if:

(i) the producer has disclosed to the exempt commercial purchaser that such insurance may or may not be available from authorized insurers that may provide greater protection with more regulatory oversight; and

(ii) the exempt commercial purchaser has subsequently in writing requested the producer to procure such insurance from an unauthorized insurer.

(f) Commercial wholesale transaction diligent effort. A licensed surplus line producer may procure a surplus line insurance contract, other than a personal lines insurance contract, from an unauthorized insurer without making the required diligent effort to procure the insurance from authorized insurers if the risk was referred to the surplus line producer by an Illinois-licensed insurance producer who is not affiliated with the surplus line producer.

(g) Master policy diligent effort. For a master policy insurance contract, a licensed surplus line producer may make the required diligent effort to procure the insurance from authorized insurers annually for the master policy rather than individually for each insured that is added during the policy period. The diligent effort shall include all variable provisions of the master policy.

(h) Program business diligent effort. For program business, a licensed surplus line producer may make the required diligent effort to procure the insurance from authorized insurers annually for the program rather than individually for each contract. The diligent effort shall include all variable provisions of the master policy.

(2) Surplus line producer; license. Any licensed producer who is a resident of this State, or any nonresident who qualifies under Section 500-40, may be licensed as a surplus line producer upon payment of an annual license fee of $400.

A surplus line producer so licensed shall keep a separate account of the business transacted thereunder for 7 years from the policy effective date which shall be open at all times to the inspection of the Director or his representative.

No later than July 21, 2012, the State of Illinois shall participate in the national insurance producer database of the NAIC, or any other equivalent uniform national database, for the licensure of surplus line producers and the renewal of such licenses.

(3) Taxes and reports.

(a) Surplus line tax and penalty for late payment. The surplus line tax rate for a surplus line insurance policy or contract is determined as follows:

(i) 3% for policies or contracts with an effective date prior to July 1, 2003;

(ii) 3.5% for policies or contracts with an effective date of July 1, 2003 or later.

A surplus line producer shall file with the Director on or before February 1 and August 1 of each year a report in the form prescribed by the Director on all surplus line insurance procured from unauthorized insurers and submitted to the Surplus Line Association of Illinois during the preceding 6 month period ending December 31 or June 30 respectively, and on the filing of such report shall pay to the Director for the use and benefit of the State a sum equal to the surplus line tax rate multiplied by the gross taxable premiums less returned taxable premiums upon all surplus line insurance submitted to the Surplus Line Association of Illinois during the preceding 6 months.

Any surplus line producer who fails to pay the full amount due under this subsection is liable, in addition to the amount due, for such late fee, penalty, and interest charges as are provided for under Section 412 of this Code. The Director, through the Attorney General, may institute an action in the name of the People of the State of Illinois, in any court of competent jurisdiction, for the recovery of the amount of such taxes, late fees, interest, and penalties due, and prosecute the same to final judgment, and take such steps as are necessary to collect the same.

(b) Fire Marshal Tax. Each surplus line producer shall file with the Director on or before February 1 ~~March 31~~ of each year a report in the form prescribed by the Director on all fire insurance procured from unauthorized insurers and submitted to the Surplus Line Association of Illinois during the previous year that is subject to tax under Section 12 of the Fire Investigation Act and shall pay to the Director the fire marshal tax required thereunder.

(c) Taxes and fees charged to insured. The taxes imposed under this subsection and the recording ~~countersigning~~ fees charged by the Surplus Line Association of Illinois may be charged to and collected from surplus line insureds.

(4) (Blank).

(5) Submission of documents to Surplus Line Association of Illinois. A surplus line producer shall submit every insurance contract and premium-bearing endorsement issued under his or her license to the Surplus Line Association of Illinois for recording ~~and countersignature~~. The submission and recording ~~countersignature~~ may be effected through electronic means. The submission shall set forth:

(a) the name of the insured;

(b) the description and location of the insured property or risk;

(c) (blank); ~~the amount insured;~~

(d) the gross premiums charged or returned;

(e) the name of the unauthorized insurer from whom coverage has been procured;

(f) the kind or kinds of insurance procured; and

(g) amount of premium subject to tax required by Section 12 of the Fire Investigation Act.

Proposals, endorsements, and other documents which are incidental to the insurance but which do not affect the premium charged are exempted from the submission and recording requirements ~~filing and countersignature~~.

The submission of insuring contracts to the Surplus Line Association of Illinois constitutes a certification by the surplus line producer or by the insurance producer who presented the risk to the surplus line producer for placement as a surplus line risk that after diligent effort, where required, the required insurance could not be procured from authorized insurers and that such procurement was otherwise in accordance with the surplus line law.

(6) Evidence of recording ~~Countersignature~~ required. It shall be unlawful for an insurance producer to deliver any unauthorized insurer contract or premium-bearing endorsement unless it contains evidence of recording ~~such insurance contract is countersigned~~ by the Surplus Line Association of Illinois.

(7) Inspection of records. A surplus line producer shall maintain separate records of the business transacted under his or her license for 7 years from the policy effective date, including complete copies of surplus line insurance contracts maintained on paper or by electronic means, which records shall be open at all times for inspection by the Director and by the Surplus Line Association of Illinois.

(8) Violations and penalties. The Director may suspend or revoke or refuse to renew a surplus line producer license for any violation of this Code. In addition to or in lieu of suspension or revocation, the Director may subject a surplus line producer to a civil penalty of up to $2,000 for each cause for suspension or revocation. Such penalty is enforceable under subsection (5) of Section 403A of this Code.

Whenever it appears to the satisfaction of the Director that a surplus line producer has made a documented good faith determination of the home state for a surplus line insurance contract and has paid the surplus line taxes to a state other than Illinois, and the Director determines that the producer's good faith determination was incorrect and the home state is Illinois, the surplus line producer may, at the discretion of the Director, be required to submit the contract to the Surplus Line Association of Illinois and pay applicable taxes and recording fees, but there shall be no penalty, interest, or late fee assessed.

(9) Director may declare insurer ineligible. If the Director determines that the further assumption of risks might be hazardous to the policyholders of an unauthorized insurer, the Director may order the Surplus Line Association of Illinois not to accept and record ~~countersign~~ insurance contracts evidencing insurance in such insurer and order surplus line producers to cease procuring insurance from such insurer.

(10) Service of process upon Director. Insurance contracts delivered under this Section from unauthorized insurers, other than domestic surplus line insurers as defined in Section 445a, shall contain a provision designating the Director and his successors in office the true and lawful attorney of the insurer upon whom may be served all lawful process in any action, suit or proceeding arising out of such insurance. Service of process made upon the Director to be valid hereunder must state the name of the insured, the name of the unauthorized insurer and identify the contract of insurance. The Director at his option is authorized to forward a copy of the process to the Surplus Line Association of Illinois for delivery to the unauthorized insurer or the Director may deliver the process to the unauthorized insurer by other means which he considers to be reasonably prompt and certain.

(10.5) Required notice to policyholder. Insurance contracts delivered under this Section from unauthorized insurers, other than domestic surplus line insurers as defined in Section 445a, shall have stamped or imprinted on the first page thereof in not less than 12-pt. bold face type the following legend: "Notice to Policyholder: This contract is issued, pursuant to Section 445 of the Illinois Insurance Code, by a company not authorized and licensed to transact business in Illinois and as such is not covered by the Illinois Insurance Guaranty Fund." Insurance contracts delivered under this Section from domestic surplus

line insurers as defined in Section 445a shall have stamped or imprinted on the first page thereof in not less than 12-pt. bold face type the following legend: "Notice to Policyholder: This contract is issued by a domestic surplus line insurer, as defined in Section 445a of the Illinois Insurance Code, pursuant to Section 445, and as such is not covered by the Illinois Insurance Guaranty Fund."

(11) Marine, aviation, and transportation. The Illinois Surplus Line law does not apply to insurance of property and operations of railroads or aircraft engaged in interstate or foreign commerce, insurance of vessels, crafts or hulls, cargoes, marine builder's risks, marine protection and indemnity, or other risks including strikes and war risks insured under ocean or wet marine forms of policies.

(12) Applicability of Illinois Insurance Code. Surplus line insurance procured under this Section, including insurance procured from a domestic surplus line insurer, is not subject to the provisions of the Illinois Insurance Code other than Sections 123, 123.1, 401, 401.1, 402, 403, 403A, 408, 412, 445, 445a, 445.1, 445.2, 445.3, 445.4, and all of the provisions of Article XXXI to the extent that the provisions of Article XXXI are not inconsistent with the terms of this Act.

(Source: P.A. 97-955, eff. 8-14-12; 98-978, eff. 1-1-15.)

(215 ILCS 5/445.1) (from Ch. 73, par. 1057.1)

Sec. 445.1. Surplus Line Association of Illinois. There is hereby created a non-profit association to be known as the Surplus Line Association of Illinois. All surplus line producers shall be and must remain individual members of the Association as a condition of their holding a license as a surplus line producer in this State. The Association must perform its functions under the plan of operation established and approved under Section 445.3 and must exercise its powers through a board of directors established under Section 445.2 of this Code. The Association shall be supervised by the Director and is subject to the applicable provisions of the Illinois Insurance Code. The Association shall be authorized and have the duty to:

(1) receive and~~,~~ record ~~and countersign~~ all surplus line insurance contracts that ~~which~~ surplus line producers are required to file with the Association under subsection (5) of Section 445;

(2) prepare monthly reports for the Director on surplus line insurance procured by its members during the preceding month in such form and providing such information as the Director may prescribe;

(3) prepare and deliver to the Director and, at the discretion of the Director, to each licensee the reports of surplus line business prescribed in subsection (3) of Section 445;

(4) assess its members for costs of operations in accordance with a schedule adopted by the Board of Directors of the Association and approved by the Director;

(5) employ and retain such persons as are necessary to carry out the duties of the Association;

(6) borrow money as necessary to effect the purposes of the Association;

(7) enter contracts as necessary to effect the purposes of the Association;

(8) perform such other acts as will facilitate and encourage compliance by its members with the surplus line law of this State and rules promulgated thereunder; and

(9) provide such other services to its members as are incidental or related to the purposes of the Association.

Nothing in this Act shall be construed as giving the Association any discretionary authority to enforce this Act or to withhold or decline acceptance and recording ~~countersignature~~ of insurance contracts that ~~which~~ meet the requirements of subsection (5) of Section 445.

(Source: P.A. 98-978, eff. 1-1-15.)

Section 99. Effective date. This Act takes effect January 1, 2022.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Hastings, **Senate Bill No. 1753** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

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

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

SENATE BILLS RECALLED

On motion of Senator Murphy, **Senate Bill No. 1779** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1779

AMENDMENT NO. 3 . Amend Senate Bill 1779, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2WWW as follows:

(815 ILCS 505/2WWW new)

Sec. 2WWW. Disclosure requirements for manufactured homes.

(a) A lender, or agent of a lending company, when offering terms for a mortgage note for the purchase of a manufactured home, as defined in the Mobile Home Park Act, that has not been caused to be deemed to be real property by satisfying the requirements of the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act, shall disclose:

(1) any affiliation between the landlord and the lending company;

(2) that the loan is a chattel loan;

(3) that the terms of a chattel loan prohibit refinancing;

(4) that, depending on where the consumer affixes the manufactured home (be it property owned by the consumer or on certain types of leased land), the manufactured home may qualify as real property under the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act; and

(5) any other reason that prohibits refinancing.

(b) A violation of this Section constitutes an unlawful practice within the meaning of this Act.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Murphy, **Senate Bill No. 1779** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Sims
Aquino	DeWitte	Landek	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Turner, D.
Bennett	Gillespie	McConchie	Turner, S.
Bryant	Glowiak Hilton	Morrison	Van Pelt
Bush	Harris	Muñoz	Villa
Castro	Hastings	Murphy	Villanueva
Collins	Holmes	Peters	Villivalam
Connor	Hunter	Plummer	Wilcox
Crowe	Johnson	Rezin	Mr. President
Cullerton, T.	Jones, E.	Rose	
Cunningham	Joyce	Simmons	

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

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

On motion of Senator Murphy, **Senate Bill No. 1784** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Landek	Stadelman
Aquino	Feigenholtz	Loughran Cappel	Stewart
Bailey	Fine	Martwick	Stoller
Barickman	Fowler	McClure	Syverson
Belt	Gillespie	McConchie	Tracy
Bennett	Glowiak Hilton	Morrison	Turner, D.
Bryant	Harris	Muñoz	Turner, S.
Bush	Hastings	Murphy	Van Pelt
Castro	Holmes	Peters	Villa
Collins	Hunter	Plummer	Villanueva
Connor	Johnson	Rezin	Villivalam
Crowe	Jones, E.	Rose	Wilcox
Cullerton, T.	Joyce	Simmons	Mr. President

Cunningham	Koehler	Sims

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

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

On motion of Senator Murphy, **Senate Bill No. 1786** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Martwick	Stoller
Barickman	Fine	McClure	Syverson
Belt	Fowler	McConchie	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

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

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

On motion of Senator Loughran Cappel, **Senate Bill No. 1830** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President

Cunningham	Joyce	Sims

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

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

On motion of Senator Hunter, **Senate Bill No. 1840** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Hunter, **Senate Bill No. 1846** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 39; NAYS 16.

The following voted in the affirmative:

Aquino	Curran	Jones, E.	Simmons
Belt	Feigenholtz	Joyce	Sims
Bennett	Fine	Koehler	Stadelman
Bush	Gillespie	Landek	Turner, D.
Castro	Glowiak Hilton	Loughran Cappel	Van Pelt
Collins	Harris	Martwick	Villa
Connor	Hastings	Morrison	Villanueva
Crowe	Holmes	Muñoz	Villivalam
Cullerton, T.	Hunter	Murphy	Mr. President
Cunningham	Johnson	Peters	

The following voted in the negative:

Anderson	Fowler	Stewart	Wilcox
Bailey	McClure	Stoller	
Barickman	McConchie	Syverson	
Bryant	Plummer	Tracy	
DeWitte	Rose	Turner, S.	

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

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

SENATE BILLS RECALLED

On motion of Senator Barickman, **Senate Bill No. 1872** was recalled from the order of third reading to the order of second reading.

Senator Barickman offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1872

AMENDMENT NO. 1 . Amend Senate Bill 1872 on page 6, line 15, by changing "elected" to "elected or designated"; and

on page 6, line 16, by changing "election" to "election or designation"; and

on page 8, in lines 2, 5, and 8, by replacing "act" each time it appears with "action"; and

on page 8, line 15, by changing "Section" to "of Section"; and

on page 10, in lines 2, 6, and 10, by replacing "act" each time it appears with "action"; and

on page 11, in lines 8 and 13, by replacing "act" each time it appears with "action"; and

on page 16, line 18, by changing "articles" to "statement".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Barickman, **Senate Bill No. 1872** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Landek	Stadelman
Aquino	DeWitte	Loughran Cappel	Stewart
Bailey	Feigenholtz	Martwick	Stoller
Barickman	Fine	McClure	Syverson

Belt	Fowler	McConchie	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

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

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

On motion of Senator Morrison, **Senate Bill No. 1904** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Sims
Aquino	DeWitte	Landek	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Peters	Villa
Connor	Hunter	Plummer	Villanueva
Crowe	Johnson	Rezin	Villivalam
Cullerton, T.	Jones, E.	Rose	Wilcox
Cunningham	Joyce	Simmons	

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

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

On motion of Senator Johnson, **Senate Bill No. 1966** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.

Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Fine, **Senate Bill No. 1975** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None; Present 1.

The following voted in the affirmative:

Anderson	Curran	Landek	Stewart
Aquino	DeWitte	Loughran Cappel	Stoller
Bailey	Feigenholtz	Martwick	Syverson
Barickman	Fine	McClure	Tracy
Belt	Fowler	Morrison	Turner, D.
Bennett	Gillespie	Muñoz	Turner, S.
Bryant	Glowiak Hilton	Murphy	Van Pelt
Bush	Harris	Peters	Villa
Castro	Hastings	Plummer	Villanueva
Collins	Holmes	Rezin	Villivalam
Connor	Hunter	Rose	Wilcox
Crowe	Johnson	Simmons	Mr. President
Cullerton, T.	Jones, E.	Sims	
Cunningham	Koehler	Stadelman	

The following voted present:

McConchie

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

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

On motion of Senator T. Cullerton, **Senate Bill No. 2014** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator T. Cullerton, **Senate Bill No. 2017** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Castro, **Senate Bill No. 2065** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Peters	Villanueva
Connor	Hunter	Plummer	Villivalam
Crowe	Johnson	Rezin	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

The following voted in the negative:

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 therein.

On motion of Senator Castro, **Senate Bill No. 2066** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Castro, **Senate Bill No. 2079** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 35; NAYS 16.

The following voted in the affirmative:

Aquino	Curran	Jones, E.	Peters
Belt	Feigenholtz	Koehler	Simmons
Bennett	Fine	Landek	Sims
Bush	Gillespie	Loughran Cappel	Stadelman
Castro	Harris	Martwick	Van Pelt
Collins	Hastings	McConchie	Villa
Connor	Holmes	Morrison	Villanueva
Cullerton, T.	Hunter	Muñoz	Villivalam
Cunningham	Johnson	Murphy	

The following voted in the negative:

Anderson	Fowler	Stewart	Wilcox
Bailey	McClure	Stoller	
Barickman	Plummer	Syverson	
Bryant	Rezin	Tracy	
DeWitte	Rose	Turner, S.	

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

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

On motion of Senator Martwick, **Senate Bill No. 2093** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 34; NAYS 18.

The following voted in the affirmative:

Aquino	Feigenholtz	Joyce	Sims
Belt	Fine	Koehler	Stadelman
Bennett	Gillespie	Landek	Van Pelt
Bush	Harris	Loughran Cappel	Villa
Castro	Hastings	Martwick	Villanueva
Collins	Holmes	Morrison	Villivalam
Connor	Hunter	Muñoz	Mr. President
Cullerton, T.	Johnson	Peters	
Cunningham	Jones, E.	Simmons	

The following voted in the negative:

Anderson	DeWitte	Rezin	Tracy
Bailey	Fowler	Rose	Turner, S.

Barickman	McClure	Stewart	Wilcox
Bryant	McConchie	Stoller	
Curran	Plummer	Syverson	

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

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

SENATE BILL RECALLED

On motion of Senator Martwick, **Senate Bill No. 2107** was recalled from the order of third reading to the order of second reading.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2107

AMENDMENT NO. 2 . Amend Senate Bill 2107, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, as follows:

on page 1, line 13, by replacing ", and," with "; for the purposes of providing annuities and benefits to its employees, the Police Officers' Pension Investment Fund, as created under Article 22B of this Code; and"; and

on page 6, immediately below line 19, by inserting the following:

"(f) Are members of the Board of Trustees of the Police Officers' Pension Investment Fund, as created under Article 22B of this Code, in their capacity as members of the Board of Trustees of the Police Officers' Pension Investment Fund."; and

on page 15, immediately below line 9, by inserting the following:

"xxxii. The Police Officers' Pension Investment Fund.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Martwick, **Senate Bill No. 2107** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa

Collins	Holmes	Peters	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

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

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

On motion of Senator Peters, **Senate Bill No. 2116** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stoller
Bailey	Feigenholtz	Loughran Cappel	Tracy
Barickman	Fine	Martwick	Turner, D.
Belt	Fowler	McClure	Turner, S.
Bennett	Gillespie	McConchie	Van Pelt
Bryant	Glowiak Hilton	Morrison	Villa
Bush	Harris	Muñoz	Villanueva
Castro	Hastings	Murphy	Villivalam
Collins	Holmes	Peters	Wilcox
Connor	Hunter	Rezin	Mr. President
Crowe	Johnson	Rose	
Cullerton, T.	Jones, E.	Simmons	
Cunningham	Joyce	Sims	

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

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

On motion of Senator Peters, **Senate Bill No. 2129** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 31; NAYS 17.

The following voted in the affirmative:

Aquino	Cunningham	Jones, E.	Simmons
Belt	Feigenholtz	Joyce	Sims
Bennett	Fine	Koehler	Van Pelt
Bush	Gillespie	Landek	Villa
Castro	Harris	Martwick	Villanueva
Collins	Holmes	Morrison	Villivalam
Connor	Hunter	Muñoz	Mr. President
Cullerton, T.	Johnson	Peters	

The following voted in the negative:

Anderson	DeWitte	Rose	Turner, S.
Bailey	Fowler	Stewart	Wilcox
Barickman	McClure	Stoller	
Bryant	McConchie	Syverson	
Curran	Plummer	Tracy	

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

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

On motion of Senator McConchie, **Senate Bill No. 2141** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stoller
Aquino	Feigenholtz	Loughran Cappel	Syverson
Bailey	Fine	Martwick	Tracy
Barickman	Fowler	McClure	Turner, D.
Belt	Gillespie	McConchie	Turner, S.
Bryant	Glowiak Hilton	Morrison	Van Pelt
Bush	Harris	Muñoz	Villa
Castro	Hastings	Murphy	Villanueva
Collins	Holmes	Plummer	Villivalam
Connor	Hunter	Rezin	Wilcox
Crowe	Johnson	Rose	Mr. President
Cullerton, T.	Jones, E.	Simmons	
Cunningham	Joyce	Sims	
Curran	Koehler	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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Anderson, **Senate Bill No. 2168** was recalled from the order of third reading to the order of second reading.

Senator Anderson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2168

AMENDMENT NO. 1 . Amend Senate Bill 2168 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.5 as follows:

(5 ILCS 375/6.5)

Sec. 6.5. Health benefits for TRS benefit recipients and TRS dependent beneficiaries.

(a) Purpose. It is the purpose of this amendatory Act of 1995 to transfer the administration of the program of health benefits established for benefit recipients and their dependent beneficiaries under Article 16 of the Illinois Pension Code to the Department of Central Management Services.

(b) Transition provisions. The Board of Trustees of the Teachers' Retirement System shall continue to administer the health benefit program established under Article 16 of the Illinois Pension Code through December 31, 1995. Beginning January 1, 1996, the Department of Central Management Services shall be responsible for administering a program of health benefits for TRS benefit recipients and TRS dependent beneficiaries under this Section. The Department of Central Management Services and the Teachers' Retirement System shall cooperate in this endeavor and shall coordinate their activities so as to ensure a smooth transition and uninterrupted health benefit coverage.

(c) Eligibility. All persons who were enrolled in the Article 16 program at the time of the transfer shall be eligible to participate in the program established under this Section without any interruption or delay in coverage or limitation as to pre-existing medical conditions. Eligibility to participate shall be determined by the Teachers' Retirement System. Eligibility information shall be communicated to the Department of Central Management Services in a format acceptable to the Department.

Eligible TRS benefit recipients may enroll or re-enroll in the program of health benefits established under this Section during any applicable annual open enrollment period and as otherwise permitted by the Department of Central Management Services. A TRS benefit recipient shall not be deemed ineligible to participate solely by reason of the TRS benefit recipient having made a previous election to disenroll or otherwise not participate in the program of health benefits.

A TRS dependent beneficiary who is a child age 19 or over and mentally or physically disabled does not become ineligible to participate by reason of (i) becoming ineligible to be claimed as a dependent for Illinois or federal income tax purposes or (ii) receiving earned income, so long as those earnings are insufficient for the child to be fully self-sufficient.

(d) Coverage. The level of health benefits provided under this Section shall be similar to the level of benefits provided by the program previously established under Article 16 of the Illinois Pension Code.

Group life insurance benefits are not included in the benefits to be provided to TRS benefit recipients and TRS dependent beneficiaries under this Act.

The program of health benefits under this Section may include any or all of the benefit limitations, including but not limited to a reduction in benefits based on eligibility for federal Medicare benefits, that are provided under subsection (a) of Section 6 of this Act for other health benefit programs under this Act.

(e) Insurance rates and premiums. The Director shall determine the insurance rates and premiums for TRS benefit recipients and TRS dependent beneficiaries, and shall present to the Teachers' Retirement System of the State of Illinois, by April 15 of each calendar year, the rate-setting methodology (including but not limited to utilization levels and costs) used to determine the amount of the health care premiums.

For Fiscal Year 1996, the premium shall be equal to the premium actually charged in Fiscal Year 1995; in subsequent years, the premium shall never be lower than the premium charged in Fiscal Year 1995.

For Fiscal Year 2003, the premium shall not exceed 110% of the premium actually charged in Fiscal Year 2002.

For Fiscal Year 2004, the premium shall not exceed 112% of the premium actually charged in Fiscal Year 2003.

For Fiscal Year 2005, the premium shall not exceed a weighted average of 106.6% of the premium actually charged in Fiscal Year 2004.

For Fiscal Year 2006, the premium shall not exceed a weighted average of 109.1% of the premium actually charged in Fiscal Year 2005.

For Fiscal Year 2007, the premium shall not exceed a weighted average of 103.9% of the premium actually charged in Fiscal Year 2006.

For Fiscal Year 2008 and thereafter, the premium in each fiscal year shall not exceed 105% of the premium actually charged in the previous fiscal year.

Rates and premiums may be based in part on age and eligibility for federal medicare coverage. However, the cost of participation for a TRS dependent beneficiary who is an unmarried child age 19 or over and mentally or physically disabled shall not exceed the cost for a TRS dependent beneficiary who is an unmarried child under age 19 and participates in the same major medical or managed care program.

The cost of health benefits under the program shall be paid as follows:

(1) For a TRS benefit recipient selecting a managed care program, up to 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting a managed care program, 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund.

(2) For a TRS benefit recipient selecting the major medical coverage program, up to 50% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is accessible, as determined by the Teachers' Retirement System. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting the major medical coverage program, 50% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is accessible, as determined by the Department of Central Management Services.

(3) For a TRS benefit recipient selecting the major medical coverage program, up to 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is not accessible, as determined by the Teachers' Retirement System. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting the major medical coverage program, 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is not accessible, as determined by the Department of Central Management Services.

(3.1) For a TRS dependent beneficiary who is Medicare primary and enrolled in a managed care plan, or the major medical coverage program if a managed care plan is not available, 25% of the total insurance rate shall be paid from the Teacher Health Security Fund as determined by the Department of Central Management Services. For the purpose of this item (3.1), the term "TRS dependent beneficiary who is Medicare primary" means a TRS dependent beneficiary who is participating in Medicare Parts A and B.

(4) Except as otherwise provided in item (3.1), the balance of the rate of insurance, including the entire premium of any coverage for TRS dependent beneficiaries that has been elected, shall be paid by deductions authorized by the TRS benefit recipient to be withheld from his or her monthly annuity or benefit payment from the Teachers' Retirement System; except that (i) if the balance of the cost of coverage exceeds the amount of the monthly annuity or benefit payment, the difference shall be paid directly to the Teachers' Retirement System by the TRS benefit recipient, and (ii) all or part of the balance of the cost of coverage may, at the school board's option, be paid to the Teachers' Retirement System by the school board of the school district from which the TRS benefit recipient retired, in accordance with Section 10-22.3b of the School Code. The Teachers' Retirement System shall promptly deposit all moneys withheld by or paid to it under this subdivision (e)(4) into the Teacher Health Insurance Security Fund. These moneys shall not be considered assets of the Retirement System.

(5) If, for any month beginning on or after January 1, 2013, a TRS benefit recipient or TRS dependent beneficiary was enrolled in Medicare Parts A and B and such Medicare coverage was primary to coverage under this Section but payment for coverage under this Section was made at a rate greater than the Medicare primary rate published by the Department of Central Management Services, the TRS benefit recipient or TRS dependent beneficiary shall be eligible for a refund equal to the difference between the amount paid by the TRS benefit recipient or TRS dependent beneficiary and the published Medicare primary rate. To receive a refund pursuant to this subsection, the TRS benefit recipient or TRS dependent beneficiary must provide documentation to the Department of Central Management Services evidencing the TRS benefit recipient's or TRS dependent beneficiary's Medicare coverage and the amount paid by the TRS benefit recipient or TRS dependent beneficiary during the applicable time period. ~~If in any case an error is made in billing a TRS benefit recipient under this Section, the Department shall identify the error and refund the overpaid amount as soon as practicable. A TRS benefit recipient who has overpaid under this Section shall be entitled to a refund of overpayments for up to 7 years of past payments.~~

(f) Financing. Beginning July 1, 1995, all revenues arising from the administration of the health benefit programs established under Article 16 of the Illinois Pension Code or this Section shall be deposited into the Teacher Health Insurance Security Fund, which is hereby created as a nonappropriated trust fund to be held outside the State Treasury, with the State Treasurer as custodian. Any interest earned on moneys in the Teacher Health Insurance Security Fund shall be deposited into the Fund.

Moneys in the Teacher Health Insurance Security Fund shall be used only to pay the costs of the health benefit program established under this Section, including associated administrative costs, and the

costs associated with the health benefit program established under Article 16 of the Illinois Pension Code, as authorized in this Section. Beginning July 1, 1995, the Department of Central Management Services may make expenditures from the Teacher Health Insurance Security Fund for those costs.

After other funds authorized for the payment of the costs of the health benefit program established under Article 16 of the Illinois Pension Code are exhausted and until January 1, 1996 (or such later date as may be agreed upon by the Director of Central Management Services and the Secretary of the Teachers' Retirement System), the Secretary of the Teachers' Retirement System may make expenditures from the Teacher Health Insurance Security Fund as necessary to pay up to 75% of the cost of providing health coverage to eligible benefit recipients (as defined in Sections 16-153.1 and 16-153.3 of the Illinois Pension Code) who are enrolled in the Article 16 health benefit program and to facilitate the transfer of administration of the health benefit program to the Department of Central Management Services.

The Department of Central Management Services, or any successor agency designated to procure healthcare contracts pursuant to this Act, is authorized to establish funds, separate accounts provided by any bank or banks as defined by the Illinois Banking Act, or separate accounts provided by any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985 to be held by the Director, outside the State treasury, for the purpose of receiving the transfer of moneys from the Teacher Health Insurance Security Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall inure to the Teacher Health Insurance Security Fund. The transferred moneys, and interest accrued thereon, shall be used exclusively for transfers to administrative service organizations or their financial institutions for payments of claims to claimants and providers under the self-insurance health plan. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement of administration fees due the administrative service organization pursuant to its contract or contracts with the Department.

(g) Contract for benefits. The Director shall by contract, self-insurance, or otherwise make available the program of health benefits for TRS benefit recipients and their TRS dependent beneficiaries that is provided for in this Section. The contract or other arrangement for the provision of these health benefits shall be on terms deemed by the Director to be in the best interest of the State of Illinois and the TRS benefit recipients based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor, and the costs of the benefits.

(g-5) Committee. A Teacher Retirement Insurance Program Committee shall be established, to consist of 10 persons appointed by the Governor.

The Committee shall convene at least 4 times each year, and shall consider and make recommendations on issues affecting the program of health benefits provided under this Section. Recommendations of the Committee shall be based on a consensus of the members of the Committee.

If the Teacher Health Insurance Security Fund experiences a deficit balance based upon the contribution and subsidy rates established in this Section and Section 6.6 for Fiscal Year 2008 or thereafter, the Committee shall make recommendations for adjustments to the funding sources established under these Sections.

In addition, the Committee shall identify proposed solutions to the funding shortfalls that are affecting the Teacher Health Insurance Security Fund, and it shall report those solutions to the Governor and the General Assembly within 6 months after August 15, 2011 (the effective date of Public Act 97-386).

(h) Continuation of program. It is the intention of the General Assembly that the program of health benefits provided under this Section be maintained on an ongoing, affordable basis.

The program of health benefits provided under this Section may be amended by the State and is not intended to be a pension or retirement benefit subject to protection under Article XIII, Section 5 of the Illinois Constitution.

(i) Repeal. (Blank).

(Source: P.A. 100-1017, eff. 8-21-18; 101-483, eff. 1-1-20.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Anderson, **Senate Bill No. 2168** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Sims, **Senate Bill No. 2192** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Sims, **Senate Bill No. 2194** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Sims, **Senate Bill No. 2201** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 40; NAYS 14.

The following voted in the affirmative:

Aquino	Gillespie	Martwick	Tracy
Belt	Glowiak Hilton	McConchie	Van Pelt
Bennett	Harris	Morrison	Villa
Bush	Hastings	Muñoz	Villanueva
Castro	Holmes	Murphy	Villivalam
Collins	Hunter	Peters	Wilcox
Connor	Johnson	Plummer	Mr. President
Cullerton, T.	Jones, E.	Simmons	
Cunningham	Joyce	Sims	
Feigenholtz	Koehler	Stadelman	
Fine	Loughran Cappel	Stewart	

The following voted in the negative:

Anderson	Curran	McClure	Syverson
Bailey	DeWitte	Rezin	Turner, S.
Barickman	Fowler	Rose	
Bryant	Landek	Stoller	

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

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

On motion of Senator Sims, **Senate Bill No. 2204** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Martwick	Stoller
Barickman	Fine	McClure	Syverson
Belt	Fowler	McConchie	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

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

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

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

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa

Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 2244** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Curran	Landek	Stadelman
Aquino	DeWitte	Loughran Cappel	Stewart
Bailey	Feigenholtz	Martwick	Stoller
Barickman	Fine	McClure	Syverson
Belt	Fowler	McConchie	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Joyce	Simmons	Mr. President
Cunningham	Koehler	Sims	

The following voted in the negative:

Jones, E.

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

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

Senator E. Jones III asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 2244**.

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

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Stewart
Aquino	Fine	Martwick	Stoller
Bailey	Fowler	McClure	Syverson
Barickman	Gillespie	McConchie	Tracy
Belt	Glowiak Hilton	Morrison	Turner, D.
Bennett	Harris	Muñoz	Turner, S.
Bryant	Hastings	Murphy	Van Pelt
Castro	Holmes	Peters	Villa
Collins	Hunter	Plummer	Villanueva
Connor	Johnson	Rezin	Villivalam
Crowe	Jones, E.	Rose	Wilcox
Cullerton, T.	Joyce	Simmons	Mr. President
Cunningham	Koehler	Sims	
Curran	Landek	Stadelman	

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

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

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

SENATE BILL RECALLED

On motion of Senator Stadelman, **Senate Bill No. 2278** was recalled from the order of third reading to the order of second reading.

Senator Stadelman offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2278

AMENDMENT NO. 2 . Amend Senate Bill 2278, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1006.5 as follows:

(55 ILCS 5/5-1006.5)

Sec. 5-1006.5. Special County Retailers' Occupation Tax For Public Safety, Public Facilities, Mental Health, Substance Abuse, or Transportation.

(a) The county board of any county may impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this State's government, at retail in the county on the gross receipts from the sales made in the course of business to provide revenue to be used exclusively for public safety, public facility, mental health, substance abuse, or transportation purposes in that county (except as otherwise provided in this Section), if a proposition for the tax has been submitted to the electors of that county and approved by a majority of those voting on the question. If imposed, this tax shall be imposed only in one-quarter percent increments. By resolution, the county board may order the proposition to be submitted at any election. If the tax is imposed for transportation purposes for expenditures for public highways or as authorized under the Illinois Highway Code, the county board must publish notice of the existence of its long-range highway transportation plan as required or described in Section 5-301 of the Illinois Highway Code and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax. If the tax is imposed for transportation purposes for expenditures for passenger rail transportation, the county board must publish notice of the existence of its long-range passenger rail transportation plan and must make the plan publicly available prior to approval of the ordinance or resolution imposing the tax.

If a tax is imposed for public facilities purposes, then the name of the project may be included in the proposition at the discretion of the county board as determined in the enabling resolution. For example, the "XXX Nursing Home" or the "YYY Museum".

The county clerk shall certify the question to the proper election authority, who shall submit the proposition at an election in accordance with the general election law.

(1) The proposition for public safety purposes shall be in substantially the following form:

"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public safety purposes shall be in substantially the following form:

"To pay for public safety purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of the paragraph, "public safety purposes" means crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services.

Votes shall be recorded as "Yes" or "No".

Beginning on the January 1 or July 1, whichever is first, that occurs not less than 30 days after May 31, 2015 (the effective date of Public Act 99-4), Adams County may impose a public safety retailers' occupation tax and service occupation tax at the rate of 0.25%, as provided in the referendum approved by the voters on April 7, 2015, notwithstanding the omission of the additional information that is otherwise required to be printed on the ballot below the question pursuant to this item (1).

(2) The proposition for transportation purposes shall be in substantially the following form:

"To pay for improvements to roads and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for transportation purposes shall be in substantially the following form:

"To pay for road improvements and other transportation purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For the purposes of this paragraph, transportation purposes means construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation.

The votes shall be recorded as "Yes" or "No".

(3) The proposition for public facilities purposes shall be in substantially the following form:

"To pay for public facilities purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public facilities purposes shall be in substantially the following form:

"To pay for public facilities purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

For purposes of this Section, "public facilities purposes" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the public facilities, for use by the county for the furnishing of governmental services to its citizens, including, but not limited to, museums and nursing homes.

The votes shall be recorded as "Yes" or "No".

(4) The proposition for mental health purposes shall be in substantially the following form:

"To pay for mental health purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public facilities purposes shall be in substantially the following form:

"To pay for mental health purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

The votes shall be recorded as "Yes" or "No".

(5) The proposition for substance abuse purposes shall be in substantially the following form:

"To pay for substance abuse purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail."

The county board may also opt to establish a sunset provision at which time the additional sales tax would cease being collected, if not terminated earlier by a vote of the county board. If the county board votes to include a sunset provision, the proposition for public facilities purposes shall be in substantially the following form:

"To pay for substance abuse purposes, shall (name of county) be authorized to impose an increase on its share of local sales taxes by (insert rate) for a period not to exceed (insert number of years)?"

As additional information on the ballot below the question shall appear the following:

"This would mean that a consumer would pay an additional (insert amount) in sales tax for every $100 of tangible personal property bought at retail. If imposed, the additional tax would cease being collected at the end of (insert number of years), if not terminated earlier by a vote of the county board."

The votes shall be recorded as "Yes" or "No".

If a majority of the electors voting on the proposition vote in favor of it, the county may impose the tax. A county may not submit more than one proposition authorized by this Section to the electors at any one time.

This additional tax may not be imposed on tangible personal property taxed at the 1% rate under the Retailers' Occupation Tax Act. Beginning December 1, 2019 and through December 31, 2020, this tax is not imposed on sales of aviation fuel unless the tax revenue is expended for airport-related purposes. If the county does not have an airport-related purpose to which it dedicates aviation fuel tax revenue, then aviation fuel is excluded from the tax. The county must comply with the certification requirements for airport-related purposes under Section 2-22 of the Retailers' Occupation Tax Act. For purposes of this Section, "airport-related purposes" has the meaning ascribed in Section 6z-20.2 of the State Finance Act. Beginning January 1, 2021, this tax is not imposed on sales of aviation fuel for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the county. The tax imposed by a county under this Section and all civil penalties that may be assessed as an incident of the tax shall be collected and enforced by the Illinois Department of Revenue and deposited into a special fund created for that purpose. The certificate of registration that is issued by the Department to a retailer under the Retailers' Occupation Tax Act shall permit the retailer to engage in a business that is taxable without registering separately with the Department under an ordinance or resolution under this Section. The Department has full power to administer and enforce this Section, to collect all taxes and penalties due under this Section, to dispose of taxes and penalties so collected in the manner provided in this Section, and to determine all rights to credit memoranda arising on account of the erroneous payment of a tax or penalty under this Section. In the administration of and compliance with this Section, the Department and persons who are subject to this Section shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 1, 1a, 1a-1, 1d, 1e, 1f, 1i, 1j, 1k, 1m, 1n, 2 through 2-70 (in respect to all provisions contained in those Sections other than the State rate of tax), 2a, 2b, 2c, 3 (except provisions relating to transaction returns and quarter monthly payments, and except that the retailer's discount is not allowed for taxes paid on aviation fuel that are deposited into the Local Government Aviation Trust Fund), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their sellers' tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax which sellers are required to collect under the Use Tax Act, pursuant to such bracketed schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety, Public Facilities, Mental Health, Substance Abuse, or Transportation Retailers' Occupation Tax Fund or the Local Government Aviation Trust Fund, as appropriate.

(b) If a tax has been imposed under subsection (a), a service occupation tax shall also be imposed at the same rate upon all persons engaged, in the county, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the county as an incident to a sale of service. This tax may not be imposed on tangible personal property taxed at the 1% rate under the Service Occupation Tax Act. Beginning December 1, 2019 and through December 31, 2020, this tax is not imposed on sales of aviation fuel unless the tax revenue is expended for airport-related purposes. If the county does not have an airport-related purpose to which it dedicates aviation fuel tax revenue, then aviation fuel is excluded from the tax. The county must comply with the certification requirements for airport-related purposes under Section 2-22 of the Retailers' Occupation Tax Act. For purposes of this Section, "airport-related purposes" has the meaning ascribed in Section 6z-20.2 of the State Finance Act. Beginning January 1, 2021, this tax is not imposed on sales of aviation fuel for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the county. The tax imposed under this subsection and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department has full power to administer and enforce this subsection; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous

payment of tax or penalty hereunder. In the administration of and compliance with this subsection, the Department and persons who are subject to this paragraph shall (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and (iii) employ the same modes of procedure as are prescribed in Sections 2 (except that the reference to State in the definition of supplier maintaining a place of business in this State shall mean the county), 2a, 2b, 2c, 3 through 3-50 (in respect to all provisions therein other than the State rate of tax), 4 (except that the reference to the State shall be to the county), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the county), 9 (except as to the disposition of taxes and penalties collected, and except that the retailer's discount is not allowed for taxes paid on aviation fuel that are deposited into the Local Government Aviation Trust Fund), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the county), Section 15, 16, 17, 18, 19, and 20 of the Service Occupation Tax Act, and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this subsection may reimburse themselves for their serviceman's tax liability by separately stating the tax as an additional charge, which charge may be stated in combination, in a single amount, with State tax that servicemen are authorized to collect under the Service Use Tax Act, in accordance with such bracket schedules as the Department may prescribe.

Whenever the Department determines that a refund should be made under this subsection to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the County Public Safety, Public Facilities, Mental Health, Substance Abuse, or Transportation Retailers' Occupation Fund or the Local Government Aviation Trust Fund, as appropriate.

Nothing in this subsection shall be construed to authorize the county to impose a tax upon the privilege of engaging in any business which under the Constitution of the United States may not be made the subject of taxation by the State.

(c) Except as otherwise provided in this paragraph, the Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes and penalties collected under this Section to be deposited into the County Public Safety, Public Facilities, Mental Health, Substance Abuse, or Transportation Retailers' Occupation Tax Fund, which shall be an unappropriated trust fund held outside of the State treasury. Taxes and penalties collected on aviation fuel sold on or after December 1, 2019 and through December 31, 2020, shall be immediately paid over by the Department to the State Treasurer, ex officio, as trustee, for deposit into the Local Government Aviation Trust Fund. The Department shall only pay moneys into the Local Government Aviation Trust Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the county.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the counties from which retailers have paid taxes or penalties to the Department during the second preceding calendar month. The amount to be paid to each county, and deposited by the county into its special fund created for the purposes of this Section, shall be the amount (not including credit memoranda and not including taxes and penalties collected on aviation fuel sold on or after December 1, 2019 and through December 31, 2020) collected under this Section during the second preceding calendar month by the Department plus an amount the Department determines is necessary to offset any amounts that were erroneously paid to a different taxing body, and not including (i) an amount equal to the amount of refunds made during the second preceding calendar month by the Department on behalf of the county, (ii) any amount that the Department determines is necessary to offset any amounts that were payable to a different taxing body but were erroneously paid to the county, (iii) any amounts that are transferred to the STAR Bonds Revenue Fund, and (iv) 1.5% of the remainder, which shall be transferred into the Tax Compliance and Administration Fund. The Department, at the time of each monthly disbursement to the

counties, shall prepare and certify to the State Comptroller the amount to be transferred into the Tax Compliance and Administration Fund under this subsection. Within 10 days after receipt by the Comptroller of the disbursement certification to the counties and the Tax Compliance and Administration Fund provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for the respective amounts in accordance with directions contained in the certification.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in March of each year to each county that received more than $500,000 in disbursements under the preceding paragraph in the preceding calendar year. The allocation shall be in an amount equal to the average monthly distribution made to each such county under the preceding paragraph during the preceding calendar year (excluding the 2 months of highest receipts). The distribution made in March of each year subsequent to the year in which an allocation was made pursuant to this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(d) For the purpose of determining the local governmental unit whose tax is applicable, a retail sale by a producer of coal or another mineral mined in Illinois is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or another mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the United States Constitution as a sale in interstate or foreign commerce.

(e) Nothing in this Section shall be construed to authorize a county to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(e-5) If a county imposes a tax under this Section, the county board may, by ordinance, discontinue or lower the rate of the tax. If the county board lowers the tax rate or discontinues the tax, a referendum must be held in accordance with subsection (a) of this Section in order to increase the rate of the tax or to reimpose the discontinued tax.

(f) Beginning April 1, 1998 and through December 31, 2013, the results of any election authorizing a proposition to impose a tax under this Section or effecting a change in the rate of tax, or any ordinance lowering the rate or discontinuing the tax, shall be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of April, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the filing.

Beginning January 1, 2014, the results of any election authorizing a proposition to impose a tax under this Section or effecting an increase in the rate of tax, along with the ordinance adopted to impose the tax or increase the rate of the tax, or any ordinance adopted to lower the rate or discontinue the tax, shall be certified by the county clerk and filed with the Illinois Department of Revenue either (i) on or before the first day of May, whereupon the Department shall proceed to administer and enforce the tax as of the first day of July next following the adoption and filing; or (ii) on or before the first day of October, whereupon the Department shall proceed to administer and enforce the tax as of the first day of January next following the adoption and filing.

(g) When certifying the amount of a monthly disbursement to a county under this Section, the Department shall increase or decrease the amounts by an amount necessary to offset any miscalculation of previous disbursements. The offset amount shall be the amount erroneously disbursed within the previous 6 months from the time a miscalculation is discovered.

(g-5) Every county authorized to levy a tax under this Section shall, before it levies such tax, establish a 7-member mental health board, which shall have the same powers and duties and be constituted in the same manner as a community mental health board established under the Community Mental Health Act. Proceeds of the tax under this Section that are earmarked for mental health or substance abuse purposes shall be deposited into a special county occupation tax fund for mental health and substance abuse. The 7-member mental health board established under this subsection shall administer the special county occupation tax fund for mental health and substance abuse in the same manner as the community mental health board administers the community mental health fund under the Community Mental Health Act.

(h) This Section may be cited as the "Special County Occupation Tax For Public Safety, Public Facilities, Mental Health, Substance Abuse, or Transportation Law".

(i) For purposes of this Section, "public safety" includes, but is not limited to, crime prevention, detention, fire fighting, police, medical, ambulance, or other emergency services. The county may share tax proceeds received under this Section for public safety purposes, including proceeds received before August 4, 2009 (the effective date of Public Act 96-124), with any fire protection district located in the county. For the purposes of this Section, "transportation" includes, but is not limited to, the construction, maintenance, operation, and improvement of public highways, any other purpose for which a county may expend funds under the Illinois Highway Code, and passenger rail transportation. For the purposes of this Section, "public facilities purposes" includes, but is not limited to, the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and for the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the public facilities, for use by the county for the furnishing of governmental services to its citizens, including, but not limited to, museums and nursing homes.

(j) The Department may promulgate rules to implement Public Act 95-1002 only to the extent necessary to apply the existing rules for the Special County Retailers' Occupation Tax for Public Safety to this new purpose for public facilities.

(Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18; 100-1167, eff. 1-4-19; 100-1171, eff. 1-4-19; 101-10, eff. 6-5-19; 101-81, eff. 7-12-19; 101-275, eff. 8-9-19; 101-604, eff. 12-13-19.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Stadelman, **Senate Bill No. 2278** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Feigenholtz, **Senate Bill No. 2323** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS 3.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stoller
Aquino	Fowler	Martwick	Syverson
Barickman	Gillespie	McConchie	Turner, D.
Belt	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Peters	Villanueva
Connor	Hunter	Plummer	Villivalam
Crowe	Johnson	Rezin	Wilcox
Cullerton, T.	Jones, E.	Rose	Mr. President
Cunningham	Joyce	Simmons	
DeWitte	Koehler	Sims	
Feigenholtz	Landek	Stadelman	

The following voted in the negative:

Bailey
Bryant
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 and ask their concurrence therein.

On motion of Senator Feigenholtz, **Senate Bill No. 2325** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	

Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Connor, **Senate Bill No. 2365** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None; Present 1.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	
Cunningham	Joyce	Sims	

The following voted present:

McConchie

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

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

On motion of Senator Connor, **Senate Bill No. 2364** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	McClure	Syverson
Belt	Fowler	McConchie	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa

Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

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

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

On motion of Senator Connor, **Senate Bill No. 2370** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Fine, **Senate Bill No. 2390** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Anderson	Curran	Landek	Stoller
Aquino	DeWitte	Loughran Cappel	Syverson
Bailey	Feigenholtz	Martwick	Tracy
Barickman	Fine	McClure	Turner, S.
Belt	Fowler	McConchie	Van Pelt
Bennett	Gillespie	Morrison	Villa
Bryant	Glowiak Hilton	Muñoz	Villanueva
Bush	Harris	Murphy	Villivalam

Castro	Hastings	Peters	Wilcox
Collins	Holmes	Plummer	Mr. President
Connor	Hunter	Rezin	
Crowe	Johnson	Simmons	
Cullerton, T.	Jones, E.	Sims	
Cunningham	Koehler	Stadelman	

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

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

On motion of Senator Hunter, **Senate Bill No. 2438** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Hunter, **Senate Bill No. 2444** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa

Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Rose, **Senate Bill No. 2515** was recalled from the order of third reading to the order of second reading.

Senator Rose offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2515

AMENDMENT NO. 2 . Amend Senate Bill 2515, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Groundwater Protection Act is amended by adding Section 5-5 as follows:
(415 ILCS 55/5-5 new)
Sec. 5-5. Mahomet Aquifer Council.
(a) There shall be established a Mahomet Aquifer Council. The Council shall be composed of the following members:
(1) one member of the Senate, appointed by the President of the Senate;
(2) one member of the House of Representatives, appointed by the Speaker of the House of Representatives;
(3) one member of the Senate, appointed by the Minority Leader of the Senate;
(4) one member of the House of Representatives, appointed by the Minority Leader of the House of Representatives;
(5) one member representing the Illinois Environmental Protection Agency, appointed by the Director of the Illinois Environmental Protection Agency;
(6) two members representing a national waste and recycling organization, appointed by the Governor;
(7) one member representing a statewide environmental organization, appointed by the Governor;
(8) three members representing a nonprofit consortium dedicated to the sustainability of the Mahomet Aquifer, appointed by the Governor;
(9) one member representing the Illinois State Water Survey of the Prairie Research Institute of the University of Illinois at Urbana-Champaign, appointed by the Governor;
(10) one member representing a statewide association representing the pipe trades, appointed by the Governor;
(11) one member representing the State's largest general farm organization, appointed by the Governor;
(12) one member representing a statewide trade association representing manufacturers, appointed by the Governor;
(13) one member representing a community health care organization located over the Mahomet Aquifer, appointed by the Governor;
(14) seven members representing local government bodies located over the Mahomet Aquifer, appointed by the Governor;

(15) one member representing a State labor organization that represents employees in the solid waste, recycling, and related industries, appointed by the Governor; and

(16) one member representing a statewide business association with a focus on environmental issues, appointed by the Governor.

(b) From among the Council's members, a chairperson shall be selected by majority vote and shall preside for a one-year term. The term of membership in the Council shall be for 3 years.

(c) The Council shall:

(1) review, evaluate, and make recommendations regarding State laws, regulations, and procedures that relate to the Mahomet Aquifer;

(2) review, evaluate, and make recommendations regarding the State's efforts to implement this Act that relate to the quality of the Mahomet Aquifer;

(3) review, evaluate, and make recommendations regarding current and potential contamination threats to the water quality of the Mahomet Aquifer; and

(4) make recommendations relating to actions that might be taken to ensure the long-term protection of the Mahomet Aquifer.

(d) Members of the Mahomet Aquifer Council shall be reimbursed for ordinary and necessary expenses incurred in the performance of their duties, except that such reimbursement shall be limited to expenses associated with no more than 4 meetings per calendar year. The Agency shall provide the Council with such supporting services as are reasonable for the performance of the Council's duties.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Rose, **Senate Bill No. 2515** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

SENATE BILL RECALLED

On motion of Senator Stoller, **Senate Bill No. 2531** was recalled from the order of third reading to the order of second reading.

Senator Stoller offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2531

AMENDMENT NO. 2 . Amend Senate Bill 2531, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 201 as follows:

(35 ILCS 5/201)

(Text of Section without the changes made by P.A. 101-8, which did not take effect (see Section 99 of P.A. 101-8))

Sec. 201. Tax imposed.

(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):

(1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 3% of the taxpayer's net income for the taxable year.

(4) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 3% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 5% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(5) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 5% of the taxpayer's net income for the taxable year.

(5.1) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 5% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 3.75% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(5.2) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2015, and ending prior to July 1, 2017, an amount equal to 3.75% of the taxpayer's net income for the taxable year.

(5.3) In the case of an individual, trust, or estate, for taxable years beginning prior to July 1, 2017, and ending after June 30, 2017, an amount equal to the sum of (i) 3.75% of the taxpayer's net income for the period prior to July 1, 2017, as calculated under Section 202.5, and (ii) 4.95% of the taxpayer's net income for the period after June 30, 2017, as calculated under Section 202.5.

(5.4) In the case of an individual, trust, or estate, for taxable years beginning on or after July 1, 2017, an amount equal to 4.95% of the taxpayer's net income for the taxable year.

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(9) In the case of a corporation, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 4.8% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(10) In the case of a corporation, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 7% of the taxpayer's net income for the taxable year.

(11) In the case of a corporation, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 7% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 5.25% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(12) In the case of a corporation, for taxable years beginning on or after January 1, 2015, and ending prior to July 1, 2017, an amount equal to 5.25% of the taxpayer's net income for the taxable year.

(13) In the case of a corporation, for taxable years beginning prior to July 1, 2017, and ending after June 30, 2017, an amount equal to the sum of (i) 5.25% of the taxpayer's net income for the period prior to July 1, 2017, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after June 30, 2017, as calculated under Section 202.5.

(14) In the case of a corporation, for taxable years beginning on or after July 1, 2017, an amount equal to 7% of the taxpayer's net income for the taxable year.

The rates under this subsection (b) are subject to the provisions of Section 201.5.

(b-5) Surcharge; sale or exchange of assets, properties, and intangibles of organization gaming licensees. For each of taxable years 2019 through 2027, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles (i) of an organization licensee under the Illinois Horse Racing Act of 1975 and (ii) of an organization gaming licensee under the Illinois Gambling Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year attributable to those sales and exchanges. The surcharge imposed shall not apply if:

(1) the organization gaming license, organization license, or racetrack property is transferred as a result of any of the following:

(A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial licensee or the substantial owners of the initial licensee;

(B) cancellation, revocation, or termination of any such license by the Illinois Gaming Board or the Illinois Racing Board;

(C) a determination by the Illinois Gaming Board that transfer of the license is in the best interests of Illinois gaming;

(D) the death of an owner of the equity interest in a licensee;

(E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;

(F) a transfer by a parent company to a wholly owned subsidiary; or

(G) the transfer or sale to or by one person to another person where both persons were initial owners of the license when the license was issued; or

(2) the controlling interest in the organization gaming license, organization license, or racetrack property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized; or

(3) live horse racing was not conducted in 2010 at a racetrack located within 3 miles of the Mississippi River under a license issued pursuant to the Illinois Horse Racing Act of 1975.

The transfer of an organization gaming license, organization license, or racetrack property by a person other than the initial licensee to receive the organization gaming license is not subject to a surcharge. The Department shall adopt rules necessary to implement and administer this subsection.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code,

equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).

This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of

Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than the year in which the property was placed in service in Illinois. For tax years ending on or after December 31, 1987, and on or before December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years if the taxpayer (i) makes investments which cause the creation of a minimum of 2,000 full-time equivalent jobs in Illinois, (ii) is located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act and (iii) is certified by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) as complying with the requirements specified in clause (i) and (ii) by July 1, 1986. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall notify the Department of Revenue of all such certifications immediately. For tax years ending after December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings and signs that are real property, but not including land or improvements to real property that are not a structural component of a building such as landscaping, sewer lines, local access roads, fencing, parking lots, and other appurtenances;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing, or was placed in service on or after July 1, 2006 in a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act; and

(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this subsection (e), the term "retailing" means the sale of tangible personal property for use or consumption and not for resale, or services rendered in conjunction with the sale of tangible personal property for use or consumption and not for resale. For purposes of this subsection (e), "tangible personal property" has the same meaning as when that term is used in the Retailers' Occupation Tax Act, and, for taxable years ending after December 31, 2008, does not include the generation, transmission, or distribution of electricity.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2018, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2018.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and

(E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) There shall be allowed an additional credit equal to 0.5% of the basis of qualified property placed in service during the taxable year in a River Edge Redevelopment Zone, provided such property is placed in service on or after July 1, 2006, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is 0.5% and the denominator of which is 1%, but shall not exceed 0.5%.

(8) For taxable years beginning on or after January 1, 2021, there shall be allowed an Enterprise Zone construction jobs credit against the taxes imposed under subsections (a) and (b) of this Section as provided in Section 13 of the Illinois Enterprise Zone Act.

The credit or credits may not reduce the taxpayer's liability to less than zero. If the amount of the credit or credits exceeds the taxpayer's liability, the excess may be carried forward and applied against the taxpayer's liability in succeeding calendar years in the same manner provided under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first.

For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for the purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9 ~~this amendatory Act of the 101st General Assembly~~) shall not exceed $20,000,000 in any State fiscal year.

This paragraph (8) is exempt from the provisions of Section 250.

(g) (Blank).

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and

(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its

entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(h-5) High Impact Business construction ~~constructions~~ jobs credit. For taxable years beginning on or after January 1, 2021, there shall also be allowed a High Impact Business construction jobs credit against the tax imposed under subsections (a) and (b) of this Section as provided in subsections (i) and (j) of Section 5.5 of the Illinois Enterprise Zone Act.

The credit or credits may not reduce the taxpayer's liability to less than zero. If the amount of the credit or credits exceeds the taxpayer's liability, the excess may be carried forward and applied against the taxpayer's liability in succeeding calendar years in the manner provided under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first.

For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for the purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9 ~~this amendatory Act of the 101st General Assembly~~) shall not exceed $20,000,000 in any State fiscal year.

This subsection (h-5) is exempt from the provisions of Section 250.

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until

it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit. For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, and ending prior to January 1, 2027, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from Public Act 91-644 ~~this amendatory Act of the 91st General Assembly~~ in construing this Section for taxable years beginning before January 1, 1999.

It is the intent of the General Assembly that the research and development credit under this subsection (k) shall apply continuously for all tax years ending on or after December 31, 2004 and ending prior to January 1, 2027, including, but not limited to, the period beginning on January 1, 2016 and ending on July 6, 2017 (the effective date of Public Act 100-22) ~~this amendatory Act of the 100th General Assembly.~~ All actions taken in reliance on the continuation of the credit under this subsection (k) by any taxpayer are hereby validated.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit

availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed (i) $500 for tax years ending prior to December 31, 2017, and (ii) $750 for tax years ending on or after December 31, 2017. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. Notwithstanding any other provision of law, for taxable years beginning on or after January 1, 2017, no taxpayer may claim a credit under this subsection (m) if the taxpayer's adjusted gross income for the taxable year exceeds (i) $500,000, in the case of spouses filing a joint federal tax return or (ii) $250,000, in the case of all other taxpayers. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:

"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.

(i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14a of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(o) For each of taxable years during the Compassionate Use of Medical Cannabis Program, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles of an organization registrant under the Compassionate Use of Medical Cannabis Program Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year attributable to those sales and exchanges. The surcharge imposed does not apply if:

(1) the medical cannabis cultivation center registration, medical cannabis dispensary registration, or the property of a registration is transferred as a result of any of the following:

(A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial registration or the substantial owners of the initial registration;

(B) cancellation, revocation, or termination of any registration by the Illinois Department of Public Health;

(C) a determination by the Illinois Department of Public Health that transfer of the registration is in the best interests of Illinois qualifying patients as defined by the Compassionate Use of Medical Cannabis Program Act;

(D) the death of an owner of the equity interest in a registrant;

(E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;

(F) a transfer by a parent company to a wholly owned subsidiary; or

(G) the transfer or sale to or by one person to another person where both persons were initial owners of the registration when the registration was issued; or

(2) the cannabis cultivation center registration, medical cannabis dispensary registration, or the controlling interest in a registrant's property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized.

(p) Pass-through entity tax.

(1) For taxable years ending on or after December 31, 2021 and beginning prior to January 1, 2026, a partnership (other than a publicly traded partnership under Section 7704 of the Internal Revenue Code) or Subchapter S corporation may elect to apply the provisions of this subsection. A separate election shall be made for each taxable year. Such election shall be made at such time, and in such form and manner as prescribed by the Department, and, once made, is irrevocable.

(2) Entity-level tax. A partnership or Subchapter S corporation electing to apply the provisions of this subsection shall be subject to a tax for the privilege of earning or receiving income in this State in an amount equal to 4.95% of the taxpayer's net income for the taxable year.

(3) Net income defined.

(A) In general. For purposes of paragraph (2), the term net income has the same meaning as defined in Section 202 of this Act, except that the following provisions shall not apply:

(i) the standard exemption allowed under Section 204;

(ii) the deduction for net losses allowed under Section 207;

(iii) in the case of an S corporation, the modification under Section 203(b)(2)(S); and

(iv) in the case of a partnership, the modifications under Section 203(d)(2)(H) and Section 203(d)(2)(I).

(B) Special rule for tiered partnerships. If a taxpayer making the election under paragraph (1) is a partner of another taxpayer making the election under paragraph (1), net income shall be computed as provided in subparagraph (A), except that the taxpayer shall subtract its distributive share of the net income of the electing partnership (including its distributive share of the net income of the electing partnership derived as a distributive share from electing partnerships in which it is a partner).

(4) Credit for entity level tax. Each partner or shareholder of a taxpayer making the election under this section shall be allowed a credit against the tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year of the partnership or Subchapter S corporation for which an election is in effect ending within or with the taxable year of the partner or shareholder in an amount equal to 4.95% times the partner or shareholder's distributive share of the net income of the electing partnership or Subchapter S corporation, but not to exceed the partner's or shareholder's share of the tax imposed under paragraph (1) which is actually paid by the partnership or Subchapter S corporation. If the taxpayer is a partnership or Subchapter S corporation that is itself a partner of a partnership making the election under paragraph (1), the credit under this paragraph shall be allowed to the taxpayer's partners or shareholders (or if the partner is a partnership or Subchapter S corporation then its partners or shareholders) in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. If the amount of the credit allowed under this paragraph exceeds the partner's or shareholder's liability for tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year, such excess shall be treated as an overpayment for purposes of Section 909 of this Act.

(5) Nonresidents. A nonresident individual who is a partner or shareholder of a partnership or Subchapter S corporation for a taxable year for which an election is in effect under paragraph (1) shall not be required to file an income tax return under this Act for such taxable year if the only source of net income of the individual (or the individual and the individual's spouse in the case of a joint return) is from an entity making the election under paragraph (1) and the credit allowed to the partner or shareholder under paragraph (4) equals or exceeds the individual's liability for the tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year.

(6) Liability for tax. Except as provided in this paragraph, a partnership or Subchapter S making the election under paragraph (1) is liable for the entity-level tax imposed under paragraph (2). If the electing partnership or corporation fails to pay the full amount of tax deemed assessed under paragraph (2), the partners or shareholders shall be liable to pay the tax assessed (including penalties and interest). Each partner or shareholder shall be liable for the unpaid assessment based on the ratio of the partner's or shareholder's share of the net income of the partnership over the total net income of

the partnership. If the partnership or Subchapter S corporation fails to pay the tax assessed (including penalties and interest) and thereafter an amount of such tax is paid by the partners or shareholders, such amount shall not be collected from the partnership or corporation.

(7) Foreign tax. For purposes of the credit allowed under Section 601(b)(3) of this Act, tax paid by a partnership or Subchapter S corporation to another state which, as determined by the Department, is substantially similar to the tax imposed under this subsection, shall be considered tax paid by the partner or shareholder to the extent that the partner's or shareholder's share of the income of the partnership or Subchapter S corporation allocated and apportioned to such other state bears to the total income of the partnership or Subchapter S corporation allocated or apportioned to such other state.

(8) Suspension of withholding. The provisions of Section 709.5 of this Act shall not apply to a partnership or Subchapter S corporation for the taxable year for which an election under paragraph (1) is in effect.

(9) Requirement to pay estimated tax. For each taxable year for which an election under paragraph (1) is in effect, a partnership or Subchapter S corporation is required to pay estimated tax for such taxable year under Sections 803 and 804 of this Act if the amount payable as estimated tax can reasonably be expected to exceed $500.

(Source: P.A. 100-22, eff. 7-6-17; 101-9, eff. 6-5-19; 101-31, eff. 6-28-19; 101-207, eff. 8-2-19; 101-363, eff. 8-9-19; revised 11-18-20.)

(Text of Section with the changes made by P.A. 101-8, which did not take effect (see Section 99 of P.A. 101-8))

Sec. 201. Tax imposed.

(a) In general. A tax measured by net income is hereby imposed on every individual, corporation, trust and estate for each taxable year ending after July 31, 1969 on the privilege of earning or receiving income in or as a resident of this State. Such tax shall be in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(b) Rates. The tax imposed by subsection (a) of this Section shall be determined as follows, except as adjusted by subsection (d-1):

(1) In the case of an individual, trust or estate, for taxable years ending prior to July 1, 1989, an amount equal to 2 1/2% of the taxpayer's net income for the taxable year.

(2) In the case of an individual, trust or estate, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 2 1/2% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 3% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(3) In the case of an individual, trust or estate, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 3% of the taxpayer's net income for the taxable year.

(4) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 3% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 5% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(5) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 5% of the taxpayer's net income for the taxable year.

(5.1) In the case of an individual, trust, or estate, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 5% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 3.75% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(5.2) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2015, and ending prior to July 1, 2017, an amount equal to 3.75% of the taxpayer's net income for the taxable year.

(5.3) In the case of an individual, trust, or estate, for taxable years beginning prior to July 1, 2017, and ending after June 30, 2017, an amount equal to the sum of (i) 3.75% of the taxpayer's net income for the period prior to July 1, 2017, as calculated under Section 202.5, and (ii) 4.95% of the taxpayer's net income for the period after June 30, 2017, as calculated under Section 202.5.

(5.4) In the case of an individual, trust, or estate, for taxable years beginning on or after July 1, 2017 ~~and beginning prior to January 1, 2021~~, an amount equal to 4.95% of the taxpayer's net income for the taxable year.

~~(5.5) In the case of an individual, trust, or estate, for taxable years beginning on or after January 1, 2021, an amount calculated under the rate structure set forth in Section 201.1.~~

(6) In the case of a corporation, for taxable years ending prior to July 1, 1989, an amount equal to 4% of the taxpayer's net income for the taxable year.

(7) In the case of a corporation, for taxable years beginning prior to July 1, 1989 and ending after June 30, 1989, an amount equal to the sum of (i) 4% of the taxpayer's net income for the period prior to July 1, 1989, as calculated under Section 202.3, and (ii) 4.8% of the taxpayer's net income for the period after June 30, 1989, as calculated under Section 202.3.

(8) In the case of a corporation, for taxable years beginning after June 30, 1989, and ending prior to January 1, 2011, an amount equal to 4.8% of the taxpayer's net income for the taxable year.

(9) In the case of a corporation, for taxable years beginning prior to January 1, 2011, and ending after December 31, 2010, an amount equal to the sum of (i) 4.8% of the taxpayer's net income for the period prior to January 1, 2011, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after December 31, 2010, as calculated under Section 202.5.

(10) In the case of a corporation, for taxable years beginning on or after January 1, 2011, and ending prior to January 1, 2015, an amount equal to 7% of the taxpayer's net income for the taxable year.

(11) In the case of a corporation, for taxable years beginning prior to January 1, 2015, and ending after December 31, 2014, an amount equal to the sum of (i) 7% of the taxpayer's net income for the period prior to January 1, 2015, as calculated under Section 202.5, and (ii) 5.25% of the taxpayer's net income for the period after December 31, 2014, as calculated under Section 202.5.

(12) In the case of a corporation, for taxable years beginning on or after January 1, 2015, and ending prior to July 1, 2017, an amount equal to 5.25% of the taxpayer's net income for the taxable year.

(13) In the case of a corporation, for taxable years beginning prior to July 1, 2017, and ending after June 30, 2017, an amount equal to the sum of (i) 5.25% of the taxpayer's net income for the period prior to July 1, 2017, as calculated under Section 202.5, and (ii) 7% of the taxpayer's net income for the period after June 30, 2017, as calculated under Section 202.5.

(14) In the case of a corporation, for taxable years beginning on or after July 1, 2017 ~~and beginning prior to January 1, 2021~~, an amount equal to 7% of the taxpayer's net income for the taxable year.

~~(15) In the case of a corporation, for taxable years beginning on or after January 1, 2021, an amount equal to 7.99% of the taxpayer's net income for the taxable year.~~

The rates under this subsection (b) are subject to the provisions of Section 201.5.

(b-5) Surcharge; sale or exchange of assets, properties, and intangibles of organization gaming licensees. For each of taxable years 2019 through 2027, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles (i) of an organization licensee under the Illinois Horse Racing Act of 1975 and (ii) of an organization gaming licensee under the Illinois Gambling Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year attributable to those sales and exchanges. The surcharge imposed shall not apply if:

(1) the organization gaming license, organization license, or racetrack property is transferred as a result of any of the following:

(A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial licensee or the substantial owners of the initial licensee;

(B) cancellation, revocation, or termination of any such license by the Illinois Gaming Board or the Illinois Racing Board;

(C) a determination by the Illinois Gaming Board that transfer of the license is in the best interests of Illinois gaming;

(D) the death of an owner of the equity interest in a licensee;

(E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;

(F) a transfer by a parent company to a wholly owned subsidiary; or

(G) the transfer or sale to or by one person to another person where both persons were initial owners of the license when the license was issued; or

(2) the controlling interest in the organization gaming license, organization license, or racetrack property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized; or

(3) live horse racing was not conducted in 2010 at a racetrack located within 3 miles of the Mississippi River under a license issued pursuant to the Illinois Horse Racing Act of 1975.

The transfer of an organization gaming license, organization license, or racetrack property by a person other than the initial licensee to receive the organization gaming license is not subject to a surcharge. The Department shall adopt rules necessary to implement and administer this subsection.

(c) Personal Property Tax Replacement Income Tax. Beginning on July 1, 1979 and thereafter, in addition to such income tax, there is also hereby imposed the Personal Property Tax Replacement Income Tax measured by net income on every corporation (including Subchapter S corporations), partnership and trust, for each taxable year ending after June 30, 1979. Such taxes are imposed on the privilege of earning or receiving income in or as a resident of this State. The Personal Property Tax Replacement Income Tax shall be in addition to the income tax imposed by subsections (a) and (b) of this Section and in addition to all other occupation or privilege taxes imposed by this State or by any municipal corporation or political subdivision thereof.

(d) Additional Personal Property Tax Replacement Income Tax Rates. The personal property tax replacement income tax imposed by this subsection and subsection (c) of this Section in the case of a corporation, other than a Subchapter S corporation and except as adjusted by subsection (d-1), shall be an additional amount equal to 2.85% of such taxpayer's net income for the taxable year, except that beginning on January 1, 1981, and thereafter, the rate of 2.85% specified in this subsection shall be reduced to 2.5%, and in the case of a partnership, trust or a Subchapter S corporation shall be an additional amount equal to 1.5% of such taxpayer's net income for the taxable year.

(d-1) Rate reduction for certain foreign insurers. In the case of a foreign insurer, as defined by Section 35A-5 of the Illinois Insurance Code, whose state or country of domicile imposes on insurers domiciled in Illinois a retaliatory tax (excluding any insurer whose premiums from reinsurance assumed are 50% or more of its total insurance premiums as determined under paragraph (2) of subsection (b) of Section 304, except that for purposes of this determination premiums from reinsurance do not include premiums from inter-affiliate reinsurance arrangements), beginning with taxable years ending on or after December 31, 1999, the sum of the rates of tax imposed by subsections (b) and (d) shall be reduced (but not increased) to the rate at which the total amount of tax imposed under this Act, net of all credits allowed under this Act, shall equal (i) the total amount of tax that would be imposed on the foreign insurer's net income allocable to Illinois for the taxable year by such foreign insurer's state or country of domicile if that net income were subject to all income taxes and taxes measured by net income imposed by such foreign insurer's state or country of domicile, net of all credits allowed or (ii) a rate of zero if no such tax is imposed on such income by the foreign insurer's state of domicile. For the purposes of this subsection (d-1), an inter-affiliate includes a mutual insurer under common management.

(1) For the purposes of subsection (d-1), in no event shall the sum of the rates of tax imposed by subsections (b) and (d) be reduced below the rate at which the sum of:

(A) the total amount of tax imposed on such foreign insurer under this Act for a taxable year, net of all credits allowed under this Act, plus

(B) the privilege tax imposed by Section 409 of the Illinois Insurance Code, the fire insurance company tax imposed by Section 12 of the Fire Investigation Act, and the fire department taxes imposed under Section 11-10-1 of the Illinois Municipal Code,

equals 1.25% for taxable years ending prior to December 31, 2003, or 1.75% for taxable years ending on or after December 31, 2003, of the net taxable premiums written for the taxable year, as described by subsection (1) of Section 409 of the Illinois Insurance Code. This paragraph will in no event increase the rates imposed under subsections (b) and (d).

(2) Any reduction in the rates of tax imposed by this subsection shall be applied first against the rates imposed by subsection (b) and only after the tax imposed by subsection (a) net of all credits allowed under this Section other than the credit allowed under subsection (i) has been reduced to zero, against the rates imposed by subsection (d).

This subsection (d-1) is exempt from the provisions of Section 250.

(e) Investment credit. A taxpayer shall be allowed a credit against the Personal Property Tax Replacement Income Tax for investment in qualified property.

(1) A taxpayer shall be allowed a credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1984. There shall be allowed an additional credit equal to .5% of the basis of qualified property placed in service during the taxable year, provided such property is placed in service on or after July 1, 1986, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. The provisions added to this Section by Public Act 85-1200 (and restored by Public Act 87-895) shall be construed as declaratory of existing law and not as a new enactment. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is .5% and the denominator of which is 1%, but shall not exceed .5%. The investment credit shall not be allowed to the extent that it would reduce a taxpayer's liability in any tax year below zero, nor may any credit for qualified property be allowed for any year other than the year in which the property was placed in service in Illinois. For tax years ending on or after December 31, 1987, and on or before December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years if the taxpayer (i) makes investments which cause the creation of a minimum of 2,000 full-time equivalent jobs in Illinois, (ii) is located in an enterprise zone established pursuant to the Illinois Enterprise Zone Act and (iii) is certified by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) as complying with the requirements specified in clause (i) and (ii) by July 1, 1986. The Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity) shall notify the Department of Revenue of all such certifications immediately. For tax years ending after December 31, 1988, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit years. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, earlier credit shall be applied first.

(2) The term "qualified property" means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings and signs that are real property, but not including land or improvements to real property that are not a structural component of a building such as landscaping, sewer lines, local access roads, fencing, parking lots, and other appurtenances;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (e);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in Illinois by a taxpayer who is primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing, or was placed in service on or after July 1, 2006 in a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act; and

(E) has not previously been used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (e) or subsection (f).

(3) For purposes of this subsection (e), "manufacturing" means the material staging and production of tangible personal property by procedures commonly regarded as manufacturing, processing, fabrication, or assembling which changes some existing material into new shapes, new qualities, or new combinations. For purposes of this subsection (e) the term "mining" shall have the same meaning as the term "mining" in Section 613(c) of the Internal Revenue Code. For purposes of this subsection (e), the term "retailing" means the sale of tangible personal property for use or

consumption and not for resale, or services rendered in conjunction with the sale of tangible personal property for use or consumption and not for resale. For purposes of this subsection (e), "tangible personal property" has the same meaning as when that term is used in the Retailers' Occupation Tax Act, and, for taxable years ending after December 31, 2008, does not include the generation, transmission, or distribution of electricity.

(4) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(5) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(6) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(7) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the Personal Property Tax Replacement Income Tax for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation and, (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (7), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(8) Unless the investment credit is extended by law, the basis of qualified property shall not include costs incurred after December 31, 2018, except for costs incurred pursuant to a binding contract entered into on or before December 31, 2018.

(9) Each taxable year ending before December 31, 2000, a partnership may elect to pass through to its partners the credits to which the partnership is entitled under this subsection (e) for the taxable year. A partner may use the credit allocated to him or her under this paragraph only against the tax imposed in subsections (c) and (d) of this Section. If the partnership makes that election, those credits shall be allocated among the partners in the partnership in accordance with the rules set forth in Section 704(b) of the Internal Revenue Code, and the rules promulgated under that Section, and the allocated amount of the credits shall be allowed to the partners for that taxable year. The partnership shall make this election on its Personal Property Tax Replacement Income Tax return for that taxable year. The election to pass through the credits shall be irrevocable.

For taxable years ending on or after December 31, 2000, a partner that qualifies its partnership for a subtraction under subparagraph (I) of paragraph (2) of subsection (d) of Section 203 or a shareholder that qualifies a Subchapter S corporation for a subtraction under subparagraph (S) of paragraph (2) of subsection (b) of Section 203 shall be allowed a credit under this subsection (e) equal to its share of the credit earned under this subsection (e) during the taxable year by the partnership or Subchapter S corporation, determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. This paragraph is exempt from the provisions of Section 250.

(f) Investment credit; Enterprise Zone; River Edge Redevelopment Zone.

(1) A taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service in an Enterprise Zone created pursuant to the Illinois Enterprise Zone Act or, for property placed in service on or after July 1, 2006, a River Edge Redevelopment Zone established pursuant to the River Edge Redevelopment Zone Act. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. The credit shall be .5% of the basis for such property. The credit shall be available only in the taxable year in which the property is placed in service in the Enterprise Zone or River Edge Redevelopment Zone and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1985, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability

for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (f);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code;

(D) is used in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer; and

(E) has not been previously used in Illinois in such a manner and by such a person as would qualify for the credit provided by this subsection (f) or subsection (e).

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in the Enterprise Zone or River Edge Redevelopment Zone by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside the Enterprise Zone or River Edge Redevelopment Zone within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) There shall be allowed an additional credit equal to 0.5% of the basis of qualified property placed in service during the taxable year in a River Edge Redevelopment Zone, provided such property is placed in service on or after July 1, 2006, and the taxpayer's base employment within Illinois has increased by 1% or more over the preceding year as determined by the taxpayer's employment records filed with the Illinois Department of Employment Security. Taxpayers who are new to Illinois shall be deemed to have met the 1% growth in base employment for the first year in which they file employment records with the Illinois Department of Employment Security. If, in any year, the increase in base employment within Illinois over the preceding year is less than 1%, the additional credit shall be limited to that percentage times a fraction, the numerator of which is 0.5% and the denominator of which is 1%, but shall not exceed 0.5%.

(8) For taxable years beginning on or after January 1, 2021, there shall be allowed an Enterprise Zone construction jobs credit against the taxes imposed under subsections (a) and (b) of this Section as provided in Section 13 of the Illinois Enterprise Zone Act.

The credit or credits may not reduce the taxpayer's liability to less than zero. If the amount of the credit or credits exceeds the taxpayer's liability, the excess may be carried forward and applied against the taxpayer's liability in succeeding calendar years in the same manner provided under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first.

For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for the purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance

with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9 ~~this amendatory Act of the 101st General Assembly~~) shall not exceed $20,000,000 in any State fiscal year.

This paragraph (8) is exempt from the provisions of Section 250.

(g) (Blank).

(h) Investment credit; High Impact Business.

(1) Subject to subsections (b) and (b-5) of Section 5.5 of the Illinois Enterprise Zone Act, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for investment in qualified property which is placed in service by a Department of Commerce and Economic Opportunity designated High Impact Business. The credit shall be .5% of the basis for such property. The credit shall not be available (i) until the minimum investments in qualified property set forth in subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act have been satisfied or (ii) until the time authorized in subsection (b-5) of the Illinois Enterprise Zone Act for entities designated as High Impact Businesses under subdivisions (a)(3)(B), (a)(3)(C), and (a)(3)(D) of Section 5.5 of the Illinois Enterprise Zone Act, and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. The credit applicable to such investments shall be taken in the taxable year in which such investments have been completed. The credit for additional investments beyond the minimum investment by a designated high impact business authorized under subdivision (a)(3)(A) of Section 5.5 of the Illinois Enterprise Zone Act shall be available only in the taxable year in which the property is placed in service and shall not be allowed to the extent that it would reduce a taxpayer's liability for the tax imposed by subsections (a) and (b) of this Section to below zero. For tax years ending on or after December 31, 1987, the credit shall be allowed for the tax year in which the property is placed in service, or, if the amount of the credit exceeds the tax liability for that year, whether it exceeds the original liability or the liability as later amended, such excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a liability. If there is credit from more than one tax year that is available to offset a liability, the credit accruing first in time shall be applied first.

Changes made in this subdivision (h)(1) by Public Act 88-670 restore changes made by Public Act 85-1182 and reflect existing law.

(2) The term qualified property means property which:

(A) is tangible, whether new or used, including buildings and structural components of buildings;

(B) is depreciable pursuant to Section 167 of the Internal Revenue Code, except that "3-year property" as defined in Section 168(c)(2)(A) of that Code is not eligible for the credit provided by this subsection (h);

(C) is acquired by purchase as defined in Section 179(d) of the Internal Revenue Code; and

(D) is not eligible for the Enterprise Zone Investment Credit provided by subsection (f) of this Section.

(3) The basis of qualified property shall be the basis used to compute the depreciation deduction for federal income tax purposes.

(4) If the basis of the property for federal income tax depreciation purposes is increased after it has been placed in service in a federally designated Foreign Trade Zone or Sub-Zone located in Illinois by the taxpayer, the amount of such increase shall be deemed property placed in service on the date of such increase in basis.

(5) The term "placed in service" shall have the same meaning as under Section 46 of the Internal Revenue Code.

(6) If during any taxable year ending on or before December 31, 1996, any property ceases to be qualified property in the hands of the taxpayer within 48 months after being placed in service, or the situs of any qualified property is moved outside Illinois within 48 months after being placed in service, the tax imposed under subsections (a) and (b) of this Section for such taxable year shall be increased. Such increase shall be determined by (i) recomputing the investment credit which would have been allowed for the year in which credit for such property was originally allowed by

eliminating such property from such computation, and (ii) subtracting such recomputed credit from the amount of credit previously allowed. For the purposes of this paragraph (6), a reduction of the basis of qualified property resulting from a redetermination of the purchase price shall be deemed a disposition of qualified property to the extent of such reduction.

(7) Beginning with tax years ending after December 31, 1996, if a taxpayer qualifies for the credit under this subsection (h) and thereby is granted a tax abatement and the taxpayer relocates its entire facility in violation of the explicit terms and length of the contract under Section 18-183 of the Property Tax Code, the tax imposed under subsections (a) and (b) of this Section shall be increased for the taxable year in which the taxpayer relocated its facility by an amount equal to the amount of credit received by the taxpayer under this subsection (h).

(h-5) High Impact Business construction ~~constructions~~ jobs credit. For taxable years beginning on or after January 1, 2021, there shall also be allowed a High Impact Business construction jobs credit against the tax imposed under subsections (a) and (b) of this Section as provided in subsections (i) and (j) of Section 5.5 of the Illinois Enterprise Zone Act.

The credit or credits may not reduce the taxpayer's liability to less than zero. If the amount of the credit or credits exceeds the taxpayer's liability, the excess may be carried forward and applied against the taxpayer's liability in succeeding calendar years in the manner provided under paragraph (4) of Section 211 of this Act. The credit or credits shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one taxable year that are available to offset a liability, the earlier credit shall be applied first.

For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for the purposes of federal and State income taxation, there shall be allowed a credit under this Section to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

The total aggregate amount of credits awarded under the Blue Collar Jobs Act (Article 20 of Public Act 101-9 ~~this amendatory Act of the 101st General Assembly~~) shall not exceed $20,000,000 in any State fiscal year.

This subsection (h-5) is exempt from the provisions of Section 250.

(i) Credit for Personal Property Tax Replacement Income Tax. For tax years ending prior to December 31, 2003, a credit shall be allowed against the tax imposed by subsections (a) and (b) of this Section for the tax imposed by subsections (c) and (d) of this Section. This credit shall be computed by multiplying the tax imposed by subsections (c) and (d) of this Section by a fraction, the numerator of which is base income allocable to Illinois and the denominator of which is Illinois base income, and further multiplying the product by the tax rate imposed by subsections (a) and (b) of this Section.

Any credit earned on or after December 31, 1986 under this subsection which is unused in the year the credit is computed because it exceeds the tax liability imposed by subsections (a) and (b) for that year (whether it exceeds the original liability or the liability as later amended) may be carried forward and applied to the tax liability imposed by subsections (a) and (b) of the 5 taxable years following the excess credit year, provided that no credit may be carried forward to any year ending on or after December 31, 2003. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability the earliest credit arising under this subsection shall be applied first.

If, during any taxable year ending on or after December 31, 1986, the tax imposed by subsections (c) and (d) of this Section for which a taxpayer has claimed a credit under this subsection (i) is reduced, the amount of credit for such tax shall also be reduced. Such reduction shall be determined by recomputing the credit to take into account the reduced tax imposed by subsections (c) and (d). If any portion of the reduced amount of credit has been carried to a different taxable year, an amended return shall be filed for such taxable year to reduce the amount of credit claimed.

(j) Training expense credit. Beginning with tax years ending on or after December 31, 1986 and prior to December 31, 2003, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) under this Section for all amounts paid or accrued, on behalf of all persons employed by the taxpayer in Illinois or Illinois residents employed outside of Illinois by a taxpayer, for educational or vocational training in semi-technical or technical fields or semi-skilled or skilled fields, which were deducted from gross income in the computation of taxable income. The credit against the tax imposed by subsections (a) and (b) shall be 1.6% of such training expenses. For partners, shareholders of subchapter S corporations, and owners

of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (j) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

Any credit allowed under this subsection which is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first computed until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. No carryforward credit may be claimed in any tax year ending on or after December 31, 2003.

(k) Research and development credit. For tax years ending after July 1, 1990 and prior to December 31, 2003, and beginning again for tax years ending on or after December 31, 2004, and ending prior to January 1, 2027, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for increasing research activities in this State. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 6 1/2% of the qualifying expenditures for increasing research activities in this State. For partners, shareholders of subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

For purposes of this subsection, "qualifying expenditures" means the qualifying expenditures as defined for the federal credit for increasing research activities which would be allowable under Section 41 of the Internal Revenue Code and which are conducted in this State, "qualifying expenditures for increasing research activities in this State" means the excess of qualifying expenditures for the taxable year in which incurred over qualifying expenditures for the base period, "qualifying expenditures for the base period" means the average of the qualifying expenditures for each year in the base period, and "base period" means the 3 taxable years immediately preceding the taxable year for which the determination is being made.

Any credit in excess of the tax liability for the taxable year may be carried forward. A taxpayer may elect to have the unused credit shown on its final completed return carried over as a credit against the tax liability for the following 5 taxable years or until it has been fully used, whichever occurs first; provided that no credit earned in a tax year ending prior to December 31, 2003 may be carried forward to any year ending on or after December 31, 2003.

If an unused credit is carried forward to a given year from 2 or more earlier years, that credit arising in the earliest year will be applied first against the tax liability for the given year. If a tax liability for the given year still remains, the credit from the next earliest year will then be applied, and so on, until all credits have been used or no tax liability for the given year remains. Any remaining unused credit or credits then will be carried forward to the next following year in which a tax liability is incurred, except that no credit can be carried forward to a year which is more than 5 years after the year in which the expense for which the credit is given was incurred.

No inference shall be drawn from Public Act 91-644 ~~this amendatory Act of the 91st General Assembly~~ in construing this Section for taxable years beginning before January 1, 1999.

It is the intent of the General Assembly that the research and development credit under this subsection (k) shall apply continuously for all tax years ending on or after December 31, 2004 and ending prior to January 1, 2027, including, but not limited to, the period beginning on January 1, 2016 and ending on July 6, 2017 (the effective date of Public Act 100-22) ~~this amendatory Act of the 100th General Assembly.~~ All actions taken in reliance on the continuation of the credit under this subsection (k) by any taxpayer are hereby validated.

(l) Environmental Remediation Tax Credit.

(i) For tax years ending after December 31, 1997 and on or before December 31, 2001, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14 of the Environmental Protection Act that were paid in performing environmental remediation at a site for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency

approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. After the Pollution Control Board rules are adopted pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act, determinations as to credit availability for purposes of this Section shall be made consistent with those rules. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site, except that the $100,000 threshold shall not apply to any site contained in an enterprise zone as determined by the Department of Commerce and Community Affairs (now Department of Commerce and Economic Opportunity). The total credit allowed shall not exceed $40,000 per year with a maximum total of $150,000 per site. For partners and shareholders of subchapter S corporations, there shall be allowed a credit under this subsection to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and subchapter S of the Internal Revenue Code.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. The term "unused credit" does not include any amounts of unreimbursed eligible remediation costs in excess of the maximum credit per site authorized under paragraph (i). This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(m) Education expense credit. Beginning with tax years ending after December 31, 1999, a taxpayer who is the custodian of one or more qualifying pupils shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for qualified education expenses incurred on behalf of the qualifying pupils. The credit shall be equal to 25% of qualified education expenses, but in no event may the total credit under this subsection claimed by a family that is the custodian of qualifying pupils exceed (i) $500 for tax years ending prior to December 31, 2017, and (ii) $750 for tax years ending on or after December 31, 2017. In no event shall a credit under this subsection reduce the taxpayer's liability under this Act to less than zero. Notwithstanding any other provision of law, for taxable years beginning on or after January 1, 2017, no taxpayer may claim a credit under this subsection (m) if the taxpayer's adjusted gross income for the taxable year exceeds (i) $500,000, in the case of spouses filing a joint federal tax return or (ii) $250,000, in the case of all other taxpayers. This subsection is exempt from the provisions of Section 250 of this Act.

For purposes of this subsection:

"Qualifying pupils" means individuals who (i) are residents of the State of Illinois, (ii) are under the age of 21 at the close of the school year for which a credit is sought, and (iii) during the school year for which a credit is sought were full-time pupils enrolled in a kindergarten through twelfth grade education program at any school, as defined in this subsection.

"Qualified education expense" means the amount incurred on behalf of a qualifying pupil in excess of $250 for tuition, book fees, and lab fees at the school in which the pupil is enrolled during the regular school year.

"School" means any public or nonpublic elementary or secondary school in Illinois that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements

of Section 26-1 of the School Code, except that nothing shall be construed to require a child to attend any particular public or nonpublic school to qualify for the credit under this Section.

"Custodian" means, with respect to qualifying pupils, an Illinois resident who is a parent, the parents, a legal guardian, or the legal guardians of the qualifying pupils.

(n) River Edge Redevelopment Zone site remediation tax credit.

(i) For tax years ending on or after December 31, 2006, a taxpayer shall be allowed a credit against the tax imposed by subsections (a) and (b) of this Section for certain amounts paid for unreimbursed eligible remediation costs, as specified in this subsection. For purposes of this Section, "unreimbursed eligible remediation costs" means costs approved by the Illinois Environmental Protection Agency ("Agency") under Section 58.14a of the Environmental Protection Act that were paid in performing environmental remediation at a site within a River Edge Redevelopment Zone for which a No Further Remediation Letter was issued by the Agency and recorded under Section 58.10 of the Environmental Protection Act. The credit must be claimed for the taxable year in which Agency approval of the eligible remediation costs is granted. The credit is not available to any taxpayer if the taxpayer or any related party caused or contributed to, in any material respect, a release of regulated substances on, in, or under the site that was identified and addressed by the remedial action pursuant to the Site Remediation Program of the Environmental Protection Act. Determinations as to credit availability for purposes of this Section shall be made consistent with rules adopted by the Pollution Control Board pursuant to the Illinois Administrative Procedure Act for the administration and enforcement of Section 58.9 of the Environmental Protection Act. For purposes of this Section, "taxpayer" includes a person whose tax attributes the taxpayer has succeeded to under Section 381 of the Internal Revenue Code and "related party" includes the persons disallowed a deduction for losses by paragraphs (b), (c), and (f)(1) of Section 267 of the Internal Revenue Code by virtue of being a related taxpayer, as well as any of its partners. The credit allowed against the tax imposed by subsections (a) and (b) shall be equal to 25% of the unreimbursed eligible remediation costs in excess of $100,000 per site.

(ii) A credit allowed under this subsection that is unused in the year the credit is earned may be carried forward to each of the 5 taxable years following the year for which the credit is first earned until it is used. This credit shall be applied first to the earliest year for which there is a liability. If there is a credit under this subsection from more than one tax year that is available to offset a liability, the earliest credit arising under this subsection shall be applied first. A credit allowed under this subsection may be sold to a buyer as part of a sale of all or part of the remediation site for which the credit was granted. The purchaser of a remediation site and the tax credit shall succeed to the unused credit and remaining carry-forward period of the seller. To perfect the transfer, the assignor shall record the transfer in the chain of title for the site and provide written notice to the Director of the Illinois Department of Revenue of the assignor's intent to sell the remediation site and the amount of the tax credit to be transferred as a portion of the sale. In no event may a credit be transferred to any taxpayer if the taxpayer or a related party would not be eligible under the provisions of subsection (i).

(iii) For purposes of this Section, the term "site" shall have the same meaning as under Section 58.2 of the Environmental Protection Act.

(o) For each of taxable years during the Compassionate Use of Medical Cannabis Program, a surcharge is imposed on all taxpayers on income arising from the sale or exchange of capital assets, depreciable business property, real property used in the trade or business, and Section 197 intangibles of an organization registrant under the Compassionate Use of Medical Cannabis Program Act. The amount of the surcharge is equal to the amount of federal income tax liability for the taxable year attributable to those sales and exchanges. The surcharge imposed does not apply if:

(1) the medical cannabis cultivation center registration, medical cannabis dispensary registration, or the property of a registration is transferred as a result of any of the following:

(A) bankruptcy, a receivership, or a debt adjustment initiated by or against the initial registration or the substantial owners of the initial registration;

(B) cancellation, revocation, or termination of any registration by the Illinois Department of Public Health;

(C) a determination by the Illinois Department of Public Health that transfer of the registration is in the best interests of Illinois qualifying patients as defined by the Compassionate Use of Medical Cannabis Program Act;

(D) the death of an owner of the equity interest in a registrant;

(E) the acquisition of a controlling interest in the stock or substantially all of the assets of a publicly traded company;

(F) a transfer by a parent company to a wholly owned subsidiary; or

(G) the transfer or sale to or by one person to another person where both persons were initial owners of the registration when the registration was issued; or

(2) the cannabis cultivation center registration, medical cannabis dispensary registration, or the controlling interest in a registrant's property is transferred in a transaction to lineal descendants in which no gain or loss is recognized or as a result of a transaction in accordance with Section 351 of the Internal Revenue Code in which no gain or loss is recognized.

(p) Pass-through entity tax.

(1) For taxable years ending on or after December 31, 2021 and beginning prior to January 1, 2026, a partnership (other than a publicly traded partnership under Section 7704 of the Internal Revenue Code) or Subchapter S corporation may elect to apply the provisions of this subsection. A separate election shall be made for each taxable year. Such election shall be made at such time, and in such form and manner as prescribed by the Department, and, once made, is irrevocable.

(2) Entity-level tax. A partnership or Subchapter S corporation electing to apply the provisions of this subsection shall be subject to a tax for the privilege of earning or receiving income in this State in an amount equal to 4.95% of the taxpayer's net income for the taxable year.

(3) Net income defined.

(A) In general. For purposes of paragraph (2), the term net income has the same meaning as defined in Section 202 of this Act, except that the following provisions shall not apply:

(i) the standard exemption allowed under Section 204;

(ii) the deduction for net losses allowed under Section 207;

(iii) in the case of an S corporation, the modification under Section 203(b)(2)(S); and

(iv) in the case of a partnership, the modifications under Section 203(d)(2)(H) and Section 203(d)(2)(I).

(B) Special rule for tiered partnerships. If a taxpayer making the election under paragraph (1) is a partner of another taxpayer making the election under paragraph (1), net income shall be computed as provided in subparagraph (A), except that the taxpayer shall subtract its distributive share of the net income of the electing partnership (including its distributive share of the net income of the electing partnership derived as a distributive share from electing partnerships in which it is a partner).

(4) Credit for entity level tax. Each partner or shareholder of a taxpayer making the election under this section shall be allowed a credit against the tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year of the partnership or Subchapter S corporation for which an election is in effect ending within or with the taxable year of the partner or shareholder in an amount equal to 4.95% times the partner or shareholder's distributive share of the net income of the electing partnership or Subchapter S corporation, but not to exceed the partner's or shareholder's share of the tax imposed under paragraph (1) which is actually paid by the partnership or Subchapter S corporation. If the taxpayer is a partnership or Subchapter S corporation that is itself a partner of a partnership making the election under paragraph (1), the credit under this paragraph shall be allowed to the taxpayer's partners or shareholders (or if the partner is a partnership or Subchapter S corporation then its partners or shareholders) in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. If the amount of the credit allowed under this paragraph exceeds the partner's or shareholder's liability for tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year, such excess shall be treated as an overpayment for purposes of Section 909 of this Act.

(5) Nonresidents. A nonresident individual who is a partner or shareholder of a partnership or Subchapter S corporation for a taxable year for which an election is in effect under paragraph (1) shall not be required to file an income tax return under this Act for such taxable year if the only source of net income of the individual (or the individual and the individual's spouse in the case of a joint return) is from an entity making the election under paragraph (1) and the credit allowed to the partner or shareholder under paragraph (4) equals or exceeds the individual's liability for the tax imposed under subsections (a) and (b) of Section 201 of this Act for the taxable year.

(6) Liability for tax. Except as provided in this paragraph, a partnership or Subchapter S making the election under paragraph (1) is liable for the entity-level tax imposed under paragraph (2). If the electing partnership or corporation fails to pay the full amount of tax deemed assessed under paragraph (2), the partners or shareholders shall be liable to pay the tax assessed (including penalties and interest). Each partner or shareholder shall be liable for the unpaid assessment based on the ratio of the partner's or shareholder's share of the net income of the partnership over the total net income of the partnership. If the partnership or Subchapter S corporation fails to pay the tax assessed (including penalties and interest) and thereafter an amount of such tax is paid by the partners or shareholders, such amount shall not be collected from the partnership or corporation.

(7) Foreign tax. For purposes of the credit allowed under Section 601(b)(3) of this Act, tax paid by a partnership or Subchapter S corporation to another state which, as determined by the Department, is substantially similar to the tax imposed under this subsection, shall be considered tax paid by the partner or shareholder to the extent that the partner's or shareholder's share of the income of the partnership or Subchapter S corporation allocated and apportioned to such other state bears to the total income of the partnership or Subchapter S corporation allocated or apportioned to such other state.

(8) Suspension of withholding. The provisions of Section 709.5 of this Act shall not apply to a partnership or Subchapter S corporation for the taxable year for which an election under paragraph (1) is in effect.

(9) Requirement to pay estimated tax. For each taxable year for which an election under paragraph (1) is in effect, a partnership or Subchapter S corporation is required to pay estimated tax for such taxable year under Sections 803 and 804 of this Act if the amount payable as estimated tax can reasonably be expected to exceed $500.

(Source: P.A. 100-22, eff. 7-6-17; 101-8, see Section 99 for effective date; 101-9, eff. 6-5-19; 101-31, eff. 6-28-19; 101-207, eff. 8-2-19; 101-363, eff. 8-9-19; revised 11-18-20.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Stoller, **Senate Bill No. 2531** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	

Cunningham	Koehler	Stadelman
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Connor, **Senate Bill No. 60** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Peters, **Senate Bill No. 63** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President

Crowe	Jones, E.	Simmons
Cullerton, T.	Joyce	Sims
Cunningham	Koehler	Stadelman
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Koehler, **Senate Bill No. 71** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None; Present 1.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Peters	Villanueva
Connor	Hunter	Plummer	Villivalam
Crowe	Johnson	Rezin	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

The following voted present:

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 therein.

On motion of Senator Stoller, **Senate Bill No. 85** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt

Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 101** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Morrison, **Senate Bill No. 102** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.

Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Feigenholtz, **Senate Bill No. 106** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Stadelman, **Senate Bill No. 117** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson

Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Joyce, **Senate Bill No. 119** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Anderson, **Senate Bill No. 121** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator McClure, **Senate Bill No. 135** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Holmes, **Senate Bill No. 157** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bennett, **Senate Bill No. 166** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Curran	Koehler	Sims
Aquino	DeWitte	Landek	Stadelman
Bailey	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Peters	Villanueva
Connor	Hunter	Plummer	Villivalam
Crowe	Johnson	Rezin	Wilcox
Cullerton, T.	Jones, E.	Rose	Mr. President
Cunningham	Joyce	Simmons	

The following voted in the negative:

Tracy

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

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 189** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Morrison, **Senate Bill No. 194** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Villivalam, **Senate Bill No. 214** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stadelman
Aquino	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Peters	Villa
Connor	Hunter	Plummer	Villanueva
Crowe	Johnson	Rezin	Villivalam
Cullerton, T.	Jones, E.	Rose	Wilcox
Cunningham	Joyce	Simmons	Mr. President
Curran	Koehler	Sims	

The following voted in the negative:

Bailey

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

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

On motion of Senator Belt, **Senate Bill No. 252** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	

Cunningham	Koehler	Stadelman
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bennett, **Senate Bill No. 277** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Rezin, **Senate Bill No. 280** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President

Crowe	Jones, E.	Simmons
Cullerton, T.	Joyce	Sims
Cunningham	Koehler	Stadelman
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Castro, **Senate Bill No. 295** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Barickman, **Senate Bill No. 297** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam

Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Harris, **Senate Bill No. 315** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 321** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa

Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Crowe, **Senate Bill No. 337** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Barickman, **Senate Bill No. 499** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.

Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator DeWitte, **Senate Bill No. 501** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Hastings, **Senate Bill No. 505** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy

Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Collins, **Senate Bill No. 506** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Muñoz, **Senate Bill No. 521** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller

Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Fine, **Senate Bill No. 539** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Feigenholtz, **Senate Bill No. 544** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Fine, **Senate Bill No. 579** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Connor, **Senate Bill No. 581** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Hastings, **Senate Bill No. 583** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Glowiak Hilton, **Senate Bill No. 593** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Barickman, **Senate Bill No. 595** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Joyce, **Senate Bill No. 622** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 632** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stadelman
Aquino	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Peters	Villa
Connor	Hunter	Plummer	Villanueva
Crowe	Johnson	Rezin	Villivalam
Cullerton, T.	Jones, E.	Rose	Wilcox
Cunningham	Joyce	Simmons	Mr. President
Curran	Koehler	Sims	

The following voted in the negative:

Bailey

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

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

On motion of Senator Murphy, **Senate Bill No. 640** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 641** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam

Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 642** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Peters, **Senate Bill No. 651** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa

Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Villivalam, **Senate Bill No. 676** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Hastings, **Senate Bill No. 687** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.

Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Muñoz, **Senate Bill No. 1539** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Cunningham, **Senate Bill No. 1611** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy

Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Villa, **Senate Bill No. 1632** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Rose, **Senate Bill No. 1638** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller

Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator McClure, **Senate Bill No. 1646** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Loughran Cappel	Stewart
Bailey	Feigenholtz	Martwick	Stoller
Barickman	Fine	McClure	Syverson
Belt	Fowler	McConchie	Tracy
Bennett	Gillespie	Morrison	Turner, D.
Bryant	Glowiak Hilton	Muñoz	Turner, S.
Bush	Harris	Murphy	Van Pelt
Castro	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Connor	Hunter	Rezin	Villivalam
Crowe	Johnson	Rose	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

The following voted in the negative:

Landek

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

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

On motion of Senator Rose, **Senate Bill No. 1650** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Joyce, **Senate Bill No. 1657** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Joyce, **Senate Bill No. 1658** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Martwick, **Senate Bill No. 1675** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS 2.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stewart
Aquino	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa
Collins	Holmes	Peters	Villanueva
Connor	Hunter	Plummer	Villivalam
Crowe	Johnson	Rezin	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	
Curran	Koehler	Stadelman	

The following voted in the negative:

Bailey

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 therein.

On motion of Senator Bush, **Senate Bill No. 1677** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bennett, **Senate Bill No. 1681** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	

Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bennett, **Senate Bill No. 1682** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bennett, **Senate Bill No. 1689** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox

Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bennett, **Senate Bill No. 1698** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Stadelman, **Senate Bill No. 1720** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS 4.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Stoller
Aquino	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Van Pelt
Bush	Harris	Muñoz	Villa
Castro	Hastings	Murphy	Villanueva
Collins	Holmes	Peters	Villivalam

Connor	Hunter	Plummer	Wilcox
Crowe	Johnson	Rezin	Mr. President
Cullerton, T.	Jones, E.	Simmons	
Cunningham	Joyce	Sims	
Curran	Koehler	Stadelman	
DeWitte	Landek	Stewart	

The following voted in the negative:

Bailey	Rose
Barickman	Turner, S.

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

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

On motion of Senator E. Jones III, **Senate Bill No. 1723** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator E. Jones III, **Senate Bill No. 1733** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson

Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator E. Jones III, **Senate Bill No. 1734** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	DeWitte	Landek	Stadelman
Aquino	Feigenholtz	Loughran Cappel	Stewart
Barickman	Fine	Martwick	Stoller
Belt	Fowler	McClure	Syverson
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Peters	Villa
Connor	Hunter	Plummer	Villanueva
Crowe	Johnson	Rezin	Villivalam
Cullerton, T.	Jones, E.	Rose	Wilcox
Cunningham	Joyce	Simmons	Mr. President
Curran	Koehler	Sims	

The following voted in the negative:

Bailey

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

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

On motion of Senator Belt, **Senate Bill No. 1765** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Belt, **Senate Bill No. 1771** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 1781** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 1790** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Murphy, **Senate Bill No. 1791** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator T. Cullerton, **Senate Bill No. 1800** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Plummer, **Senate Bill No. 1814** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Hunter, **Senate Bill No. 1845** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	

Cunningham	Koehler	Stadelman
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Bryant, **Senate Bill No. 1861** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Syverson, **Senate Bill No. 1876** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President

Crowe	Jones, E.	Simmons
Cullerton, T.	Joyce	Sims
Cunningham	Koehler	Stadelman
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Stewart, **Senate Bill No. 1878** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Stewart, **Senate Bill No. 1879** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Curran	Koehler	Stadelman
Aquino	DeWitte	Landek	Stewart
Bailey	Feigenholtz	Loughran Cappel	Stoller
Barickman	Fine	Martwick	Syverson
Belt	Fowler	McClure	Tracy
Bennett	Gillespie	McConchie	Turner, D.
Bryant	Glowiak Hilton	Morrison	Turner, S.
Bush	Harris	Muñoz	Van Pelt
Castro	Hastings	Murphy	Villa

Collins	Holmes	Peters	Villanueva
Connor	Hunter	Plummer	Villivalam
Crowe	Johnson	Rezin	Wilcox
Cullerton, T.	Jones, E.	Simmons	Mr. President
Cunningham	Joyce	Sims	

The following voted in the negative:

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 therein.

On motion of Senator Morrison, **Senate Bill No. 1913** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Morrison, **Senate Bill No. 1917** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.

Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Crowe, **Senate Bill No. 1921** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Crowe, **Senate Bill No. 1928** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson

Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator DeWitte, **Senate Bill No. 1941** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Fine, **Senate Bill No. 1976** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Muñoz, **Senate Bill No. 1993** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Anderson, **Senate Bill No. 2172** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Sims, **Senate Bill No. 2175** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

On motion of Senator Sims, **Senate Bill No. 2196** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	DeWitte	Loughran Cappel	Stoller
Aquino	Feigenholtz	Martwick	Syverson
Bailey	Fine	McClure	Tracy
Barickman	Fowler	McConchie	Turner, D.
Belt	Gillespie	Morrison	Turner, S.
Bennett	Glowiak Hilton	Muñoz	Van Pelt
Bryant	Harris	Murphy	Villa
Bush	Hastings	Peters	Villanueva
Castro	Holmes	Plummer	Villivalam
Collins	Hunter	Rezin	Wilcox
Connor	Johnson	Rose	Mr. President
Crowe	Jones, E.	Simmons	
Cullerton, T.	Joyce	Sims	
Cunningham	Koehler	Stadelman	
Curran	Landek	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 and ask their concurrence therein.

ANNOUNCEMENT

The Chair announced that for those members who filed vote intention slips with the Secretary declaring his or her intention to vote No, Present, or Abstain, on any bill on the Third Reading Agreed Bills List, the record will appropriately reflect your voting intention. This series of Senate Bills, having received a constitutional majority by record vote, is declared passed, and the record vote for each bill shall be entered into the Journal.

COMMITTEE MEETING ANNOUNCEMENTS FOR APRIL 22, 2021

The Chair announced the following committees to meet at 8:30 o'clock a.m.:

Agriculture in Room 212
Commerce in Room 400
Human Rights in Room 409

The Chair announced the following committee to meet at 9:00 o'clock a.m.:

Energy and Public Utilities in Room 212

The Chair announced the following committees to meet at 10:00 o'clock a.m.:

Environment and Conservation in Room 400
Tourism and Hospitality in Room 409

ANNOUNCEMENT

The Chair announced that the foregoing committees will include virtual participation.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 21, 2021 meeting, reported that the Committee recommends that **Floor Amendment No. 1 to Senate Bill 1230** be re-referred from the Committee on Transportation to the Committee on Assignments.

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 21, 2021 meeting, reported that the following Legislative Measure has been approved for consideration:

Floor Amendment No. 1 to Senate Bill 2434

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

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 1 to Senate Bill 1230**.

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 2434** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2434

AMENDMENT NO. 1 . Amend Senate Bill 2434 on page 5, line 16, before the period, by inserting ", and the student's parent or guardian has expressed in writing that the student intends to enroll or has enrolled in the high school district".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

MOTION IN WRITING

I move that the attached list of bills be placed on the Order of Third Reading - Agreed Bills so that they can be acted on by one roll call by the Senate: (see attached Agreed Bills List)

s/Don Harmon
Senator Don Harmon
President of the Senate
4-21-21
Date

AGREED BILLS LIST
(as read by the Secretary)

SENATE BILL NO. 47. Sponsored by Senator Barickman.
SENATE BILL NO. 61. Sponsored by Senator Cunningham.
SENATE BILL NO. 80. Sponsored by Senator Tracy.
SENATE BILL NO. 81. Sponsored by Senator Stoller.

SENATE BILL NO. 110. Sponsored by Senator Feigenholtz.
SENATE BILL NO. 215. Sponsored by Senator Johnson.
SENATE BILL NO. 227. Sponsored by Senator Gillespie.
SENATE BILL NO. 257. Sponsored by Senator Hastings.
SENATE BILL NO. 258. Sponsored by Senator Hastings.
SENATE BILL NO. 259. Sponsored by Senator Hastings
SENATE BILL NO. 273. Sponsored by Senator DeWitte.
SENATE BILL NO. 274. Sponsored by Senator Bennett.
SENATE BILL NO. 332. Sponsored by Senator Collins.
SENATE BILL NO. 340. Sponsored by Senator Hunter.
SENATE BILL NO. 363. Sponsored by Senator Van Pelt.
SENATE BILL NO. 471. Sponsored by Senator Fine.
SENATE BILL NO. 472. Sponsored by Senator Bennett.
SENATE BILL NO. 481. Sponsored by Senator Bennett.
SENATE BILL NO. 493. Sponsored by Senator Syverson.
SENATE BILL NO. 558. Sponsored by Senator Crowe.
SENATE BILL NO. 574. Sponsored by Senator Stewart.
SENATE BILL NO. 644. Sponsored by Senator Ellman.
SENATE BILL NO. 652. Sponsored by Senator Peters.
SENATE BILL NO. 653. Sponsored by Senator Peters.
SENATE BILL NO. 664. Sponsored by Senator Gillespie.
SENATE BILL NO. 669. Sponsored by Senator Aquino.
SENATE BILL NO. 673. Sponsored by Senator Collins.
SENATE BILL NO. 680. Sponsored by Senator Connor.
SENATE BILL NO. 685. Sponsored by Senator Villanueva.
SENATE BILL NO. 692. Sponsored by Senator Fine.
SENATE BILL NO. 695. Sponsored by Senator Bush.
SENATE BILL NO. 696. Sponsored by Senator Fine.
SENATE BILL NO. 698. Sponsored by Senator Villivalam.
SENATE BILL NO. 1552. Sponsored by Senator Castro.
SENATE BILL NO. 1588. Sponsored by Senator Fine.
SENATE BILL NO. 1592. Sponsored by Senator Fine.
SENATE BILL NO. 1595. Sponsored by Senator Holmes.
SENATE BILL NO. 1596. Sponsored by Senator Collins.
SENATE BILL NO. 1599. Sponsored by Senator Collins.
SENATE BILL NO. 1624. Sponsored by Senator D. Turner.
SENATE BILL NO. 1656. Sponsored by Senator Joyce.
SENATE BILL NO. 1667. Sponsored by Senator Holmes.
SENATE BILL NO. 1673. Sponsored by Senator Holmes.
SENATE BILL NO. 1691. Sponsored by Senator Bennett.
SENATE BILL NO. 1711. Sponsored by Senator Castro.
SENATE BILL NO. 1714. Sponsored by Senator Castro.
SENATE BILL NO. 1740. Sponsored by Senator E. Jones III.
SENATE BILL NO. 1750. Sponsored by Senator Hastings.
SENATE BILL NO. 1776. Sponsored by Senator Murphy.
SENATE BILL NO. 1799. Sponsored by Senator T. Cullerton.
SENATE BILL NO. 1808. Sponsored by Senator Rose.
SENATE BILL NO. 1836. Sponsored by Senator Aquino.
SENATE BILL NO. 1847. Sponsored by Senator Hunter.
SENATE BILL NO. 1892. Sponsored by Senator Curran.
SENATE BILL NO. 1908. Sponsored by Senator Morrison.
SENATE BILL NO. 1918. Sponsored by Senator Morrison.
SENATE BILL NO. 1920. Sponsored by Senator Crowe.
SENATE BILL NO. 1962. Sponsored by Senator Lightford.
SENATE BILL NO. 1974. Sponsored by Senator Fine.
SENATE BILL NO. 1977. Sponsored by Senator Fine.

SENATE BILL NO. 1981. Sponsored by Senator Fine.
SENATE BILL NO. 1989. Sponsored by Senator Joyce.
SENATE BILL NO. 2004. Sponsored by Senator Koehler.
SENATE BILL NO. 2089. Sponsored by Senator Belt.
SENATE BILL NO. 2110. Sponsored by Senator Villa.
SENATE BILL NO. 2150. Sponsored by Senator Bailey.
SENATE BILL NO. 2164. Sponsored by Senator Anderson.
SENATE BILL NO. 2177. Sponsored by Senator Sims.
SENATE BILL NO. 2179. Sponsored by Senator Sims.
SENATE BILL NO. 2183. Sponsored by Senator Sims.
SENATE BILL NO. 2193. Sponsored by Senator Sims.
SENATE BILL NO. 2194. Sponsored by Senator Sims.
SENATE BILL NO. 2226. Sponsored by Senator D. Turner.
SENATE BILL NO. 2235. Sponsored by Senator Murphy.
SENATE BILL NO. 2240. Sponsored by Senator Murphy.
SENATE BILL NO. 2245. Sponsored by Senator Morrison.
SENATE BILL NO. 2249. Sponsored by Senator D. Turner.
SENATE BILL NO. 2250. Sponsored by Senator Rezin.
SENATE BILL NO. 2270. Sponsored by Senator Syverson.
SENATE BILL NO. 2277. Sponsored by Senator Stadelman.
SENATE BILL NO. 2294. Sponsored by Senator Gillespie.
SENATE BILL NO. 2297. Sponsored by Senator Gillespie.
SENATE BILL NO. 2312. Sponsored by Senator Feigenholtz.
SENATE BILL NO. 2339. Sponsored by Senator Lightford.
SENATE BILL NO. 2340. Sponsored by Senator Lightford.
SENATE BILL NO. 2356. Sponsored by Senator Curran.
SENATE BILL NO. 2384. Sponsored by Senator Fine.
SENATE BILL NO. 2390. Sponsored by Senator Fine.
SENATE BILL NO. 2395. Sponsored by Senator Joyce.
SENATE BILL NO. 2406. Sponsored by Senator Harris.
SENATE BILL NO. 2408. Sponsored by Senator Harris.
SENATE BILL NO. 2409. Sponsored by Senator Harris.
SENATE BILL NO. 2411. Sponsored by Senator Harris.
SENATE BILL NO. 2424. Sponsored by Senator Harris.
SENATE BILL NO. 2430. Sponsored by Senator Cunningham.
SENATE BILL NO. 2432. Sponsored by Senator Cunningham.
SENATE BILL NO. 2434. Sponsored by Senator Harmon.
SENATE BILL NO. 2435. Sponsored by Senator Cunningham.
SENATE BILL NO. 2454. Sponsored by Senator Villivalam.
SENATE BILL NO. 2455. Sponsored by Senator Villivalam.
SENATE BILL NO. 2496. Sponsored by Senator Villivalam.
SENATE BILL NO. 2506. Sponsored by Senator McConchie.
SENATE BILL NO. 2522. Sponsored by Senator Rose.
SENATE BILL NO. 2530. Sponsored by Senator Curran.
SENATE BILL NO. 2567. Sponsored by Senator Bush.

The motion prevailed
And the Chair ordered that the Agreed Bills List be printed on the Calendar.

Senator Harmon arose for the purpose of making a motion and to address the procedure for passing bills on the Agreed Bills List, which has been circulated and will be printed on the Calendar. Beginning Thursday, April 22, 2021, the Secretary's Office will have vote intention sheets available for a Senator to mark whether he or she wishes to vote No, Present, or Not Voting on a bill on the Agreed Bills List. Failure to mark No, Present, or Not Voting on a particular bill on the Agreed Bills List will reflect a vote of Yes. Each Senator must file his or her marked vote intention list with the Secretary of the Senate no later than 12:00 o'clock p.m. on Friday, April 23, 2021. Failure to file such a list with the Secretary will result in a

vote of Yes for each bill on the Agreed Bills List.

Senator Harmon moved that the Senate adopt the process just described for passing the Third Reading - Agreed Bills List.

The motion prevailed.

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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 4
A bill for AN ACT concerning education.

HOUSE BILL NO. 11
A bill for AN ACT concerning finance.

HOUSE BILL NO. 32
A bill for AN ACT concerning State government.

HOUSE BILL NO. 51
A bill for AN ACT concerning safety.

HOUSE BILL NO. 53
A bill for AN ACT concerning employment.

HOUSE BILL NO. 119
A bill for AN ACT concerning health.

HOUSE BILL NO. 202
A bill for AN ACT concerning local government.

HOUSE BILL NO. 212
A bill for AN ACT concerning education.

HOUSE BILL NO. 217
A bill for AN ACT concerning education.

HOUSE BILL NO. 226
A bill for AN ACT concerning education.

Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 4, 11, 32, 51, 53, 119, 202, 212, 217 and 226** were taken up, ordered printed and placed on first reading.

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

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

HOUSE BILL NO. 9
A bill for AN ACT concerning health.

HOUSE BILL NO. 290
A bill for AN ACT concerning education.

HOUSE BILL NO. 633
A bill for AN ACT concerning vegetable garden protection.

HOUSE BILL NO. 711
A bill for AN ACT concerning regulation.

HOUSE BILL NO. 1744
A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 3447
A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 3821
A bill for AN ACT concerning children.

HOUSE BILL NO. 3861

A bill for AN ACT concerning transportation.

Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 9, 290, 633, 711, 1744, 3447, 3821 and 3861** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Hollman, Clerk:

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

HOUSE BILL NO. 86

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 182

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 836

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 2413

A bill for AN ACT concerning local government.

HOUSE BILL NO. 3019

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 3697

A bill for AN ACT concerning employment.

HOUSE BILL NO. 3714

A bill for AN ACT concerning regulation.

Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 86, 182, 836, 2413, 3019, 3697 and 3714** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Hollman, Clerk:

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

HOUSE BILL NO. 227

A bill for AN ACT concerning local government.

HOUSE BILL NO. 292

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 310

A bill for AN ACT concerning homeless shelters.

HOUSE BILL NO. 332

A bill for AN ACT concerning education.

HOUSE BILL NO. 365

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 379

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 398

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 416

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 417

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 425

A bill for AN ACT concerning public employee benefits.

Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 227, 292, 310, 332, 365, 379, 398, 416, 417 and 425** were taken up, ordered printed and placed on first reading.

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

HOUSE BILL NO. 426
A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 452
A bill for AN ACT concerning State government.

HOUSE BILL NO. 625
A bill for AN ACT concerning civil law.

HOUSE BILL NO. 638
A bill for AN ACT concerning State government.

HOUSE BILL NO. 640
A bill for AN ACT concerning State government.

HOUSE BILL NO. 644
A bill for AN ACT concerning civil law.

HOUSE BILL NO. 691
A bill for AN ACT concerning regulation.

HOUSE BILL NO. 692
A bill for AN ACT concerning regulation.

HOUSE BILL NO. 704
A bill for AN ACT concerning civil law.

HOUSE BILL NO. 716
A bill for AN ACT concerning government.

Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 426, 452, 625, 638, 640, 644, 691, 692, 704 and 716** were taken up, ordered printed and placed on first reading.

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

HOUSE BILL NO. 733
A bill for AN ACT concerning transportation.

HOUSE BILL NO. 809
A bill for AN ACT concerning local government.

HOUSE BILL NO. 813
A bill for AN ACT concerning transportation.

HOUSE BILL NO. 835
A bill for AN ACT concerning civil law.

HOUSE BILL NO. 1710
A bill for AN ACT concerning State government.

HOUSE BILL NO. 1719
A bill for AN ACT concerning education.

HOUSE BILL NO. 1724
A bill for AN ACT concerning finance.

HOUSE BILL NO. 1725
A bill for AN ACT concerning education.

HOUSE BILL NO. 1726

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1737

A bill for AN ACT concerning transportation.

Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 733, 809, 813, 835, 1710, 1719, 1724, 1725, 1726 and 1737** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Hollman, Clerk:

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

HOUSE BILL NO. 1745

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 1746

A bill for AN ACT concerning education.

HOUSE BILL NO. 1755

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1760

A bill for AN ACT concerning conservation.

HOUSE BILL NO. 1777

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 1785

A bill for AN ACT concerning education.

HOUSE BILL NO. 1802

A bill for AN ACT concerning education.

HOUSE BILL NO. 1805

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1815

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1836

A bill for AN ACT concerning State government.

Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1745, 1746, 1755, 1760, 1777, 1785, 1802, 1805, 1815 and 1836** were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Hollman, Clerk:

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

HOUSE BILL NO. 1841

A bill for AN ACT concerning public employee benefits.

HOUSE BILL NO. 1879

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1883

A bill for AN ACT concerning property.

HOUSE BILL NO. 1915

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 1916

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1927

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 1928
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1931
A bill for AN ACT concerning local government.
HOUSE BILL NO. 1932
A bill for AN ACT concerning local government.
HOUSE BILL NO. 1934
A bill for AN ACT concerning education.
Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1841, 1879, 1883, 1915, 1916, 1927, 1928, 1931, 1932 and 1934** were taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:
HOUSE BILL NO. 1950
A bill for AN ACT concerning public aid.
HOUSE BILL NO. 1954
A bill for AN ACT concerning government.
HOUSE BILL NO. 1957
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 1960
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1966
A bill for AN ACT concerning public employee benefits.
HOUSE BILL NO. 1976
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 2365
A bill for AN ACT concerning local government.
HOUSE BILL NO. 2394
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 2401
A bill for AN ACT concerning State government.
HOUSE BILL NO. 2405
A bill for AN ACT concerning regulation.
Passed the House, April 21, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1950, 1954, 1957, 1960, 1966, 1976, 2365, 2394, 2401 and 2405** were taken up, ordered printed and placed on first reading.

COMMUNICATION

DISCLOSURE TO THE SENATE

Date: April 21, 2021

Legislative Measure(s): SB 71

Venue:

Committee on _____
X Full Senate

X Due to a potential conflict of interest (or the potential appearance thereof), I abstained from voting (or voted "present") on the above legislative measure(s).

Notwithstanding a potential conflict of interest (or the potential appearance thereof), I voted in favor of or against the above legislative measure(s) because I believe doing so is in the best interests of the State.

s/Chapin Rose
Senator Chapin Rose

At the hour of 10:46 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, April 22, 2021, at 11:00 o'clock a.m., or until the call of the President.