



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

38TH LEGISLATIVE DAY

THURSDAY, MAY 10, 2007

1:40 O'CLOCK P.M.

SENATE
Daily Journal Index
38th Legislative Day

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The Senate met pursuant to adjournment.
Senator James A. DeLeo, Chicago, Illinois, presiding.
Prayer by Pastor Paul Black, Jerome United Methodist Church, Springfield, Illinois.
Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, May 9, 2007, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Report of the Joint Task Force on the College Insurance Program, submitted by the Joint Task Force on the College Insurance Program.

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

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 3 to Senate Bill 1400

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

Senate Committee Amendment No. 1 to Senate Joint Resolution 39

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

Senate Committee Amendment No. 1 to House Bill 1641
Senate Committee Amendment No. 2 to House Bill 1855

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

Senate Floor Amendment No. 1 to House Bill 570
Senate Floor Amendment No. 2 to House Bill 616
Senate Floor Amendment No. 1 to House Bill 652
Senate Floor Amendment No. 2 to House Bill 3729

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 179

Offered by Senator Link and all Senators:
Mourns the death of Salvatore D'Anca, Sr.

SENATE RESOLUTION 180

Offered by Senator E. Jones and all Senators:

[May 10, 2007]

Mourns the death of Norma C. Sullivan of Wellington, Ohio.

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

REPORTS FROM STANDING COMMITTEES

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bills Numbered 201, 297, 709, 1019, 1020, 1741, 1833, 2106 and 3721**, reported the same back with the recommendation that the bills do pass.

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

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bills Numbered 822 and 3614**, 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 Trotter, Vice-Chairperson of the Committee on Environment and Energy, to which was referred **House Bills Numbered 120, 277, 351, 463, 736, 825, 894, 1011, 1303, 1638, 1888, 3638, 3728 and 3729**, reported the same back with the recommendation that the bills do pass.

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

Senator Trotter, Vice-Chairperson of the Committee on Environment and Energy, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Floor Amendment No. 1 to Senate Bill 661

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

Senator Meeks, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 17, 250, 254, 517, 570, 652, 909, 982, 984, 1535, 1708, 1758, 1775, 3455 and 3678**, reported the same back with the recommendation that the bills do pass.

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

Senator Meeks, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 202, 616, 734 and 1301**, 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 Silverstein, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 166, 617, 1124, 1268, 1743, 1744, 1822, 3487 and 3649**, reported the same back with the recommendation that the bills do pass.

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

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Bills Numbered 1455 and 2304**, 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 Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bills Numbered 28, 670, 978, 1332, 1460, 1509, 1778, 1832, 2023, 2179 and 3463**, reported the same back with the recommendation that the bills do pass.

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

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Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Bill No. 3490**, 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 Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Joint Resolutions numbered 17, 35, 37, 39, 40, 42, 46 and 47**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Joint Resolutions numbered 17, 35, 37, 39, 40, 42, 46 and 47** were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Joint Resolutions numbered 29 and 43**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolutions, as amended, be adopted.

Under the rules, **Senate Joint Resolutions numbered 29 and 43** were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Resolutions numbered 72, 85, 121, 126, 129, 138, 151, 152 and 157**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions numbered 72, 85, 121, 126, 129, 138, 151, 152 and 157** were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **House Joint Resolutions numbered 1, 8, 17, 19, 26, 27, 30 and 47**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **House Joint Resolutions numbered 1, 8, 17, 19, 26, 27, 30 and 47** were placed on the Secretary's Desk.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Floor Amendment No. 1 to Senate Bill 767

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

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **House Bills Numbered 282, 290, 576, 586, 1242, 1514, 1539, 1558, 1637, 1656, 2036, 2307, 3091 and 3434**, reported the same back with the recommendation that the bills do pass.

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

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **House Bill No. 1519**, 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 Harmon, Chairperson of the Committee on Revenue, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 1395

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

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **House Bills Numbered 682 and 2194**, reported the same back with the recommendation that the bills do pass.

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

Senator Ronen, Chairperson of the Committee on Licensed Activities, to which was referred **House Bills Numbered 118, 126, 1284, 1406, 1423 and 1555**, reported the same back with the recommendation that the bills do pass.

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

Senator Ronen, Chairperson of the Committee on Licensed Activities, to which was referred **House Bills Numbered 121 and 1947**, 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 Lightford, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 18, 438, 817, 1347, 1363, 1559, 1651, 1839, 1847, 1877 and 3730**, reported the same back with the recommendation that the bills do pass.

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

Senator Lightford, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 913, 1030, 1330, 1647 and 1969**, 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 Haine, Chairperson of the Committee on Insurance, to which was referred **House Bills Numbered 147, 148, 415 and 1004**, reported the same back with the recommendation that the bills do pass.

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

Senator Haine, Chairperson of the Committee on Insurance, to which was referred **House Bill No. 1319**, 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 Righter asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 1:53 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 2:40 o'clock p.m., the Senate resumed consideration of business.
Senator DeLeo, presiding.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Munoz, **Senate Bill No. 1318**, 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.

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The following voted in the affirmative:

Althoff	Haine	Maloney	Sandoval
Bomke	Halvorson	Martinez	Schoenberg
Bond	Harmon	Meeks	Sieben
Brady	Hendon	Millner	Silverstein
Burzynski	Holmes	Munoz	Sullivan
Collins	Hultgren	Murphy	Syverson
Crotty	Hunter	Noland	Trotter
Cullerton	Jacobs	Pankau	Viverito
DeLeo	Jones, J.	Peterson	Watson
Delgado	Koehler	Radogno	Wilhelmi
Demuzio	Kotowski	Raoul	Mr. President
Dillard	Lauzen	Righter	
Forby	Lightford	Risinger	
Frerichs	Link	Ronen	
Garrett	Luechtefeld	Rutherford	

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

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

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 1397** 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. 2 TO SENATE BILL 1397

AMENDMENT NO. 2. Amend Senate Bill 1397, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Sections 11-19.2, 12-13, and 12-14.1 as follows:

(720 ILCS 5/11-19.2) (from Ch. 38, par. 11-19.2)

Sec. 11-19.2. Exploitation of a child.

(A) A person commits exploitation of a child when he or she confines a child under the age of 16 or a severely or profoundly mentally retarded person against his or her will by the infliction or threat of imminent infliction of great bodily harm, permanent disability or disfigurement or by administering to the child or severely or profoundly mentally retarded person without his or her consent or by threat or deception and for other than medical purposes, any alcoholic intoxicant or a drug as defined in the Illinois Controlled Substances Act or the Cannabis Control Act or methamphetamine as defined in the Methamphetamine Control and Community Protection Act and:

(1) compels the child or severely or profoundly mentally retarded person to become a prostitute; or

(2) arranges a situation in which the child or severely or profoundly mentally retarded person may practice prostitution; or

(3) receives any money, property, token, object, or article or anything of value from the child or severely or profoundly mentally retarded person knowing it was obtained in whole or in part from the practice of prostitution.

(B) For purposes of this Section, administering drugs, as defined in subsection (A), or an alcoholic intoxicant to a child under the age of 13 or a severely or profoundly mentally retarded person shall be deemed to be without consent if such administering is done without the consent of the parents or legal guardian.

(C) Exploitation of a child is a Class X felony, for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years.

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(D) Any person convicted under this Section is subject to the forfeiture provisions of Section 11-20.1A of this Act.

(Source: P.A. 94-556, eff. 9-11-05.)

(720 ILCS 5/12-13) (from Ch. 38, par. 12-13)

Sec. 12-13. Criminal Sexual Assault.

(a) The accused commits criminal sexual assault if he or she:

(1) commits an act of sexual penetration by the use of force or threat of force; or

(2) commits an act of sexual penetration and the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent; or

(3) commits an act of sexual penetration with a victim who was under 18 years of age when the act was committed and the accused was a family member; or

(4) commits an act of sexual penetration with a victim who was at least 13 years of age but under 18 years of age when the act was committed and the accused was 17 years of age or over and held a position of trust, authority or supervision in relation to the victim.

(b) Sentence.

(1) Criminal sexual assault is a Class 1 felony.

(2) A person who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of criminal sexual assault or the offense of exploitation of a child, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of criminal sexual assault or to the offense of exploitation of a child, commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 30 years and not more than 60 years. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply.

(3) A person who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of aggravated criminal sexual assault or the offense of criminal predatory sexual assault shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (3) to apply.

(4) A second or subsequent conviction for a violation of paragraph (a)(3) or (a)(4) or under any similar statute of this State or any other state for any offense involving criminal sexual assault that is substantially equivalent to or more serious than the sexual assault prohibited under paragraph (a)(3) or (a)(4) is a Class X felony.

(5) When a person has any such prior conviction, the information or indictment charging that person shall state such prior conviction so as to give notice of the State's intention to treat the charge as a Class X felony. The fact of such prior conviction is not an element of the offense and may not be disclosed to the jury during trial unless otherwise permitted by issues properly raised during such trial.

(Source: P.A. 90-396, eff. 1-1-98.)

(720 ILCS 5/12-14.1)

Sec. 12-14.1. Predatory criminal sexual assault of a child.

(a) The accused commits predatory criminal sexual assault of a child if:

(1) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed; or

(1.1) the accused was 17 years of age or over and, while armed with a firearm, commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed; or

(1.2) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and, during the commission of the offense, the accused personally discharged a firearm; or

(2) the accused was 17 years of age or over and commits an act of sexual penetration

with a victim who was under 13 years of age when the act was committed and the accused caused great bodily harm to the victim that:

(A) resulted in permanent disability; or

(B) was life threatening; or

(3) the accused was 17 years of age or over and commits an act of sexual penetration with a victim who was under 13 years of age when the act was committed and the accused delivered (by injection, inhalation, ingestion, transfer of possession, or any other means) to the victim without his or her consent, or by threat or deception, and for other than medical purposes, any controlled substance.

(b) Sentence.

(1) A person convicted of a violation of subsection (a)(1) commits a Class X felony, for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years.

A

person convicted of a violation of subsection (a)(1.1) commits a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(1.2) commits a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A person convicted of a violation of subsection (a)(2) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years or up to a term of natural life imprisonment.

(1.1) A person convicted of a violation of subsection (a)(3) commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 50 years and not more than 60 years.

(1.2) A person convicted of predatory criminal sexual assault of a child committed against 2 or more persons regardless of whether the offenses occurred as the result of the same act or of several related or unrelated acts shall be sentenced to a term of natural life imprisonment.

(2) A person who is convicted of a second or subsequent offense of predatory criminal sexual assault of a child, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted of the offense of criminal sexual assault or the offense of aggravated criminal sexual assault, or who is convicted of the offense of predatory criminal sexual assault of a child after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of predatory criminal sexual assault of a child, the offense of aggravated criminal sexual assault or the offense of criminal sexual assault, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply.

(Source: P.A. 91-238, eff. 1-1-00; 91-404, eff. 1-1-00; 92-16, eff. 6-28-01.)

Section 10. The Unified Code of Corrections is amended by changing Section 3-3-7 as follows:

(730 ILCS 5/3-3-7) (from Ch. 38, par. 1003-3-7)

Sec. 3-3-7. Conditions of Parole or Mandatory Supervised Release.

(a) The conditions of parole or mandatory supervised release shall be such as the Prisoner Review Board deems necessary to assist the subject in leading a law-abiding life. The conditions of every parole and mandatory supervised release are that the subject:

(1) not violate any criminal statute of any jurisdiction during the parole or release term;

(2) refrain from possessing a firearm or other dangerous weapon;

(3) report to an agent of the Department of Corrections;

(4) permit the agent to visit him or her at his or her home, employment, or elsewhere to the extent necessary for the agent to discharge his or her duties;

(5) attend or reside in a facility established for the instruction or residence of persons on parole or mandatory supervised release;

(6) secure permission before visiting or writing a committed person in an Illinois Department of Corrections facility;

(7) report all arrests to an agent of the Department of Corrections as soon as permitted by the arresting authority but in no event later than 24 hours after release from custody;

(7.5) if convicted of a sex offense as defined in the Sex Offender Management Board Act, the individual shall undergo and successfully complete sex offender treatment conducted in conformance with the standards developed by the Sex Offender Management Board Act by a treatment provider approved by the Board;

(7.6) if convicted of a sex offense as defined in the Sex Offender Management Board Act, refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense; the provisions of this paragraph do not apply to a person convicted of a sex offense who is

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placed in a Department of Corrections licensed transitional housing facility for sex offenders, or is in any facility operated or licensed by the Department of Children and Family Services or by the Department of Human Services, or is in any licensed medical facility;

(7.7) if convicted for an offense that would qualify the accused as a sexual predator under the Sex Offender Registration Act on or after the effective date of this amendatory Act of the 94th General Assembly, wear an approved electronic monitoring device as defined in Section 5-8A-2 for the duration of the person's parole, mandatory supervised release term, or extended mandatory supervised release term, ~~provided funding is appropriated by the General Assembly;~~

(7.8) if convicted for an offense that would qualify the accused as a sex offender or sexual predator under the Sex Offender Registration Act on or after the effective date of this amendatory Act of the 95th General Assembly, not possess prescription drugs for erectile dysfunction;

(8) obtain permission of an agent of the Department of Corrections before leaving the State of Illinois;

(9) obtain permission of an agent of the Department of Corrections before changing his or her residence or employment;

(10) consent to a search of his or her person, property, or residence under his or her control;

(11) refrain from the use or possession of narcotics or other controlled substances in any form, or both, or any paraphernalia related to those substances and submit to a urinalysis test as instructed by a parole agent of the Department of Corrections;

(12) not frequent places where controlled substances are illegally sold, used, distributed, or administered;

(13) not knowingly associate with other persons on parole or mandatory supervised release without prior written permission of his or her parole agent and not associate with persons who are members of an organized gang as that term is defined in the Illinois Streetgang Terrorism Omnibus Prevention Act;

(14) provide true and accurate information, as it relates to his or her adjustment in the community while on parole or mandatory supervised release or to his or her conduct while incarcerated, in response to inquiries by his or her parole agent or of the Department of Corrections;

(15) follow any specific instructions provided by the parole agent that are consistent with furthering conditions set and approved by the Prisoner Review Board or by law, exclusive of placement on electronic detention, to achieve the goals and objectives of his or her parole or mandatory supervised release or to protect the public. These instructions by the parole agent may be modified at any time, as the agent deems appropriate; and

(16) if convicted of a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter.

(b) The Board may in addition to other conditions require that the subject:

(1) work or pursue a course of study or vocational training;

(2) undergo medical or psychiatric treatment, or treatment for drug addiction or alcoholism;

(3) attend or reside in a facility established for the instruction or residence of persons on probation or parole;

(4) support his dependents;

(5) (blank);

(6) (blank);

(7) comply with the terms and conditions of an order of protection issued pursuant to the Illinois Domestic Violence Act of 1986, enacted by the 84th General Assembly, or an order of protection issued by the court of another state, tribe, or United States territory; and

(8) in addition, if a minor:

(i) reside with his parents or in a foster home;

(ii) attend school;

(iii) attend a non-residential program for youth; or

(iv) contribute to his own support at home or in a foster home.

(b-1) In addition to the conditions set forth in subsections (a) and (b), persons required to register as sex offenders pursuant to the Sex Offender Registration Act, upon release from the custody of the

Illinois Department of Corrections, may be required by the Board to comply with the following specific conditions of release:

- (1) reside only at a Department approved location;
 - (2) comply with all requirements of the Sex Offender Registration Act;
 - (3) notify third parties of the risks that may be occasioned by his or her criminal record;
 - (4) obtain the approval of an agent of the Department of Corrections prior to accepting employment or pursuing a course of study or vocational training and notify the Department prior to any change in employment, study, or training;
 - (5) not be employed or participate in any volunteer activity that involves contact with children, except under circumstances approved in advance and in writing by an agent of the Department of Corrections;
 - (6) be electronically monitored for a minimum of 12 months from the date of release as determined by the Board;
 - (7) refrain from entering into a designated geographic area except upon terms approved in advance by an agent of the Department of Corrections. The terms may include consideration of the purpose of the entry, the time of day, and others accompanying the person;
 - (8) refrain from having any contact, including written or oral communications, directly or indirectly, personally or by telephone, letter, or through a third party with certain specified persons including, but not limited to, the victim or the victim's family without the prior written approval of an agent of the Department of Corrections;
 - (9) refrain from all contact, directly or indirectly, personally, by telephone, letter, or through a third party, with minor children without prior identification and approval of an agent of the Department of Corrections;
 - (10) neither possess or have under his or her control any material that is sexually oriented, sexually stimulating, or that shows male or female sex organs or any pictures depicting children under 18 years of age nude or any written or audio material describing sexual intercourse or that depicts or alludes to sexual activity, including but not limited to visual, auditory, telephonic, or electronic media, or any matter obtained through access to any computer or material linked to computer access use;
 - (11) not patronize any business providing sexually stimulating or sexually oriented entertainment nor utilize "900" or adult telephone numbers;
 - (12) not reside near, visit, or be in or about parks, schools, day care centers, swimming pools, beaches, theaters, or any other places where minor children congregate without advance approval of an agent of the Department of Corrections and immediately report any incidental contact with minor children to the Department;
 - (13) not possess or have under his or her control certain specified items of contraband related to the incidence of sexually offending as determined by an agent of the Department of Corrections;
 - (14) may be required to provide a written daily log of activities if directed by an agent of the Department of Corrections;
 - (15) comply with all other special conditions that the Department may impose that restrict the person from high-risk situations and limit access to potential victims; -
 - (16) take an annual polygraph exam;
 - (17) maintain a log of his or her travel; or
 - (18) obtain prior approval of his or her parole officer before driving alone in a motor vehicle.
- (c) The conditions under which the parole or mandatory supervised release is to be served shall be communicated to the person in writing prior to his release, and he shall sign the same before release. A signed copy of these conditions, including a copy of an order of protection where one had been issued by the criminal court, shall be retained by the person and another copy forwarded to the officer in charge of his supervision.
- (d) After a hearing under Section 3-3-9, the Prisoner Review Board may modify or enlarge the conditions of parole or mandatory supervised release.
- (e) The Department shall inform all offenders committed to the Department of the optional services available to them upon release and shall assist inmates in availing themselves of such optional services upon their release on a voluntary basis.
- (Source: P.A. 93-616, eff. 1-1-04; 93-865, eff. 1-1-05; 94-159, eff. 7-11-05; 94-161, eff. 7-11-05; 94-988, eff. 1-1-07.)

Section 15. The Sex Offender Registration Act is amended by changing Sections 3, 4, 5, 5-5, 6, 6-5, and 7 as follows:

(730 ILCS 150/3) (from Ch. 38, par. 223)

Sec. 3. Duty to register.

(a) A sex offender, as defined in Section 2 of this Act, or sexual predator shall, within the time period prescribed in subsections (b) and (c), register in person and provide accurate information as required by the Department of State Police. Such information shall include a current photograph, current address, current place of employment, the employer's telephone number, school attended, extensions of the time period for registering as provided in this Article and, if an extension was granted, the reason why the extension was granted and the date the sex offender was notified of the extension. The information shall also include the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender. A person who has been adjudicated a juvenile delinquent for an act which, if committed by an adult, would be a sex offense shall register as an adult sex offender within 10 days after attaining 17 years of age. The sex offender or sexual predator shall register:

(1) with the chief of police in the municipality in which he or she resides or is temporarily domiciled for a period of time of 5 or more days, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she resides or is temporarily domiciled for a period of time of 5 or more days in an unincorporated area or, if incorporated, no police chief exists.

If the sex offender or sexual predator is employed at or attends an institution of higher education, he or she shall register:

(i) with the chief of police in the municipality in which he or she is employed at or attends an institution of higher education, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(ii) with the sheriff in the county in which he or she is employed or attends an institution of higher education located in an unincorporated area, or if incorporated, no police chief exists.

For purposes of this Article, the place of residence or temporary domicile is defined as any and all places where the sex offender resides for an aggregate period of time of 5 or more days during any calendar year. Any person required to register under this Article who lacks a fixed address or temporary domicile must notify, in person, the agency of jurisdiction of his or her last known address within ~~48 hours~~ ~~5 days~~ after ceasing to have a fixed residence.

Any person who lacks a fixed residence must report weekly, in person, with the sheriff's office of the county in which he or she is located in an unincorporated area, or with the chief of police in the municipality in which he or she is located. The agency of jurisdiction will document each weekly registration to include all the locations where the person has stayed during the past 7 days.

The sex offender or sexual predator shall provide accurate information as required by the Department of State Police. That information shall include the sex offender's or sexual predator's current place of employment.

(a-5) An out-of-state student or out-of-state employee shall, within ~~48 hours~~ ~~5 days~~ after beginning school or employment in this State, register in person and provide accurate information as required by the Department of State Police. Such information will include current place of employment, school attended, and address in state of residence. The out-of-state student or out-of-state employee shall register:

(1) with the chief of police in the municipality in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year, unless the municipality is the City of Chicago, in which case he or she shall register at the Chicago Police Department Headquarters; or

(2) with the sheriff in the county in which he or she attends school or is employed for a period of time of 5 or more days or for an aggregate period of time of more than 30 days during any calendar year in an unincorporated area or, if incorporated, no police chief exists.

The out-of-state student or out-of-state employee shall provide accurate information as required by the Department of State Police. That information shall include the out-of-state student's current place of school attendance or the out-of-state employee's current place of employment.

(b) Any sex offender, as defined in Section 2 of this Act, or sexual predator, regardless of any initial, prior, or other registration, shall, within ~~48 hours~~ ~~5 days~~ of beginning school, or establishing a residence,

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place of employment, or temporary domicile in any county, register in person as set forth in subsection (a) or (a-5).

(c) The registration for any person required to register under this Article shall be as follows:

(1) Any person registered under the Habitual Child Sex Offender Registration Act or the Child Sex Offender Registration Act prior to January 1, 1996, shall be deemed initially registered as of January 1, 1996; however, this shall not be construed to extend the duration of registration set forth in Section 7.

(2) Except as provided in subsection (c)(4), any person convicted or adjudicated prior to January 1, 1996, whose liability for registration under Section 7 has not expired, shall register in person prior to January 31, 1996.

(2.5) Except as provided in subsection (c)(4), any person who has not been notified of his or her responsibility to register shall be notified by a criminal justice entity of his or her responsibility to register. Upon notification the person must then register within ~~48 hours~~ ~~5 days~~ of notification of his or her requirement to register. If notification is not made within the offender's 10 year registration requirement, and the Department of State Police determines no evidence exists or indicates the offender attempted to avoid registration, the offender will no longer be required to register under this Act.

(3) Except as provided in subsection (c)(4), any person convicted on or after January 1, 1996, shall register in person within ~~48 hours~~ ~~5 days~~ after the entry of the sentencing order based upon his or her conviction.

(4) Any person unable to comply with the registration requirements of this Article because he or she is confined, institutionalized, or imprisoned in Illinois on or after January 1, 1996, shall register in person within ~~48 hours~~ ~~5 days~~ of discharge, parole or release.

(5) The person shall provide positive identification and documentation that substantiates proof of residence at the registering address.

(6) The person shall pay a \$20 initial registration fee and a \$10 annual renewal fee.

The fees shall be used by the registering agency for official purposes. The agency shall establish procedures to document receipt and use of the funds. The law enforcement agency having jurisdiction may waive the registration fee if it determines that the person is indigent and unable to pay the registration fee. Ten dollars for the initial registration fee and \$5 of the annual renewal fee shall be used by the registering agency for official purposes. Ten dollars of the initial registration fee and \$5 of the annual fee shall be deposited into the Sex Offender Management Board Fund under Section 19 of the Sex Offender Management Board Act. Money deposited into the Sex Offender Management Board Fund shall be administered by the Sex Offender Management Board and shall be used to fund practices endorsed or required by the Sex Offender Management Board Act including but not limited to sex offenders evaluation, treatment, or monitoring programs that are or may be developed, as well as for administrative costs, including staff, incurred by the Board.

(d) Within ~~48 hours~~ ~~5 days~~ after obtaining or changing employment and, if employed on January 1, 2000, within 5 days after that date, a person required to register under this Section must report, in person to the law enforcement agency having jurisdiction, the business name and address where he or she is employed. If the person has multiple businesses or work locations, every business and work location must be reported to the law enforcement agency having jurisdiction.

(Source: P.A. 93-616, eff. 1-1-04; 93-979, eff. 8-20-04; 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07.)

(730 ILCS 150/4) (from Ch. 38, par. 224)

Sec. 4. Discharge of sex offender, as defined in Section 2 of this Act, or sexual predator from Department of Corrections facility or other penal institution; duties of official in charge. Any sex offender, as defined in Section 2 of this Act, or sexual predator, as defined by this Article, who is discharged, paroled or released from a Department of Corrections facility, a facility where such person was placed by the Department of Corrections or another penal institution, and whose liability for registration has not terminated under Section 7 shall, prior to discharge, parole or release from the facility or institution, be informed of his or her duty to register in person within ~~48 hours~~ ~~5 days~~ of release by the facility or institution in which he or she was confined. The facility or institution shall also inform any person who must register that if he or she establishes a residence outside of the State of Illinois, is employed outside of the State of Illinois, or attends school outside of the State of Illinois, he or she must register in the new state within ~~48 hours~~ ~~5 days~~ after establishing the residence, beginning employment, or beginning school.

The facility shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration has been explained to

him or her and that he or she understands the duty to register and the procedure for registration. The facility shall further advise the person in writing that the failure to register or other violation of this Article shall result in revocation of parole, mandatory supervised release or conditional release. The facility shall obtain information about where the person expects to reside, work, and attend school upon his or her discharge, parole or release and shall report the information to the Department of State Police. The facility shall give one copy of the form to the person and shall send one copy to each of the law enforcement agencies having jurisdiction where the person expects to reside, work, and attend school upon his or her discharge, parole or release and retain one copy for the files. Electronic data files which includes all notification form information and photographs of sex offenders being released from an Illinois Department of Corrections facility will be shared on a regular basis as determined between the Department of State Police and the Department of Corrections.

(Source: P.A. 94-168, eff. 1-1-06.)

(730 ILCS 150/5) (from Ch. 38, par. 225)

Sec. 5. Release of sex offender, as defined in Section 2 of this Act, or sexual predator; duties of the Court. Any sex offender, as defined in Section 2 of this Act, or sexual predator, as defined in this Article, who is released on probation or discharged upon payment of a fine because of the commission of one of the offenses defined in subsection (B) of Section 2 of this Article, shall, prior to such release be informed of his or her duty to register under this Article by the Court in which he or she was convicted. The Court shall also inform any person who must register that if he or she establishes a residence outside of the State of Illinois, is employed outside of the State of Illinois, or attends school outside of the State of Illinois, he or she must register in the new state within 48 hours ~~5 days~~ after establishing the residence, beginning employment, or beginning school. The Court shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration has been explained to him or her and that he or she understands the duty to register and the procedure for registration. The Court shall further advise the person in writing that the failure to register or other violation of this Article shall result in probation revocation. The Court shall obtain information about where the person expects to reside, work, and attend school upon his or her release, and shall report the information to the Department of State Police. The Court shall give one copy of the form to the person and retain the original in the court records. The Department of State Police shall notify the law enforcement agencies having jurisdiction where the person expects to reside, work and attend school upon his or her release.

(Source: P.A. 94-168, eff. 1-1-06.)

(730 ILCS 150/5-5)

Sec. 5-5. Discharge of sex offender or sexual predator from a hospital or other treatment facility; duties of the official in charge. Any sex offender, as defined in Section 2 of this Act, or sexual predator, as defined in this Article, who is discharged or released from a hospital or other treatment facility where he or she was confined shall be informed by the hospital or treatment facility in which he or she was confined, prior to discharge or release from the hospital or treatment facility, of his or her duty to register under this Article.

The facility shall require the person to read and sign such form as may be required by the Department of State Police stating that the duty to register and the procedure for registration has been explained to him or her and that he or she understands the duty to register and the procedure for registration. The facility shall give one copy of the form to the person, retain one copy for their records, and forward the original to the Department of State Police. The facility shall obtain information about where the person expects to reside, work, and attend school upon his or her discharge, parole, or release and shall report the information to the Department of State Police within 3 days. The facility or institution shall also inform any person who must register that if he or she establishes a residence outside of the State of Illinois, is employed outside of the State of Illinois, or attends school outside of the State of Illinois, he or she must register in the new state within 48 hours ~~5 days~~ after establishing the residence, beginning school, or beginning employment. The Department of State Police shall notify the law enforcement agencies having jurisdiction where the person expects to reside, work, and attend school upon his or her release.

(Source: P.A. 94-168, eff. 1-1-06.)

(730 ILCS 150/6) (from Ch. 38, par. 226)

Sec. 6. Duty to report; change of address, school, or employment; duty to inform. A person who has been adjudicated to be sexually dangerous or is a sexually violent person and is later released, or found to be no longer sexually dangerous or no longer a sexually violent person and discharged, or convicted of a violation of this Act after July 1, 2005, shall report in person to the law enforcement agency with whom he or she last registered no later than 90 days after the date of his or her last registration and every

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90 days thereafter and at such other times at the request of the law enforcement agency not to exceed 4 times a year. Any person who lacks a fixed residence must report weekly, in person, to the appropriate law enforcement agency where the sex offender is located. Any other person who is required to register under this Article shall report in person to the appropriate law enforcement agency with whom he or she last registered within one year from the date of last registration and every year thereafter and at such other times at the request of the law enforcement agency not to exceed 4 times a year. If any person required to register under this Article lacks a fixed residence or temporary domicile, he or she must notify, in person, the agency of jurisdiction of his or her last known address within 48 hours ~~5 days~~ after ceasing to have a fixed residence and if the offender leaves the last jurisdiction of residence, he or she, must within 48 hours after leaving register in person with the new agency of jurisdiction. If any other person required to register under this Article changes his or her residence address, place of employment, or school, he or she shall report in person to § the law enforcement agency with whom he or she last registered of his or her new address, change in employment, or school and register, in person, with the appropriate law enforcement agency within the time period specified in Section 3. The law enforcement agency shall, within 3 days of the reporting in person by the person required to register under this Article, notify the Department of State Police of the new place of residence, change in employment, or school.

If any person required to register under this Article intends to establish a residence or employment outside of the State of Illinois, at least 10 days before establishing that residence or employment, he or she shall report in person to the law enforcement agency with which he or she last registered of his or her out-of-state intended residence or employment. The law enforcement agency with which such person last registered shall, within 3 days after the reporting in person of the person required to register under this Article of an address or employment change, notify the Department of State Police. The Department of State Police shall forward such information to the out-of-state law enforcement agency having jurisdiction in the form and manner prescribed by the Department of State Police.

(Source: P.A. 93-977, eff. 8-20-04; 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; revised 8-19-05.)

(730 ILCS 150/6-5)

Sec. 6-5. Out-of-State employee or student; duty to report change. Every out-of-state student or out-of-state employee must notify the agency having jurisdiction of any change of employment or change of educational status, in writing, within 48 hours ~~5 days~~ of the change. The law enforcement agency shall, within 3 days after receiving the notice, enter the appropriate changes into LEADS.

(Source: P.A. 94-168, eff. 1-1-06.)

(730 ILCS 150/7) (from Ch. 38, par. 227)

Sec. 7. Duration of registration. A person who has been adjudicated to be sexually dangerous and is later released or found to be no longer sexually dangerous and discharged, shall register for the period of his or her natural life. A sexually violent person or sexual predator shall register for the period of his or her natural life after conviction or adjudication if not confined to a penal institution, hospital, or other institution or facility, and if confined, for the period of his or her natural life after parole, discharge, or release from any such facility. Any other person who is required to register under this Article shall be required to register for a period of 10 years after conviction or adjudication if not confined to a penal institution, hospital or any other institution or facility, and if confined, for a period of 10 years after parole, discharge or release from any such facility. A sex offender who is allowed to leave a county, State, or federal facility for the purposes of work release, education, or overnight visitations shall be required to register within 48 hours ~~5 days~~ of beginning such a program. Liability for registration terminates at the expiration of 10 years from the date of conviction or adjudication if not confined to a penal institution, hospital or any other institution or facility and if confined, at the expiration of 10 years from the date of parole, discharge or release from any such facility, providing such person does not, during that period, again become liable to register under the provisions of this Article. Reconfinement due to a violation of parole or other circumstances that relates to the original conviction or adjudication shall extend the period of registration to 10 years after final parole, discharge, or release. The Director of State Police, consistent with administrative rules, shall extend for 10 years the registration period of any sex offender, as defined in Section 2 of this Act, who fails to comply with the provisions of this Article. The registration period for any sex offender who fails to comply with any provision of the Act shall extend the period of registration by 10 years beginning from the first date of registration after the violation. If the registration period is extended, the Department of State Police shall send a registered letter to the law enforcement agency where the sex offender resides within 3 days after the extension of the registration period. The sex offender shall report to that law enforcement agency and sign for that letter. One copy of that letter shall be kept on file with the law enforcement agency of the jurisdiction where the sex offender resides and one copy shall be returned to the Department of State Police.

(Source: P.A. 93-979, eff. 8-20-04; 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; revised 8-19-05.)

Section 20. The Sex Offender Community Notification Law is amended by changing Section 120 as follows:

(730 ILCS 152/120)

Sec. 120. Community notification of sex offenders.

(a) The sheriff of the county, except Cook County, shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county where the sex offender is required to register, resides, is employed, or is attending an institution of higher education; ~~and~~

(2) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the county where the sex offender is required to register or is employed; ~~and~~

(3) Child care facilities located in the county where the sex offender is required to register or is employed; -

(4) Public libraries located in the county where the sex offender is required to register or is employed;

(5) Public housing agencies located in the county where the sex offender is required to register or is employed;

(6) The Illinois Department of Children and Family Services;

(7) Social service agencies providing services to minors located in the county where the sex offender is required to register or is employed;

(8) Volunteer organizations providing services to minors located in the county where the sex offender is required to register or is employed; and

(9) Any organization or person who requests notification located in the county where the sex offender is required to register or is employed.

(a-2) The sheriff of Cook County shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located within the region of Cook County, as those public school districts and nonpublic schools are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed; ~~and~~

(2) Child care facilities located within the region of Cook County, as those child care facilities are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed; ~~and~~

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education; -

(4) Public libraries located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education;

(5) Public housing agencies located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education;

(6) The Illinois Department of Children and Family Services;

(7) Social service agencies providing services to minors located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education;

(8) Volunteer organizations providing services to minors located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education; and

(9) Any organization or person who requests notification located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education.

(a-3) The Chicago Police Department shall disclose to the following the name, address, date of birth, place of employment, school attended, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

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(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the police district where the sex offender is required to register or is employed if the offender is required to register or is employed in the City of Chicago; ~~and~~

(2) Child care facilities located in the police district where the sex offender is required to register or is employed if the offender is required to register or is employed in the City of Chicago; ~~and~~

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago; -

(4) Public libraries located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago;

(5) Public housing agencies located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago;

(6) The Illinois Department of Children and Family Services;

(7) Social service agencies providing services to minors located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago;

(8) Volunteer organizations providing services to minors located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago; and

(9) Any organization or person who requests notification located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago.

(a-4) The Department of State Police shall provide a list of sex offenders required to register to the Illinois Department of Children and Family Services.

(b) The Department of State Police and any law enforcement agency may disclose, in the Department's or agency's discretion, the following information to any person likely to encounter a sex offender, or sexual predator:

(1) The offender's name, address, and date of birth.

(2) The offense for which the offender was convicted.

(3) Adjudication as a sexually dangerous person.

(4) The offender's photograph or other such information that will help identify the sex offender.

(5) Offender employment information, to protect public safety.

(c) The name, address, date of birth, offense or adjudication, the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender for sex offenders required to register under Section 3 of the Sex Offender Registration Act shall be open to inspection by the public as provided in this Section. Every municipal police department shall make available at its headquarters the information on all sex offenders who are required to register in the municipality under the Sex Offender Registration Act. The sheriff shall also make available at his or her headquarters the information on all sex offenders who are required to register under that Act and who live in unincorporated areas of the county. Sex offender information must be made available for public inspection to any person, no later than 72 hours or 3 business days from the date of the request. The request must be made in person, in writing, or by telephone. Availability must include giving the inquirer access to a facility where the information may be copied. A department or sheriff may charge a fee, but the fee may not exceed the actual costs of copying the information. An inquirer must be allowed to copy this information in his or her own handwriting. A department or sheriff must allow access to the information during normal public working hours. The sheriff or a municipal police department may publish the photographs of sex offenders where any victim was 13 years of age or younger and who are required to register in the municipality or county under the Sex Offender Registration Act in a newspaper or magazine of general circulation in the municipality or county or may disseminate the photographs of those sex offenders on the Internet or on television. The law enforcement agency may make available the information on all sex offenders residing within any county.

(d) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, place the information specified in subsection (b) on the Internet or

in other media.

(e) (Blank).

(f) The administrator of a transitional housing facility for sex offenders shall comply with the notification procedures established in paragraph (4) of subsection (b) of Section 3-17-5 of the Unified Code of Corrections.

(g) A principal or teacher of a public or private elementary or secondary school shall notify the parents of children attending the school during school registration or during parent-teacher conferences that information about sex offenders is available to the public as provided in this Act.

(Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07)."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senate Floor Amendment numbered 3, 4, 5 and 6 were held in the Committee on Rules.

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 Harmon, **Senate Bill No. 1397**, 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:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Collins	Hultgren	Munoz	Silverstein
Crotty	Hunter	Murphy	Sullivan
Cullerton	Jacobs	Noland	Syverson
DeLeo	Jones, J.	Pankau	Trotter
Demuzio	Koehler	Peterson	Viverito
Dillard	Kotowski	Radogno	Watson
Forby	Lauzen	Raoul	Wilhelmi
Frerichs	Lightford	Righter	Mr. President
Garrett	Link	Risinger	

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 Hunter, **Senate Bill No. 1435** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1435

AMENDMENT NO. 1. Amend Senate Bill 1435 on page 1, by replacing lines 10 and 11 with the following:

"administratively dissolved until 3 years have elapsed following the date of issuance of the certificate of

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dissolution."; and

on page 1, by replacing lines 13 and 14 with the following:

"dissolved is reinstated within 3 years after the date of issuance of the certificate of dissolution, the domestic corporation shall continue under"; and

on page 2, by replacing lines 3 and 4 with the following:

"administratively dissolved until 3 years have elapsed following the date of issuance of the certificate of dissolution."; and

on page 2, by replacing lines 6 and 7 with the following:

"dissolved is reinstated within 3 years after the date of issuance of the certificate of dissolution, the domestic corporation shall continue under".

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 Hunter, **Senate Bill No. 1435**, 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:

Althoff	Haine	Maloney	Sandoval
Bomke	Halvorson	Martinez	Schoenberg
Bond	Harmon	Meeks	Sieben
Brady	Hendon	Millner	Silverstein
Burzynski	Holmes	Munoz	Sullivan
Collins	Hultgren	Murphy	Syverson
Crotty	Hunter	Noland	Trotter
Cullerton	Jacobs	Pankau	Viverito
DeLeo	Jones, J.	Peterson	Watson
Delgado	Koehler	Radogno	Wilhelmi
Demuzio	Kotowski	Raoul	Mr. President
Dillard	Lauzen	Righter	
Forby	Lightford	Risinger	
Frerichs	Link	Ronen	
Garrett	Luechtefeld	Rutherford	

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 Forby, **Senate Bill No. 1529** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendment No. 1 was tabled in the Committee on Labor.

Senator Forby offered the following amendment and moved its adoption:

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AMENDMENT NO. 2 TO SENATE BILL 1529

AMENDMENT NO. 2. Amend Senate Bill 1529 on page 2, by replacing lines 21 through 26 with the following:

"under the contract."; and

on page 3, by replacing lines 14 through 18 with the following:
"in violation of this Act."; and

on page 4, by replacing lines 4 through 9 with the following:
"the revised rate."

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 Forby, **Senate Bill No. 1529**, 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:

Althoff	Garrett	Link	Ronen
Bomke	Haine	Luechtefeld	Rutherford
Bond	Halvorson	Maloney	Sandoval
Brady	Harmon	Martinez	Schoenberg
Burzynski	Hendon	Meeks	Sieben
Collins	Holmes	Millner	Silverstein
Crotty	Hultgren	Munoz	Sullivan
Cullerton	Hunter	Murphy	Syverson
DeLeo	Jacobs	Noland	Trotter
Delgado	Jones, J.	Pankau	Viverito
Demuzio	Koehler	Peterson	Watson
Dillard	Kotowski	Radogno	Wilhelmi
Forby	Lauzen	Raoul	Mr. President
Frerichs	Lightford	Risinger	

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.

At the hour of 3:20 o'clock p.m., Senator Hendon presiding.

On motion of Senator Jacobs, **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 55; Nays None.

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The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Burzynski	Hendon	Meeks	Schoenberg
Collins	Holmes	Millner	Sieben
Crotty	Hultgren	Munoz	Silverstein
Cullerton	Hunter	Murphy	Sullivan
DeLeo	Jacobs	Noland	Syverson
Delgado	Jones, J.	Pankau	Trotter
Demuzio	Koehler	Peterson	Viverito
Dillard	Kotowski	Radogno	Watson
Forby	Lauzen	Raoul	Wilhelmi
Frerichs	Lightford	Righter	Mr. President
Garrett	Link	Risinger	

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

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

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 15** 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 15

AMENDMENT NO. 1. Amend Senate Bill 15 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Perinatal Mental Health Disorders Prevention and Treatment Act.

Section 5. Findings and purposes.

(a) The General Assembly finds all of the following:

(1) Perinatal mental health disorders, commonly referred to as "postpartum depression", include a wide range of emotional, psychological, and physiological reactions to childbirth, including feelings of hopelessness, excessive guilt, sustained sadness, inability to feel pleasure, low energy, sleep and appetite disturbances, difficulty concentrating, and thoughts of death or suicide, which challenge the stamina of a woman during pregnancy or after childbirth, and impair her ability to function and care for her child.

(2) Every year, more than 500,000 women experience the anxiety, hopelessness, desolation, and fatigue of perinatal mental health disorders during pregnancy, in the early postpartum months, and into their child's first year of life.

(3) Women at highest risk for perinatal mental health disorders can be those with previous mental health disorders, such as depression, anxiety or panic disorder, and those with a family member with a history of such mental health disorders. However, perinatal mental health disorders frequently strike without warning in women without any past mental health disorders and with or without any complications in pregnancy.

(4) Many women suffering from perinatal mental health disorders require counseling and treatment, yet many do not realize that they need help or are unable to find and secure appropriate resources.

(5) In addition to the mother, the effects of perinatal mental health disorders can also significantly impact the infant, as well as the father, other children, and extended family members. Perinatal mental health disorders can affect the mother's ability to respond sensitively to her infant's needs and can strain the family relationships.

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(b) The purpose of this Act is:

- (1) to provide information to women and their families about perinatal mental health disorders in order to lower the likelihood that new mothers will continue to suffer from this illness in silence;
- (2) to develop procedures for assessing women for perinatal mental health disorders during prenatal and postnatal visits to licensed health care professionals; and
- (3) to promote early detection of perinatal mental health disorders to promote early care and treatment and, when medically appropriate, to avoid medication.

Section 10. Definitions. In this Act:

"Hospital" has the meaning given to that term in the Hospital Licensing Act.

"Licensed health care professional" means a physician licensed to practice medicine in all its branches, an advanced practice nurse, or a physician's assistant.

"Postnatal care" means a visit to a licensed health care professional occurring after birth, with reference to the infant or mother.

"Prenatal care" means a visit to a licensed health care professional for pregnancy-related care occurring before birth.

"Questionnaire" means an assessment tool administered by a licensed health care professional to detect perinatal mental health disorders, such as the Edinburgh Postnatal Depression Scale, the Postpartum Depression Screening Scale, the Beck Depression Inventory, the Patient Health Questionnaire, or other validated assessment methods.

Section 15. Perinatal mental health disorders prevention and treatment. The Department of Human Services, in conjunction with the Department of Healthcare and Family Services, the Department of Public Health, and the Department of Financial and Professional Regulation and the Medical Licensing Board, shall work with hospitals and licensed health care professionals in this State to develop policies, procedures, information, and educational materials to meet each of the following requirements concerning perinatal mental health disorders:

(1) Licensed health care professionals providing prenatal care to women shall provide education to women and, if possible and with permission, to their families about perinatal mental health disorders.

(2) All hospitals that provide labor and delivery services in the State shall provide new mothers, prior to discharge following childbirth, and, if possible and with permission, fathers and other family members, with complete information about perinatal mental health disorders, including its symptoms, methods of coping with the illness, and treatment resources. The Department of Human Services shall provide written information that hospitals may use to satisfy this subsection (2).

(3) Licensed health care professionals providing prenatal care at a prenatal check-up visit in the third trimester of pregnancy shall invite each pregnant patient to complete a questionnaire and shall review the completed questionnaire in accordance with the formal opinions and recommendations of the American College of Obstetricians and Gynecologists. Assessment for perinatal mental health disorders must be repeated when, in the professional judgment of the licensed health care professional, a reasonable possibility exists that the woman suffers from perinatal mental health disorders.

(4) Licensed health care professionals providing postnatal care to women shall invite each patient to complete a questionnaire and shall review the completed questionnaire in accordance with the formal opinions and recommendations of the American College of Obstetricians and Gynecologists.

(5) Licensed health care professionals providing pediatric care to an infant shall invite the infant's mother to complete a questionnaire at any well-baby check-up at which the mother is present prior to the infant's first birthday, and shall review the completed questionnaire in accordance with the formal opinions and recommendations of the American College of Obstetricians and Gynecologists, in order to ensure that the health and well-being of the infant are not compromised by an undiagnosed perinatal mental health disorder in the mother. In order to share results from an assessment with the mother's primary licensed health care professional, consent should be obtained from the mother in accordance with the Illinois Health Insurance Portability and Accountability Act. If the mother is determined to present an acute danger to herself or someone else, consent is not required."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 15

AMENDMENT NO. 2. Amend Senate Bill 15, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, lines 18 and 21, by replacing "a visit" with "an office visit"; and

on page 4, lines 21 and 22, by replacing "possible and with permission," with "possible, shall provide"; and

on page 4, line 22, by replacing "members," with "members".

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.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 15**, 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:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Collins	Holmes	Millner	Sieben
Crotty	Hultgren	Munoz	Silverstein
Cullerton	Hunter	Murphy	Sullivan
DeLeo	Jacobs	Noland	Syverson
Delgado	Jones, J.	Pankau	Trotter
Demuzio	Koehler	Peterson	Viverito
Dillard	Kotowski	Radogno	Watson
Forby	Lauzen	Raoul	Wilhelmi
Frerichs	Lightford	Righter	Mr. President
Garrett	Link	Risinger	

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 Burzynski, **Senate Bill No. 26**, 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 8; Present 2.

The following voted in the affirmative:

Althoff	Haine	Maloney	Rutherford
Bomke	Halvorson	Martinez	Sieben
Bond	Hendon	Millner	Silverstein
Burzynski	Holmes	Munoz	Sullivan
Collins	Hultgren	Murphy	Syverson
Crotty	Hunter	Noland	Trotter
DeLeo	Jacobs	Pankau	Viverito
Delgado	Jones, J.	Peterson	Watson
Demuzio	Kotowski	Radogno	Wilhelmi
Dillard	Lightford	Raoul	Mr. President
Forby	Link	Righter	
Frerichs	Luechtefeld	Ronen	

The following voted in the negative:

Brady	Harmon	Sandoval
Cullerton	Meeks	Schoenberg
Garrett	Risinger	

The following voted present:

Koehler
Lauzen

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 Brady asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 26**.

On motion of Senator Crotty, **Senate Bill No. 27**, 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 1.

The following voted in the affirmative:

Althoff	Garrett	Link	Ronen
Bomke	Haine	Luechtefeld	Rutherford
Bond	Halvorson	Maloney	Sandoval
Brady	Harmon	Martinez	Schoenberg
Burzynski	Hendon	Meeks	Sieben
Collins	Holmes	Millner	Silverstein
Crotty	Hultgren	Munoz	Sullivan
Cullerton	Hunter	Noland	Syverson
DeLeo	Jacobs	Pankau	Trotter
Delgado	Jones, J.	Peterson	Viverito
Demuzio	Koehler	Radogno	Watson
Dillard	Kotowski	Raoul	Wilhelmi
Forby	Lauzen	Righter	Mr. President
Frerichs	Lightford	Risinger	

The following voted in the negative:

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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 BILL RECALLED

On motion of Senator Sandoval, **Senate Bill No. 165** was recalled from the order of third reading to the order of second reading.

Senator Millner offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 165

AMENDMENT NO. 1. Amend Senate Bill 165 on page 1, line 16, by changing "~~without his consent~~" to "without his consent".

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 Sandoval, **Senate Bill No. 165**, 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:

Althoff	Garrett	Link	Ronen
Bomke	Haine	Luechtefeld	Rutherford
Bond	Halvorson	Maloney	Sandoval
Brady	Harmon	Martinez	Schoenberg
Burzynski	Hendon	Meeks	Sieben
Collins	Holmes	Millner	Silverstein
Crotty	Hultgren	Munoz	Sullivan
Cullerton	Hunter	Murphy	Syverson
DeLeo	Jacobs	Noland	Trotter
Delgado	Jones, J.	Pankau	Viverito
Demuzio	Koehler	Peterson	Watson
Dillard	Kotowski	Radogno	Wilhelmi
Forby	Lauzen	Raoul	Mr. President
Ferichs	Lightford	Risinger	

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

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

On motion of Senator Sandoval, **Senate Bill No. 175**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[May 10, 2007]

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

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Haine	Maloney	Sandoval
Bomke	Halvorson	Martinez	Schoenberg
Bond	Harmon	Meeks	Sieben
Brady	Hendon	Millner	Silverstein
Burzynski	Holmes	Munoz	Sullivan
Collins	Hultgren	Murphy	Syverson
Crotty	Hunter	Noland	Trotter
Cullerton	Jacobs	Pankau	Viverito
DeLeo	Jones, J.	Peterson	Watson
Delgado	Koehler	Radogno	Wilhelmi
Demuzio	Kotowski	Raoul	Mr. President
Dillard	Lauzen	Righter	
Forby	Lightford	Risinger	
Frerichs	Link	Ronen	
Garrett	Luechtefeld	Rutherford	

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 Silverstein, **Senate Bill No. 229**, 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:

Althoff	Garrett	Link	Ronen
Bomke	Haine	Luechtefeld	Rutherford
Bond	Halvorson	Maloney	Sandoval
Brady	Harmon	Martinez	Schoenberg
Burzynski	Hendon	Meeks	Sieben
Collins	Holmes	Millner	Silverstein
Crotty	Hultgren	Munoz	Sullivan
Cullerton	Hunter	Murphy	Syverson
DeLeo	Jacobs	Noland	Trotter
Delgado	Jones, J.	Peterson	Viverito
Demuzio	Koehler	Radogno	Watson
Dillard	Kotowski	Raoul	Wilhelmi
Forby	Lauzen	Righter	Mr. President
Frerichs	Lightford	Risinger	

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.

[May 10, 2007]

On motion of Senator Righter, **Senate Bill No. 234**, 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:

Althoff	Haine	Maloney	Sandoval
Bomke	Halvorson	Martinez	Schoenberg
Bond	Harmon	Meeks	Sieben
Brady	Hendon	Millner	Silverstein
Burzynski	Holmes	Munoz	Sullivan
Collins	Hultgren	Murphy	Syverson
Crotty	Hunter	Noland	Trotter
Cullerton	Jacobs	Pankau	Viverito
DeLeo	Jones, J.	Peterson	Watson
Delgado	Koehler	Radogno	Wilhelmi
Demuzio	Kotowski	Raoul	Mr. President
Dillard	Laufen	Righter	
Forby	Lightford	Risinger	
Frerichs	Link	Ronen	
Garrett	Luechtefeld	Rutherford	

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 Cullerton, **Senate Bill No. 593** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendment No. 3 was held in the Committee on Executive.

Senator Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 593

AMENDMENT NO. 4. Amend Senate Bill 593, AS AMENDED, on page 12, line 13, by replacing "rooms" with "units"; and

on page 13, line 16, immediately after "bank", by inserting "non-sectarian".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4 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 Cullerton, **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:

Althoff	Haine	Maloney	Sandoval
Bomke	Halvorson	Martinez	Schoenberg
Bond	Harmon	Meeks	Sieben
Brady	Hendon	Millner	Silverstein
Burzynski	Holmes	Munoz	Sullivan
Collins	Hultgren	Murphy	Syverson
Crotty	Hunter	Noland	Trotter
Cullerton	Jacobs	Pankau	Viverito
DeLeo	Jones, J.	Peterson	Watson
Delgado	Koehler	Radogno	Wilhelmi
Demuzio	Kotowski	Raoul	Mr. President
Dillard	Laufen	Righter	
Forby	Lightford	Risinger	
Frerichs	Link	Ronen	
Garrett	Luechtefeld	Rutherford	

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 Cullerton, **Senate Bill No. 607** was recalled from the order of third reading to the order of second reading.

Senate Floor Amendment No. 1 was postponed in the Committee on Judiciary Criminal Law.

Senator Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 607

AMENDMENT NO. 2. Amend Senate Bill 607 on page 128, immediately below line 1, by inserting the following:

"(d) Warrant of seizure. Any peace officer employed by a law enforcement agency of this State may request the issuance of a warrant authorizing the seizure of any motor vehicle in the same manner as provided for a search warrant. If the court determines that there is probable cause to believe that the motor vehicle to be seized is subject to forfeiture, the court shall issue a warrant authorizing the seizure of that motor vehicle.

(e) If the spouse of the owner of a vehicle seized for an offense described in subsection (a) of this Section makes a showing that the seized vehicle is the family's only source of transportation and it is determined that the financial hardship to the family as a result of the seizure outweighs the benefit to the State from the seizure, the vehicle may be forfeited to the spouse or family member and the title to the vehicle shall be transferred to the spouse or a family member who is properly licensed and who requires the use of the vehicle for employment or family transportation purposes. A written declaration of forfeiture of a vehicle under this Section shall be sufficient cause for the title to be transferred to the spouse or family member. The provisions of this paragraph shall apply only to one forfeiture per vehicle. If the vehicle is the subject of a subsequent forfeiture proceeding by virtue of a subsequent conviction of either spouse or the family member, the spouse or a family member to whom the vehicle was forfeited under the first forfeiture proceeding may not utilize the provisions of this paragraph in another forfeiture proceeding. If the owner of the vehicle seized owns more than one vehicle, the procedure set out in this paragraph may be used for only one vehicle."; and

on page 131, line 13, by replacing "may" with "shall"; and

on page 137, line 20, by deleting "the county sheriff or".

The motion prevailed.

And the amendment was adopted and ordered printed.

[May 10, 2007]

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 Cullerton, **Senate Bill No. 607**, 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:

Althoff	Haine	Maloney	Sandoval
Bomke	Halvorson	Martinez	Schoenberg
Bond	Harmon	Meeks	Sieben
Brady	Hendon	Millner	Silverstein
Burzynski	Holmes	Munoz	Sullivan
Collins	Hultgren	Murphy	Syverson
Crotty	Hunter	Noland	Trotter
Cullerton	Jacobs	Pankau	Viverito
DeLeo	Jones, J.	Peterson	Watson
Delgado	Koehler	Radogno	Wilhelmi
Demuzio	Kotowski	Raoul	Mr. President
Dillard	Laufen	Righter	
Forby	Lightford	Risinger	
Frerichs	Link	Ronen	
Garrett	Luechtefeld	Rutherford	

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 Cullerton, **Senate Bill No. 650** was recalled from the order of third reading to the order of second reading.

Senator Cullerton offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 650

AMENDMENT NO. 1. Amend Senate Bill 650 on page 8, line 9, by replacing "18" with "21"; and

on page 8, line 10, by replacing "and who" with ";"; and

on page 8, line 11, by inserting after "cannabis" the following:

" and has never been convicted of a drug-related felony. However, the Department may allow a person to serve as a primary caregiver if he or she was convicted solely for conduct permitted under this amendatory Act of the 95th General Assembly or if he or she is a close relative of a patient and his or her felony conviction was 10 or more years ago".

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.

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READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Cullerton, **Senate Bill No. 650**, 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 negative by the following vote:

Yeas 22; Nays 29; Present 4.

The following voted in the affirmative:

Crotty	Hunter	Noland	Syverson
Cullerton	Jacobs	Raoul	Trotter
Delgado	Lightford	Ronen	Viverito
Haine	Link	Sandoval	Mr. President
Harmon	Martinez	Schoenberg	
Hendon	Meeks	Silverstein	

The following voted in the negative:

Althoff	Frerichs	Maloney	Rutherford
Bomke	Garrett	Millner	Sieben
Bond	Hultgren	Murphy	Sullivan
Brady	Jones, J.	Pankau	Watson
Burzynski	Koehler	Peterson	Wilhelmi
Demuzio	Kotowski	Radogno	
Dillard	Lauzen	Righter	
Forby	Luechtefeld	Risinger	

The following voted present:

Collins	Holmes
Halvorson	Munoz

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

SENATE BILL RECALLED

On motion of Senator Kotowski, **Senate Bill No. 767** was recalled from the order of third reading to the order of second reading.

Senator Kotowski offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 767

AMENDMENT NO. 1. Amend Senate Bill 767 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by changing the heading of Article 15 and Section 15-25 and by adding Section 15-30 as follows:

(30 ILCS 500/Art. 15 heading)

ARTICLE 15

PROCUREMENT INFORMATION ~~BULLETIN~~

(30 ILCS 500/15-25)

Sec. 15-25. Bulletin content.

(a) Invitations for bids. Notice of each and every contract that is offered, including renegotiated

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contracts and change orders, shall be published in the Bulletin. The applicable chief procurement officer may provide by rule an organized format for the publication of this information, but in any case it must include at least the date first offered, the date submission of offers is due, the location that offers are to be submitted to, the purchasing State agency, the responsible State purchasing officer, a brief purchase description, the method of source selection, information of how to obtain a comprehensive purchase description and any disclosure and contract forms, and encouragement to prospective vendors to hire qualified veterans, as defined by Section 45-67 of this Code, and Illinois residents discharged from any Illinois adult correctional center.

(b) Contracts let or awarded. Notice of each and every contract that is let or awarded, including renegotiated contracts and change orders, shall be published in the next available subsequent Bulletin, and the applicable chief procurement officer may provide by rule an organized format for the publication of this information, but in any case it must include at least all of the information specified in subsection (a) as well as the name of the successful responsible bidder or offeror, the contract price, the number of unsuccessful responsive bidders, and any other disclosure specified in any Section of this Code. This notice must be posted in the online electronic Bulletin prior to execution of the contract.

(c) Emergency purchase disclosure. Any chief procurement officer, State purchasing officer, or designee exercising emergency purchase authority under this Code shall publish a written description and reasons and the total cost, if known, or an estimate if unknown and the name of the responsible chief procurement officer and State purchasing officer, and the business or person contracted with for all emergency purchases in the next timely, practicable Bulletin. This notice must be posted in the online electronic Bulletin within 3 business days after the execution of the contract.

(d) Other required disclosure. The applicable chief procurement officer shall provide by rule for the organized publication of all other disclosure required in other Sections of this Code in a timely manner. (Source: P.A. 94-1067, eff. 8-1-06.)

(30 ILCS 500/15-30 new)

Sec. 15-30. Electronic Bulletin clearinghouse.

(a) The Procurement Policy Board shall maintain on its official website a searchable database containing all information required to be included in the Illinois Procurement Bulletin under subsections (b) and (c) of Section 15-25. The posting of procurement information on the website is subject to the same posting requirements as the online electronic Bulletin.

(b) For the purposes of this Section, searchable means searchable and sortable by successful responsible bidder or offeror or, for emergency purchases, business or person contracted with; the contract price or total cost; the service or good; the purchasing State agency; and the date first offered or announced.

(c) The Department of Central Management Services, the Capital Development Board, the Department of Transportation, and the higher education chief procurement officer shall provide the Procurement Policy Board the information and resources necessary, and in a manner, to effectuate the purpose of this Section."

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 Kotowski, **Senate Bill No. 767**, 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:

Althoff	Halvorson	Maloney	Rutherford
Bomke	Harmon	Martinez	Sandoval
Bond	Hendon	Meeks	Schoenberg

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Brady	Holmes	Millner	Sieben
Burzynski	Hultgren	Munoz	Silverstein
Collins	Hunter	Murphy	Sullivan
Crotty	Jacobs	Noland	Syverson
Cullerton	Jones, J.	Pankau	Trotter
Demuzio	Koehler	Peterson	Viverito
Dillard	Kotowski	Radogno	Watson
Forby	Lauzen	Raoul	Wilhelmi
Frerichs	Lightford	Righter	Mr. President
Garrett	Link	Risinger	
Haine	Luechtefeld	Ronen	

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 Sandoval, **Senate Bill No. 1428** was recalled from the order of third reading to the order of second reading.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1428

AMENDMENT NO. 1. Amend Senate Bill 1428 on page 5, by replacing lines 8 through 10 with the following:

"preceding paragraph, is guilty of a Class A misdemeanor for a first violation and a Class 4 felony for a second or subsequent violation; except that if the person".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1428

AMENDMENT NO. 2. Amend Senate Bill 1428 on page 1, line 20, by replacing "school," with "school (but only to the extent required in accordance with other provisions of this Section expressly concerning the duty of school board members to report suspected child abuse)".

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.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Sandoval, **Senate Bill No. 1428**, 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:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval

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Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Collins	Hultgren	Munoz	Silverstein
Crotty	Hunter	Murphy	Sullivan
Cullerton	Jacobs	Noland	Syverson
Delgado	Jones, J.	Pankau	Trotter
Demuzio	Koehler	Peterson	Viverito
Dillard	Kotowski	Radogno	Watson
Forby	Lauzen	Raoul	Wilhelmi
Frerichs	Lightford	Righter	Mr. President
Garrett	Link	Risinger	

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

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

On motion of Senator Sandoval, **Senate Bill No. 1446**, 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 2.

The following voted in the affirmative:

Althoff	Halvorson	Maloney	Sandoval
Bomke	Harmon	Martinez	Schoenberg
Bond	Hendon	Meeks	Sieben
Collins	Holmes	Millner	Silverstein
Crotty	Hultgren	Munoz	Sullivan
Cullerton	Hunter	Murphy	Trotter
Delgado	Jacobs	Noland	Viverito
Demuzio	Jones, J.	Pankau	Watson
Dillard	Koehler	Peterson	Wilhelmi
Forby	Kotowski	Raoul	Mr. President
Frerichs	Lightford	Risinger	
Garrett	Link	Ronen	
Haine	Luechtefeld	Rutherford	

The following voted in the negative:

Burzynski
Lauzen

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 Sandoval, **Senate Bill No. 1448** was recalled from the order of third reading to the order of second reading.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 1448

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AMENDMENT NO. 3. Amend Senate Bill 1448, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Access to Governmental Services Act.

Section 5. Definitions.

"Equal access" means to be informed of, participate in, and benefit from public services offered by a State agency, constitutional office, or a State program at a level equal to individuals who do not have limited English proficiency.

"Limited English proficiency" means the inability to adequately understand or express oneself in the spoken or written English language.

"Oral language services" includes various methods to provide verbal information and interpretations, such as staff interpreters, bilingual staff, telephone interpreter programs, and private interpreter programs.

"Important documents" means application or informational materials, websites, notices, and complaint forms offered by State agencies, constitutional officers, and State programs, as defined by rule by the appropriate State agency, constitutional officer, or State program. "Important documents" does not include applications and examinations related to the licensure, certification, or registration of businesses and professionals.

"State program" means any program administered by a State agency, but does not include any program administered, in whole or in part, by a unit of local government or a school district, regardless of whether State funds are expended under the program.

"Sufficient number of qualified bilingual persons in public contact positions" means the number of qualified bilingual persons required in order to provide the same level of service to non-English-speaking persons as is available to English-speaking persons seeking the same service.

Section 10. Language access required.

(a) Each State agency, constitutional officer, and State program shall take reasonable steps to provide equal access to public services for individuals with limited English proficiency.

(b) Reasonable steps to provide equal access to public services include, but are not limited to:

(1) Having a sufficient number of qualified bilingual persons in public contact positions or as interpreters to assist persons in public contact positions in providing services to individuals with limited English proficiency where there is documented substantial need due to contact between a State agency, constitutional officer, or State program and individuals with limited English proficiency.

(2) Translating important documents ordinarily provided to the public into any language spoken by any limited English proficient population that constitutes at least 3% of the overall population of the State as measured by the U.S. Census.

(c) Each State agency, constitutional officer, and State program shall adopt rules regarding the requirements of this Section not more than 6 months after the date that this Act takes effect, or as soon thereafter as possible.

(d) The Illinois Human Rights Commission shall implement a process to address disputes arising under this Act, including, but not limited to, disputes concerning the interpretation of "important documents" and "sufficient number of qualified bilingual persons in public contact positions", not more than 6 months after the date that this Act takes effect, or as soon thereafter as possible."

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 4 was postponed in the Committee on State Government and Veterans Affairs.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO SENATE BILL 1448

AMENDMENT NO. 5. Amend Senate Bill 1448, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 1, by replacing lines 8 through 10 with the following:

"Equal access" means to be able to interact with a State agency or constitutional office at a level equal to"; and

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on page 2, by replacing lines 5 through 7 with the following:
 "State agencies and constitutional officers, as defined by rule by the appropriate State agency or constitutional officer. "Important"; and

on page 2, by deleting lines 11 through 15; and

on page 2, line 20, by inserting immediately after "service", the following:
 "from State agencies or constitutional officers"; and

on page 2, by replacing lines 22 through 25 with the following:

"(a) Each State agency and constitutional officer shall take reasonable steps to provide equal access to the agency or office for individuals with limited English proficiency."; and

on page 3, lines 1 and 2, by deleting "to public services"; and

on page 3, by replacing line 3 with the following:

"(1) Development and implementation of pilot programs or phase-in implementation plans for having a sufficient number of qualified bilingual"; and

on page 3, line 6, before "services", by inserting "oral language"; and

on page 3, by replacing lines 8 and 9 with the following:

"between a State agency or constitutional officer and individuals with limited English proficiency."; and

on page 3, by replacing line 10 with the following:

"(2) Development and implementation of pilot programs or phase-in implementation plans for translating important documents ordinarily"; and

on page 3, line 11, by replacing "any language" with "the language"; and

on page 3, by replacing lines 15 and 16 with the following:

"(c) Each State agency and constitutional officer shall adopt rules regarding the requirements of this"; and

on page 3, line 19, by replacing "Illinois Human Rights Commission" with "Department of Human Rights".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 3 and 5 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Sandoval, **Senate Bill No. 1448**, 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:

Althoff
 Bomke

Halvorson
 Harmon

Martinez
 Meeks

Sandoval
 Schoenberg

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Bond	Hendon	Millner	Sieben
Collins	Holmes	Munoz	Silverstein
Crotty	Hultgren	Noland	Sullivan
Cullerton	Hunter	Pankau	Trotter
Delgado	Jacobs	Peterson	Viverito
Demuzio	Koehler	Radogno	Watson
Dillard	Kotowski	Raoul	Wilhelmi
Forby	Lauzen	Righter	Mr. President
Frerichs	Lightford	Risinger	
Garrett	Link	Ronen	
Haine	Maloney	Rutherford	

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 Sandoval, **Senate Bill No. 1455** was recalled from the order of third reading to the order of second reading.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1455

AMENDMENT NO. 2. Amend Senate Bill 1455, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 5.675 as follows:

(30 ILCS 105/5.675 new)

Sec. 5.675. The Higher Education Revolving Loan Fund.

Section 10. The Higher Education Student Assistance Act is amended by adding Section 65.85 as follows:

(110 ILCS 947/65.85 new)

Sec. 65.85. Higher education revolving loans.

(a) In this Section, "eligible student" means a student enrolled at the undergraduate level at an institution of higher learning who (i) if the student has not yet completed one term at an institution of higher learning, had a 3.0 cumulative grade point average or its equivalent after graduating from an approved high school or (ii) if the student has completed at least one term at an institution of higher learning, has a 3.0 post-secondary cumulative grade point average or its equivalent. The student must also be an Illinois resident. Notwithstanding any other provision of law to the contrary, the Commission shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the Commission with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) The Commission shall, subject to appropriation, implement and administer a higher education revolving loan program to provide loans to eligible students, as defined in this Act and as determined by the Commission, for the costs of attending an institution of higher learning in this State. These loans must be offered at a low interest rate to be determined by the Commission, taking into account in its deliberations both program sustainability and affordability for loan recipients.

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(c) An individual may not receive loans under this Section in excess of \$5,000 or the student's tuition and mandatory fees, whichever is less, per academic year. Loan funds must be paid directly to the institution of higher learning.

(d) The repayment period for a loan made under this Section may not exceed 15 years. A person who receives a loan under this Section shall begin repaying the loan beginning 6 months after the person no longer attends an institution of higher learning. The loan recipient shall repay at a minimum 5% of the principal each year or the remaining balance of the loan. Additionally, in each month, the loan recipient shall repay a minimum of \$50 or the remaining balance of the loan. All repayments of loans shall be deposited into the Higher Education Revolving Loan Fund.

(e) The Higher Education Revolving Loan Fund is created as a special fund in the State treasury. All money in the Fund shall be used, subject to appropriation, by the Commission for making loans under this Section. The Fund shall consist of any moneys transferred or appropriated into the Fund, as well as all repayments of loans made under the higher education revolving loan program. The Fund shall be used for the purposes of this Section and for no other purpose. All interest earned on moneys in the Fund shall be deposited into the Fund.

(f) The Commission shall adopt any rules necessary to implement and administer this Section.

Section 99. Effective date. This Act takes effect July 1, 2007."

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 OF BILL OF THE SENATE A THIRD TIME

On motion of Senator Sandoval, **Senate Bill No. 1455**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Pending roll call on motion of Senator Sandoval, further consideration of **Senate Bill No. 1455** was postponed.

SENATE BILL RECALLED

On motion of Senator Harmon, **Senate Bill No. 487** 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 487

AMENDMENT NO. 1. Amend Senate Bill 487 by replacing everything after the enacting clause with the following:

"Section 5. The Carbon Monoxide Alarm Detector Act is amended by changing Sections 1, 5, 10, 15, and 20 as follows:

(430 ILCS 135/1)

Sec. 1. Short title. This Act may be cited as the Carbon Monoxide Detector and Alarm ~~Detector~~ Act. (Source: P.A. 94-741, eff. 1-1-07.)

(430 ILCS 135/5)

Sec. 5. Definitions. In this Act:

"Carbon Approved carbon monoxide alarm" or "alarm" means either (1) an integrated carbon monoxide detector and alarm or (2) an alarm connected to a carbon monoxide detector or detectors located in proximity to a source of carbon monoxide, provided that in either case all such alarms and detectors comply with applicable a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal, bear bears the label of a nationally recognized testing laboratory, and comply complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association. A carbon monoxide alarm may be combined with smoke detecting devices, as defined in the Smoke Detector Act, provided that the combined unit complies with the respective provisions of the Illinois Administrative Code, reference standards, and departmental rules

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relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard. A carbon monoxide alarm may be battery powered, plugged into an electrical outlet within the dwelling unit with secondary battery back-up, or wired into the structure's dwelling unit's AC power line with secondary battery back-up.

"Dwelling unit" means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence, ~~and each living unit in a~~ mixed use building, hotel, or residential health care facility.

"Hotel" means any building or buildings maintained, advertised, or held out to the public to be a place where lodging is offered for consideration to travelers and guests. "Hotel" includes inns, motels, tourist homes or courts, bed and breakfast establishments and lodging houses.

(Source: P.A. 94-741, eff. 1-1-07.)

(430 ILCS 135/10)

Sec. 10. Carbon monoxide alarm detector.

(a) Every dwelling unit shall be equipped with:

(1) at least one approved carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes ; or

(2) a carbon monoxide alarm proximate to each source of carbon monoxide and monitored at all times by on-site personnel charged, pursuant to written protocols, with initiating an orderly evacuation of the building in the event that the alarm sounds, unless a local fire department has investigated the building and determined that an evacuation is not warranted. The carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with the respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard.

~~(b) (Blank). Every structure that contains more than one dwelling unit shall contain at least one approved carbon monoxide alarm in operating condition within 15 feet of every room used for sleeping purposes.~~

(c) It is the responsibility of the owner of a dwelling unit structure to supply and install all required carbon monoxide alarms and to provide general maintenance for the alarms.

(c-5) Notwithstanding the foregoing, in the case of a dwelling unit leased to a tenant pursuant to a written lease, it is the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct, unless otherwise specified in the lease. The owner is responsible for providing one tenant per dwelling unit with written information regarding carbon monoxide alarm testing and maintenance. The tenant is responsible for replacement of any required batteries in the carbon monoxide alarms in the tenant's dwelling unit, except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit. The tenant shall provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the carbon monoxide alarm that have been reported in writing to the owner or the authorized agent of the owner.

~~(d) (Blank). The carbon monoxide alarms required under this Act may be either battery powered, plug-in with battery back-up, or wired into the structure's AC power line with secondary battery back-up.~~

(Source: P.A. 94-741, eff. 1-1-07.)

(430 ILCS 135/15)

Sec. 15. Violation.

(a) Willful failure to install or maintain in operating condition any carbon monoxide alarm required by this Act is a petty offense. A violation of this subsection shall constitute a separate offense for each affected room that is used for sleeping purposes ~~Class B misdemeanor.~~

(b) Tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide alarm, except in the course of inspection, maintenance, or replacement of the alarm, is a Class A misdemeanor in the case of a first conviction and a Class 4 felony in the case of a second or subsequent conviction.

(c) Enforcement of the provisions of this Act may be carried out by the Office of the State Fire Marshal and any unit of local government that is authorized to enforce building or fire prevention codes.

(Source: P.A. 94-741, eff. 1-1-07.)

(430 ILCS 135/20)

Sec. 20. Exemptions. The following ~~dwelling residential~~ units shall not require carbon monoxide alarms detectors:

(1) A ~~dwelling residential~~ unit in a building that: (i) does not rely on combustion of fossil fuel for

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~~heat, ventilation,~~

or hot water; (ii) is not connected in any way to an attached ~~a~~ garage; and (iii) is not sufficiently close to any ~~ventilated~~ source of carbon monoxide ~~so as - as determined by the local building commissioner,~~ to receive carbon monoxide from that source.

(2) A dwelling residential unit that is not sufficiently close to any source of carbon monoxide so as to be at risk of receiving carbon monoxide from that source, as determined by the local building commissioner.

(Source: P.A. 94-741, eff. 1-1-07.)".

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 Harmon, **Senate Bill No. 487**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 50; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Rutherford
Bomke	Halvorson	Maloney	Sandoval
Bond	Harmon	Martinez	Schoenberg
Brady	Hendon	Meeks	Sieben
Burzynski	Holmes	Millner	Silverstein
Collins	Hultgren	Munoz	Syverson
Crotty	Hunter	Murphy	Trotter
Cullerton	Jacobs	Noland	Viverito
Delgado	Jones, J.	Pankau	Watson
Dillard	Koehler	Peterson	Wilhelmi
Forby	Kotowski	Radogno	Mr. President
Frerichs	Lightford	Risinger	
Garrett	Link	Ronen	

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.

President Jones announced that session has been cancelled for Monday, May 14, 2007.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Harmon, **Senate Bill No. 1395**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

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

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

Yeas 46; Nays 4; Present 1.

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The following voted in the affirmative:

Bomke	Harmon	Maloney	Sandoval
Bond	Hendon	Martinez	Schoenberg
Brady	Holmes	Meeks	Sieben
Burzynski	Hultgren	Millner	Silverstein
Collins	Hunter	Munoz	Syverson
Crotty	Jacobs	Murphy	Trotter
Cullerton	Jones, J.	Noland	Viverito
Delgado	Koehler	Pankau	Watson
Demuzio	Kotowski	Peterson	Wilhelmi
Forby	Lightford	Risinger	Mr. President
Haine	Link	Ronen	
Halvorson	Luechtefeld	Rutherford	

The following voted in the negative:

Frerichs	Radogno
Lauzen	Righter

The following voted present:

Althoff

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1395**.

Ordered that the Secretary inform the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE JOINT RESOLUTION NO. 59

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, May 10, 2007, they stand adjourned until Tuesday, May 15, 2007 at 12:00 o'clock noon.

Adopted by the House, May 10, 2007.

MARK MAHONEY, Clerk of the House

By unanimous consent, on motion of Senator Link, the foregoing message reporting House Joint Resolution No. 59 was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of the resolution.

The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.

Ordered that the Secretary inform the House of Representatives thereof.

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RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 171

Offered by Senator Watson and all Senators:
Mourns the death of U.S. Army Private Cole Spencer of Gays.

SENATE RESOLUTION 172

Offered by Senator Demuzio and all Senators:
Mourns the death of Frank McCartney, Jr., of Pittsfield.

SENATE RESOLUTION 173

Offered by Senator Haine and all Senators:
Mourns the death of Roland Frank "Buzz" Croxton of Alton.

SENATE RESOLUTION 174

Offered by Senator Haine and all Senators:
Mourns the death of Charles B. Jackson, Sr., of Alton.

SENATE RESOLUTION 175

Offered by Senator Dillard and all Senators:
Mourns the death of John Romanelli, Sr., of Hinsdale.

SENATE RESOLUTION 176

Offered by Senator Dillard and all Senators:
Mourns the death of John Thomas Kelly of Kalamazoo, Michigan, formerly of LaGrange Park.

SENATE RESOLUTION 177

Offered by Senator Dillard and all Senators:
Mourns the death of Richard L. Jasker of Hinsdale.

SENATE RESOLUTION 179

Offered by Senator Link and all Senators:
Mourns the death of Salvatore D'Anca, Sr.

SENATE RESOLUTION 180

Offered by Senator Koehler and all Senators:
Mourns the death of Norma C. Sullivan of Wellington, Ohio.

SENATE JOINT RESOLUTION NO. 51

Offered by Senators DeLeo – Harmon – Kotowski and all Senators:
Mourns the death of Mayor Donald E. Stephens of Rosemont.

The Chair moved the adoption of the Resolutions Consent Calendar. The motion prevailed, and the resolutions were adopted.

At the hour of 4:40 o'clock p.m., pursuant to **House Joint Resolution No. 59**, the Chair announced the Senate stand adjourned until Tuesday, May 15, 2007, at 12:00 o'clock noon.