SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

113TH LEGISLATIVE DAY

THURSDAY, MAY 10, 2012

12:07 O'CLOCK P.M.

NO. 113
[May 10, 2012]

SENATE
Daily Journal Index
113th Legislative Day

The Senate met pursuant to adjournment.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Pastor Shaun Lewis, Capitol Commission, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 9, 2012, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Qualified Energy Conservaton Bonds Allocations as of May 15, 2012, submitted by the Illinois Finance Authority.

Interagency Committee on Employees with Diabilities 2011 Annual Report, submitted by the Department of Human Rights and the Department of Human Services.

The foregoing reports were 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 Assignments:

Senate Floor Amendment No. 2 to Senate Bill 1132

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

Senate Committee Amendment No. 2 to House Bill 3865
Senate Committee Amendment No. 1 to House Bill 5495
Senate Committee Amendment No. 2 to House Bill 5825

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

Senate Floor Amendment No. 2 to House Bill 2582

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendments 8 and 9 to Senate Bill 1313

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 750
Offered by Senator LaHood and all Senators:
Mourns the death of Josephine Comfort of Peoria.

SENATE RESOLUTION NO. 751

Offered by Senator Radogno and all Senators:
Mourns the death of Joan Johnson-Blackwell of Lewistown.

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

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

SENATE RESOLUTION NO. 752

WHEREAS, Polish Constitution Day has been celebrated in Chicago, home of the largest Polish community outside of Warsaw, Poland, for 115 years; and

WHEREAS, The Polish Constitution was the first democratic constitution in Europe and the second in the world after the United States Constitution; it was ratified on May 3, 1791; and

WHEREAS, The Polish Constitution demonstrates the commitment of Poles to human rights, to protection from jail without a trial, and to religious freedom, especially for European Jews, who at the time faced discrimination in most European nations; and

WHEREAS, Poles celebrate the Constitution for its ideals, that liberty and independence are vital to the strength of a people and a nation, and that a government that does not respect the rights of its people cannot and should not survive; and

WHEREAS, Polish Constitution Day was celebrated with a parade in Chicago on May 5, 2012; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate May 3, 2012 as "Polish Constitution Day" in the State of Illinois; and be it further

RESOLVED, That we stand with Illinois' Polish community in showing our appreciation for the commitment to democracy expressed in the Polish Constitution.

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

SENATE JOINT RESOLUTION NO. 75

WHEREAS, On February 29, 2012, Midwest Generation announced that it would retire its two Chicago power plants as the result of an agreement with the City of Chicago and Mayor Rahm Emanuel, which was reached in consultation with community groups and aldermen; and

WHEREAS, Residents in communities neighboring these facilities, including Pilsen and Little Village, joined with a broad and diverse coalition of community, labor, health, faith, youth, and environmental organizations to form the Chicago Clean Power Coalition to advocate for the eventual retirement of these facilities as a part of a national transition to new energy sources; and

WHEREAS, the Clean Power Coalition partners include the following organizations: 8th Day Center for Justice, 49th Ward Green Corps, Action Now, Aerotecture International Inc., American Renewable Energy & Power, LLC, American Medical Student Association-UIC, Blacks in Green, Bridgeport Alliance, Buddhist Peace Fellowship, CAPOW! Citizens Act to Protect Our Water, Chicago Youth Climate Coalition, Citizen Action/Illinois, Citizens Against Ruining the Environment, Citizens Committee for a Clean Blue Island, Collective Consciousness Movement, Consolidated Printing, David

Weiner & Associates, Design Makes Change, Doctors Council SEIU, Eco-Justice Collaborative, Energy Action Coalition, Environment Illinois, Environmental Law & Policy Center, Faith in Place, Gaia Movement USA, Green Guy Solutions, Green Sanctuary Group, Beverly Unitarian Church, Greenpeace, Growing Station Community Garden, KenJiva Energy Systems, Illinois Solar Energy Association, Illinois Student Environmental Coalition, Little Village Environmental Justice Organization, Loyola University's Student Environmental Alliance, Natural Resources Defense Council, Nuclear Energy Information Service, Oikos: The Religion and Environment Initiative, Peace Productions, Physicians for Social Responsibility, Pilsen Alliance, Pilsen Environmental Rights & Reform Organization, Progressive Democrats of America, Protestants for the Common Good, Rainforest Action Network Chicago, Ravenswood Community Council, Resource Center, Respiratory Health Association of Metropolitan Chicago, Sierra Club, Southeast Environmental Task Force, Southsiders Organized for Unity and Liberation, SolAir Works, Inc., SAIC Student Environmental Activism Group, Students for a Just and Stable Future at the University of Chicago, Team 15 United, Topless America, Union of Concerned Scientists, Community Action Program at the UIC College of Medicine, Urban Sustain, Wellington Avenue UCC, and Windy City Green Power; and

WHEREAS, The timing of the decision to retire these facilities, and the schedule for the retirement of these facilities, was the result of a process initiated by Mayor Emanuel; and

WHEREAS, Midwest Generation and the City of Chicago have entered into an agreement finding that the timetable for the retirement of these facilities achieves the objectives of the proposed Chicago Clean Power Ordinance; and

WHEREAS, The closure of these facilities will help the City of Chicago and the State of Illinois achieve their clean air goals; and

WHEREAS, The process undertaken by Midwest Generation and the City of Chicago included community, public health, and environmental groups, which agreed not pursue certain pending litigation against Midwest Generation; and

WHEREAS, Once operations at these facilities cease, Midwest Generation will maintain the facilities in a safe and prudent manner as redevelopment opportunities and funding are explored; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we recognize Mayor Rahm Emanuel, the community residents and organizations of Pilsen and Little Village in Chicago, the Chicago Clean Power Coalition, and Midwest Generation for their work and leadership in reaching the agreed resolution to retire coal-fired power plants at the Fisk and Crawford stations in accordance with the goals and objectives of the proposed Chicago Clean Power Ordinance; and be it further

RESOLVED, That we support the ongoing efforts to determine clean, new uses for these facilities and to transition these facilities to uses that improve the quality of life in these communities; and be it further

RESOLVED, That we acknowledge that thousands of hard working and dedicated men and women have worked at these facilities since the early 1900's producing the electricity that was essential to build the City of Chicago; and be it further

RESOLVED, That we urge the Governor and the agencies of the State of Illinois to support efforts to retire these facilities and to transition these facilities into uses that improve the quality of life in the communities in which they are located; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Governor, Mayor Rahm Emanuel, Midwest Generation, the Little Village Environmental Justice Organization, the Pilsen Alliance, the Pilsen Environmental Rights and Reform Organization, and the members of the Chicago Clean Power Coalition.

REPORT FROM STANDING COMMITTEE

[May 10, 2012]

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 110, 257, 282, 360, 362, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 397, 398, 399, 400, 401, 402, 403, 404, 412, 415, 419, 422, 423, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438 and 440,** reported the same back with the recommendation that the Senate do advise and consent.

Under the rules, the foregoing appointment messages are eligible for consideration by the Senate.

APPOINTMENT MESSAGES

Appointment Message No. 0447

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Jesse White, Secretary of State, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Secretary of State Merit Commission

Start Date: July 1, 2012

End Date: June 30, 2016

Name: James Taylor

Residence: 2641 S. Franklin Street Rd., Decatur, IL 62521

Annual Compensation: $12,906

Per diem: Not Applicable

Nominee's Senator: Senator William E. Brady

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0448

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Jesse White, Secretary of State, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Commissioner

Agency or Other Body: Executive Ethics Commission

Start Date: July 1, 2012

End Date: June 30, 2016

Name: Maria B. Kuzas

Residence: 3700 N. Lake Shore Dr., Apt. 104, Chicago, IL 60613

Annual Compensation: $37,571

Per diem: Not Applicable

Nominee's Senator: Senator John J. Cullerton

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 0449

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Liquor Control Commission

Start Date: May 4, 2012

End Date: February 1, 2018

Name: Cynthia Cronin Cahill

Residence: 398 S. Hill Ave., Elmhurst, IL 60126

Annual Compensation: $34,053

Per diem: Not Applicable

Nominee's Senator: Senator Ron Sandack

Most Recent Holder of Office: Michael F. McMahon

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Assignments.

At the hour of 12:19 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:27 o'clock p.m., the Senate resumed consideration of business.
Senator Sullivan, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **HOUSE BILL 5264**.

Education: **Senate Floor Amendment No. 1 to House Bill 5826**.

Executive: **HOUSE BILLS 1554, 1882 and 5761**.

Local Government: **HOUSE BILL 1390**.

Pensions and Investments: **Senate Committee Amendment No. 2 to House Bill 3865**.

Public Health: **HOUSE BILL 5880**.

Revenue: **SENATE BILL 3595**.

Transportation: **HOUSE BILL 5073; Senate Floor Amendment No. 1 to House Bill 4692**.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2012 meeting, reported the following Joint Action Motion has been assigned to the indicated Standing Committee of the Senate:

Executive: **Motion to Concur in House Amendments 8 and 9 to Senate Bill 1313**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2012 meeting, reported the following Appointment Messages have been assigned to the indicated Standing Committee of the Senate:

Executive Appointments: **Appointment Messages Numbered 447, 448 and 449.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2012 meeting, to which was referred **Senate Bill No. 1132** on May 2, 2012, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 1132** was returned to the order of third reading.

JOINT ACTION MOTIONS FILED

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

Motion to Concur in House Amendments 1 and 2 to Senate Bill 1691
Motion to Concur in House Amendment 1 to Senate Bill 2944
Motion to Concur in House Amendment 1 ro Senate Bill 3249

SENATE BILL RECALLED

On motion of Senator Harmon, Senate Bill No. **402** 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 402

AMENDMENT NO. 1. Amend Senate Bill 402 by replacing everything after the enacting clause with the following:

"Section 5. The Senior Citizens Real Estate Tax Deferral Act is amended by changing Section 3 as follows:

(320 ILCS 30/3) (from Ch. 67 1/2, par. 453)

Sec. 3. A taxpayer may, on or before March 1 of each year, apply to the county collector of the county where his qualifying property is located, or to the official designated by a unit of local government to collect special assessments on the qualifying property, as the case may be, for a deferral of all or a part of real estate taxes payable during that year for the preceding year in the case of real estate taxes other than special assessments, or for a deferral of any installments payable during that year in the case of special assessments, on all or part of his qualifying property. The application shall be on a form prescribed by the Department and furnished by the collector, (a) showing that the applicant will be 65 years of age or older by June 1 of the year for which a tax deferral is claimed, (b) describing the property and verifying that the property is qualifying property as defined in Section 2, (c) certifying that the taxpayer has owned and occupied as his residence such property or other qualifying property in the State for at least the last 3 years except for any periods during which the taxpayer may have temporarily resided in a nursing or sheltered care home, and (d) specifying whether the deferral is for all or a part of the taxes, and, if for a part, the amount of deferral applied for. As to qualifying property not having a separate assessed valuation, the taxpayer shall also file with the county collector a written appraisal of the property prepared by a qualified real estate appraiser together with a certificate signed by the appraiser stating that he has personally examined the property and setting forth the value of the land and the value of the buildings thereon occupied by the taxpayer as his residence.

The collector shall grant the tax deferral provided such deferral does not exceed funds available in the Senior Citizens Real Estate Deferred Tax Revolving Fund and provided that the owner or owners of such real property have entered into a tax deferral and recovery agreement with the collector on behalf of the county or other unit of local government, which agreement expressly states:

(1) That the total amount of taxes deferred under this Act, plus interest, for the year for which a tax deferral is claimed as well as for those previous years for which taxes are not delinquent and for which such deferral has been claimed may not exceed 80% of the taxpayer's equity interest in the property for which taxes are to be deferred and that, if the total deferred taxes plus interest equals 80% of the taxpayer's equity interest in the property, the taxpayer shall thereafter pay the annual interest due on such deferred taxes plus interest so that total deferred taxes plus interest will not exceed such 80% of the taxpayer's equity interest in the property. For the 2011 ~~Effective as of the January 1, 2011~~ assessment year ~~or tax year 2012 and thereafter~~, the total amount of any such deferral shall not exceed $5,000 per taxpayer in each tax year. For the 2012 assessment year and thereafter, the total amount of any such deferral shall not exceed $15,000 per taxpayer in each tax year.

(2) That any real estate taxes deferred under this Act and any interest accrued thereon at the rate of 6% per year are a lien on the real estate and improvements thereon until paid. No sale or transfer of such real property may be legally closed and recorded until the taxes which would otherwise have been due on the property, plus accrued interest, have been paid unless the collector certifies in writing that an arrangement for prompt payment of the amount due has been made with his office. The same shall apply if the property is to be made the subject of a contract of sale.

(3) That upon the death of the taxpayer claiming the deferral the heirs-at-law, assignees or legatees shall have first priority to the real property upon which taxes have been deferred by paying in full the total taxes which would otherwise have been due, plus interest. However, if such heir-at-law, assignee, or legatee is a surviving spouse, the tax deferred status of the property shall be continued during the life of that surviving spouse if the spouse is 55 years of age or older within 6 months of the date of death of the taxpayer and enters into a tax deferral and recovery agreement before the time when deferred taxes become due under this Section. Any additional taxes deferred, plus interest, on the real property under a tax deferral and recovery agreement signed by a surviving spouse shall be added to the taxes and interest which would otherwise have been due, and the payment of which has been postponed during the life of such surviving spouse, in determining the 80% equity requirement provided by this Section.

(4) That if the taxes due, plus interest, are not paid by the heir-at-law, assignee or legatee or if payment is not postponed during the life of a surviving spouse, the deferred taxes and interest shall be recovered from the estate of the taxpayer within one year of the date of his death. In addition, deferred real estate taxes and any interest accrued thereon are due within 90 days after any tax deferred property ceases to be qualifying property as defined in Section 2.

If payment is not made when required by this Section, foreclosure proceedings may be instituted under the Property Tax Code.

(5) That any joint owner has given written prior approval for such agreement, which written approval shall be made a part of such agreement.

(6) That a guardian for a person under legal disability appointed for a taxpayer who otherwise qualifies under this Act may act for the taxpayer in complying with this Act.

(7) That a taxpayer or his agent has provided to the satisfaction of the collector, sufficient evidence that the qualifying property on which the taxes are to be deferred is insured against fire or casualty loss for at least the total amount of taxes which have been deferred.

If the taxes to be deferred are special assessments, the unit of local government making the assessments shall forward a copy of the agreement entered into pursuant to this Section and the bills for such assessments to the county collector of the county in which the qualifying property is located.
(Source: P.A. 97-481, eff. 8-22-11.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Harmon, **Senate Bill No. 402** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Righter
Bivins	Harmon	Maloney	Sandack
Bomke	Holmes	Martinez	Sandoval
Brady	Hunter	McCann	Schmidt
Clayborne	Jacobs	McCarter	Schoenberg
Collins, J.	Johnson, C.	McGuire	Silverstein
Crotty	Johnson, T.	Millner	Sullivan
Cultra	Jones, E.	Mulroe	Syverson
Delgado	Jones, J.	Murphy	Trotter
Dillard	Koehler	Noland	Mr. President
Duffy	Kotowski	Pankau	
Forby	LaHood	Radogno	
Frerichs	Lauzen	Raoul	
Garrett	Lightford	Rezin	

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

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

On motion of Senator Harmon, **Senate Bill No. 547** 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 32; NAYS 17.

The following voted in the affirmative:

Althoff	Holmes	Martinez	Schoenberg
Clayborne	Hunter	McGuire	Silverstein
Collins, J.	Jacobs	Millner	Sullivan
Crotty	Koehler	Mulroe	Trotter
Delgado	Kotowski	Muñoz	Mr. President
Frerichs	Landek	Noland	
Garrett	Lightford	Radogno	
Haine	Link	Raoul	
Harmon	Maloney	Sandoval	

The following voted in the negative:

Bivins	Johnson, T.	McCarter	Sandack
Cultra	Jones, J.	Murphy	Syverson
Dillard	LaHood	Pankau	
Duffy	Lauzen	Rezin	
Johnson, C.	McCann	Righter	

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

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

SENATE BILL RECALLED

On motion of Senator Garrett, Senate Bill No. **555** 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 Local Government.

Senator Garrett offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 555

AMENDMENT NO. 2. Amend Senate Bill 555 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Telephone System Act is amended by changing Section 15.4 and by adding Sections 2.27 and 2.28 as follows:

(50 ILCS 750/2.27 new)

Sec. 2.27. Computer aided dispatch. "Computer aided dispatch" or "CAD" means a database maintained by the public safety agency or public safety answering point used in conjunction with 9-1-1 caller data.

(50 ILCS 750/2.28 new)

Sec. 2.28. Hosted supplemental 9-1-1 service.

"Hosted supplemental 9-1-1 service" means a database service that electronically provides information to 9-1-1 call takers when a call is placed to 9-1-1. The database service shall allow telephone subscribers to provide information to 9-1-1 to be used in emergency scenarios. The database service:

(1) shall collect a variety of formatted data relevant to 9-1-1 and first responder needs. This information may include, but is not limited to, photographs of the telephone subscribers, physical descriptions, medical information, household data, and emergency contacts.

(2) shall allow for information to be entered by telephone subscribers via a secure website where they can elect to provide as little or as much information as they choose.

(3) shall automatically display data provided by telephone subscribers to 9-1-1 call takers for all types of phones when a call is placed to 9-1-1 from a registered and confirmed phone number.

(4) shall support the delivery of telephone subscriber information via a secure internet connection to all emergency telephone system boards.

(5) shall work across all 9-1-1 call taking equipment and allow for the easy transfer of information into a computer aided dispatch system.

(6) may be used to collect information pursuant to an Illinois Premise Alert Program as defined in the Illinois Premise Alert Program (PAP) Act.

(50 ILCS 750/15.4) (from Ch. 134, par. 45.4)

Sec. 15.4. Emergency Telephone System Board; powers.

(a) The corporate authorities of any county or municipality that imposes a surcharge under Section 15.3 shall establish an Emergency Telephone System Board. The corporate authorities shall provide for the manner of appointment and the number of members of the Board, provided that the board shall consist of not fewer than 5 members, one of whom must be a public member who is a resident of the local exchange service territory included in the 9-1-1 coverage area, one of whom (in counties with a population less than 100,000) must be a member of the county board, and at least 3 of whom shall be representative of the 9-1-1 public safety agencies, including but not limited to police departments, fire departments, emergency medical services providers, and emergency services and disaster agencies, and appointed on the basis of their ability or experience. In counties with a population of more than 100,000 but less than 2,000,000, a member of the county board may serve on the Emergency Telephone System Board. Elected officials, including members of a county board, are also eligible to serve on the board. Members of the board shall serve without compensation but shall be reimbursed for their actual and necessary expenses. Any 2 or more municipalities, counties, or combination thereof, that impose a surcharge under Section 15.3 may, instead of establishing individual boards, establish by intergovernmental agreement a Joint Emergency Telephone System Board pursuant to this Section. The manner of appointment of such a joint board shall be prescribed in the agreement.

(b) The powers and duties of the board shall be defined by ordinance of the municipality or county, or by intergovernmental agreement in the case of a joint board. The powers and duties shall include, but need not be limited to the following:

(1) Planning a 9-1-1 system.

(2) Coordinating and supervising the implementation, upgrading, or maintenance of the system, including the establishment of equipment specifications and coding systems.

(3) Receiving moneys from the surcharge imposed under Section 15.3, and from any other source, for deposit into the Emergency Telephone System Fund.

(4) Authorizing all disbursements from the fund.

(5) Hiring any staff necessary for the implementation or upgrade of the system.

(6) Participating in a Regional Pilot Project to implement next generation 9-1-1, as defined in this Act, subject to the conditions set forth in this Act.

(c) All moneys received by a board pursuant to a surcharge imposed under Section 15.3 shall be deposited into a separate interest-bearing Emergency Telephone System Fund account. The treasurer of the municipality or county that has established the board or, in the case of a joint board, any municipal or county treasurer designated in the intergovernmental agreement, shall be custodian of the fund. All interest accruing on the fund shall remain in the fund. No expenditures may be made from such fund except upon the direction of the board by resolution passed by a majority of all members of the board. Expenditures may be made only to pay for the costs associated with the following:

(1) The design of the Emergency Telephone System.

(2) The coding of an initial Master Street Address Guide data base, and update and maintenance thereof.

(3) The repayment of any moneys advanced for the implementation of the system.

(4) The charges for Automatic Number Identification and Automatic Location Identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile data transmitters equipped with automatic vehicle locators, and maintenance, replacement and update thereof to increase operational efficiency and improve the provision of emergency services.

(5) The non-recurring charges related to installation of the Emergency Telephone System and the ongoing network charges.

(6) The acquisition and installation, or the reimbursement of costs therefor to other governmental bodies that have incurred those costs, of road or street signs that are essential to the implementation of the emergency telephone system and that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs.

(7) Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or

costs of personnel attributable directly to the operation of the system. Costs attributable directly to the operation of an emergency telephone system do not include the costs of public safety agency personnel who are and equipment that is dispatched in response to an emergency call.

(7.5) The purchase of real property if the purchase is made before March 16, 2006.

(8) In the case of a municipality that imposes a surcharge under subsection (h) of Section 15.3, moneys may also be used for any anti-terrorism or emergency preparedness measures, including, but not limited to, preparedness planning, providing local matching funds for federal or State grants, personnel training, and specialized equipment, including surveillance cameras as needed to deal with natural and terrorist-inspired emergency situations or events.

(9) The defraying of expenses incurred in participation in a Regional Pilot Project to implement next generation 9-1-1, subject to the conditions set forth in this Act.

(10) The implementation of a computer aided dispatch system or hosted supplemental 9-1-1 services.

Moneys in the fund may also be transferred to a participating fire protection district to reimburse volunteer firefighters who man remote telephone switching facilities when dedicated 9-1-1 lines are down.

(d) The board shall complete the data base before implementation of the 9-1-1 system. The error ratio of the data base shall not at any time exceed 1% of the total data base.

(Source: P.A. 96-1000, eff. 7-2-10; 96-1443, eff. 8-20-10; 97-517, eff. 8-23-11.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Garrett, **Senate Bill No. 555** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 52; NAY 1.

The following voted in the affirmative:

Althoff	Haine	Link	Rezin
Bivins	Harmon	Maloney	Sandack
Bomke	Holmes	Martinez	Sandoval
Brady	Hunter	McCann	Schmidt
Clayborne	Jacobs	McCarter	Schoenberg
Collins, J.	Johnson, C.	McGuire	Silverstein
Crotty	Johnson, T.	Millner	Sullivan
Cultra	Jones, E.	Mulroe	Syverson
Delgado	Jones, J.	Muñoz	Trotter
Dillard	Koehler	Murphy	Mr. President
Duffy	Kotowski	Noland	
Forby	LaHood	Pankau	
Frerichs	Landek	Radogno	
Garrett	Lightford	Raoul	

The following voted in the negative:

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 Lightford, Senate Bill No. **636** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment:

AMENDMENT NO. 1 TO SENATE BILL 636

AMENDMENT NO. 1. Amend Senate Bill 636 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.55 and 34-18.47 as follows:

(105 ILCS 5/10-20.55 new)

Sec. 10-20.55. Recess required in elementary school.

(a) A school board shall require that schools provide daily recess for all students in pre-kindergarten through grade 8. The recess must be at least 30 minutes in length. If recess is attached to a lunch period, then the recess must be held prior to the lunch period. Recess shall include unstructured play and may include organized games. If the principal determines that the weather is inclement, then the principal shall direct that recess be held indoors.

(b) The school board shall prohibit the withholding of recess as a disciplinary action.

(c) The time required for recesses by this Section is included in the minimum number of hours necessary to constitute a full day of attendance under Section 18-8.05 of this Code.

(105 ILCS 5/34-18.47 new)

Sec. 34-18.47. Recess required in elementary school.

(a) The board shall require that schools provide daily recess for all students in pre-kindergarten through grade 8. The recess must be at least 30 minutes in length. If recess is attached to a lunch period, then the recess must be held prior to the lunch period. Recess shall include unstructured play and may include organized games. If the principal determines that the weather is inclement, then the principal shall direct that recess be held indoors.

(b) The board shall prohibit the withholding of recess as a disciplinary action.

(c) The time required for recesses by this Section is included in the minimum number of hours necessary to constitute a full day of attendance under Section 18-8.05 of this Code.

Section 99. Effective date. This Act takes effect July 1, 2012.".

Senator Lightford moved the foregoing amendment be ordered to lie on the table.

The motion to table prevailed

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 636

AMENDMENT NO. 2. Amend Senate Bill 636 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.55 and 34-18.47 as follows:

(105 ILCS 5/10-20.55 new)

Sec. 10-20.55. Recess required in elementary school.

(a) A school board shall require that schools provide daily recess for all students in kindergarten through grade 5. The recess must be at least 20 minutes in length. Recess shall include unstructured play and may include organized games. If the principal determines that the weather is inclement, then the principal shall direct that recess be held indoors.

(b) A school board may require that schools provide daily recess for all students in grades 6 through 8.

(c) A school board shall prohibit the withholding of recess as a disciplinary action.

(105 ILCS 5/34-18.47 new)

Sec. 34-18.47. Recess required in elementary school.

(a) The board shall require that schools provide daily recess for all students in kindergarten through grade 5. The recess must be at least 20 minutes in length. Recess shall include unstructured play and may include organized games. If the principal determines that the weather is inclement, then the principal shall direct that recess be held indoors.

(b) The board may require that schools provide daily recess for all students in grades 6 through 8.

(c) The board shall prohibit the withholding of recess as a disciplinary action.

Section 99. Effective date. This Act takes effect July 1, 2012.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Lightford, **Senate Bill No. 636** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 32; NAYS 20.

The following voted in the affirmative:

Clayborne	Holmes	Maloney	Schoenberg
Collins, A.	Hunter	Martinez	Silverstein
Collins, J.	Jacobs	McGuire	Sullivan
Crotty	Jones, E.	Millner	Trotter
Delgado	Koehler	Mulroe	Mr. President
Forby	Kotowski	Muñoz	
Frerichs	Landek	Noland	
Haine	Lightford	Raoul	
Harmon	Link	Sandoval	

The following voted in the negative:

Bivins	Johnson, T.	Murphy	Schmidt
Brady	Jones, J.	Pankau	Syverson
Cultra	LaHood	Radogno	
Dillard	Lauzen	Rezin	
Duffy	McCann	Righter	
Johnson, C.	McCarter	Sandack	

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. 2653** 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 2653

AMENDMENT NO. 1. Amend Senate Bill 2653 by replacing everything after the enacting clause

with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 11-1432 as follows:
(625 ILCS 5/11-1432 new)
Sec. 11-1432. Animals in driver's lap. A driver may not hold an animal in his or her lap while operating a motor vehicle.".

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 2653

AMENDMENT NO. _2_. Amend Senate Bill 2653, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 11-1432 as follows:
(625 ILCS 5/11-1432 new)
Sec. 11-1432. Animals in driver's lap.
(a) A driver may not hold an animal in his or her lap while operating a motor vehicle.
(b) A person who violates this Section is guilty of a petty offense and subject to a fine not to exceed $25.
(c) A law enforcement officer may not stop or search a motor vehicle, its contents, the driver, or a passenger solely because of a violation or suspected violation of this Section.

Section 10. The Code of Criminal Procedure of 1963 is amended by changing Section 108-1 as follows:
(725 ILCS 5/108-1) (from Ch. 38, par. 108-1)
Sec. 108-1. Search without warrant.
(1) When a lawful arrest is effected a peace officer may reasonably search the person arrested and the area within such person's immediate presence for the purpose of:
(a) protecting the officer from attack; or
(b) preventing the person from escaping; or
(c) discovering the fruits of the crime; or
(d) discovering any instruments, articles, or things which may have been used in the commission of, or which may constitute evidence of, an offense.
(2) (Blank).
(3) A law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of Section 12-603.1 of the Illinois Vehicle Code.
(4) A law enforcement officer may not stop or search a motor vehicle, its contents, the driver, or a passenger solely because of a violation or suspected violation of Section 11-1432 of the Illinois Vehicle Code.
(Source: P.A. 93-99, eff. 7-3-03.)".

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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Sandoval, **Senate Bill No. 2653** 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 21; NAYS 27; Present 2.

The following voted in the affirmative:

Bomke	Jones, E.	Mulroe	Sullivan
Clayborne	Koehler	Muñoz	Trotter
Collins, A.	Kotowski	Noland	Mr. President
Crotty	Landek	Sandoval	
Hunter	Link	Schoenberg	
Jacobs	McGuire	Silverstein	

The following voted in the negative:

Althoff	Frerichs	Lauzen	Raoul
Bivins	Garrett	McCann	Rezin
Collins, J.	Haine	McCarter	Righter
Cultra	Johnson, C.	Millner	Sandack
Dillard	Johnson, T.	Murphy	Schmidt
Duffy	Jones, J.	Pankau	Syverson
Forby	LaHood	Radogno	

The following voted present:

Delgado
Maloney

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 Haine, **Senate Bill No. 2706** was recalled from the order of third reading to the order of second reading.

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2706

AMENDMENT NO. 1. Amend Senate Bill 2706 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 3A-4 as follows:

(105 ILCS 5/3A-4) (from Ch. 122, par. 3A-4)

Sec. 3A-4. Mandatory consolidation of educational service regions.

(a) After July 1, 2015 ~~October 15, 1993~~, each region must contain at least 61,000 ~~43,000~~ inhabitants. Before June 30, 2013, regions ~~Regions~~ may be consolidated voluntarily under Section 3A-3 or by joint resolution of the county boards of regions seeking to join a voluntary consolidation , effective July 1, 2015, to meet these population requirements. The boundaries of regions already meeting these population requirements on the effective date of this amendatory Act of the 97th General Assembly ~~1993~~ may not be changed except to consolidate with another region or a whole county portion of another region which does not meet these population requirements. If , before January 1, 2014, locally determined consolidation decisions result in more than 35 ~~45~~ regions of population greater than 61,000 ~~43,000~~ each, the State Board of Education shall , before June 1, 2014, direct further consolidation, beginning with the region of lowest population, until the number of 35 ~~45~~ regions is achieved.

(b) (Blank).

(c) If, within 90 days after the most recent certified federal census, a region does not meet the population requirements of this Section, then regions may be consolidated voluntarily under Section 3A-3 of this Code or by joint resolution of the county boards of regions seeking to join a voluntary consolidation to meet these population requirements. If locally determined consolidation decisions result in a region not meeting the population requirements of this Section or result in more than 35 regions, then the State Board of Education shall have the authority to impose further consolidation by order of the State Superintendent of Education. Such an order shall be a final order and is subject to the Administrative Review Law. ~~If any region does not meet the population requirements of this Section the~~

~~State Board of Education, within 15 days after the above said dates, shall direct such consolidation of that region with another region or regions to which it is contiguous as will result in a region conforming to these population requirements.~~

(d) All population determinations shall be based on the most recent federal census.
(Source: P.A. 88-89; 89-608, eff. 8-2-96.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Haine, **Senate Bill No. 2706** 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	Lauzen	Radogno
Bivins	Haine	Lightford	Raoul
Bomke	Harmon	Link	Rezin
Brady	Holmes	Maloney	Righter
Clayborne	Hunter	Martinez	Sandack
Collins, A.	Jacobs	McCann	Sandoval
Collins, J.	Johnson, C.	McCarter	Schmidt
Crotty	Johnson, T.	McGuire	Schoenberg
Cultra	Jones, E.	Millner	Silverstein
Delgado	Jones, J.	Mulroe	Sullivan
Dillard	Koehler	Muñoz	Syverson
Duffy	Kotowski	Murphy	Trotter
Forby	LaHood	Noland	Mr. President
Frerichs	Landek	Pankau	

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 Bivins, Senate Bill No. **2979** was recalled from the order of third reading to the order of second reading.

Senator Bivins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2979

AMENDMENT NO. 1. Amend Senate Bill 2979 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 12-215 and 12-609 as follows:
(625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)
Sec. 12-215. Oscillating, rotating or flashing lights on motor vehicles. Except as otherwise provided in

this Code:

(a) The use of red or white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Law enforcement vehicles of State, Federal or local authorities;

2. A vehicle operated by a police officer or county coroner and designated or authorized by local authorities, in writing, as a law enforcement vehicle; however, such designation or authorization must be carried in the vehicle;

2.1. A vehicle operated by a fire chief who has completed an emergency vehicle operation training course approved by the Office of the State Fire Marshal and designated or authorized by local authorities, in writing, as a fire department, fire protection district, or township fire department vehicle; however, the designation or authorization must be carried in the vehicle, and the lights may be visible or activated only when responding to a bona fide emergency;

3. Vehicles of local fire departments and State or federal firefighting vehicles;

4. Vehicles which are designed and used exclusively as ambulances or rescue vehicles; furthermore, such lights shall not be lighted except when responding to an emergency call for and while actually conveying the sick or injured;

5. Tow trucks licensed in a state that requires such lights; furthermore, such lights shall not be lighted on any such tow truck while the tow truck is operating in the State of Illinois;

6. Vehicles of the Illinois Emergency Management Agency, vehicles of the Office of the Illinois State Fire Marshal, vehicles of the Illinois Department of Public Health, and vehicles of the Department of Nuclear Safety;

7. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act;

8. School buses operating alternately flashing head lamps as permitted under Section 12-805 of this Code;

9. Vehicles that are equipped and used exclusively as organ transplant vehicles when used in combination with blue oscillating, rotating, or flashing lights; furthermore, these lights shall be lighted only when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization; and

10. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response.

(b) The use of amber oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Second division vehicles designed and used for towing or hoisting vehicles; furthermore, such lights shall not be lighted except as required in this paragraph 1; such lights shall be lighted when such vehicles are actually being used at the scene of an accident or disablement; if the towing vehicle is equipped with a flat bed that supports all wheels of the vehicle being transported, the lights shall not be lighted while the vehicle is engaged in towing on a highway; if the towing vehicle is not equipped with a flat bed that supports all wheels of a vehicle being transported, the lights shall be lighted while the towing vehicle is engaged in towing on a highway during all times when the use of headlights is required under Section 12-201 of this Code;

2. Motor vehicles or equipment of the State of Illinois, local authorities and contractors; furthermore, such lights shall not be lighted except while such vehicles are engaged in maintenance or construction operations within the limits of construction projects;

3. Vehicles or equipment used by engineering or survey crews; furthermore, such lights shall not be lighted except while such vehicles are actually engaged in work on a highway;

4. Vehicles of public utilities, municipalities, or other construction, maintenance or automotive service vehicles except that such lights shall be lighted only as a means for indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing while such vehicles are engaged in maintenance, service or construction on a highway;

5. Oversized vehicle or load; however, such lights shall only be lighted when moving under permit issued by the Department under Section 15-301 of this Code;

6. The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways;

(6.1) The front and rear of motorized equipment or vehicles that (i) are not owned by the State of Illinois or any political subdivision of the State, (ii) are designed and used for removal of snow and ice from highways and parking lots, and (iii) are equipped with a snow plow that is 12 feet in width; these lights may not be lighted except when the motorized equipment or vehicle is actually

being used for those purposes on behalf of a unit of government;

7. Fleet safety vehicles registered in another state, furthermore, such lights shall not be lighted except as provided for in Section 12-212 of this Code;

8. Such other vehicles as may be authorized by local authorities;

9. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights;

9.5. Propane delivery trucks;

10. Vehicles used for collecting or delivering mail for the United States Postal Service provided that such lights shall not be lighted except when such vehicles are actually being used for such purposes;

10.5. Vehicles of the Office of the Illinois State Fire Marshal, provided that such lights shall not be lighted except for when such vehicles are engaged in work for the Office of the Illinois State Fire Marshal;

11. Any vehicle displaying a slow-moving vehicle emblem as provided in Section 12-205.1;

12. All trucks equipped with self-compactors or roll-off hoists and roll-on containers for garbage or refuse hauling. Such lights shall not be lighted except when such vehicles are actually being used for such purposes;

13. Vehicles used by a security company, alarm responder, or control agency;

14. Security vehicles of the Department of Human Services; however, the lights shall not be lighted except when being used for security related purposes under the direction of the superintendent of the facility where the vehicle is located; and

15. Vehicles of union representatives, except that the lights shall be lighted only while the vehicle is within the limits of a construction project.

(c) The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except on:

1. Rescue squad vehicles not owned by a fire department and vehicles owned or operated by a:

voluntary firefighter;

paid firefighter;

part-paid firefighter;

call firefighter;

member of the board of trustees of a fire protection district;

paid or unpaid member of a rescue squad;

paid or unpaid member of a voluntary ambulance unit; or

paid or unpaid members of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, designated or authorized by local authorities, in writing, and carrying that designation or authorization in the vehicle.

However, such lights are not to be lighted except when responding to a bona fide emergency or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

Any person using these lights in accordance with this subdivision (c)1 must carry on his or her person an identification card or letter identifying the bona fide member of a fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency that owns or operates that vehicle. The card or letter must include:

(A) the name of the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(B) the member's position within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency;

(C) the member's term of service; and

(D) the name of a person within the fire department, fire protection district, rescue squad, ambulance unit, or emergency management services agency to contact to verify the information provided.

2. Police department vehicles in cities having a population of 500,000 or more inhabitants.

3. Law enforcement vehicles of State or local authorities when used in combination with red oscillating, rotating or flashing lights.

4. Vehicles of local fire departments and State or federal firefighting vehicles when used in combination with red oscillating, rotating or flashing lights.

5. Vehicles which are designed and used exclusively as ambulances or rescue vehicles

when used in combination with red oscillating, rotating or flashing lights; furthermore, such lights shall not be lighted except when responding to an emergency call.

6. Vehicles that are equipped and used exclusively as organ transport vehicles when used in combination with red oscillating, rotating, or flashing lights; furthermore, these lights shall only be lighted when the transportation is declared an emergency by a member of the transplant team or a representative of the organ procurement organization.

7. Vehicles of the Illinois Emergency Management Agency, vehicles of the Office of the Illinois State Fire Marshal, vehicles of the Illinois Department of Public Health, and vehicles of the Department of Nuclear Safety, when used in combination with red oscillating, rotating, or flashing lights.

8. Vehicles operated by a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, when used in combination with red oscillating, rotating, or flashing lights.

9. Vehicles of the Illinois Department of Natural Resources that are used for mine rescue and explosives emergency response, when used in combination with red oscillating, rotating, or flashing lights.

(c-1) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a voluntary firefighter, a voluntary member of a rescue squad, or a member of a voluntary ambulance unit may be equipped with flashing white headlights and blue grill lights, which may be used only in responding to an emergency call or when parked or stationary at the scene of a fire, rescue call, ambulance call, or motor vehicle accident.

(c-2) In addition to the blue oscillating, rotating, or flashing lights permitted under subsection (c), and notwithstanding subsection (a), a vehicle operated by a paid or unpaid member of a local or county emergency management services agency as defined in the Illinois Emergency Management Agency Act, may be equipped with white oscillating, rotating, or flashing lights to be used in combination with blue oscillating, rotating, or flashing lights, if authorization by local authorities is in writing and carried in the vehicle.

(d) The use of a combination of amber and white oscillating, rotating or flashing lights, whether lighted or unlighted, is prohibited except motor vehicles or equipment of the State of Illinois, local authorities, contractors, and union representatives may be so equipped; furthermore, such lights shall not be lighted on vehicles of the State of Illinois, local authorities, and contractors except while such vehicles are engaged in highway maintenance or construction operations within the limits of highway construction projects, and shall not be lighted on the vehicles of union representatives except when those vehicles are within the limits of a construction project.

(e) All oscillating, rotating or flashing lights referred to in this Section shall be of sufficient intensity, when illuminated, to be visible at 500 feet in normal sunlight.

(f) Nothing in this Section shall prohibit a manufacturer of oscillating, rotating or flashing lights or his representative <u>or authorized vendor</u> from temporarily mounting such lights on a vehicle for demonstration purposes only. <u>If the lights are not covered while the vehicle is operated upon a highway, the vehicle shall display signage indicating that the vehicle is out of service or not an emergency vehicle. The signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one half-inch wide. A vehicle authorized to have oscillating, rotating, or flashing lights mounted for demonstration purposes may not activate the lights while the vehicle is operated upon a highway.</u>

(g) Any person violating the provisions of subsections (a), (b), (c) or (d) of this Section who without lawful authority stops or detains or attempts to stop or detain another person shall be guilty of a Class 2 felony.

(h) Except as provided in subsection (g) above, any person violating the provisions of subsections (a) or (c) of this Section shall be guilty of a Class A misdemeanor.

(Source: P.A. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10; 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; revised 9-15-11.)

(625 ILCS 5/12-609) (from Ch. 95 1/2, par. 12-609)

Sec. 12-609. (a) No official or employee of the State, any political subdivision thereof, any county, municipality, or local authority, and no owner or employee of any new vehicle dealer, used vehicle dealer, or vehicle auctioneer shall sell, trade or otherwise dispose of any motor vehicle bearing equipment, markings, or other indicia of police authority unless, prior to delivery of the vehicle, the equipment and markings have been sufficiently altered or obliterated to remove the appearance of such authority.

(b) A person may not operate on the highways of this State a vehicle bearing the equipment, markings, or other indicia of police authority, unless the vehicle is an authorized emergency vehicle as defined in

Section 1-105 of this Code.

(c) This Section does not apply to vehicles bearing indicia of police authority that are antique vehicles, as defined in Section 1-102.1, and are registered as antique vehicles, as provided in Section 3-804.

(c-5) Nothing in this Section shall prohibit a manufacturer of authorized emergency vehicle equipment, markings, or other indicia, or the manufacturer's representative or authorized vendor, from temporarily mounting the equipment, markings, or other indicia on a vehicle for demonstration purposes only. If the equipment, markings, or other indicia are not covered while the vehicle is operated upon a highway, the vehicle shall display signage indicating that the vehicle is out of service or not an emergency vehicle. The signage shall be displayed on all sides of the vehicle in letters at least 2 inches tall and one half-inch wide.

(d) Any police officer is authorized to seize any vehicle that is in violation of this Section and to impound that vehicle, at the owner's expense, until any equipment, markings, or other indicia of police authority have been sufficiently removed, altered, or obliterated to remove the appearance of police authority.

(e) A person convicted of violating this Section is guilty of a petty offense and subject to a fine of not less than $500 and not more than $1,000.

(Source: P.A. 93-513, eff. 1-1-04.)".

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 Bivins, **Senate Bill No. 2979** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Garrett	Lightford	Rezin
Bivins	Haine	Link	Righter
Bomke	Harmon	Maloney	Sandack
Brady	Holmes	Martinez	Sandoval
Clayborne	Hunter	McCann	Schmidt
Collins, A.	Jacobs	McCarter	Schoenberg
Collins, J.	Johnson, C.	McGuire	Silverstein
Crotty	Johnson, T.	Millner	Sullivan
Cultra	Jones, E.	Mulroe	Syverson
Delgado	Jones, J.	Muñoz	Trotter
Dillard	Koehler	Murphy	Mr. President
Duffy	LaHood	Pankau	
Forby	Landek	Radogno	
Frerichs	Lauzen	Raoul	

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

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

On motion of Senator Lightford, **Senate Bill No. 3259** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 31; NAYS 18.

The following voted in the affirmative:

Clayborne	Harmon	Lightford	Raoul
Collins, A.	Holmes	Link	Sandoval
Collins, J.	Hunter	Maloney	Schoenberg
Crotty	Jacobs	Martinez	Silverstein
Delgado	Jones, E.	McGuire	Sullivan
Forby	Koehler	Mulroe	Trotter
Garrett	Kotowski	Muñoz	Mr. President
Haine	Landek	Noland	

The following voted in the negative:

Bivins	Jones, J.	Murphy	Sandack
Cultra	Lauzen	Pankau	Schmidt
Duffy	McCann	Radogno	Syverson
Johnson, C.	McCarter	Rezin	
Johnson, T.	Millner	Righter	

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

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

On motion of Senator Althoff, **Senate Bill No. 3627** 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	Garrett	Lightford	Raoul
Bivins	Haine	Link	Rezin
Bomke	Harmon	Maloney	Righter
Brady	Holmes	Martinez	Sandack
Clayborne	Hunter	McCann	Sandoval
Collins, A.	Johnson, C.	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Millner	Silverstein
Cultra	Jones, J.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson
Dillard	Kotowski	Murphy	Trotter
Duffy	LaHood	Noland	Mr. President
Forby	Landek	Pankau	
Frerichs	Lauzen	Radogno	

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 Frerichs, Senate Bill No. **3695** was recalled from the order of third reading to the order of second reading.

Senator Frerichs offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 3695

AMENDMENT NO. 3. Amend Senate Bill 3695 on page 1, line 5, by changing "2, 5, and 11" to "2 and 5"; and

on page 3 by deleting lines 15 through 21; and

on page 5 by replacing lines 12 through 21 with the following:

"project; the records shall include (i) the ~~each~~ worker's name, (ii) the worker's address, (iii) the worker's telephone number when available, (iv) the worker's social security number, (v) the worker's classification or classifications, (vi) the worker's gross and net ~~the hourly~~ wages paid in each pay period, (vii) the worker's number of hours worked each day, (viii) the worker's starting and ending times of work each day, (ix) the worker's hourly wage rate, (x) the worker's hourly overtime wage rate, (xi) the worker's hourly fringe benefit rates, (xii) the name and address of each fringe benefit fund, (xiii) the plan sponsor of each fringe benefit, if applicable, and (xiv) the plan administrator of each fringe benefit, if applicable ~~and the starting and ending times of work each day~~; and

(2) no later than the 15th ~~tenth~~ day of each calendar month"; and

on page 5 by replacing lines 23 through 25 with the following:

"month with the public body in charge of the project. A certified payroll"; and

on page 7 by inserting immediately below line 22 the following:

"(c) A contractor or subcontractor who remits contributions to fringe benefit funds that are jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act shall make and keep certified payroll records that include the information required under items (i) through (viii) of paragraph (1) of subsection (a) only. However, the information required under items (ix) through (xiv) of paragraph (1) of subsection (a) shall be required for any contractor or subcontractor who remits contributions to a fringe benefit fund that is not jointly maintained and jointly governed by one or more employers and one or more labor organizations in accordance with the federal Labor Management Relations Act."; and

on page 8 by deleting lines 6 through 25; and

by deleting all of pages 9 and 10.

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Raoul, **House Bill No. 411** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 930** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **House Bill No. 2562** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 2896** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2896

AMENDMENT NO. 1. Amend House Bill 2896 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Power Agency Act is amended by changing Section 1-1 as follows:

(20 ILCS 3855/1-1)

Sec. 1-1. Short title. This Article may be cited as the ~~the~~ Illinois Power Agency Act. References in this Article to "this Act" mean this Article.

(Source: P.A. 95-481, eff. 8-28-07.)".

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

On motion of Senator Frerichs, **House Bill No. 3825** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3825

AMENDMENT NO. 1. Amend House Bill 3825 by replacing everything after the enacting clause with the following:

"Section 5. The Recyclable Metal Purchase Registration Law is amended by changing Sections 3 and 8 and by adding Sections 4.1, 4.2, 4.3, and 4.6 as follows:

(815 ILCS 325/3) (from Ch. 121 1/2, par. 323)

Sec. 3. Records of purchases. Except as provided in Section 5 of this Act every recyclable metal dealer in this State shall enter into an electronic record-keeping system ~~on forms provided by the Department of State Police or such department as may succeed to its functions,~~ for each purchase of recyclable metal ~~valued at $100 or more and for each transaction involving the purchase of metal street signs~~ the following information:

1. The name and address of the recyclable metal dealer;

2. The date and place of each purchase;

3. The name and address of the person or persons from whom the recyclable metal was ~~or metal street signs were~~ purchased, which shall be verified from a valid driver's license or State Identification Card. The recyclable metal dealer shall make and record a photocopy or electronic scan of the driver's license or State Identification Card. If the person delivering the recyclable metal ~~or metal street signs~~ does not have a valid driver's license or State Identification Card, the recyclable metal dealer shall not complete the transaction;

4. The motor vehicle license number and state of issuance of the motor vehicle license number of the vehicle or conveyance on which the recyclable metal was delivered to the recyclable metal dealer;

5. A description of the recyclable metal ~~or metal street signs~~ purchased, including the weight and whether it consists of bars, cable, ingots, rods, tubing, wire, wire scraps, clamps, connectors, other appurtenances, or some combination thereof; ~~and~~

6. Photographs and video, or both, of the seller and of the material as it is presented on the scale; and

7. ~~6.~~ A declaration signed and dated by the person or persons from whom the recyclable metal was ~~or metal street signs were~~ purchased which states the following:

"I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property.".

~~For purposes of this Section, "metal street sign" means any sign displaying the name of the street on which it is located and all signs, signals, markings, and other devices placed or erected by authority of a~~

~~public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.~~

A copy of the recorded information ~~completed form~~ shall be kept in an electronic record-keeping system ~~a separate book or register~~ by the recyclable metal dealer . Purchase records ~~and~~ shall be retained for a period of 3 ~~2~~ years . Photographs shall be retained for a period of 3 months and video recordings shall be retained for a period of one month. The electronic record-keeping system ~~Such book or register~~ shall be made available for inspection by any law enforcement official or the representatives of common carriers and persons, firms, corporations or municipal corporations engaged in either the generation, transmission or distribution of electric energy or engaged in telephone, telegraph or other communications, at any time.

In every transaction, a recyclable metal dealer shall inquire as to where the recyclable metal was obtained for the purpose of determining whether the seller is in lawful possession of the recyclable metal. If the seller presents a bill of sale, receipt, or other document indicating that he or she is in lawful possession of the recyclable metal, then the recyclable metal dealer shall copy such document and maintain it along with the purchase record required by this Section.

(Source: P.A. 95-979, eff. 1-2-09; 96-507, eff. 8-14-09.)

(815 ILCS 325/4.1 new)

Sec. 4.1. Restricted purchases.

(a) It is a violation of this Act for any person to sell or attempt to sell, or for any recyclable metal dealer to purchase or attempt to purchase, any of the following:

(1) materials that are clearly marked as property belonging to a business or someone else other than the seller;

(2) property associated with use by governments, utilities, or railroads including, but not limited to, guardrails, manhole covers, cables used only in high-voltage transmission lines, and historical markers;

(3) street signs, traffic signs, and sewer grates; or

(4) cemetery plaques.

(b) This Section shall not apply when the seller produces written documentation reasonably demonstrating that the seller is the owner of the recyclable metal material or is authorized to sell the material on behalf of the owner. The recyclable metal dealer shall copy any such documentation and maintain it along with the purchase record required by Section 3 of this Act.

(815 ILCS 325/4.2 new)

Sec. 4.2. Purchases of HVAC recyclable metal. A recyclable metal dealer shall not pay cash, nor shall the dealer make payment at the time of the transaction, in payment for any air conditioner evaporator coil or condenser. Payment for any air conditioner evaporator coil or condenser must be made as follows:

(1) by check or money order;

(2) the payee on the check or money order shall be the same person as the seller who conducted the transaction;

(3) if the seller is a business, then the recyclable metal dealer shall make the check or money order payable to the company, and not to any individual employee or agent of the company.

(815 ILCS 325/4.3 new)

Sec. 4.3. Purchases of copper; catalytic converters. A recyclable metal dealer shall not pay cash in payment for any copper, including copper tubing or wiring, or catalytic converters. Payment for these materials must be made as follows:

(1) by check or money order;

(2) the payee on the check or money order shall be the same person as the seller who conducted the transaction;

(3) if the seller is a business, then the recyclable metal dealer shall make the check or money order payable to the company, and not to any individual employee or agent of the company.

(815 ILCS 325/4.6 new)

Sec. 4.6. Lost or stolen metals. If a recyclable metal dealer suspects property in his or her possession to be lost or stolen, then he or she shall immediately notify the local law enforcement agency having jurisdiction and provide the law enforcement agency with the seller's information.

(815 ILCS 325/8) (from Ch. 121 1/2, par. 328)

Sec. 8. Penalty. Any recyclable metal dealer or other person who knowingly fails to comply with this Act is guilty of a Class A misdemeanor for the first offense, and a Class 4 felony for the second or subsequent offense. Each day that any recyclable metal dealer so fails to comply shall constitute a separate offense.

(Source: P.A. 95-979, eff. 1-2-09.)".

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

On motion of Senator Koehler, **House Bill No. 3826** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3826

AMENDMENT NO. 1. Amend House Bill 3826 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 14-6.02 as follows:

(105 ILCS 5/14-6.02) (from Ch. 122, par. 14-6.02)

Sec. 14-6.02. Service animals. Service animals such as guide dogs, signal dogs or any other animal individually trained to perform tasks for the benefit of a student with a disability shall be permitted to accompany that student at all school functions, whether in or outside the classroom. For the purposes of this Section, "service animal" has the same meaning as in Section 1 of the Service Animal Access Act.
(Source: P.A. 87-228.)

Section 10. The Guide Dog Access Act is amended by changing the title of the Act and Sections 0.01 and 1 as follows:

(720 ILCS 630/Act title)

An Act in relation to a blind person accompanied by service animal ~~guide dog~~ in place of public accommodation.

(720 ILCS 630/0.01) (from Ch. 38, par. 65)

Sec. 0.01. Short title. This Act may be cited as the Service Animal ~~Guide Dog~~ Access Act.
(Source: P.A. 86-1324.)

(720 ILCS 630/1) (from Ch. 38, par. 65-1)

Sec. 1. When a ~~blind, hearing impaired or physically handicapped~~ person with a physical, mental, or intellectual disability requiring the use of a service animal ~~or a person who is subject to epilepsy or other seizure disorders~~ is accompanied by a service animal ~~a dog which serves as a guide, leader, seizure alert, or seizure response dog for such person~~ or when a trainer of a service animal ~~guide, leader, seizure alert, or seizure response dog~~ is accompanied by a service animal ~~guide, leader, seizure alert, or seizure response dog or a dog that is being trained to be a guide, leader, seizure alert, or seizure response dog~~, neither the person nor the service animal ~~dog~~ shall be denied the right of entry and use of facilities of any public place of accommodation as defined in Section 5-101 of the "Illinois Human Rights Act~~", if such dog is wearing a harness and such person presents credentials for inspection issued by a school for training guide, leader, seizure alert, or seizure response dogs~~.

For the purposes of this Section, "service animal" means a dog or miniature horse trained or being trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric service animal, an autism service animal, or an animal trained for any other physical, mental, or intellectual disability. "Service animal" includes a miniature horse that a public place of accommodation shall make reasonable accommodation so long as the public place of accommodation takes into consideration: (1) the type, size and weight of the miniature horse and whether the facility can accommodate its features; (2) whether the handler has sufficient control of the miniature horse; (3) whether the miniature horse is housebroken; and (4) whether the miniature horse's presence in the facility compromises legitimate safety requirements necessary for operation.

Any violation of this Act is a Class C misdemeanor.
(Source: P.A. 92-187, eff. 1-1-02; 93-532, eff. 1-1-04.)

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

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

On motion of Senator Harmon, **House Bill No. 3881** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3881

AMENDMENT NO. 1. Amend House Bill 3881 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 22.43a as follows:

(415 ILCS 5/22.43a new)

Sec. 22.43a. Establishment and expansion of landfills; ban in counties with more than 2,000,000 inhabitants.

(a) Notwithstanding any other provision of law, no person shall establish, nor shall the Agency issue a permit for the establishment of, a new municipal solid waste landfill unit or a new sanitary landfill in a county of more than 2,000,000 inhabitants on or after the effective date of this amendatory Act of the 97th General Assembly.

(b) Notwithstanding any other provision of law, no person shall laterally expand, nor shall the Agency issue a permit for the lateral expansion of, a municipal solid waste landfill unit or the expansion of a sanitary landfill in a county of more than 2,000,000 inhabitants on or after the effective date of this amendatory Act of the 97th General Assembly.

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

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

On motion of Senator Raoul, **House Bill No. 4031** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 4081** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **House Bill No. 4110** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4110

AMENDMENT NO. 1. Amend House Bill 4110 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 9-195 and 15-160 as follows:

(35 ILCS 200/9-195)

Sec. 9-195. Leasing of exempt property.

(a) Except as provided in Sections 15-35, 15-55, 15-60, 15-100, 15-103, 15-160, and 15-185, when property which is exempt from taxation is leased to another whose property is not exempt, and the leasing of which does not make the property taxable, the leasehold estate and the appurtenances shall be listed as the property of the lessee thereof, or his or her assignee. Taxes on that property shall be collected in the same manner as on property that is not exempt, and the lessee shall be liable for those taxes. However, no tax lien shall attach to the exempt real estate. The changes made by this amendatory Act of 1997 and by this amendatory Act of the 91st General Assembly are declaratory of existing law and shall not be construed as a new enactment. The changes made by Public Acts 88-221 and 88-420 that are incorporated into this Section by this amendatory Act of 1993 are declarative of existing law and are not a new enactment.

(b) The provisions of this Section regarding taxation of leasehold interests in exempt property do not apply to any leasehold interest created pursuant to any transaction described in subsection (e) of Section 15-35, subsection (c-5) of Section 15-60, subsection (b) of Section 15-100, Section 15-103, Section 15-160, or Section 15-185.

(Source: P.A. 92-844, eff. 8-23-02; 92-846, eff. 8-23-02; 93-19, eff. 6-20-03.)

(35 ILCS 200/15-160)

Sec. 15-160. Airport authorities and airports. All property belonging to any Airport Authority and used for Airport Authority purposes or leased to another entity, which property use would be exempt from taxation under this Code if it were owned by the lessee entity, is exempt. However, the provision

added by Public Act 86-219 shall not apply to any property of any Airport Authority located in a county with more than 3,000,000 inhabitants. Property acquired for airport purposes by an Authority shall remain subject to any tax previously levied to pay bonds issued and outstanding on the date of acquisition.

Also exempt is any airport or restricted land area or other air navigation facility owned, controlled, operated or leased by another state or a political subdivision of another state under the provisions of Sections 25.01 to 25.04, both inclusive, of the "Illinois Aeronautics Act". However if at the time of the acquisition of property to be used for public airport purposes the city, village, township or school district, in which said property is located is indebted for any amount for payment of which it provided for the collection of taxes, the property acquired for public airport purposes shall be subject to taxation for the payment of said indebtedness in the same proportion as said property bore to the taxable property in said city, village, township or school district immediately before the acquisition thereof, according to the last assessment for taxation.

If airport property of the Lansing Municipal Airport or the Metropolitan Airport Authority of Rock Island County is leased to another entity, then the airport property, the leasehold interests, and any improvements thereon are exempt.

(Source: Laws 1963, p. 1725; P.A. 86-219; 88-455.)

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

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

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

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

AMENDMENT NO. 1 TO HOUSE BILL 4129

AMENDMENT NO. 1. Amend House Bill 4129 as follows:

on page 2, line 23, after "the" by inserting "clerk of the circuit".

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

On motion of Senator Crotty, **House Bill No. 4500** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 4545** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 4562** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **House Bill No. 4590** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **House Bill No. 4662** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Muñoz, **House Bill No. 4673** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4673

AMENDMENT NO. 1. Amend House Bill 4673 by replacing everything after the enacting clause with the following:

"Section 5. The Firearm Owners Identification Card Act is amended by changing Sections 4 and 8 as

follows:

(430 ILCS 65/4) (from Ch. 38, par. 83-4)

Sec. 4. (a) Each applicant for a Firearm Owner's Identification Card must:

(1) Make application on blank forms prepared and furnished at convenient locations throughout the State by the Department of State Police, or by electronic means, if and when made available by the Department of State Police; and

(2) Submit evidence to the Department of State Police that:

(i) He or she is 21 years of age or over, or if he or she is under 21 years of age that he or she has the written consent of his or her parent or legal guardian to possess and acquire firearms and firearm ammunition and that he or she has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card and files an affidavit with the Department as prescribed by the Department stating that he or she is not an individual prohibited from having a Card;

(ii) He or she has not been convicted of a felony under the laws of this or any other jurisdiction;

(iii) He or she is not addicted to narcotics;

(iv) He or she has not been a patient in a mental institution within the past 5 years and he or she has not been adjudicated as a mental defective. This clause (iv) does not apply to an active law enforcement officer employed by a unit of local government, who (A) as a result of work in law enforcement, and (B) is referred by the employing unit of local government for, or voluntarily seeks, evaluation by a clinical psychologist, psychiatrist, or qualified examiner, and (C) receives care from a clinical psychologist, psychiatrist, or qualified examiner, so long as the officer has not been involuntarily admitted as an inpatient in a mental institution or has not been an inpatient in a mental institution for more than 30 days. "Clinical psychologist", "psychiatrist", and "qualified examiner" shall have the same meaning as provided in Chapter 1 of the Mental Health and Developmental Disabilities Code;

(v) He or she is not intellectually disabled;

(vi) He or she is not an alien who is unlawfully present in the United States under the laws of the United States;

(vii) He or she is not subject to an existing order of protection prohibiting him or her from possessing a firearm;

(viii) He or she has not been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

(ix) He or she has not been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158) ~~this amendatory Act of the 97th General Assembly~~;

(x) (Blank);

(xi) He or she is not an alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), or that he or she is an alien who has been lawfully admitted to the United States under a non-immigrant visa if that alien is:

(1) admitted to the United States for lawful hunting or sporting purposes;

(2) an official representative of a foreign government who is:

(A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or

(B) en route to or from another country to which that alien is accredited;

(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;

(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or

(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);

(xii) He or she is not a minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony; and

(xiii) He or she is not an adult who had been adjudicated a delinquent minor under

the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult would be a felony; and

(3) Upon request by the Department of State Police, sign a release on a form prescribed by the Department of State Police waiving any right to confidentiality and requesting the disclosure to the Department of State Police of limited mental health institution admission information from another state, the District of Columbia, any other territory of the United States, or a foreign nation concerning the applicant for the sole purpose of determining whether the applicant is or was a patient in a mental health institution and disqualified because of that status from receiving a Firearm Owner's Identification Card. No mental health care or treatment records may be requested. The information received shall be destroyed within one year of receipt.

(a-5) Each applicant for a Firearm Owner's Identification Card who is over the age of 18 shall furnish to the Department of State Police either his or her driver's license number or Illinois Identification Card number.

(a-10) Each applicant for a Firearm Owner's Identification Card, who is employed as an armed security officer at a nuclear energy, storage, weapons, or development facility regulated by the Nuclear Regulatory Commission and who is not an Illinois resident, shall furnish to the Department of State Police his or her driver's license number or state identification card number from his or her state of residence. The Department of State Police may promulgate rules to enforce the provisions of this subsection (a-10).

(b) Each application form shall include the following statement printed in bold type: "Warning: Entering false information on an application for a Firearm Owner's Identification Card is punishable as a Class 2 felony in accordance with subsection (d-5) of Section 14 of the Firearm Owners Identification Card Act.".

(c) Upon such written consent, pursuant to Section 4, paragraph (a)(2)(i), the parent or legal guardian giving the consent shall be liable for any damages resulting from the applicant's use of firearms or firearm ammunition.

(Source: P.A. 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; revised 10-4-11.)

(430 ILCS 65/8) (from Ch. 38, par. 83-8)

Sec. 8. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not qualify to have a Firearm Owner's Identification Card;

(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental institution within the past 5 years or has been adjudicated as a mental defective. This paragraph (e) does not apply to an active law enforcement officer employed by a unit of local government, who (1) as a result of work in law enforcement, and (2) is referred by the employing unit of local government for, or voluntarily seeks, evaluation by a clinical psychologist, psychiatrist, or qualified examiner, and (3) receives care from a clinical psychologist, psychiatrist, or qualified examiner, so long as the officer has not been involuntarily admitted as an inpatient in a mental institution or has not been an inpatient in a mental institution for more than 30 days. "Clinical psychologist", "psychiatrist", and "qualified examiner" shall have the same meaning as provided in Chapter 1 of the Mental Health and Developmental Disabilities Code;

(f) A person whose mental condition is of such a nature that it poses a clear and present danger to the applicant, any other person or persons or the community;

For the purposes of this Section, "mental condition" means a state of mind manifested by violent, suicidal, threatening or assaultive behavior.

(g) A person who is intellectually disabled;

(h) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application;

(i) An alien who is unlawfully present in the United States under the laws of the United States;

(i-5) An alien who has been admitted to the United States under a non-immigrant visa (as that term is defined in Section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26))), except that this subsection (i-5) does not apply to any alien who has been lawfully admitted to the United States

under a non-immigrant visa if that alien is:

(1) admitted to the United States for lawful hunting or sporting purposes;

(2) an official representative of a foreign government who is:

(A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or

(B) en route to or from another country to which that alien is accredited;

(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;

(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or

(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y)(3);

(j) (Blank);

(k) A person who has been convicted within the past 5 years of battery, assault, aggravated assault, violation of an order of protection, or a substantially similar offense in another jurisdiction, in which a firearm was used or possessed;

(l) A person who has been convicted of domestic battery, aggravated domestic battery, or a substantially similar offense in another jurisdiction committed before, on or after January 1, 2012 (the effective date of Public Act 97-158) ~~this amendatory Act of the 97th General Assembly~~;

(m) (Blank);

(n) A person who is prohibited from acquiring or possessing firearms or firearm ammunition by any Illinois State statute or by federal law;

(o) A minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony; or

(p) An adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult would be a felony.

(Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; revised 10-4-11.)

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

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

On motion of Senator Althoff, **House Bill No. 4962** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 5003** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator LaHood, **House Bill No. 5050** was taken up, read by title a second time and ordered to a third reading.

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

On motion of Senator Harmon, **House Bill No. 5078** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 2 TO HOUSE BILL 5078

AMENDMENT NO. 2. Amend House Bill 5078 by replacing everything after the enacting clause with the following:

"Section 5. The Public Officer Prohibited Activities Act is amended by changing Section 1 as follows:

(50 ILCS 105/1) (from Ch. 102, par. 1)

Sec. 1. County board. An elected county official may not hold elected office in another unit of local government, if there is a disqualifying contractual relationship between the county and the other unit of local government. A disqualifying contractual relationship is a contractual relationship that is not

available to other units of local government in that county. A general contractual relationship that is available to other units of local government in that county, including but not limited to contracts involving Homeland Security programs, emergency management and assistance, storm water management and assistance, environmental protection or enhancement, energy conservation programs, mutual aid agreements regarding crime prevention or law enforcement activities, or any grants that are administered by a county or unit of local government funded by either the federal or State government, is not a disqualifying contractual relationship. No member of a county board, during the term of office for which he or she is elected, may be appointed to, accept, or hold any office other than (i) chairman of the county board or member of the regional planning commission by appointment or election of the board of which he or she is a member, (ii) alderman of a city or member of the board of trustees of a village or incorporated town if the city, village, or incorporated town has fewer than 1,000 inhabitants and is located in a county having fewer than 50,000 inhabitants, or (iii) trustee of a forest preserve district created under Section 18.5 of the Conservation District Act, unless he or she first resigns from the office of county board member or unless the holding of another office is authorized by law. Any such prohibited appointment or election is void. This Section shall not preclude a member of the county board from being selected or from serving as a member of a County Extension Board as provided in Section 7 of the County Cooperative Extension Law, as a member of an Emergency Telephone System Board as provided in Section 15.4 of the Emergency Telephone System Act, or as appointed members of the board of review as provided in Section 6-30 of the Property Tax Code. Nothing in this Act shall be construed to prohibit an elected county official from holding elected office in another unit of local government unless there is a disqualifying ~~so long as there is no~~ contractual relationship between the county and the other unit of local government. This amendatory Act of 1995 is declarative of existing law and is not a new enactment.

On or after the effective date of this amendatory Act of the 97th General Assembly, any individual who holds elected office in a unit of local government may not enter into an additional elected office in another unit of local government if he or she is: (i) earning service credit under the Illinois Pension Code as a result of holding the first elected office and (ii) will earn service credit under the Illinois Pension Code as a result of simultaneously holding the second elected office.

(Source: P.A. 94-617, eff. 8-18-05.)

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

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

COMMITTEE MEETING ANNOUNCEMENT

The Chair announced the following committee to meet at 3:00 o'clock p.m.:

Executive in Room 212

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Haine, **House Bill No. 5099** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5099

AMENDMENT NO. 1. Amend House Bill 5099 on page 3, line 3, by changing "voice-activated" to "voice-operated ~~voice-activated~~"; and

on page 4, line 16, by changing "voice-activated" to "voice-operated ~~voice-activated~~".

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

On motion of Senator Link, **House Bill No. 5104** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5104

AMENDMENT NO. 1. Amend House Bill 5104 by replacing everything after the enacting clause with the following:

Section 1. The Ambulatory Surgical Treatment Center Act is amended by adding Section 6.6 as follows:

(210 ILCS 5/6.6 new)

Sec. 6.6. Clinical privileges; physician assistants. No ambulatory surgical treatment center (ASTC) licensed under this Act shall adopt any policy, rule, regulation, or practice inconsistent with the provision of adequate supervision in accordance with Section 54.5 of the Medical Practice Act of 1987 and the Physician Assistant Practice Act of 1987.

Section 3. The Hospital Licensing Act is amended by adding Section 10.11 as follows:

(210 ILCS 85/10.11 new)

Sec. 10.11. Clinical privileges; physician assistants. No hospital licensed under this Act shall adopt any policy, rule, regulation, or practice inconsistent with the provision of adequate supervision in accordance with Section 54.5 of the Medical Practice Act of 1987 and the Physician Assistant Practice Act of 1987.

Section 5. The Medical Practice Act of 1987 is amended by changing Section 54.5 as follows:

(225 ILCS 60/54.5)

(Section scheduled to be repealed on December 31, 2012)

Sec. 54.5. Physician delegation of authority to physician assistants and advanced practice nurses.

(a) Physicians licensed to practice medicine in all its branches may delegate care and treatment responsibilities to a physician assistant under guidelines in accordance with the requirements of the Physician Assistant Practice Act of 1987. A physician licensed to practice medicine in all its branches may enter into supervising physician agreements with no more than 5 ~~2~~ physician assistants as set forth in subsection (a) of Section 7 of the Physician Assistant Practice Act of 1987.

(b) A physician licensed to practice medicine in all its branches in active clinical practice may collaborate with an advanced practice nurse in accordance with the requirements of the Nurse Practice Act. Collaboration is for the purpose of providing medical consultation, and no employment relationship is required. A written collaborative agreement shall conform to the requirements of Section 65-35 of the Nurse Practice Act. The written collaborative agreement shall be for services the collaborating physician generally provides to his or her patients in the normal course of clinical medical practice. A written collaborative agreement shall be adequate with respect to collaboration with advanced practice nurses if all of the following apply:

(1) The agreement is written to promote the exercise of professional judgment by the advanced practice nurse commensurate with his or her education and experience. The agreement need not describe the exact steps that an advanced practice nurse must take with respect to each specific condition, disease, or symptom, but must specify those procedures that require a physician's presence as the procedures are being performed.

(2) Practice guidelines and orders are developed and approved jointly by the advanced practice nurse and collaborating physician, as needed, based on the practice of the practitioners. Such guidelines and orders and the patient services provided thereunder are periodically reviewed by the collaborating physician.

(3) The advance practice nurse provides services the collaborating physician generally provides to his or her patients in the normal course of clinical practice, except as set forth in subsection (b-5) of this Section. With respect to labor and delivery, the collaborating physician must provide delivery services in order to participate with a certified nurse midwife.

(4) The collaborating physician and advanced practice nurse consult at least once a month to provide collaboration and consultation.

(5) Methods of communication are available with the collaborating physician in person or through telecommunications for consultation, collaboration, and referral as needed to address patient care needs.

(6) The agreement contains provisions detailing notice for termination or change of status involving a written collaborative agreement, except when such notice is given for just cause.

(b-5) An anesthesiologist or physician licensed to practice medicine in all its branches may collaborate with a certified registered nurse anesthetist in accordance with Section 65-35 of the Nurse Practice Act for the provision of anesthesia services. With respect to the provision of anesthesia services, the collaborating anesthesiologist or physician shall have training and experience in the delivery of anesthesia services consistent with Department rules. Collaboration shall be adequate if:

(1) an anesthesiologist or a physician participates in the joint formulation and joint approval of orders or guidelines and periodically reviews such orders and the services provided patients under such orders; and

(2) for anesthesia services, the anesthesiologist or physician participates through discussion of and agreement with the anesthesia plan and is physically present and available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. Anesthesia services in a hospital shall be conducted in accordance with Section 10.7 of the Hospital Licensing Act and in an ambulatory surgical treatment center in accordance with Section 6.5 of the Ambulatory Surgical Treatment Center Act.

(b-10) The anesthesiologist or operating physician must agree with the anesthesia plan prior to the delivery of services.

(c) The supervising physician shall have access to the medical records of all patients attended by a physician assistant. The collaborating physician shall have access to the medical records of all patients attended to by an advanced practice nurse.

(d) (Blank).

(e) A physician shall not be liable for the acts or omissions of a physician assistant or advanced practice nurse solely on the basis of having signed a supervision agreement or guidelines or a collaborative agreement, an order, a standing medical order, a standing delegation order, or other order or guideline authorizing a physician assistant or advanced practice nurse to perform acts, unless the physician has reason to believe the physician assistant or advanced practice nurse lacked the competency to perform the act or acts or commits willful and wanton misconduct.

(f) A collaborating physician may, but is not required to, delegate prescriptive authority to an advanced practice nurse as part of a written collaborative agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 65-40 of the Nurse Practice Act.

(g) A supervising physician may, but is not required to, delegate prescriptive authority to a physician assistant as part of a written supervision agreement, and the delegation of prescriptive authority shall conform to the requirements of Section 7.5 of the Physician Assistant Practice Act of 1987.

(Source: P.A. 96-618, eff. 1-1-10; 97-358, eff. 8-12-11.)

Section 10. The Physician Assistant Practice Act of 1987 is amended by changing Sections 4 and 7 and by adding Section 7.7 as follows:

(225 ILCS 95/4) (from Ch. 111, par. 4604)

(Section scheduled to be repealed on January 1, 2018)

Sec. 4. In this Act:

1. "Department" means the Department of Financial and Professional Regulation.

2. "Secretary" means the Secretary of Financial and Professional Regulation.

3. "Physician assistant" means any person ~~not a physician~~ who has been certified as a physician assistant by the National Commission on the Certification of Physician Assistants or equivalent successor agency and performs procedures under the supervision of a physician as defined in this Act. A physician assistant may perform such procedures within the specialty of the supervising physician, except that such physician shall exercise such direction, supervision and control over such physician assistants as will assure that patients shall receive quality medical care. Physician assistants shall be capable of performing a variety of tasks within the specialty of medical care under the supervision of a physician. Supervision of the physician assistant shall not be construed to necessarily require the personal presence of the supervising physician at all times at the place where services are rendered, as long as there is communication available for consultation by radio, telephone or telecommunications within established guidelines as determined by the physician/physician assistant team. The supervising physician may delegate tasks and duties to the physician assistant. Delegated tasks or duties shall be consistent with physician assistant education, training, and experience. The delegated tasks or duties shall be specific to the practice setting and shall be implemented and reviewed under a written supervision agreement established by the physician or physician/physician assistant team. A physician assistant, acting as an agent of the physician, shall be permitted to transmit the supervising physician's orders as determined by the institution's by-laws, policies, procedures, or job description within which the physician/physician assistant team practices. Physician assistants shall practice only in accordance

with a written supervision agreement.

4. "Board" means the Medical Licensing Board constituted under the Medical Practice Act of 1987.

5. "Disciplinary Board" means the Medical Disciplinary Board constituted under the Medical Practice Act of 1987.

6. "Physician" means, for purposes of this Act, a person licensed to practice medicine in all its branches under the Medical Practice Act of 1987.

7. "Supervising Physician" means, for the purposes of this Act, the primary supervising physician of a physician assistant, who, within his specialty and expertise may delegate a variety of tasks and procedures to the physician assistant. Such tasks and procedures shall be delegated in accordance with a written supervision agreement. The supervising physician maintains the final responsibility for the care of the patient and the performance of the physician assistant.

8. "Alternate supervising physician" means, for the purpose of this Act, any physician designated by the supervising physician to provide supervision in the event that he or she is unable to provide that supervision. The Department may further define "alternate supervising physician" by rule.

The alternate supervising physicians shall maintain all the same responsibilities as the supervising physician. Nothing in this Act shall be construed as relieving any physician of the professional or legal responsibility for the care and treatment of persons attended by him or by physician assistants under his supervision. Nothing in this Act shall be construed as to limit the reasonable number of alternate supervising physicians, provided they are designated by the supervising physician.

9. "Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address, and such changes must be made either through the Department's website or by contacting the Department's licensure maintenance unit.

(Source: P.A. 95-703, eff. 12-31-07; 96-268, eff. 8-11-09.)

(225 ILCS 95/7) (from Ch. 111, par. 4607)

(Section scheduled to be repealed on January 1, 2018)

Sec. 7. Supervision requirements.

(a) A supervising physician shall determine the number of physician assistants under his or her supervision provided the physician is able to provide adequate supervision as outlined in the written supervision agreement required under Section 7.5 of this Act and consideration is given to the nature of the physician's practice, complexity of the patient population, and the experience of each supervised physician assistant. A supervising physician may supervise a maximum of 5 full-time equivalent physician assistants; provided, however, this number of physician assistants shall be reduced by the number of collaborative agreements the supervising physician maintains. A ~~No more than 2 physician assistants shall be supervised by the supervising physician, although a~~ physician assistant shall be able to hold more than one professional position. A ~~Each~~ supervising physician shall file a notice of supervision of each ~~such~~ physician assistant according to the rules of the Department. ~~However, the alternate supervising physician may supervise more than 2 physician assistants when the supervising physician is unable to provide such supervision consistent with the definition of alternate physician in Section 4.~~ It is the responsibility of the supervising physician to maintain documentation each time he or she has designated an alternative supervising physician. This documentation shall include the date alternate supervisory control began, the date alternate supervisory control ended, and any other changes. A supervising physician shall provide a copy of this documentation to the Department, upon request.

Physician assistants shall be supervised only by physicians as defined in this Act who are engaged in clinical practice, or in clinical practice in public health or other community health facilities.

Nothing in this Act shall be construed to limit the delegation of tasks or duties by a physician to a nurse or other appropriately trained personnel.

Nothing in this Act shall be construed to prohibit the employment of physician assistants by a hospital, nursing home or other health care facility where such physician assistants function under the supervision of a supervising physician.

~~Physician assistants may be employed by the Department of Corrections or the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) for service in facilities maintained by such Departments and affiliated training facilities in programs conducted under the authority of the Director of Corrections or the Secretary of Human Services. Each physician assistant employed by the Department of Corrections or the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) shall be under the supervision of a physician engaged in clinical practice and direct patient care. Duties of each physician assistant employed by such Departments are limited to those within the scope of practice of the~~

~~supervising physician who is fully responsible for all physician assistant activities.~~

A physician assistant may be employed by a practice group or other entity employing multiple physicians at one or more locations. In that case, one of the physicians practicing at a location shall be designated the supervising physician. The other physicians with that practice group or other entity who practice in the same general type of practice or specialty as the supervising physician may supervise the physician assistant with respect to their patients without being deemed alternate supervising physicians for the purpose of this Act.

(b) A physician assistant licensed in this State, or licensed or authorized to practice in any other U.S. jurisdiction or credentialed by his or her federal employer as a physician assistant, who is responding to a need for medical care created by an emergency or by a state or local disaster may render such care that the physician assistant is able to provide without supervision as it is defined in this Section or with such supervision as is available. For purposes of this Section, an "emergency situation" shall not include one that occurs in the place of one's employment.

Any physician who supervises a physician assistant providing medical care in response to such an emergency or state or local disaster shall not be required to meet the requirements set forth in this Section for a supervising physician.

(Source: P.A. 95-703, eff. 12-31-07; 96-70, eff. 7-23-09.)

(225 ILCS 95/7.7 new)

Sec. 7.7. Physician assistants in hospitals, hospital affiliates, or ambulatory surgical treatment centers.

(a) A physician assistant may provide services in a hospital or a hospital affiliate as those terms are defined in the Hospital Licensing Act or the University of Illinois Hospital Act or a licensed ambulatory surgical treatment center without a written supervision agreement pursuant to Section 7.5 of this Act. A physician assistant must possess clinical privileges recommended by the hospital medical staff and granted by the hospital or the consulting medical staff committee and ambulatory surgical treatment center in order to provide services. The medical staff or consulting medical staff committee shall periodically review the services of physician assistants granted clinical privileges, including any care provided in a hospital affiliate. Authority may also be granted when recommended by the hospital medical staff and granted by the hospital or recommended by the consulting medical staff committee and ambulatory surgical treatment center to individual physician assistants to select, order, and administer medications, including controlled substances, to provide delineated care. In a hospital, hospital affiliate, or ambulatory surgical treatment center, the attending physician shall determine a physician assistant's role in providing care for his or her patients, except as otherwise provided in the medical staff bylaws or consulting committee policies.

(b) A physician assistant granted authority to order medications including controlled substances may complete discharge prescriptions provided the prescription is in the name of the physician assistant and the attending or discharging physician.

(c) Physician assistants practicing in a hospital, hospital affiliate, or an ambulatory surgical treatment center are not required to obtain a mid-level controlled substance license to order controlled substances under Section 303.05 of the Illinois Controlled Substances Act.

(225 ILCS 95/8 rep.)

Section 15. The Physician Assistant Practice Act of 1987 is amended by repealing Section 8.

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

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

On motion of Senator Althoff, **House Bill No. 5115** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 5122** having been printed, was taken up and read by title a second time.

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 5122

AMENDMENT NO. 1. Amend House Bill 5122 on page 2, line 20, by deleting "or"; and

on page 3, line 1, by replacing "." with "; or

(6) removing or carrying away a corpse by the employees, independent contractors, or other persons designated by the federally designated organ procurement agency engaged in the organ and tissue

procurement process.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator LaHood, **House Bill No. 5134** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bivins, **House Bill No. 5145** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 5212** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5234** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 5235** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 5248** having been printed, was taken up and read by title a second time.

Senate Committee Amendment No. 1 was tabled in the Committee on Higher Education.

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

AMENDMENT NO. 2 TO HOUSE BILL 5248

AMENDMENT NO. 2. Amend House Bill 5248 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois College Choice Reports Act.

Section 5. Findings and declarations. The General Assembly finds and declares the following:

(1) completion of post-secondary education is increasingly important for individuals and this State overall;

(2) accessibility of information is essential for informed student choice of appropriate post-secondary education;

(3) clear, consistent information allowing access to comparable information across higher education institutions will lead to improved student choice; and

(4) data collected by State higher education agencies should be available to the public in an accessible form.

Section 10. Illinois College Choice Reports.

(a) The Illinois Community College Board, the Board of Higher Education, an organization representing the public policy interests of this State's private, non-profit colleges and universities, and the Illinois Higher Education Consortium shall form a committee to inform the development of the Illinois College Choice Reports. The purpose of these reports is to inform students' college choices by providing current information in a consistent and comparable format, including without limitation costs, student demographics, student progress and attainment, application and admission data, areas of study, and certificate or degree completion. Development of the reporting mechanisms must be completed on or before January 1, 2014. After development, the Board of Higher Education and the Illinois Community College Board shall collect data annually and make it publicly available.

(b) The Illinois College Choice Reports shall be (i) clearly linked to performance funding metrics and the goals of the Illinois Public Agenda for College and Career Success and (ii) simple to read and clearly indicative of minority and low-income student access, student progress, and progress towards increasing college completion.

(c) The Illinois College Choice Reports may include, but need not be limited to, the following, in accordance with the applicable data available for collection by the Illinois Community College Board

and the Board of Higher Education at the time the reports are prepared for publication:

(1) Costs, such as tuition and net price data, required fees, room and board on campus, and student loan default rates.

(2) Students, such as total number, gender, race and ethnicity, full or part-time status, and degree seeking or non-degree seeking.

(3) Student success and progress, such as percentage of students who have graduated or are still enrolled in a higher education institution within 150% of the expected time to get a degree, degree completion measures, measures of retention and persistence, passage rates for licensure and certification, job placement rates, and student learning measures.

(4) Admissions or acceptance, such as whether a higher education institution has open admission or has admission criteria; for those that are not open, a statement of the standards; and, for those having programs requiring acceptance, a statement of the criteria.

(5) Applicant information, such as new freshmen applicants, percentage of freshman applicants admitted, and percentage of admitted freshmen that enrolled.

(6) Classroom experiences, such as areas of study or areas of concentration with the largest number of students.

(7) Educational outcomes, such as associate's or bachelor's degrees and certificates awarded per year, measures of intent, and employment.

(d) The committee formed under subsection (a) of this Section shall take into account existing data initiatives and sources, including without limitation the longitudinal data system, in order to minimize unnecessary additional data collection or reporting and to utilize existing common data definitions. It shall be the responsibility of the governing body of the longitudinal data system to identify which data are immediately available and make recommendations for which measures may reasonably be included in the Illinois College Choice Reports and for future collection of the most useful data that are not currently available.

(e) The Illinois Community College Board shall develop the Illinois College Choice Reports with input from the Board's MIS/ILDS Research and Longitudinal Data Advisory Committee, appointed by the Board pursuant to Section 2-7 of the Public Community College Act. The Board of Higher Education shall seek input from stakeholder groups in developing the Illinois College Choice Reports.

(f) The Illinois Community College Board and the Board of Higher Education shall regularly inform the chairperson of the Illinois P-20 Council's Joint Education Leadership Committee on the status of the implementation of the Illinois College Choice Reports. At the request of the Illinois Community College Board and the Board of Higher Education, the chairperson of the Illinois P-20 Council's Joint Education Leadership Committee shall convene meetings of the committee formed under subsection (a) of this Section as needed.

(g) In making the Illinois College Choice Reports publicly available on their Internet websites, the Illinois Community College Board and the Board of Higher Education shall include links to connect to other resources, such as the Illinois Student Assistance Commission, that provide information used to inform student college choice.

(h) On or before January 1, 2015 and on or before January 1 of each year thereafter, the Board of Higher Education and the Illinois Community College Board shall prepare Illinois College Choice Reports for each higher education institution approved to operate and grant degrees in this State. On or before January 1 of each year, the reports must be made available on the Board of Higher Education's and the Illinois Community College Board's Internet websites and clearly linked to and from each higher education institution's Internet website. The Illinois Student Assistant Commission's Internet website shall link to the annually updated reports.

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

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

On motion of Senator Millner, **House Bill No. 5265** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Mulroe, **House Bill No. 5280** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5280

AMENDMENT NO. 1. Amend House Bill 5280 by deleting lines 4 through 23 on page 1, all of pages 2 through 7, and lines 1 through 13 on page 8.

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

On motion of Senator Muñoz, **House Bill No. 5288** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5288

AMENDMENT NO. 1. Amend House Bill 5288 on page 5, immediately below line 13, by inserting the following:

"In addition to any other requirement of this Section, any change of ownership of or any transfer of an interest in a retailer's license shall not be approved by the State Commission if the licensee owes a debt on the inventory to an Illinois licensed distributor and the retailer is delinquent in the payment of the debt under the cash beer law or the 30 day credit law.".

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

On motion of Senator Harmon, **House Bill No. 5315** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5336** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Kotowski, **House Bill No. 5342** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5362** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 5434** having been printed, was taken up and read by title a second time.

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

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

AMENDMENT NO. 2 TO HOUSE BILL 5434

AMENDMENT NO. 2. Amend House Bill 5434 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 2-1402 and by adding Section 12-107.5 as follows:

(735 ILCS 5/2-1402) (from Ch. 110, par. 2-1402)

Sec. 2-1402. Supplementary proceedings.

(a) A judgment creditor, or his or her successor in interest when that interest is made to appear of record, is entitled to prosecute supplementary proceedings for the purposes of examining the judgment debtor or any other person to discover assets or income of the debtor not exempt from the enforcement of the judgment, a deduction order or garnishment, and of compelling the application of non-exempt assets or income discovered toward the payment of the amount due under the judgment. A supplementary proceeding shall be commenced by the service of a citation issued by the clerk. The procedure for conducting supplementary proceedings shall be prescribed by rules. It is not a prerequisite to the commencement of a supplementary proceeding that a certified copy of the judgment has been returned wholly or partly unsatisfied. All citations issued by the clerk shall have the following language, or language substantially similar thereto, stated prominently on the front, in capital letters: "IF YOU FAIL ~~YOUR FAILURE~~ TO APPEAR IN COURT AS ~~HEREIN~~ DIRECTED IN THIS NOTICE, YOU

MAY ~~CAUSE YOU TO~~ BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL." The court shall not grant a continuance of the supplementary proceeding except upon good cause shown.

(b) Any citation served upon a judgment debtor or any other person shall include a certification by the attorney for the judgment creditor or the judgment creditor setting forth the amount of the judgment, the date of the judgment, or its revival date, the balance due thereon, the name of the court, and the number of the case, and a copy of the citation notice required by this subsection. Whenever a citation is served upon a person or party other than the judgment debtor, the officer or person serving the citation shall send to the judgment debtor, within three business days of the service upon the cited party, a copy of the citation and the citation notice, which may be sent by regular first-class mail to the judgment debtor's last known address. In no event shall a citation hearing be held sooner than five business days after the mailing of the citation and citation notice to the judgment debtor, except by agreement of the parties. The citation notice need not be mailed to a corporation, partnership, or association. The citation notice shall be in substantially the following form:

"CITATION NOTICE

(Name and address of Court)
Name of Case: (Name of Judgment Creditor),
Judgment Creditor v.
(Name of Judgment Debtor),
Judgment Debtor.
Address of Judgment Debtor: (Insert last known address)
Name and address of Attorney for Judgment Creditor or of Judgment Creditor (If no attorney is listed): (Insert name and address)
Amount of Judgment: $ (Insert amount)
Name of Person Receiving Citation: (Insert name)
Court Date and Time: (Insert return date and time specified in citation)

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear in court to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the court date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. The JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

(1) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed $4,000 in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; worker's compensation benefits; veteran's benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed $2,400 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed $1,500 in value, in any implements, professional books, or tools of the trade of the debtor.

(2) Under Illinois law, every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of $15,000, which homestead is exempt from judgment.

(3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage or, under a wage deduction summons served on or after January 1, 2006, the Illinois minimum hourly wage, whichever is greater.

(4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.

(5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois

law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at (insert address of clerk). When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail."

(b-1) Any citation served upon a judgment debtor who is a natural person shall be served by personal service or abode service as provided in Supreme Court Rule 105 and shall include a copy of the Income and Asset Form set forth in subsection (b-5).

(b-5) The Income and Asset Form required to be served by the judgment creditor in subsection (b-1) shall be in substantially the following form:

INCOME AND ASSET FORM

To Judgment Debtor: Please complete this form and bring it with you to the hearing referenced in the enclosed citation notice. You should also bring to the hearing any documents you have to support the information you provide in this form, such as pay stubs and account statements. The information you provide will help the court determine whether you have any property or income that can be used to satisfy the judgment entered against you in this matter. The information you provide must be accurate to the best of your knowledge.

If you fail to appear at this hearing, you could be held in contempt of court and possibly arrested.

In answer to the citation and supplemental proceedings served upon the judgment debtor, he or she answers as follows:

Name:.....
Home Phone Number:.....
Home Address:.....
Date of Birth:.....
Marital Status:.....
I have.....dependents.
Do you have a job? YES NO
Company's name I work for:.....
Company's address:.....

Job:
I earn $..... per.....
If self employed, list here your business name and address:
.....
Income from self employment is $..... per year.
I have the following benefits with my employer:
.....

I do not have a job, but I support myself through:
Government Assistance $..... per month
Unemployment $..... per month
Social Security $..... per month
SSI $..... per month
Pension $..... per month
Other $..... per month

Real Estate:
Do you own any real estate? YES NO
I own real estate at....., with names of other owners
.....
Additional real estate I own:.....

I have a beneficial interest in a land trust. The name and address of the trustee is:..... The beneficial interest is listed in my name and.

There is a mortgage on my real estate. State the mortgage company's name and address for each parcel of real estate owned:

.....

An assignment of beneficial interest in the land trust was signed to secure a loan from...

I have the following accounts:

Checking account at .....;

account balance $.....

Savings account at .....;

account balance $.....

Money market or certificate of deposit at.....

Safe deposit box at.....

Other accounts (please identify):.....

I own:

A vehicle (state year, make, model, and VIN):.....

Jewelry (please specify):.....

Other property described as:.....

Stocks/Bonds.....

Personal computer.....

DVD player.....

Television.....

Stove.....

Microwave.....

Work tools.....

Business equipment.....

Farm equipment.....

Other property (please specify):

.....

Signature:.....

(b-10) Any action properly initiated under this Section may proceed notwithstanding an absent or incomplete Income and Asset Form, and a judgment debtor may be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest.

(c) When assets or income of the judgment debtor not exempt from the satisfaction of a judgment, a deduction order or garnishment are discovered, the court may, by appropriate order or judgment:

(1) Compel the judgment debtor to deliver up, to be applied in satisfaction of the judgment, in whole or in part, money, choses in action, property or effects in his or her possession or control, so discovered, capable of delivery and to which his or her title or right of possession is not substantially disputed.

(2) Compel the judgment debtor to pay to the judgment creditor or apply on the judgment, in installments, a portion of his or her income, however or whenever earned or acquired, as the court may deem proper, having due regard for the reasonable requirements of the judgment debtor and his or her family, if dependent upon him or her, as well as any payments required to be made by prior order of court or under wage assignments outstanding; provided that the judgment debtor shall not be compelled to pay income which would be considered exempt as wages under the Wage Deduction Statute. The court may modify an order for installment payments, from time to time, upon application of either party upon notice to the other.

(3) Compel any person cited, other than the judgment debtor, to deliver up any assets so discovered, to be applied in satisfaction of the judgment, in whole or in part, when those assets are held under such circumstances that in an action by the judgment debtor he or she could recover them in specie or obtain a judgment for the proceeds or value thereof as for conversion or embezzlement. A judgment creditor may recover a corporate judgment debtor's property on behalf of the judgment debtor for use of the judgment creditor by filing an appropriate petition within the citation proceedings.

(4) Enter any order upon or judgment against the person cited that could be entered in any garnishment proceeding.

(5) Compel any person cited to execute an assignment of any chose in action or a conveyance of title to real or personal property or resign memberships in exchanges, clubs, or other entities in the same manner and to the same extent as a court could do in any proceeding by a judgment creditor to enforce payment of a judgment or in aid of the enforcement of a judgment.

(6) Authorize the judgment creditor to maintain an action against any person or corporation that, it appears upon proof satisfactory to the court, is indebted to the judgment debtor, for

the recovery of the debt, forbid the transfer or other disposition of the debt until an action can be commenced and prosecuted to judgment, direct that the papers or proof in the possession or control of the debtor and necessary in the prosecution of the action be delivered to the creditor or impounded in court, and provide for the disposition of any moneys in excess of the sum required to pay the judgment creditor's judgment and costs allowed by the court.

(c-5) If a citation is directed to a judgment debtor who is a natural person, no payment order shall be entered under subsection (c) unless the Income and Asset Form was served upon the judgment debtor as required by subsection (b-1), the judgment debtor has had an opportunity to assert exemptions, and the payments are from non-exempt sources.

(d) No order or judgment shall be entered under subsection (c) in favor of the judgment creditor unless there appears of record a certification of mailing showing that a copy of the citation and a copy of the citation notice was mailed to the judgment debtor as required by subsection (b).

(d-5) If upon examination the court determines that the judgment debtor does not possess any non-exempt income or assets, then the citation shall be dismissed.

(e) All property ordered to be delivered up shall, except as otherwise provided in this Section, be delivered to the sheriff to be collected by the sheriff or sold at public sale and the proceeds thereof applied towards the payment of costs and the satisfaction of the judgment. If the judgment debtor's property is of such a nature that it is not readily delivered up to the sheriff for public sale or if another method of sale is more appropriate to liquidate the property or enhance its value at sale, the court may order the sale of such property by the debtor, third party respondent, or by a selling agent other than the sheriff upon such terms as are just and equitable. The proceeds of sale, after deducting reasonable and necessary expenses, are to be turned over to the creditor and applied to the balance due on the judgment.

(f) (1) The citation may prohibit the party to whom it is directed from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from the enforcement of a judgment therefrom, a deduction order or garnishment, belonging to the judgment debtor or to which he or she may be entitled or which may thereafter be acquired by or become due to him or her, and from paying over or otherwise disposing of any moneys not so exempt which are due or to become due to the judgment debtor, until the further order of the court or the termination of the proceeding, whichever occurs first. The third party may not be obliged to withhold the payment of any moneys beyond double the amount of the balance due sought to be enforced by the judgment creditor. The court may punish any party who violates the restraining provision of a citation as and for a contempt, or if the party is a third party may enter judgment against him or her in the amount of the unpaid portion of the judgment and costs allowable under this Section, or in the amount of the value of the property transferred, whichever is lesser.

(2) The court may enjoin any person, whether or not a party to the supplementary proceeding, from making or allowing any transfer or other disposition of, or interference with, the property of the judgment debtor not exempt from the enforcement of a judgment, a deduction order or garnishment, or the property or debt not so exempt concerning which any person is required to attend and be examined until further direction in the premises. The injunction order shall remain in effect until vacated by the court or until the proceeding is terminated, whichever first occurs.

(g) If it appears that any property, chose in action, credit or effect discovered, or any interest therein, is claimed by any person, the court shall, as in garnishment proceedings, permit or require the claimant to appear and maintain his or her right. The rights of the person cited and the rights of any adverse claimant shall be asserted and determined pursuant to the law relating to garnishment proceedings.

(h) Costs in proceedings authorized by this Section shall be allowed, assessed and paid in accordance with rules, provided that if the court determines, in its discretion, that costs incurred by the judgment creditor were improperly incurred, those costs shall be paid by the judgment creditor.

(i) This Section is in addition to and does not affect enforcement of judgments or proceedings supplementary thereto, by any other methods now or hereafter provided by law.

(j) This Section does not grant the power to any court to order installment or other payments from, or compel the sale, delivery, surrender, assignment or conveyance of any property exempt by statute from the enforcement of a judgment thereon, a deduction order, garnishment, attachment, sequestration, process or other levy or seizure.

(k) (Blank).

(k-5) If the court determines that any property held by a third party respondent is wages pursuant to Section 12-801, the court shall proceed as if a wage deduction proceeding had been filed and proceed to enter such necessary and proper orders as would have been entered in a wage deduction proceeding including but not limited to the granting of the statutory exemptions allowed by Section 12-803 and all other remedies allowed plaintiff and defendant pursuant to Part 8 of Article 12 of this Act.

(k-10) If a creditor discovers personal property of the judgment debtor that is subject to the lien of a citation to discover assets, the creditor may have the court impress a lien against a specific item of personal property, including a beneficial interest in a land trust. The lien survives the termination of the citation proceedings and remains as a lien against the personal property in the same manner that a judgment lien recorded against real property pursuant to Section 12-101 remains a lien on real property. If the judgment is revived before dormancy, the lien shall remain. A lien against personal property may, but need not, be recorded in the office of the recorder or filed as an informational filing pursuant to the Uniform Commercial Code.

(l) At any citation hearing at which the judgment debtor appears and seeks a declaration that certain of his or her income or assets are exempt, the court shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from judgment. At any time before the return date specified on the citation, the judgment debtor may request, in writing, a hearing to declare exempt certain income and assets by notifying the clerk of the court before that time, using forms as may be provided by the clerk of the court. The clerk of the court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor, or the judgment creditor's attorney, regarding the time and location of the hearing. This notice may be sent by regular first class mail. At the hearing, the court shall immediately, unless for good cause shown that the hearing is to be continued, shall proceed to determine whether the property which the judgment debtor declares to be exempt is exempt from judgment. The restraining provisions of subsection (f) shall not apply to any property determined by the court to be exempt.

(m) The judgment or balance due on the judgment becomes a lien when a citation is served in accordance with subsection (a) of this Section. The lien binds nonexempt personal property, including money, choses in action, and effects of the judgment debtor as follows:

(1) When the citation is directed against the judgment debtor, upon all personal property belonging to the judgment debtor in the possession or control of the judgment debtor or which may thereafter be acquired or come due to the judgment debtor to the time of the disposition of the citation.

(2) When the citation is directed against a third party, upon all personal property belonging to the judgment debtor in the possession or control of the third party or which thereafter may be acquired or come due the judgment debtor and comes into the possession or control of the third party to the time of the disposition of the citation.

The lien established under this Section does not affect the rights of citation respondents in property prior to the service of the citation upon them and does not affect the rights of bona fide purchasers or lenders without notice of the citation. The lien is effective for the period specified by Supreme Court Rule.

This subsection (m), as added by Public Act 88-48, is a declaration of existing law.

(n) If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect the provisions or applications of the Act that can be given effect without the invalid provision or application.

(o) The changes to this Section made by this amendatory Act of the 97th General Assembly apply only to supplementary proceedings commenced under this Section on or after the effective date of this amendatory Act of the 97th General Assembly.

(Source: P.A. 97-350, eff. 1-1-12.)

(735 ILCS 5/12-107.5 new)

Sec. 12-107.5. Body attachment order.

(a) No order of body attachment or other civil order for the incarceration or detention of a natural person respondent to answer for a charge of indirect civil contempt shall issue unless the respondent has first had an opportunity, after personal service or abode service of notice as provided in Supreme Court Rule 105, to appear in court to show cause why the respondent should not be held in contempt.

(b) The notice shall be an order to show cause.

(c) Any order issued pursuant to subsection (a) shall expire one year after the date of issue.

(d) The first order issued pursuant to subsection (a) and directed to a respondent may be in the nature of a recognizance bond in the sum of no more than $1,000.

(e) Upon discharge of any bond secured by the posting of funds, the funds shall be returned to the respondent or other party posting the bond, less applicable fees, unless the court after inquiry determines that: (1) the judgment debtor willfully has refused to comply with a payment order entered in accordance with Section 2-1402 or an otherwise validly entered order; (2) the bond money belongs to the debtor as opposed to a third party; and (3) that any part of the funds constitute non-exempt funds of the judgment

debtor, in which case the court may cause the non-exempt portion of the funds to be paid over to the judgment creditor.

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

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

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

On motion of Senator Raoul, **House Bill No. 5441** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 5450** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5450

AMENDMENT NO. 1. Amend House Bill 5450 by replacing everything after the enacting clause with the following:

"Section 5. The Rental Housing Support Program Act is amended by changing Sections 5 and 25 and by adding Section 95 as follows:

(310 ILCS 105/5)

Sec. 5. Legislative findings and purpose. The General Assembly finds that in many parts of this State, large numbers of citizens are faced with the inability to secure affordable rental housing. Due to either insufficient wages or a shortage of affordable rental housing stock, or both, many families have difficulty securing decent housing, are subjected to overcrowding, pay too large a portion of their total monthly income for housing and consequently suffer the lack of other basic needs, live in substandard or unhealthy housing, or experience chronic housing instability. Instability and inadequacy in housing limits the employability and productivity of many citizens, adversely affects family health and stress levels, and impedes children's ability to learn; such instability ~~, and~~ produces corresponding drains on public resources and contributes to an overall decline in real estate values. It is the purpose of this Act to create a State program to help localities address the need for decent, affordable, permanent rental housing.

(Source: P.A. 94-118, eff. 7-5-05.)

(310 ILCS 105/25)

Sec. 25. Criteria for awarding grants. The Authority shall adopt rules to govern the awarding of grants and the continuing eligibility for grants under Sections 15 and 20. Requests for proposals under Section 20 must specify that proposals must satisfy these rules. The rules must contain and be consistent with, but need not be limited to, the following criteria:

(1) Eligibility for tenancy in the units supported by grants to local administering agencies must be limited to households with gross income at or below 30% of the median family income for the area in which the grant will be made. Fifty percent of the units that are supported by any grant must be set aside for households whose income is at or below 15% of the area median family income for the area in which the grant will be made, provided that local administering agencies may negotiate flexibility in this set-aside with the Authority if they demonstrate that they have been unable to locate sufficient tenants in this lower income range. Income eligibility for units supported by grants to local administering agencies must be verified annually by landlords and submitted to local administering agencies. Tenants must have sufficient income to be able to afford the tenant's share of the rent. For grants awarded under Section 20, eligibility for tenancy in units supported by grants must be limited to households with a gross income at or below 30% of area median family income for the area in which the grant will be made. Fifty percent of the units that are supported by any grant must be set aside for households whose income is at or below 15% of the median family income for the area in which the grant will be made, provided that developers may negotiate flexibility in this set-aside with the Authority or municipality as defined in subsection (b) of Section 10 if it demonstrates that it has been unable to locate sufficient tenants in this lower income range. The Authority shall determine what sources qualify as a tenant's income.

(2) Local administering agencies must include 2-bedroom, 3-bedroom, and 4-bedroom units among those intended to be supported by grants under the program. In grants under Section 15, the precise number of these units among all the units intended to be supported by a grant must be based on need in the community for larger units and other factors that the Authority specifies in rules. The local administering agency must specify the basis for the numbers of these units that are proposed for support under a grant. Local administering agencies must make a good faith effort to comply with this allocation of unit sizes. In grants awarded under Section 20, developers and the Authority or municipality, as defined in subsection (b) of Section 10, shall negotiate the numbers and sizes of units to be built in a project and supported by the grant.

(3) Under grants awarded under Section 15, local administering agencies must enter into a payment contract with the landlord that defines the method of payment and must pay subsidies to landlords on a quarterly basis and in advance of the quarter paid for.

(4) Local administering agencies and developers must specify how vacancies in units supported by a grant must be advertised and they must include provisions for outreach to local homeless shelters, organizations that work with people with disabilities, and others interested in affordable housing.

(5) The local administering agency or developer must establish a schedule for the tenant's rental obligation for units supported by a grant. The tenant's share of the rent must be a flat amount, calculated annually, based on the size of the unit and the household's income category. In establishing the schedule for the tenant's rental obligation, the local administering agency or developer must use 30% of gross income within an income range as a guide, and it may charge an additional or lesser amount.

(6) The amount of the subsidy provided under a grant for a unit must be the difference between the amount of the tenant's obligation and the total amount of rent for the unit. The total amount of rent for the unit must be negotiated between the local administering authority and the landlord under Section 15, or between the Authority or municipality, as defined in subsection (b) of Section 10, and the developer under Section 20, using comparable rents for units of comparable size and condition in the surrounding community as a guideline.

(7) Local administering agencies and developers, pursuant to criteria the Authority develops in rules, must ensure that there are procedures in place to maintain the safety and habitability of units supported under grants. Local administering agencies must inspect units before supporting them under a grant awarded under Section 15.

(8) Local administering agencies must provide or ensure that tenants are provided with a "bill of rights" with their lease setting forth local landlord-tenant laws and procedures and contact information for the local administering agency.

(9) A local administering agency must create a plan detailing a process for helping to provide information, when necessary, on how to access education, training, and other supportive services to tenants living in units supported under the grant. The plan must be submitted as a part of the administering agency's proposal to the Authority required under Section 15.

(10) Local administering agencies and developers may not use funding under the grant to develop or support housing that requires that a tenant has a particular diagnosis or type ~~or presence~~ of disability as a condition of eligibility for occupancy unless the requirement is mandated by another funding source for the housing. Local administering agencies and developers may use grant funding to develop integrated housing opportunities for persons with disabilities, but not housing restricted to a specific disability type.

(11) In order to plan for periodic fluctuations in program revenue, the Authority shall establish by rule a mechanism for establishing a reserve fund and the level of funding that shall be held in reserve either by the Authority or by local administering agencies.

(Source: P.A. 94-118, eff. 7-5-05.)

(310 ILCS 105/95 new)

Sec. 95. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application.

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

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

On motion of Senator Kotowski, **House Bill No. 5451** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5451

AMENDMENT NO. 1. Amend House Bill 5451 by replacing everything after the enacting clause with the following:

"Section 5. The Sexually Dangerous Persons Act is amended by changing Sections 4, 4.01, 4.02, 5, and 9 and by adding Sections 4.04 and 4.05 as follows:

(725 ILCS 205/4) (from Ch. 38, par. 105-4)

Sec. 4. After the filing of the petition, the court shall appoint two qualified evaluators ~~psychiatrists~~ to make a personal examination of such alleged sexually dangerous person, to ascertain whether such person is sexually dangerous, and the evaluators ~~psychiatrists~~ shall file with the court a report in writing of the result of their examination, a copy of which shall be delivered to the respondent.

(Source: Laws 1955, p. 1144.)

(725 ILCS 205/4.01) (from Ch. 38, par. 105-4.01)

Sec. 4.01. "Qualified evaluator ~~psychiatrist~~" means a reputable physician or psychologist licensed in Illinois or any other state to practice medicine or psychology, or any other licensed professional who specializes in the evaluation of sex offenders ~~in all its branches, who has specialized in the diagnosis and treatment of mental and nervous disorders for a period of not less than 5 years~~.

(Source: Laws 1959, p. 1685.)

(725 ILCS 205/4.02) (from Ch. 38, par. 105-4.02)

Sec. 4.02. In counties of less than 500,000 inhabitants the cost of the ~~psychiatric~~ examination required by Section 4 is a charge against and shall be paid out of the general fund of the county in which the proceeding is brought.

(Source: Laws 1959, p. 1685.)

(725 ILCS 205/4.04 new)

Sec. 4.04. Examination. "Examination" means an examination conducted by a qualified evaluator conducted in conformance with the standards developed under the Sex Offender Management Board Act and by an evaluator approved by the Sex Offender Management Board.

(725 ILCS 205/4.05 new)

Sec. 4.05. Criminal propensities to the commission of sex offenses. For the purposes of this Act, "criminal propensities to the commission of sex offenses" means that it is substantially probable that the person subject to the commitment proceeding will engage in the commission of sex offenses in the future if not confined.

(725 ILCS 205/5) (from Ch. 38, par. 105-5)

Sec. 5. The respondent in any proceedings under this Act shall have the right to demand a trial by jury and to be represented by counsel. The cost of representation by counsel for an indigent respondent shall be paid by the county in which the proceeding is brought. At the hearing on the petition it shall be competent to introduce evidence of the commission by the respondent of any number of crimes together with whatever punishments, if any, were inflicted.

(Source: Laws 1955, p. 1144.)

(725 ILCS 205/9) (from Ch. 38, par. 105-9)

Sec. 9. Recovery; examination and hearing.

(a) An application in writing setting forth facts showing that such sexually dangerous person or criminal sexual psychopathic person has recovered may be filed before the committing court. Upon receipt thereof, the clerk of the court shall cause a copy of the application to be sent to the Director of the Department of Corrections. The Director shall then cause to be prepared and sent to the court a socio-psychiatric report concerning the applicant. The report shall be prepared by an evaluator approved by the Sex Offender Management Board ~~a social worker and psychologist under the supervision of a licensed psychiatrist assigned to the institution wherein such applicant is confined~~. The court shall set a date for the hearing upon such application and shall consider the report so prepared under the direction of the Director of the Department of Corrections and any other relevant information submitted by or on behalf of such applicant.

(b) At a hearing under this Section, the Attorney General or State's Attorney who filed the original application shall represent the State. The sexually dangerous person or the State may elect to have the hearing before a jury. The State has the burden of proving by clear and convincing evidence that the

applicant is still a sexually dangerous person.

(c) If the applicant refuses to speak to, communicate with, or otherwise fails to cooperate with the State's examiner, the applicant may only introduce evidence and testimony from any expert or professional person who is retained to conduct an examination based upon review of the records and may not introduce evidence resulting from an examination of the person. Notwithstanding the provisions of Section 10 of the Mental Health and Developmental Disabilities Confidentiality Act, all evaluations conducted under this Act and all Illinois Department of Corrections treatment records shall be admissible at all proceedings held under this Act.

(d) If a person has previously filed an application in writing setting forth facts showing that the sexually dangerous person or criminal sexual psychopathic person has recovered and the court determined either at a hearing or following a jury trial that the applicant is still a sexually dangerous person, or if the application is withdrawn, no additional application may be filed for 2 years ~~one year~~ after a finding that the person is still sexually dangerous or after the application is withdrawn, except if the application is accompanied by a statement from the treatment provider that the applicant has made exceptional progress and the application contains facts upon which a court could find that the condition of the person had so changed that a hearing is warranted.

(e) If the person is found to be no longer dangerous, the court shall order that he be discharged. If the court finds that the person appears no longer to be dangerous but that it is impossible to determine with certainty under conditions of institutional care that such person has fully recovered, the court shall enter an order permitting such person to go at large subject to such conditions and such supervision by the Director as in the opinion of the court will adequately protect the public. In the event the person violates any of the conditions of such order, the court shall revoke such conditional release and recommit the person pursuant to Section 5-6-4 of the Unified Code of Corrections under the terms of the original commitment. Upon an order of discharge every outstanding information and indictment, the basis of which was the reason for the present detention, shall be quashed.

(Source: P.A. 94-404, eff. 1-1-06.)

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

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

On motion of Senator Hunter, **House Bill No. 5549** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 5587** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 5606** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 5624** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 5650** having been printed, was taken up and read by title a second time.

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

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

AMENDMENT NO. 2 TO HOUSE BILL 5650

AMENDMENT NO. 2. Amend House Bill 5650 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the State Vehicle Use Act.

Section 5. Definitions. As used in this Act:

"Constitutional officers" means the officers created under Article V of the Illinois Constitution.

"Department" means the Department of Central Management Services.

"Division of Vehicles" means the Division of Vehicles within the Department of Central Management

Services.

"State agency" means all departments, officers, commissions, boards, institutions, and bodies politic and corporate of the State. "State agency" does not include the judicial branch, including, without limitation, the several courts of the State, the offices of the clerk of the supreme court and the clerks of the appellate court, and the Administrative Office of the Illinois Courts, the legislature or its committees or commissions, or units of local government.

"Vehicle" means any motor vehicle belonging to the State of Illinois or any agency, board, commission, branch, or department thereof or controlled thereby, including automobiles, motorcycles, trucks, and other types of automotive equipment.

Section 10. Vehicle use officer; vehicle use policy.

(a) Each State agency shall designate a vehicle use officer to monitor the use of State-owned vehicles by that State agency.

(b) Each State agency, with the assistance of the vehicle use officer, shall draft a vehicle use policy. All vehicle use policies, other than those drafted by a constitutional officer, shall be submitted to the Division of Vehicles within the Department of Central Management Services and shall be made publicly available on the Department's official Internet website. A vehicle use officer for a constitutional officer shall make the vehicle use policy publicly available on the constitutional officer's official Internet website. A vehicle use policy shall include the following:

(1) a policy concerning take-home vehicles, including requirements for emergency use of take-home vehicles and restrictions on the use of take-home vehicles solely for commuting; and

(2) procedures regarding daily vehicle use logs and mileage recording.

Section 20. Mileage reimbursement. For cases in which a State employee would otherwise use a State-owned vehicle but uses his or her own vehicle instead, a State agency may reimburse a State employee for automobile travel expenses in accordance with the State Travel Regulations and Reimbursement Rates adopted under Section 12-2 of the State Finance Act.

Section 25. The Department of Central Management Services Law of the Civil Administrative Code of Illinois is amended by changing Section 405-280 as follows:

(20 ILCS 405/405-280) (was 20 ILCS 405/67.15)

Sec. 405-280. State garages; passenger cars.

(a) To supervise and administer all State garages used for the repair, maintenance, or servicing of State-owned motor vehicles except those operated by any State college or university or by the Illinois Mathematics and Science Academy; and to acquire, maintain, and administer the operation of the passenger cars reasonably necessary to the operations of the executive department of the State government. To this end, the Department shall adopt regulations setting forth guidelines for the acquisition, use, maintenance, and replacement of motor vehicles, including the use of ethanol blended gasoline whenever feasible, used by the executive department of State government; shall occupy the space and take possession of the personnel, facilities, equipment, tools, and vehicles that are in the possession or under the administration of the former Department of Administrative Services for these purposes on July 13, 1982 (the effective date of Public Act 82-789); and shall, from time to time, acquire any further, additional, and replacement facilities, space, tools, and vehicles that are reasonably necessary for the purposes described in this Section.

(b) The Department shall evaluate the availability and cost of GPS systems that State agencies may be able to use to track State-owned motor vehicles.

(c) The Department shall distribute a spreadsheet or otherwise make data entry available to each State agency to facilitate the collection of data for publishing on the Department's Internet website. Each State agency shall cooperate with the Department in furnishing the data necessary for the implementation of this subsection within the timeframe specified by the Department. Each State agency shall be responsible for the validity and accuracy of the data provided. Beginning on July 1, 2013, the Department shall make available to the public on its Internet website the following information:

(1) vehicle cost data, organized by individual vehicle and by State agency, and including repair, maintenance, fuel, insurance, and other costs, as well as whether required vehicle inspections have been performed; and

(2) an annual vehicle breakeven analysis, organized by individual vehicle and by State agency, comparing the number of miles a vehicle has been driven with the total cost of maintaining the vehicle.

(d) Beginning on the effective date of this amendatory Act of the 97th General Assembly, and notwithstanding any provision of law to the contrary, the Department may not make any new motor

vehicle purchases until the Department sets forth procedures to condition the purchase of new motor vehicles on (i) a determination of need based on a breakeven analysis, and (ii) a determination that no other available means, including car sharing or rental agreements, would be more cost-effective to the State. However, the Department may purchase motor vehicles not meeting or exceeding a breakeven analysis only if there is no alternative available to carry out agency work functions and the purchase is approved by the Manager of the Division of Vehicles upon the receipt of a written explanation from the agency head of the operational needs justifying the purchase.
(Source: P.A. 91-239, eff. 1-1-00.)

Section 99. Effective date. This Act takes effect January 1, 2013.".

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

On motion of Senator Schoenberg, **House Bill No. 5656** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 5730** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 5814** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5814

AMENDMENT NO. 1. Amend House Bill 5814 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by adding Section 11-42-15 as follows:
(65 ILCS 5/11-42-15 new)
Sec. 11-42-15. Wind energy systems. For electric generating wind devices other than those with a nameplate generating capacity of less than 100 kilowatts that are used primarily by an end user, a municipality may prohibit any electric generating wind device from locating less than 1,000 feet from a residentially zoned area, provided that the regulation is not inconsistent with another municipality's zoning regulation.

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

AMENDMENT NO. 2 TO HOUSE BILL 5814

AMENDMENT NO. 2. Amend House Bill 5814, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Municipal Code is amended by adding Section 11-42-15 as follows:
(65 ILCS 5/11-42-15 new)
Sec. 11-42-15. Wind energy systems. For electric generating wind devices other than those with a nameplate generating capacity of less than 100 kilowatts that are used primarily by an end user, a municipality may prohibit any electric generating wind device from locating less than 1,400 feet from a residential area, provided that the regulation is not inconsistent with another municipality's zoning regulation.

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

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

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

On motion of Senator Millner, **House Bill No. 5899** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **House Bill No. 4003** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 4242** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4242

AMENDMENT NO. 1. Amend House Bill 4242 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 15-173 as follows:
(35 ILCS 200/15-173 new)
Sec. 15-173. Natural Disaster Homestead Exemption.
(a) This Section may be cited as the Natural Disaster Homestead Exemption.
(b) As used in this Section:
"Base amount" means the base year equalized assessed value of the residence.
"Base year" means the taxable year prior to the taxable year in which the natural disaster occurred.
"Chief county assessment officer" means the County Assessor or Supervisor of Assessments of the county in which the property is located.
"Equalized assessed value" means the assessed value as equalized by the Illinois Department of Revenue.
"Homestead property" has the meaning ascribed to that term in Section 15-175 of this Code.
"Natural disaster" means an occurrence of widespread or severe damage or loss of property resulting from any catastrophic cause including but not limited to fire, flood, earthquake, wind, storm, or extended period of severe inclement weather. In the case of a residential structure affected by flooding, the structure shall not be eligible for this homestead improvement exemption unless it is located within a local jurisdiction which is participating in the National Flood Insurance Program. A proclamation of disaster by the President of the United States or Governor of the State of Illinois is not a prerequisite to the classification of an occurrence as a natural disaster under this Section.
(c) A homestead exemption shall be granted by the chief county assessment officer for homestead properties containing a residential structure that has been rebuilt following a natural disaster occurring in taxable year 2012 or any taxable year thereafter. The amount of the exemption is the equalized assessed value of the residence in the first taxable year for which the taxpayer applies for an exemption under this Section minus the base amount. To be eligible for an exemption under this Section: (i) the residential structure must be rebuilt within 2 years after the date of the natural disaster; and (ii) the square footage of the rebuilt residential structure may not be more than 110% of the square footage of the original residential structure as it existed immediately prior to the natural disaster. The taxpayer's initial application for an exemption under this Section must be made no later than the first taxable year after the residential structure is rebuilt. The exemption shall continue at the same annual amount until the taxable year in which the property is sold or transferred.
(d) To receive the exemption, the taxpayer shall submit an application to the chief county assessment officer of the county in which the property is located by July 1 of each taxable year. A county may, by resolution, establish a date for submission of applications that is different than July 1. The chief county assessment officer may require additional documentation to be provided by the applicant. The applications shall be clearly marked as applications for the Natural Disaster Homestead Exemption.
(e) Property is not eligible for an exemption under this Section and Section 15-180 for the same natural disaster or catastrophic event. The property may, however, remain eligible for an additional exemption under Section 15-180 for any separate event occurring after the property qualified for an exemption under this Section.
(f) The exemption under this Section carries over to the benefit of the surviving spouse as long as the spouse holds the legal or beneficial title to the homestead and permanently resides thereon.
(g) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

Section 90. The State Mandates Act is amended by adding Section 8.36 as follows:
(30 ILCS 805/8.36 new)
Sec. 8.36. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the

State is required for the implementation of any mandate created by this amendatory Act of the 97th General Assembly.

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

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

At the hour of 2:21 o'clock p.m., Senator Lightford, presiding.

On motion of Senator Sullivan, **House Bill No. 404** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 404

AMENDMENT NO. 1. Amend House Bill 404 on page 18, by replacing lines 8 through 12 with the following:

"Sec. 2.08. The Director of ~~the Office of Mines and Minerals within the Department of~~ Natural Resources , or his or her designee, shall be the executive officer of the Mining Board and shall execute the orders, rules, and regulations made and promulgated by the Mining Board; however, to serve in that capacity, the Director, or his or her designee, must hold a certificate of competency as a mine examiner issued by the Illinois Mining Board. ~~The Manager of the of the Office of~~".

Senate Floor Amendment Nos. 2 and 3 were postponed in the Committee on Agriculture and Conservation

Senator Sullivan offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO HOUSE BILL 404

AMENDMENT NO. 4. Amend House Bill 404, AS AMENDED, by deleting Section 40.

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

On motion of Senator Sullivan, **House Bill No. 4573** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 4863** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 5283** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 5330** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5330

AMENDMENT NO. 1. Amend House Bill 5330 on page 19, by inserting immediately below line 3 the following:

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

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

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Raoul moved that **Senate Resolution No. 714**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Raoul moved that Senate Resolution No. 714 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Maloney moved that **Senate Joint Resolution No. 69**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Maloney moved that Senate Joint Resolution No. 69 be adopted.

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

YEAS 49; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Link	Rezin
Bivins	Holmes	Maloney	Righter
Brady	Hunter	McCann	Sandack
Clayborne	Jacobs	McCarter	Sandoval
Collins, A.	Johnson, C.	McGuire	Schmidt
Collins, J.	Johnson, T.	Millner	Schoenberg
Crotty	Jones, E.	Mulroe	Silverstein
Delgado	Koehler	Muñoz	Sullivan
Dillard	Kotowski	Murphy	Trotter
Forby	LaHood	Noland	Mr. President
Frerichs	Landek	Pankau	
Garrett	Lauzen	Radogno	
Haine	Lightford	Raoul	

The motion prevailed.

And the resolution was adopted.

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

Senator Trotter moved that **Senate Joint Resolution No. 70**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Trotter moved that Senate Joint Resolution No. 70 be adopted.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Link	Raoul
Brady	Holmes	Maloney	Rezin
Clayborne	Hunter	Martinez	Righter
Collins, A.	Jacobs	McCann	Sandack
Collins, J.	Johnson, C.	McCarter	Sandoval
Crotty	Johnson, T.	McGuire	Schmidt
Delgado	Jones, E.	Millner	Schoenberg
Dillard	Koehler	Mulroe	Silverstein
Duffy	Kotowski	Muñoz	Sullivan
Forby	LaHood	Murphy	Trotter
Frerichs	Landek	Noland	Mr. President
Garrett	Lauzen	Pankau	
Haine	Lightford	Radogno	

The motion prevailed.

And the resolution was adopted.

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

COMMUNICATION FROM THE MINORITY LEADER

CHRISTINE RADOGNO
SENATE REPUBLICAN LEADER · 41st DISTRICT

May 10, 2012

Mr. Tim Anderson
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Kirk Dillard to temporarily replace Senator Dale Righter as a member of the Senate Executive Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Executive Committee.

Sincerely,
s/Christine Radogno
Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

At the hour of 2:45 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 3:43 o'clock p.m., the Senate resumed consideration of business.
Senator Harmon, presiding.

REPORT FROM STANDING COMMITTEE

Senator Harmon, Chairperson of the Committee on Executive, 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 Amendments 8 and 9 to Senate Bill 1313

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

MESSAGES FROM THE HOUSE

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

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

SENATE BILL NO. 2944

A bill for AN ACT concerning corrections.

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

House Amendment No. 1 to SENATE BILL NO. 2944

Passed the House, as amended, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2944

AMENDMENT NO. 1. Amend Senate Bill 2944 on page 1, line 12, by inserting "for the Assistant Director of Corrections-Adult Division" after "Board".

Under the rules, the foregoing **Senate Bill No. 2944**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 3202

A bill for AN ACT concerning regulation.

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

House Amendment No. 1 to SENATE BILL NO. 3202

Passed the House, as amended, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3202

AMENDMENT NO. 1. Amend Senate Bill 3202 as follows:

on page 1, by replacing line 5 with the following:
"Disciplinary Act is amended by changing Section 65 and by adding Section 157 as follows:"; and

on page 2, by inserting below line 20 the following:
"(225 ILCS 427/157 new)
Sec. 157. Confidentiality. All information collected by the Department in the course of an examination or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed. The Department shall not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Secretary, or a party presenting a lawful subpoena to the Department. Information and documents disclosed to a federal, State, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a licensee by the Department or any order issued by the Department against a licensee or applicant shall be a public record, except as otherwise prohibited by law.".

Under the rules, the foregoing **Senate Bill No. 3202**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 3240

A bill for AN ACT concerning insurance.

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

House Amendment No. 1 to SENATE BILL NO. 3240

Passed the House, as amended, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3240

AMENDMENT NO. 1. Amend Senate Bill 3240 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.12 as follows:

(5 ILCS 375/6.12)

Sec. 6.12. Payment for services. The program of health benefits is subject to the provisions of Sections ~~Section~~ 368a and 370a of the Illinois Insurance Code, provided that, if a covered member or covered dependent assigns payments to a health care professional for covered services, then the health care professional shall only collect at point of service from that person the estimated amount not expected to be paid by the plan.

(Source: P.A. 91-605, eff. 12-14-99; 91-788, eff. 6-9-00; 92-16, eff. 6-28-01.)

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

Under the rules, the foregoing **Senate Bill No. 3240**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 3249

A bill for AN ACT concerning regulation.

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

House Amendment No. 1 to SENATE BILL NO. 3249

Passed the House, as amended, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3249

AMENDMENT NO. 1. Amend Senate Bill 3249 as follows:

on page 5, immediately below the line 19, by inserting the following:

""Salvage auction" means a person or entity whose primary business is the sale of motor vehicles for which insurance companies have made payment of damages on total loss claims."; and

on page 8, immediately below line 11, by inserting the following:

"(j) This Act does not apply to a salvage auction or the employee of a salvage auction when engaged in an activity otherwise covered by this Act if the activity is conducted by the employee on behalf of that salvage auction.

(k) This Act does not apply to a towing company or towing operator when the company or operator is acting on behalf of a salvage auction.".

Under the rules, the foregoing **Senate Bill No. 3249**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Mapes, Clerk:

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

SENATE BILL NO. 2536

A bill for AN ACT concerning civil law.

SENATE BILL NO. 2579

A bill for AN ACT concerning transportation.

SENATE BILL NO. 2847

A bill for AN ACT concerning employment.

SENATE BILL NO. 2876

A bill for AN ACT concerning insurance.

SENATE BILL NO. 2941

A bill for AN ACT concerning regulation.

Passed the House, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

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

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

SENATE BILL NO. 2897

A bill for AN ACT concerning business.

SENATE BILL NO. 2947

A bill for AN ACT concerning safety.

SENATE BILL NO. 3047

A bill for AN ACT concerning transportation.

SENATE BILL NO. 3137

A bill for AN ACT concerning regulation.

Passed the House, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

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

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

SENATE BILL NO. 3244

A bill for AN ACT concerning education.

Passed the House, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

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

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 5665

A bill for AN ACT concerning foreclosure.

Passed the House, May 10, 2012.

TIMOTHY D. MAPES, Clerk of the House

The foregoing **House Bill No. 5665** was taken up, ordered printed and placed on first reading.

INTRODUCTION OF BILL

SENATE BILL NO. 3919. Introduced by Senator Righter, a bill for AN ACT concerning government.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 5665, sponsored by Senator J. Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

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

On motion of Senator Schoenberg, **Senate Bill No. 1313**, with House Amendments numbered 8 and 9 on the Secretary's Desk, was taken up for immediate consideration.

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

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

YEAS 31; NAYS 20; Present 1.

The following voted in the affirmative:

Althoff	Harmon	McCarter	Rezin
Brady	Holmes	McGuire	Sandack
Crotty	Kotowski	Mulroe	Schmidt
Cultra	LaHood	Muñoz	Schoenberg
Dillard	Landek	Murphy	Silverstein
Duffy	Lauzen	Pankau	Syverson
Garrett	Link	Radogno	Mr. President
Haine	Maloney	Raoul	

The following voted in the negative:

Bivins	Forby	Jones, J.	Sullivan
Bomke	Frerichs	Koehler	Trotter
Clayborne	Hunter	Lightford	
Collins, A.	Jacobs	McCann	
Collins, J.	Johnson, C.	Noland	
Delgado	Jones, E.	Sandoval	

The following voted present:

Martinez

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 8 and 9 to **Senate Bill No. 1313**.

Ordered that the Secretary inform the House of Representatives thereof.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 746

Offered by Senator Koehler and all Senators:

Mourns the death of Jane Hanna Ising of Homewood.

SENATE RESOLUTION NO. 747

Offered by Senator Frerichs and all Senators:
Mourns the death of Paul Eugene Quinlan of Champaign.

SENATE RESOLUTION NO. 748

Offered by Senator Murphy and all Senators:
Mourns the death of Rose Becker.

SENATE RESOLUTION NO. 749

Offered by Senator A. Collins and all Senators:
Mourns the death of Marian Allene Goza.

SENATE RESOLUTION NO. 750

Offered by Senator LaHood and all Senators:
Mourns the death of Josephine Comfort of Peoria.

SENATE RESOLUTION NO. 751

Offered by Senator Radogno and all Senators:
Mourns the death of Joan Johnson-Blackwell of Lewistown.

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

PRESENTATION OF RESOLUTION

Senator Hunter offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 74

RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, May 10, 2012, it stands adjourned until Tuesday, May 15, 2012 at 12:00 o'clock noon, or until the call of the President; and when the House of Representatives adjourns on Friday, May 11, 2012, it stands adjourned until Tuesday, May 15, 2012 at 12:00 o'clock noon, or until the call of the Speaker.

The motion prevailed.
And the resolution was adopted.
Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 4:13 o'clock p.m., pursuant to **Senate Joint Resolution No. 74**, the Chair announced the Senate stand adjourned until Tuesday, May 15, 2012, at 12:00 o'clock p.m., or until the call of the President.