



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-SEVENTH GENERAL ASSEMBLY**

**119TH LEGISLATIVE DAY**

**TUESDAY, MAY 22, 2012**

**10:04 O'CLOCK A.M.**

**SENATE**  
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The Senate met pursuant to adjournment.  
 Senator Kimberly A. Lightford, Maywood, Illinois, presiding.  
 Prayer by David Diestelkamp, Westside Church of Christ, Aurora, Illinois.  
 Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Monday, May 21, 2012, be postponed, pending arrival of the printed Journal.  
 The motion prevailed.

### 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 7 to Senate Bill 1286  
 Motion to Concur in House Amendment 1 to Senate Bill 2937

### PRESENTATION OF RESOLUTIONS

#### SENATE RESOLUTION NO. 781

Offered by Senator Mulroe and all Senators:  
 Mourns the death of Ross O. Morreale.

#### SENATE RESOLUTION NO. 782

Offered by Senator J. Collins and all Senators:  
 Mourns the death of Lillie Mae Lane.

#### SENATE RESOLUTION NO. 783

Offered by Senator Lauzen and all Senators:  
 Mourns the death of Ivan Seppell of Montgomery, formerly of Aurora.

#### SENATE RESOLUTION NO. 784

Offered by Senator Lauzen and all Senators:  
 Mourns the death of Abbot Emeritus Gerald Benkert, O.S.B., of Marmion Abbey in Aurora.

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

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Martinez, **House Bill No. 4096** having been printed, was taken up and read by title a second time.

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

#### AMENDMENT NO. 1 TO HOUSE BILL 4096

AMENDMENT NO. 1. Amend House Bill 4096 on page 1, line 11, by replacing "provided that" with "so long as".

Senate Floor Amendment No. 2 was postponed in the Committee on Insurance.  
 Senator Martinez offered the following amendment and moved its adoption:

#### AMENDMENT NO. 3 TO HOUSE BILL 4096

AMENDMENT NO. 3. Amend House Bill 4096 on page 1, line 9, by replacing "insured" with "a named insured".

The motion prevailed.

[May 22, 2012]

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 Koehler, **House Bill No. 3611** 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 3611**

AMENDMENT NO. 1. Amend House Bill 3611 by replacing everything after the enacting clause with the following:

"Section 5. The State Parks Act is amended by adding Section 3b as follows:  
(20 ILCS 835/3b new)

Sec. 3b. Wildlife Prairie Park. The Department shall compare and generate a report concerning the availability of recreational activities within the Wildlife Prairie Park between the calendar year 2000 to 2012. The report shall be provided to the General Assembly by July 1, 2013.

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

Senate Floor Amendment No. 2 was held in the Committee on Assignments.

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

On motion of Senator Dillard, **House Bill No. 5203** was taken up, read by title a second time and ordered to a third reading.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Link, **House Bill No. 5104** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

[May 22, 2012]

On motion of Senator McGuire, **House Bill No. 5114** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Holmes	Maloney	Rezin
Bivins	Hunter	Martinez	Righter
Bomke	Jacobs	McCann	Sandack
Brady	Johnson, T.	McCarter	Sandoval
Clayborne	Jones, E.	McGuire	Schmidt
Collins, J.	Jones, J.	Meeks	Schoenberg
Crotty	Koehler	Millner	Silverstein
Delgado	Kotowski	Mulroe	Steans
Dillard	LaHood	Muñoz	Sullivan
Forby	Landek	Murphy	Trotter
Frerichs	Lauzen	Noland	Mr. President
Garrett	Lightford	Pankau	
Haine	Link	Radogno	
Harmon	Luechtefeld	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 in the Senate Amendment adopted thereto.

On motion of Senator Althoff, **House Bill No. 5115** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

[May 22, 2012]

On motion of Senator Haine, **House Bill No. 5121** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Haine, **House Bill No. 5122** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

[May 22, 2012]



On motion of Senator Trotter, **House Bill No. 5142** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Bivins, **House Bill No. 5145** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

[May 22, 2012]

On motion of Senator Schoenberg, **House Bill No. 5180** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None.

The following voted in the affirmative:

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

Senator Forby asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 5180**.

Senator Haine asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 5180**.

On motion of Senator Link, **House Bill No. 5187** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Dillard, **House Bill No. 5189** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Harmon, **House Bill No. 5190** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Link, **House Bill No. 5195** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator J. Jones, **House Bill No. 5207** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Koehler, **House Bill No. 5211** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Crotty, **House Bill No. 5212** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Silverstein, **House Bill No. 5221** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Raoul, **House Bill No. 5233** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Holmes	Luechtefeld	Raoul
Bivins	Hunter	Maloney	Rezin
Bomke	Hutchinson	Martinez	Righter
Brady	Jacobs	McCann	Sandack
Clayborne	Johnson, T.	McCarter	Sandoval
Collins, J.	Jones, E.	McGuire	Schmidt
Crotty	Jones, J.	Meeks	Schoenberg
Cultra	Koehler	Millner	Silverstein
Dillard	Kotowski	Mulroe	Steans
Forby	LaHood	Muñoz	Sullivan
Frerichs	Landek	Murphy	Syverson
Garrett	Lauzen	Noland	Trotter
Haine	Lightford	Pankau	Mr. President
Harmon	Link	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 in the Senate Amendment adopted thereto.

On motion of Senator Althoff, **House Bill No. 5234** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Mulroe, **House Bill No. 5235** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Luechtefeld, **House Bill No. 5236** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Clayborne, **House Bill No. 5250** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Millner, **House Bill No. 5265** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Millner, **House Bill No. 5266** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

Haine

Link

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.

Senator Silverstein asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 5266**.

On motion of Senator J. Collins, **House Bill No. 5278** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Righter
Bivins	Holmes	Maloney	Sandack
Bomke	Hunter	Martinez	Sandoval
Brady	Hutchinson	McCarter	Schmidt
Clayborne	Jacobs	McGuire	Schoenberg
Collins, J.	Johnson, T.	Meeks	Silverstein
Crotty	Jones, E.	Millner	Steans
Cultra	Jones, J.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson
Dillard	Kotowski	Murphy	Trotter
Duffy	LaHood	Noland	Mr. President
Forby	Landek	Pankau	
Frerichs	Lauzen	Radogno	
Garrett	Lightford	Raoul	
Haine	Link	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 in the Senate Amendment adopted thereto.

On motion of Senator Mulroe, **House Bill No. 5280** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Rezin
Bivins	Harmon	Maloney	Righter
Bomke	Holmes	Martinez	Sandack
Brady	Hunter	McCann	Sandoval
Clayborne	Hutchinson	McCarter	Schmidt
Collins, J.	Jacobs	McGuire	Schoenberg
Crotty	Johnson, T.	Millner	Silverstein
Cultra	Jones, E.	Mulroe	Steans
Delgado	Jones, J.	Muñoz	Sullivan

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Dillard	Koehler	Murphy	Syverson
Duffy	Kotowski	Noland	Trotter
Forby	Landek	Pankau	Mr. President
Frerichs	Lightford	Radogno	
Garrett	Link	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 in the Senate Amendment adopted thereto.

On motion of Senator Sullivan, **House Bill No. 5283** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Steans, **House Bill No. 5290**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Pending roll call, on motion of Senator Steans, further consideration of **House Bill No. 5290** was postponed.

On motion of Senator LaHood, **House Bill No. 5314** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAY 1.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Rezin
Bomke	Holmes	Maloney	Righter
Brady	Hunter	Martinez	Sandack
Clayborne	Hutchinson	McCann	Sandoval
Collins, J.	Johnson, T.	McCarter	Schmidt

Crotty	Jones, E.	McGuire	Schoenberg
Cultra	Jones, J.	Meeks	Silverstein
Delgado	Koehler	Millner	Steans
Dillard	Kotowski	Mulroe	Sullivan
Duffy	LaHood	Muñoz	Syverson
Forby	Landek	Noland	Trotter
Frerichs	Laufen	Pankau	Mr. President
Garrett	Lightford	Radogno	
Haine	Link	Raoul	

The following voted in the negative:

Jacobs

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **House Bill No. 5319** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Koehler, **House Bill No. 5321** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Sullivan, **House Bill No. 5330** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

Senator J. Collins asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 5330**.

On motion of Senator Althoff, **House Bill No. 5336** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Bomke, **House Bill No. 5353** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Haine, **House Bill No. 5359** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

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The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Rezin
Bivins	Holmes	Maloney	Righter
Bomke	Hunter	Martinez	Sandack
Brady	Hutchinson	McCann	Sandoval
Clayborne	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Meeks	Silverstein
Cultra	Jones, J.	Millner	Steans
Delgado	Koehler	Mulroe	Sullivan
Dillard	Kotowski	Muñoz	Syverson
Duffy	LaHood	Murphy	Trotter
Forby	Landek	Noland	Mr. President
Frerichs	Laufen	Pankau	
Garrett	Lightford	Radogno	
Haine	Link	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 in the Senate Amendment adopted thereto.

At the hour of 11:47 o'clock a.m., Senator Trotter, presiding.

On motion of Senator Althoff, **House Bill No. 5362** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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**HOUSE BILL RECALLED**

On motion of Senator Haine, **House Bill No. 5434** 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. 3 TO HOUSE BILL 5434**

AMENDMENT NO. 3. Amend House Bill 5434 , AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, as follows:

on page 18, by replacing line 4 with the following:

"Assembly. The requirements or limitations set forth in subsections (b-1), (b-5), (b-10), (c-5), and (d-5) do not apply to the enforcement of any order or judgment resulting from an adjudication of a municipal ordinance violation that is subject to Supreme Court Rules 570 through 579, or from an administrative adjudication of such an ordinance violation."; and

on page 19, immediately below line 6, by inserting the following:

"(f) The requirements or limitations of this Section do not apply to the enforcement of any order or judgment resulting from an adjudication of a municipal ordinance violation that is subject to Supreme Court Rules 570 through 579, or from an administrative adjudication of such an ordinance violation."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Haine, **House Bill No. 5434** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Rezin
Bivins	Holmes	Maloney	Righter
Bomke	Hunter	Martinez	Sandack
Brady	Hutchinson	McCann	Sandoval
Clayborne	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Meeks	Silverstein
Cultra	Jones, J.	Millner	Steans
Delgado	Koehler	Mulroe	Sullivan
Dillard	Kotowski	Muñoz	Syverson
Duffy	LaHood	Murphy	Trotter
Forby	Landek	Noland	Mr. President
Frerichs	Lauzen	Pankau	
Garrett	Lightford	Radogno	
Haine	Link	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 in the Senate Amendments adopted thereto.

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On motion of Senator Raoul, **House Bill No. 5441** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS 6.

The following voted in the affirmative:

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

The following voted in the negative:

Brady	LaHood	McCann
Cultra	Lauzen	McCarter

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Delgado, **House Bill No. 5450** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Kotowski, **House Bill No. 5451** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Mulroe, **House Bill No. 5452** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

Garrett	Link	Raoul
Haine	Luechtefeld	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.

On motion of Senator Haine, **House Bill No. 5478** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Rezin, **House Bill No. 5480** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Rezin
Bomke	Holmes	Maloney	Righter
Brady	Hunter	Martinez	Sandack
Clayborne	Hutchinson	McCann	Sandoval
Collins, A.	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Meeks	Silverstein
Cultra	Jones, J.	Millner	Steans
Delgado	Koehler	Mulroe	Sullivan
Dillard	Kotowski	Muñoz	Syverson
Duffy	LaHood	Murphy	Trotter

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Forby	Landek	Noland	Mr. President
Frerichs	Lauzen	Pankau	
Garrett	Lightford	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.

On motion of Senator Sandoval, **House Bill No. 5493** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Righter
Bomke	Holmes	Maloney	Sandack
Brady	Hunter	Martinez	Sandoval
Clayborne	Hutchinson	McCann	Schmidt
Collins, A.	Jacobs	McCarter	Schoenberg
Collins, J.	Johnson, T.	McGuire	Silverstein
Crotty	Jones, E.	Meeks	Steans
Cultra	Jones, J.	Millner	Sullivan
Delgado	Koehler	Mulroe	Syverson
Dillard	Kotowski	Muñoz	Trotter
Duffy	LaHood	Murphy	Mr. President
Forby	Landek	Noland	
Frerichs	Lauzen	Pankau	
Garrett	Lightford	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 in the Senate Amendment adopted thereto.

At the hour of 12:06 o'clock p.m., Senator Lightford, presiding.

On motion of Senator Frerichs, **House Bill No. 5539** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS 6.

The following voted in the affirmative:

Althoff	Haine	Maloney	Rezin
Bivins	Harmon	Martinez	Righter
Bomke	Holmes	McCann	Sandack
Clayborne	Hunter	McCarter	Sandoval
Collins, A.	Hutchinson	McGuire	Schmidt
Collins, J.	Jacobs	Meeks	Schoenberg

Crotty	Jones, E.	Millner	Silverstein
Cultra	Kotowski	Mulroe	Steans
Delgado	LaHood	Muñoz	Sullivan
Dillard	Landek	Murphy	Trotter
Forby	Lightford	Noland	Mr. President
Frerichs	Link	Radogno	
Garrett	Luechtefeld	Raoul	

The following voted in the negative:

Brady	Johnson, T.	Pankau
Duffy	Lauzen	Syverson

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator LaHood, **House Bill No. 5540** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None; Present 2.

The following voted in the affirmative:

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

The following voted present:

Landek  
Lightford

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Garrett, **House Bill No. 5548** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Raoul, **House Bill No. 5586** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Hunter, **House Bill No. 5592** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

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The following voted in the affirmative:

Althoff	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Rezin
Bomke	Holmes	Maloney	Righter
Brady	Hunter	Martinez	Sandack
Clayborne	Hutchinson	McCann	Sandoval
Collins, A.	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Meeks	Silverstein
Cultra	Jones, J.	Millner	Steans
Delgado	Koehler	Mulroe	Sullivan
Dillard	Kotowski	Muñoz	Syverson
Duffy	LaHood	Murphy	Trotter
Forby	Landek	Noland	Mr. President
Frerichs	Launen	Pankau	
Garrett	Lightford	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 in the Senate Amendment adopted thereto.

On motion of Senator Forby, **House Bill No. 5606** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Hutchinson, **House Bill No. 5616** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Crotty, **House Bill No. 5624** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Muñoz, **House Bill No. 5635** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

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YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Frerichs, **House Bill No. 5642** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 42; NAYS 15.

The following voted in the affirmative:

Althoff	Harmon	Link	Raoul
Bivins	Holmes	Luechtefeld	Sandoval
Bomke	Hunter	Maloney	Schmidt
Clayborne	Hutchinson	Martinez	Schoenberg
Collins, A.	Jacobs	McGuire	Silverstein
Collins, J.	Jones, E.	Meeks	Steans
Crotty	Jones, J.	Millner	Sullivan
Delgado	Koehler	Mulroe	Trotter
Frerichs	Kotowski	Muñoz	Mr. President
Garrett	Landek	Noland	
Haine	Lightford	Radogno	

The following voted in the negative:

Brady	Johnson, T.	McCarter	Righter
Cultra	LaHood	Murphy	Sandack
Dillard	Lauzen	Pankau	Syverson
Duffy	McCann	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.

Senator Luechtefeld asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **House Bill No. 5642**.

On motion of Senator Garrett, **House Bill No. 5650** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 47; NAYS 7; Present 1.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Raoul
Clayborne	Harmon	Maloney	Rezin
Collins, A.	Holmes	Martinez	Sandack
Collins, J.	Hunter	McCann	Sandoval
Crotty	Hutchinson	McGuire	Schmidt
Cultra	Jacobs	Meeks	Schoenberg
Delgado	Johnson, T.	Millner	Silverstein
Dillard	Jones, E.	Mulroe	Steans
Duffy	Koehler	Muñoz	Syverson
Forby	Kotowski	Noland	Trotter
Frerichs	Lightford	Pankau	Mr. President
Garrett	Link	Radogno	

The following voted in the negative:

Bivins	Jones, J.	Lauzen	Righter
Brady	LaHood	McCarter	

The following voted present:

Landek

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

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

On motion of Senator Hutchinson, **House Bill No. 5653** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Rezin
Bomke	Holmes	Maloney	Righter
Brady	Hunter	Martinez	Sandack
Clayborne	Hutchinson	McCann	Sandoval
Collins, A.	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Meeks	Silverstein
Cultra	Jones, J.	Millner	Steans
Delgado	Koehler	Mulroe	Sullivan
Dillard	Kotowski	Muñoz	Syverson
Duffy	LaHood	Murphy	Trotter

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Forby	Landek	Noland	Mr. President
Frerichs	Lauzen	Pankau	
Garrett	Lightford	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 in the Senate Amendment adopted thereto.

On motion of Senator Schoenberg, **House Bill No. 5656** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Steans, **House Bill No. 5679** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Rezin
Bivins	Harmon	Luechtefeld	Righter
Bomke	Holmes	Maloney	Sandack
Brady	Hunter	Martinez	Sandoval
Clayborne	Hutchinson	McCarter	Schmidt
Collins, A.	Jacobs	McGuire	Schoenberg
Collins, J.	Johnson, T.	Meeks	Silverstein
Crotty	Jones, E.	Millner	Stears
Cultra	Jones, J.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson

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Dillard	Kotowski	Murphy	Trotter
Duffy	LaHood	Noland	Mr. President
Forby	Landek	Pankau	
Frerichs	Lauzen	Radogno	
Garrett	Lightford	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.

On motion of Senator Haine, **House Bill No. 5682** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Mulroe, **House Bill No. 5685** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 38; NAYS 19.

The following voted in the affirmative:

Clayborne	Holmes	Link	Sandack
Collins, A.	Hunter	Maloney	Sandoval
Collins, J.	Hutchinson	Martinez	Schoenberg
Crotty	Jacobs	McGuire	Silverstein
Delgado	Johnson, T.	Meeks	Steans
Forby	Jones, E.	Mulroe	Sullivan
Frerichs	Koehler	Muñoz	Trotter
Garrett	Kotowski	Noland	Mr. President
Haine	Landek	Raoul	

Harmon                      Lightford                      Rezin

The following voted in the negative:

Althoff	Duffy	McCann	Radogno
Bivins	Jones, J.	McCarter	Righter
Brady	LaHood	Millner	Schmidt
Cultra	Laufen	Murphy	Syverson
Dillard	Luechtefeld	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.

On motion of Senator Harmon, **House Bill No. 5689** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS 2.

The following voted in the affirmative:

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

The following voted in the negative:

McCann  
McCarter

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

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

On motion of Senator Haine, **House Bill No. 5749** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Haine, **House Bill No. 5752** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Kotowski

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

Ordered that the Secretary inform the House of Representatives thereof.

Senator Kotowski asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 5752**.

On motion of Senator Hunter, **House Bill No. 5771** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

[May 22, 2012]

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

YEAS 38; NAYS 17.

The following voted in the affirmative:

Bomke	Harmon	Link	Sandack
Clayborne	Hunter	Maloney	Sandoval
Collins, A.	Hutchinson	Martinez	Schmidt
Collins, J.	Jacobs	McGuire	Schoenberg
Crotty	Johnson, T.	Meeks	Silverstein
Delgado	Jones, E.	Millner	Steans
Dillard	Jones, J.	Mulroe	Trotter
Frerichs	Koehler	Noland	Mr. President
Garrett	Kotowski	Radogno	
Haine	Lightford	Raoul	

The following voted in the negative:

Althoff	Holmes	McCarter	Righter
Bivins	LaHood	Muñoz	Syverson
Brady	Lauzen	Murphy	
Cultra	Luechtefeld	Pankau	
Duffy	McCann	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 in the Senate Amendment adopted thereto.

On motion of Senator Luechtefeld, **House Bill No. 5780** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

[May 22, 2012]

**HOUSE BILL RECALLED**

On motion of Senator Althoff, **House Bill No. 5814** was recalled from the order of third reading to the order of second reading.

Senator Althoff offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 5814**

AMENDMENT NO. 3. Amend House Bill 5814, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2 as follows:

on page 1, by replacing line 13 with "feet from a residence within its corporate limits, provided that the regulation is"; and

on page 1, by replacing line 15 with "regulation. This Section shall apply only to electric generating wind devices permitted after the effective date of this amendatory Act of the 97th General Assembly.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Althoff, **House Bill No. 5814** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 20; NAYS 24; Present 4.

The following voted in the affirmative:

Althoff	Hutchinson	Murphy	Syverson
Collins, A.	Jones, E.	Pankau	Trotter
Collins, J.	Jones, J.	Radogno	
Crotty	Koehler	Righter	
Dillard	Luechtefeld	Sandack	
Hunter	Millner	Schmidt	

The following voted in the negative:

Bivins	Jacobs	McCann	Silverstein
Cultra	Johnson, T.	McCarter	Steans
Delgado	LaHood	McGuire	Sullivan
Duffy	Landek	Meeks	
Forby	Lauzen	Noland	
Garrett	Maloney	Rezin	
Haine	Martinez	Schoenberg	

The following voted present:

Holmes	Lightford
Kotowski	Raoul

[May 22, 2012]



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).

On motion of Senator Steans, **House Bill No. 5825** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 48; NAYS 2.

The following voted in the affirmative:

Bivins	Holmes	Maloney	Sandack
Bomke	Hunter	Martinez	Sandoval
Clayborne	Hutchinson	McCann	Schoenberg
Collins, A.	Jacobs	McCarter	Silverstein
Collins, J.	Jones, E.	McGuire	Steans
Crotty	Jones, J.	Meeks	Sullivan
Cultra	Koehler	Muñoz	Syverson
Delgado	Kotowski	Murphy	Trotter
Dillard	LaHood	Noland	Mr. President
Frerichs	Landek	Radogno	
Garrett	Lightford	Raoul	
Haine	Link	Rezin	
Harmon	Luechtefeld	Righter	

The following voted in the negative:

Johnson, T.  
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 in the Senate Amendments adopted thereto.

On motion of Senator Steans, **House Bill No. 5826** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Righter
Bivins	Harmon	Luechtefeld	Sandack
Bomke	Holmes	Maloney	Sandoval
Brady	Hunter	Martinez	Schmidt
Clayborne	Hutchinson	McCann	Schoenberg
Collins, A.	Jacobs	McCarter	Silverstein
Collins, J.	Johnson, T.	McGuire	Steans
Crotty	Jones, E.	Meeks	Sullivan
Cultra	Jones, J.	Millner	Syverson
Delgado	Koehler	Mulroe	Trotter
Dillard	Kotowski	Murphy	Mr. President
Duffy	LaHood	Noland	

[May 22, 2012]

Forby	Landek	Pankau
Frerichs	Lauzen	Radogno
Garrett	Lightford	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 in the Senate Amendment adopted thereto.

On motion of Senator Koehler, **House Bill No. 5893** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Millner, **House Bill No. 5899** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Righter
Bivins	Harmon	Maloney	Sandack
Bomke	Holmes	Martinez	Sandoval
Brady	Hunter	McCann	Schmidt
Clayborne	Hutchinson	McCarter	Schoenberg
Collins, A.	Jacobs	McGuire	Silverstein
Collins, J.	Johnson, T.	Meeks	Steans
Crotty	Jones, E.	Millner	Sullivan
Cultra	Koehler	Mulroe	Syverson
Delgado	Kotowski	Murphy	Trotter

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Dillard	LaHood	Noland	Mr. President
Duffy	Landek	Pankau	
Forby	Lauzen	Radogno	
Frerichs	Lightford	Raoul	
Garrett	Link	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.

On motion of Senator Kotowski, **House Bill No. 5922** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

Senator Kotowski asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 5922**.

At the hour of 2:06 o'clock p.m., Senator Clayborne, presiding.

On motion of Senator Sullivan, **House Bill No. 404** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Raoul
Bivins	Holmes	Maloney	Rezin
Bomke	Hutchinson	Martinez	Righter

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Brady	Jacobs	McCann	Sandack
Clayborne	Johnson, T.	McCarter	Sandoval
Collins, A.	Jones, E.	McGuire	Schmidt
Collins, J.	Jones, J.	Meeks	Schoenberg
Cultra	Koehler	Millner	Silverstein
Dillard	Kotowski	Mulroe	Steans
Duffy	LaHood	Muñoz	Sullivan
Forby	Landek	Murphy	Syverson
Frerichs	Lauzen	Noland	Mr. President
Garrett	Lightford	Pankau	
Haine	Link	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 in the Senate Amendments adopted thereto.

### HOUSE BILL RECALLED

On motion of Senator Muñoz, **House Bill No. 506** was recalled from the order of third reading to the order of second reading.

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

Senate Floor Amendment No. 2 was postponed in the Committee on Executive.

Senator Muñoz offered the following amendment and moved its adoption:

#### AMENDMENT NO. 3 TO HOUSE BILL 506

AMENDMENT NO. 3. Amend House Bill 506 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Section 9-275 as follows:

(35 ILCS 200/9-275 new)

##### Sec. 9-275. Erroneous homestead exemptions.

(a) If, upon determination by the chief county assessment officer, any person or entity that was not eligible to receive a homestead exemption under Article 15 of this Code was granted one homestead exemption in error for real property in any year or years not to exceed the 3 assessment years prior to the assessment year in which the determination is made, then the chief county assessment officer may cause to be served, by both regular mail and certified mail, return receipt requested, on the person to whom the most recent tax bill was mailed and the owner of record, a notice of intent to record a tax lien against the property with respect to which the erroneous homestead exemption was granted.

(b) If, upon determination by the chief county assessment officer, any person or entity that was not eligible to receive a homestead exemption under Article 15 of this Code was granted 2 homestead exemptions in error for real property in any year or years not to exceed the 3 assessment years prior to the assessment year in which the determination is made, then the chief county assessment officer may cause to be served, by both regular mail and certified mail, return receipt requested, on the person to whom the most recent tax bill was mailed and the owner of record, a notice of intent to record a tax lien against the property with respect to which the erroneous homestead exemption was granted.

(c) If, upon determination by the chief county assessment officer, any person or entity that was not eligible to receive a homestead exemption under Article 15 of this Code was granted 3 or more homestead exemptions in error for real property in any year or years not to exceed the 6 assessment years prior to the assessment year in which the determination is made, then the chief county assessment officer may cause to be served, by both regular mail and certified mail, return receipt requested, on the person to whom the most recent tax bill was mailed and the owner of record, a notice of intent to record a tax lien against the property with respect to which the erroneous homestead exemption was granted.

(d) The notice of intent to record a tax lien described in subsections (a), (b), and (c) of this Section shall identify the property against which the lien is being sought and shall identify the assessment years in which the erroneous homestead exemption was granted.

In counties with 3,000,000 or more inhabitants, the notice must also include a form that the property owner may return to the chief county assessment officer to request a hearing. The property owner may

request a hearing by returning the form within 30 days after service. The hearing shall be held within 90 days after the property owner is served. The chief county assessment officer shall promulgate rules of service and procedure for the hearing. The chief county assessment officer must generally follow rules of evidence and practices that prevail in the county circuit courts, but, because of the nature of these proceedings, the chief county assessment officer is not bound by those rules in all particulars. The chief county assessment officer shall appoint a hearing officer to oversee the hearing. The property owner shall be allowed to present evidence to the hearing officer at the hearing. After taking into consideration all the relevant testimony and evidence, the hearing officer shall make an administrative decision on whether the property owner was erroneously granted a homestead exemption for the assessment year or years in question. The property owner may appeal the hearing officer's ruling to the circuit court of the county where the property is located under the Administrative Review Law.

In counties with less than 3,000,000 inhabitants, the notice must also include a form that the property owner may return to the board of review to request a hearing. The property owner may request a hearing by returning the form within 30 days after service. The hearing shall be held within 90 days after the property owner is served. The board of review shall follow its normal practices and procedures in conducting the hearing. The property owner shall be allowed to present evidence to the board of review. After taking into consideration all of the relevant testimony and evidence, the board of review shall issue a decision on whether the property owner was erroneously granted a homestead exemption for the assessment year or years in question. The property owner may appeal the board of review's ruling to the circuit court of the county where the property is located under the Administrative Review Law.

(e) A lien against the property imposed under this Section shall be filed with the county clerk and the county recorder of deeds, but may not be filed sooner than 60 days after the notice was delivered to the property owner if the property owner does not request a hearing, or, until the conclusion of the hearing and all appeals if the property owner does request a hearing.

(1) When a lien is filed pursuant to subsection (a) of this Section, the arrearages of taxes that might have been assessed, plus 5% interest per annum, shall be charged against the property by the county clerk.

(2) When a lien is filed pursuant to subsection (b) of this Section, the arrearages of taxes that might have been assessed, plus a penalty of 25% of the total amount of unpaid taxes for each year and 10% interest per annum, shall be charged against the property by the county clerk.

(3) When a lien is filed pursuant to subsection (c) of this Section, the arrearages of taxes that might have been assessed, plus a penalty of 40% of the total amount of unpaid taxes for each year and 15% interest per annum, shall be charged against the property by the county clerk.

A person who received an erroneous homestead exemption under Section 15-170 in a county that did not require an annual application for that exemption at the time the erroneous homestead exemption was granted is not liable for the penalties and interest imposed under this subsection (e) for those assessment years if: (i) the person was the spouse, child, grandchild, brother, sister, niece, or nephew of the previous owner; and (ii) the person received the property by bequest or inheritance. However, that person is responsible for any interest owed under subsection (h) of this Section.

(f) If the erroneous homestead exemption was granted as a result of a clerical error or omission on the part of the chief county assessment officer, and if the owner has paid its tax bills as received for the year or years in which the error occurred, then the interest and penalties authorized by this Section shall not be chargeable to the owner. However, nothing in this Section shall prevent the collection of the principal amount of back taxes due and owing.

(g) If, at the hearing, the property owner establishes that it is a bona fide purchaser of the property for value, and without notice of the erroneous homestead exemption, the property owner shall not be liable for any unpaid back taxes, interest, or penalties for the period of time prior to the date that the property owner purchased the property. A certified title to the property that is issued by a title company licensed to do business in the State and is free and clear of any liens imposed under subsections (a), (b), or (c) of this Section, shall be prima facie evidence that the property owner is without notice of the erroneous homestead exemption.

(h) When a lien is filed against the property pursuant to subsection (e) of this Section, the chief county assessment officer shall mail a copy of the lien to the person to whom the most recent tax bill was mailed and to the owner of record, and the outstanding liability created by such a lien is due and payable within 30 days after the mailing of the lien by the chief county assessment officer. Payment shall be made to the chief county assessment officer who shall, upon receipt of the full amount due, provide in reasonable form a release of the lien and shall transmit the funds received to the county treasurer for distribution as provided in subsection (i) of this Section. This liability is deemed delinquent and shall bear interest beginning on the day after the due date. Any such liability deemed delinquent after that due date shall bear interest at the rate of 1.5% per month or portion thereof until paid.

(i) The unpaid taxes shall be paid to the appropriate taxing districts. Interest shall be paid to the county where the property is located. The penalty shall be paid to the chief county assessment officer's office for the administration of the provisions of this amendatory Act of the 97th General Assembly.

(j) For purposes of this Section, "homestead exemption" means an exemption under Section 15-165 (disabled veterans), 15-167 (returning veterans), 15-168 (disabled persons), 15-169 (disabled veterans standard homestead), 15-170 (senior citizens), 15-172 (senior citizens assessment freeze), 15-175 (general homestead), 15-176 (alternative general homestead), or 15-177 (long-time occupant).

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 bill, as amended, was ordered to a third reading.

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Raoul, **House Bill No. 411** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

### HOUSE BILL RECALLED

On motion of Senator Muñoz, **House Bill No. 735** was recalled from the order of third reading to the order of second reading.

Senator Muñoz offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO HOUSE BILL 735

AMENDMENT NO. 1. Amend House Bill 735 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Sections 4-2 and 6-2 as follows:

[May 22, 2012]

(235 ILCS 5/4-2) (from Ch. 43, par. 111)

Sec. 4-2. The mayor or president of the board of trustees of each city, village or incorporated town or his or her designee, and the president or chairman of the county board or his or her designee, shall be the local liquor control commissioner for their respective cities, villages, incorporated towns and counties, and shall be charged with the administration in their respective jurisdictions of the appropriate provisions of this Act and of such ordinances and resolutions relating to alcoholic liquor as may be enacted; but the authority of the president or chairman of the county board or his or her designee shall extend only to that area in any county which lies outside the corporate limits of the cities, villages and incorporated towns therein and those areas which are owned by the county and are within the corporate limits of the cities, villages and incorporated towns with a population of less than 1,000,000, however, such county shall comply with the operating rules of the municipal ordinances affected when issuing their own licenses.

However, such mayor, president of the board of trustees or president or chairman of the county board or his or her designee may appoint a person or persons to assist him in the exercise of the powers and the performance of the duties herein provided for such local liquor control commissioner.

Notwithstanding any other provision of this Section to the contrary, the mayor of a city with a population of 50,000 or less or the president of a village with a population of 50,000 or less that has an interest in the manufacture, sale, or distribution of alcoholic liquor must direct the council or board over which he or she presides to appoint, by majority vote, a person other than him or her to serve as the local liquor control commissioner. The appointment must be made within 30 days from the day on which the mayor or president takes office, and the mayor or president cannot make nominations or serve any other role in the appointment. To prevent any conflict of interest, the mayor or president with the interest in the manufacture, sale, or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Further, the appointee (i) shall be an attorney with an active license to practice law in the State of Illinois, (ii) shall not legally represent liquor license applicants or holders before the jurisdiction over which he or she presides as local liquor control commissioner or before an adjacent jurisdiction, (iii) shall not have an interest in the manufacture, sale, or distribution of alcoholic liquor, and (iv) shall not be appointed to a term to exceed the term of the mayor, president, or members of the council or board.

(Source: P.A. 94-747, eff. 5-8-06.)

(235 ILCS 5/6-2) (from Ch. 43, par. 120)

Sec. 6-2. Issuance of licenses to certain persons prohibited.

(a) Except as otherwise provided in subsection (b) of this Section and in paragraph (1) of subsection (a) of Section 3-12, no license of any kind issued by the State Commission or any local commission shall be issued to:

- (1) A person who is not a resident of any city, village or county in which the premises covered by the license are located; except in case of railroad or boat licenses.
- (2) A person who is not of good character and reputation in the community in which he resides.
- (3) A person who is not a citizen of the United States.
- (4) A person who has been convicted of a felony under any Federal or State law, unless the Commission determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the Commission's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.
- (5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.
- (6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.
- (7) A person whose license issued under this Act has been revoked for cause.
- (8) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.
- (9) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than 5% of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the political subdivision, unless residency is required by local ordinance.
- (10) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.

(10a) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois. The Commission shall permit and accept from an applicant for a license under this Act proof prepared from the Secretary of State's website that the corporation or limited liability company is in good standing and is qualified under the Business Corporation Act of 1983 or the Limited Liability Company Act to transact business in Illinois.

(11) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee.

(12) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Act or has forfeited his bond to appear in court to answer charges for any such violation.

(13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.

(14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of the city council or commission, any president of the village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall have a direct interest in the manufacture, sale, or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises that are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and except that a license may be granted, in a city or village with a population of 50,000 or less, to any alderman, member of a city council, or member of a village board of trustees in relation to premises that are located within the territory subject to the jurisdiction of that official if (i) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, (ii) the issuance of the license is approved by the State Commission, (iii) the issuance of the license is in accordance with all applicable local ordinances in effect where the premises are located, and (iv) the official granted a license does not vote on alcoholic liquor issues pending before the board or council to which the license holder is elected. Notwithstanding any provision of this paragraph (14) to the contrary, an alderman or member of a city council or commission, a member of a village board of trustees other than the president of the village board of trustees, or a member of a county board other than the president of a county board may have a direct interest in the manufacture, sale, or distribution of alcoholic liquor as long as he or she is not a law enforcing public official, a mayor, a village board president, or president of a county board. To prevent any conflict of interest, the elected official with the direct interest in the manufacture, sale, or distribution of alcoholic liquor shall not ~~cannot~~ participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Furthermore, the mayor of a city with a population of 50,000 or less or the president of a village with a population of 50,000 or less may have an interest in the manufacture, sale, or distribution of alcoholic liquor as long as the council or board over which he or she presides has made a local liquor control commissioner appointment that complies with the requirements of Section 4-2 of this Act.

(15) A person who is not a beneficial owner of the business to be operated by the licensee.

(16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a) (3) through (a) (11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.

(17) A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Raffles Act or the Illinois Pull Tabs and Jar Games Act.

(18) A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of Section 6-21.

(b) A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Commission shall determine if all provisions of this subsection (b) have been met before any action on the corporation's license is initiated.



(Source: P.A. 95-331, eff. 8-21-07; 96-1551, eff. 7-1-11.)

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 bill, as amended, was ordered to a third reading.

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Muñoz, **House Bill No. 735** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 37; NAYS 20.

The following voted in the affirmative:

Clayborne	Hunter	McGuire	Schoenberg
Collins, A.	Hutchinson	Meeks	Silverstein
Collins, J.	Jacobs	Millner	Steans
Crotty	Jones, E.	Mulroe	Sullivan
Delgado	Koehler	Muñoz	Syverson
Forby	Kotowski	Murphy	Trotter
Frerichs	Lightford	Noland	Mr. President
Garrett	Link	Pankau	
Haine	Maloney	Raoul	
Harmon	Martinez	Sandoval	

The following voted in the negative:

Althoff	Holmes	Luechtefeld	Sandack
Bivins	Johnson, T.	McCann	Schmidt
Brady	Jones, J.	McCarter	
Cultra	LaHood	Radogno	
Dillard	Landek	Rezin	
Duffy	Lauzen	Righter	

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

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

On motion of Senator Haine, **House Bill No. 930** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Holmes	Maloney	Righter
Bivins	Hunter	Martinez	Sandack
Brady	Hutchinson	McCann	Sandoval

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Clayborne	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Meeks	Silverstein
Cultra	Jones, J.	Millner	Steans
Delgado	Koehler	Mulroe	Sullivan
Dillard	Kotowski	Muñoz	Syverson
Duffy	LaHood	Murphy	Trotter
Forby	Landek	Noland	Mr. President
Frerichs	Lauzen	Pankau	
Garrett	Lightford	Radogno	
Haine	Link	Raoul	
Harmon	Luechtefeld	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.

On motion of Senator Luechtefeld, **House Bill No. 1390** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Dillard, **House Bill No. 2582** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Rezin
Bivins	Holmes	Maloney	Righter
Bomke	Hunter	Martinez	Sandack

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Brady	Hutchinson	McCann	Sandoval
Clayborne	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, T.	McGuire	Schoenberg
Crotty	Jones, E.	Meeks	Silverstein
Cultra	Jones, J.	Millner	Steans
Delgado	Koehler	Mulroe	Sullivan
Dillard	Kotowski	Muñoz	Syverson
Duffy	LaHood	Murphy	Trotter
Forby	Landek	Noland	Mr. President
Frerichs	Laufen	Pankau	
Garrett	Lightford	Radogno	
Haine	Link	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 in the Senate Amendments adopted thereto.

On motion of Senator Jones, E. III, **House Bill No. 3091** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Dillard, **House Bill No. 3366** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Luechtefeld, **House Bill No. 3806** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Harmon, **House Bill No. 3881**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

Pending roll call, on motion of Senator Harmon, further consideration of **House Bill No. 3881** was postponed.

On motion of Senator Martinez, **House Bill No. 4076** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

[May 22, 2012]

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Radogno, **House Bill No. 3782** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None; Present 2.

The following voted in the affirmative:

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

The following voted present:

Duffy  
McCarter

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sandoval, **House Bill No. 4078** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS 4; Present 1.

The following voted in the affirmative:

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

The following voted in the negative:

Duffy	McCarter
Laufen	Righter

The following voted present:

Dillard

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Haine, **House Bill No. 4081** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 42; NAYS 14; Present 1.

The following voted in the affirmative:

Althoff	Hunter	Maloney	Righter
Bivins	Jacobs	Martinez	Sandack
Bomke	Johnson, C.	McCarter	Sandoval
Brady	Jones, E.	McGuire	Schmidt
Clayborne	Jones, J.	Millner	Silverstein
Crotty	Koehler	Mulroe	Steans

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Dillard	Kotowski	Muñoz	Sullivan
Forby	LaHood	Murphy	Syverson
Frerichs	Lightford	Pankau	Mr. President
Haine	Link	Radogno	
Holmes	Luechtefeld	Rezin	

The following voted in the negative:

Collins, A.	Garrett	McCann	Schoenberg
Collins, J.	Johnson, T.	Meeks	Trotter
Cultra	Landek	Noland	
Duffy	Lauzen	Raoul	

The following voted present:

Delgado

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hunter, **House Bill No. 4177** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 37; NAYS 15.

The following voted in the affirmative:

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

The following voted in the negative:

Bivins	Duffy	LaHood	Radogno
Brady	Johnson, C.	Lauzen	Rezin
Cultra	Johnson, T.	McCarter	Schmidt
Dillard	Jones, J.	Murphy	

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

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

On motion of Senator Forby, **House Bill No. 4242** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

[May 22, 2012]

YEAS 57; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Cultra

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

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

On motion of Senator Steans, **House Bill No. 4324** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 45; NAYS 10.

The following voted in the affirmative:

Althoff	Holmes	Martinez	Sandoval
Bomke	Hunter	McGuire	Schmidt
Clayborne	Hutchinson	Meeks	Schoenberg
Collins, A.	Jacobs	Millner	Silverstein
Collins, J.	Johnson, T.	Mulroe	Steans
Crotty	Jones, E.	Muñoz	Sullivan
Delgado	Koehler	Murphy	Syverson
Dillard	Kotowski	Noland	Trotter
Frerichs	Lightford	Pankau	Mr. President
Garrett	Link	Raoul	
Haine	Luechtefeld	Righter	
Harmon	Maloney	Sandack	

The following voted in the negative:

Bivins	Duffy	Landek	McCarter
Brady	Johnson, C.	Lauzen	
Cultra	LaHood	McCann	

[May 22, 2012]



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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Righter, **House Bill No. 4445** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Schoenberg

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

Ordered that the Secretary inform the House of Representatives thereof.

### HOUSE BILL RECALLED

On motion of Senator Steans, **House Bill No. 4526** was recalled from the order of third reading to the order of second reading.

Senator Steans offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO HOUSE BILL 4526

AMENDMENT NO. 1. Amend House Bill 4526 as follows:

on page 2, line 23, by replacing "the machine" with "any perchloroethylene drycleaning machine"; and

on page 3, line 24, by replacing "(2) Proof" with "(2) For drycleaning facilities where one or more perchloroethylene drycleaning machines are used, proof"; and

on page 4, line 3, immediately after the period by inserting "Training used to satisfy paragraph (2) of subsection (d) of Section 45 of the Drycleaner Environmental Response Trust Fund Act may also be used to satisfy paragraph (1) of subsection (c) of this Section to the extent that it meets the requirements of paragraph (1) of subsection (c) of this Section."; and

on page 6, line 15, immediately after "perchloroethylene", by inserting "from any source"; and

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on page 6, immediately below line 19, by inserting the following:

"Section 10. The Drycleaner Environmental Response Trust Fund Act is amended by changing Section 60 as follows:

(415 ILCS 135/60)

(Section scheduled to be repealed on January 1, 2020)

Sec. 60. Drycleaning facility license.

(a) On and after January 1, 1998, no person shall operate a drycleaning facility in this State without a license issued by the Council.

(b) The Council shall issue an initial or renewal license to a drycleaning facility on submission by an applicant of a completed form prescribed by the Council, proof of payment of the required fee to the Department of Revenue, and, if the drycleaning facility has previously received or is currently receiving reimbursement for the costs of a remedial action, as defined in this Act, proof of compliance with subsection (j) of Section 40. Beginning January 1, 2013, license renewal application forms must include a certification by the applicant that all hazardous waste stored at the drycleaning facility is stored in accordance with all applicable federal and state laws and regulations, and that all hazardous waste transported from the drycleaning facility is transported in accordance with all applicable federal and state laws and regulations. Also, beginning January 1, 2013, license renewal applications must include copies of all manifests for hazardous waste transported from the drycleaning facility during the previous 12 months or since the last submission of copies of manifests, whichever is longer. If the Council does not receive a copy of a manifest for a drycleaning facility within a 3-year period, or within a shorter period as determined by the Council, the Council shall make appropriate inquiry into the management of hazardous waste at the facility and may share the results of the inquiry with the Agency.

(c) On or after January 1, 2004, the annual fees for licensure are as follows:

(1) \$500 for a facility that uses (i) 50 gallons or less of chlorine-based or green drycleaning solvents annually, (ii) 250 or less gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) 500 gallons or less annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(2) \$500 for a facility that uses (i) more than 50 gallons but not more than 100 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 250 gallons but not more than 500 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 500 gallons but not more than 1,000 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(3) \$500 for a facility that uses (i) more than 100 gallons but not more than 150 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 500 gallons but not more than 750 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 1,000 gallons but not more than 1,500 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(4) \$1,000 for a facility that uses (i) more than 150 gallons but not more than 200 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 750 gallons but not more than 1,000 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 1,500 gallons but not more than 2,000 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(5) \$1,000 for a facility that uses (i) more than 200 gallons but not more than 250 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 1,000 gallons but not more than 1,250 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 2,000 gallons but not more than 2,500 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(6) \$1,000 for a facility that uses (i) more than 250 gallons but not more than 300 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 1,250 gallons but not more than 1,500 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 2,500 gallons but not more than 3,000 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(7) \$1,000 for a facility that uses (i) more than 300 gallons but not more than 350 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 1,500 gallons but not more than 1,750 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 3,000 gallons but not more than 3,500 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

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(8) \$1,500 for a facility that uses (i) more than 350 gallons but not more than 400 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 1,750 gallons but not more than 2,000 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 3,500 gallons but not more than 4,000 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(9) \$1,500 for a facility that uses (i) more than 400 gallons but not more than 450 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 2,000 gallons but not more than 2,250 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 4,000 gallons but not more than 4,500 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(10) \$1,500 for a facility that uses (i) more than 450 gallons but not more than 500 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 2,250 gallons but not more than 2,500 gallons annually of hydrocarbon-based solvents used in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 4,500 gallons but not more than 5,000 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(11) \$1,500 for a facility that uses (i) more than 500 gallons but not more than 550 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 2,500 gallons but not more than 2,750 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 5,000 gallons but not more than 5,500 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(12) \$1,500 for a facility that uses (i) more than 550 gallons but not more than 600 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 2,750 gallons but not more than 3,000 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 5,500 gallons but not more than 6,000 gallons annually of hydrocarbon-based drycleaning solvents in a drycleaning machine without a solvent reclaimer.

(13) \$1,500 for a facility that uses (i) more than 600 gallons of chlorine-based or green drycleaning solvents annually, (ii) more than 3,000 gallons but not more than 3,250 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer, or (iii) more than 6,000 gallons of hydrocarbon-based drycleaning solvents annually in a drycleaning machine equipped without a solvent reclaimer.

(14) \$1,500 for a facility that uses more than 3,250 gallons but not more than 3,500 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer.

(15) \$1,500 for a facility that uses more than 3,500 gallons but not more than 3,750 gallons annually of hydrocarbon-based solvents used in a drycleaning machine equipped with a solvent reclaimer.

(16) \$1,500 for a facility that uses more than 3,750 gallons but not more than 4,000 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer.

(17) \$1,500 for a facility that uses more than 4,000 gallons annually of hydrocarbon-based solvents in a drycleaning machine equipped with a solvent reclaimer.

For purpose of this subsection, the quantity of drycleaning solvents used annually shall be determined as follows:

(1) in the case of an initial applicant, the quantity of drycleaning solvents that the applicant estimates will be used during his or her initial license year. A fee assessed under this subdivision is subject to audited adjustment for that year; or

(2) in the case of a renewal applicant, the quantity of drycleaning solvents actually purchased in the preceding license year.

The Council may adjust licensing fees annually based on the published Consumer Price Index - All Urban Consumers ("CPI-U") or as otherwise determined by the Council.

(d) A license issued under this Section shall expire one year after the date of issuance and may be renewed on reapplication to the Council and submission of proof of payment of the appropriate fee to the Department of Revenue in accordance with subsections (c) and (e). At least 30 days before payment of a renewal licensing fee is due, the Council shall attempt to:

(1) notify the operator of each licensed drycleaning facility concerning the requirements of this Section; and

(2) submit a license fee payment form to the licensed operator of each drycleaning facility.

(e) An operator of a drycleaning facility shall submit the appropriate application form provided by the Council with the license fee in the form of cash, credit card, business check, or guaranteed remittance to the Department of Revenue. The Department may accept payment of the license fee under this Section by credit card only if the Department is not required to pay a discount fee charged by the credit card issuer. The license fee payment form and the actual license fee payment shall be administered by the Department of Revenue under rules adopted by that Department.

(f) The Department of Revenue shall issue a proof of payment receipt to each operator of a drycleaning facility who has paid the appropriate fee in cash or by guaranteed remittance, credit card, or business check. However, the Department of Revenue shall not issue a proof of payment receipt to a drycleaning facility that is liable to the Department of Revenue for a tax imposed under this Act. The original receipt shall be presented to the Council by the operator of a drycleaning facility.

(g) (Blank).

(h) The Council and the Department of Revenue may adopt rules as necessary to administer the licensing requirements of this Act.

(Source: P.A. 96-774, eff. 1-1-10; 97-332, eff. 8-12-11; 97-377, eff. 1-1-12; 97-663, eff. 1-13-12.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Steans, **House Bill No. 4526** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS 6.

The following voted in the affirmative:

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

The following voted in the negative:

Cultra	Johnson, T.	McCann
Duffy	Luechtefeld	McCarter

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

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

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On motion of Senator Jones, E. III, **House Bill No. 4531** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Steans, **House Bill No. 4563** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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On motion of Senator Jones, E. III, **House Bill No. 4569** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Rezin
Bivins	Holmes	Maloney	Righter
Bomke	Hunter	Martinez	Sandack
Brady	Hutchinson	McCann	Sandoval
Clayborne	Jacobs	McCarter	Schmidt
Collins, A.	Johnson, C.	McGuire	Schoenberg
Collins, J.	Johnson, T.	Meeks	Silverstein
Crotty	Jones, E.	Millner	Steans
Cultra	Koehler	Mulroe	Sullivan
Delgado	Kotowski	Muñoz	Trotter
Dillard	LaHood	Murphy	Mr. President
Duffy	Landek	Noland	
Forby	Lauzen	Pankau	
Frerichs	Lightford	Radogno	
Haine	Link	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 in the Senate Amendment adopted thereto.

On motion of Senator Sullivan, **House Bill No. 4573** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Haine, **House Bill No. 4586** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Steans, **House Bill No. 4606** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS 6.

The following voted in the affirmative:

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

The following voted in the negative:

Cultra	LaHood	Rezin
Duffy	McCarter	Syverson

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Mulroe, **House Bill No. 4636** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Brady, **House Bill No. 4692** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Lightford	Raoul
Bivins	Harmon	Link	Rezin
Bomke	Holmes	Luechtefeld	Sandack
Brady	Hunter	Maloney	Sandoval
Clayborne	Hutchinson	Martinez	Schoenberg
Collins, A.	Jacobs	McCann	Silverstein
Collins, J.	Johnson, C.	McCarter	Steans
Crotty	Johnson, T.	McGuire	Sullivan
Cultra	Jones, E.	Meeks	Syverson

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Delgado	Jones, J.	Millner	Trotter
Dillard	Koehler	Mulroe	Mr. President
Duffy	Kotowski	Muñoz	
Forby	LaHood	Murphy	
Frerichs	Landek	Noland	
Garrett	Lauzen	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 in the Senate Amendment adopted thereto.

On motion of Senator Muñoz, **House Bill No. 4707** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Althoff, **House Bill No. 4749** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Lightford	Radogno
Bivins	Harmon	Link	Raoul
Bomke	Holmes	Luechtefeld	Rezin
Brady	Hunter	Maloney	Righter
Clayborne	Hutchinson	Martinez	Sandack
Collins, A.	Jacobs	McCann	Sandoval
Collins, J.	Johnson, C.	McCarter	Schmidt

Crotty	Johnson, T.	McGuire	Schoenberg
Cultra	Jones, E.	Meeks	Silverstein
Delgado	Jones, J.	Millner	Steans
Dillard	Koehler	Mulroe	Sullivan
Duffy	Kotowski	Muñoz	Syverson
Forby	LaHood	Murphy	Trotter
Frerichs	Landek	Noland	Mr. President
Garrett	Laufen	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.

On motion of Senator Frerichs, **House Bill No. 4753** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Sullivan, **House Bill No. 4863** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Lightford	Radogno
Bivins	Harmon	Link	Raoul
Bomke	Holmes	Luechtefeld	Rezin
Brady	Hunter	Maloney	Righter
Clayborne	Hutchinson	Martinez	Sandack

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Collins, A.	Jacobs	McCann	Sandoval
Collins, J.	Johnson, C.	McCarter	Schmidt
Crotty	Johnson, T.	McGuire	Schoenberg
Cultra	Jones, E.	Meeks	Silverstein
Delgado	Jones, J.	Millner	Sullivan
Dillard	Koehler	Mulroe	Syverson
Duffy	Kotowski	Muñoz	Trotter
Forby	LaHood	Murphy	Mr. President
Frerichs	Landek	Noland	
Garrett	Lauzen	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.

On motion of Senator Dillard, **House Bill No. 4937** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Althoff, **House Bill No. 4962** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Link	Raoul
Bivins	Harmon	Luechtefeld	Rezin
Bomke	Holmes	Maloney	Righter
Brady	Hunter	Martinez	Sandack

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Clayborne	Hutchinson	McCann	Sandoval
Collins, A.	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, C.	McGuire	Silverstein
Crotty	Johnson, T.	Meeks	Steans
Cultra	Jones, E.	Millner	Sullivan
Delgado	Jones, J.	Mulroe	Syverson
Dillard	Koehler	Muñoz	Trotter
Duffy	Kotowski	Murphy	Mr. President
Forby	LaHood	Noland	
Frerichs	Landek	Pankau	
Garrett	Lightford	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.

On motion of Senator Jacobs, **House Bill No. 5006** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Jacobs, **House Bill No. 5009** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Lightford	Raoul
Bivins	Harmon	Link	Rezin
Bomke	Holmes	Maloney	Righter

Brady	Hunter	Martinez	Sandack
Clayborne	Hutchinson	McCann	Sandoval
Collins, A.	Jacobs	McCarter	Schmidt
Collins, J.	Johnson, C.	McGuire	Schoenberg
Crotty	Johnson, T.	Meeks	Silverstein
Cultra	Jones, E.	Millner	Steans
Delgado	Jones, J.	Mulroe	Sullivan
Dillard	Koehler	Muñoz	Syverson
Duffy	Kotowski	Murphy	Trotter
Forby	LaHood	Noland	Mr. President
Frerichs	Landek	Pankau	
Garrett	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.

On motion of Senator LaHood, **House Bill No. 5062** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Forby, **House Bill No. 5073** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

Althoff	Haine	Lightford	Radogno
Bivins	Harmon	Link	Raoul

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Bomke	Holmes	Luechtefeld	Rezin
Brady	Hunter	Maloney	Righter
Clayborne	Hutchinson	Martinez	Sandack
Collins, A.	Jacobs	McCann	Sandoval
Collins, J.	Johnson, C.	McCarter	Schmidt
Crotty	Johnson, T.	McGuire	Schoenberg
Cultra	Jones, E.	Meeks	Silverstein
Delgado	Jones, J.	Millner	Steans
Dillard	Koehler	Mulroe	Sullivan
Duffy	Kotowski	Muñoz	Syverson
Forby	LaHood	Murphy	Trotter
Frerichs	Landek	Noland	Mr. President
Garrett	Lauzen	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.

### 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. 409

A bill for AN ACT concerning revenue.

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. 3 to SENATE BILL NO. 409

Passed the House, as amended, May 22, 2012.

TIMOTHY D. MAPES, Clerk of the House

### AMENDMENT NO. 3 TO SENATE BILL 409

AMENDMENT NO. 3. Amend Senate Bill 409 on page 1, line 5, by replacing "Sections 27-32 and 27-88" with "Section 27-32"; and

by deleting everything from line 16 on page 4 through line 5 on page 5.

Under the rules, the foregoing **Senate Bill No. 409**, with House Amendment No. 3, 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. 1692

A bill for AN ACT concerning business.

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

House Amendment No. 2 to SENATE BILL NO. 1692

House Amendment No. 4 to SENATE BILL NO. 1692

Passed the House, as amended, May 22, 2012.

TIMOTHY D. MAPES, Clerk of the House

### AMENDMENT NO. 2 TO SENATE BILL 1692

[May 22, 2012]

AMENDMENT NO. 2. Amend Senate Bill 1692 by replacing everything after the enacting clause with the following:

"Section 5. The Currency Exchange Act is amended by changing Section 3.1 as follows:

(205 ILCS 405/3.1) (from Ch. 17, par. 4805)

Sec. 3.1. Nothing in this Act shall prevent a currency exchange from rendering State or Federal income tax service; nor shall the rendering of such service be considered a violation of this Act if such service be rendered either by the proprietor, any of his employees, or a licensed, regulated tax service approved by the Internal Revenue Service. For the purpose of this Section, "tax service" does not mean to make or offer to make a refund anticipation loan as defined by the Tax Refund Anticipation Loan Reform Disclosure Act.

(Source: P.A. 97-315, eff. 1-1-12.)

Section 10. The Residential Mortgage License Act of 1987 is amended by changing Section 5-8 as follows:

(205 ILCS 635/5-8)

Sec. 5-8. Prepayment penalties.

(a) No licensee may make, provide, or arrange a mortgage loan with a prepayment penalty unless the licensee offers the borrower a loan without a prepayment penalty, the offer is in writing, and the borrower initials the offer to indicate that the borrower has declined the offer. In addition, the licensee must disclose the discount in rate received in consideration for a mortgage loan with the prepayment penalty.

(b) If a borrower declines an offer required under subsection (a) of this Section, the licensee may include, except as prohibited by Section 30 of the High Risk Home Loan Act, a prepayment penalty that extends no longer than three years or the first change date or rate adjustment of a variable rate mortgage, whichever comes earlier, provided that, if a prepayment is made during the fixed rate period, the licensee shall receive an amount that is no more than:

(1) 3% of the total loan amount if the prepayment is made within the first 12-month period following the date the loan was made;

(2) 2% of the total loan amount if the prepayment is made within the second 12-month period following the date the loan was made; or

(3) 1% of the total loan amount if the prepayment is made within the third 12-month period following the date the loan was made, if the fixed rate period extends 3 years.

(c) Notwithstanding any provision in this Section, prepayment penalties are prohibited in connection with the sale or destruction of a dwelling secured by a residential mortgage loan.

(d) This Section applies to loans made, refinanced, renewed, extended, or modified on or after the effective date of this amendatory Act of the 95th General Assembly.

(Source: P.A. 95-691, eff. 6-1-08.)

Section 15. The High Risk Home Loan Act is amended by changing Sections 10, 30, 55, 80, and 145 and by adding Sections 35, 35.5, 80.5, 80.6, and 90.5 as follows:

(815 ILCS 137/10)

Sec. 10. Definitions. As used in this Act:

"Approved credit counselor" means a credit counselor approved by the Director of Financial Institutions.

"Bona fide discount points" means loan discount points that are knowingly paid by the consumer for the purpose of reducing, and that in fact result in a bona fide reduction of, the interest rate or time price differential applicable to the mortgage.

"Borrower" means a natural person who seeks or obtains a high risk home loan.

"Commissioner" means the Commissioner of the Office of Banks and Real Estate.

"Department" means the Department of Financial Institutions.

"Director" means the Director of Financial Institutions.

"Good faith" means honesty in fact in the conduct or transaction concerned.

"High risk home loan" means a consumer credit transaction, other than a reverse mortgage, that is secured by the consumer's principal dwelling if: home equity loan in which (i) at the time of origination, the annual percentage rate exceeds by more than 6 percentage points in the case of a first lien mortgage, or by more than 8 percentage points in the case of a junior mortgage, the average prime offer rate, as defined in Section 129C(b)(2)(B) of the federal Truth in Lending Act, for a comparable transaction as of the date on which the interest rate for the transaction is set, yield on U.S. Treasury securities having comparable periods of maturity to the loan maturity as of the fifteenth day of the month immediately preceding the month in which the application for the loan is received by the lender or (ii) the loan

documents permit the creditor to charge or collect prepayment fees or penalties more than 36 months after the transaction closing or such fees exceed, in the aggregate, more than 2% of the amount prepaid, or (iii) the total points and fees payable in connection with the transaction, other than bona fide third-party charges not retained by the mortgage originator, creditor, or an affiliate of the mortgage originator or creditor, by the consumer at or before closing will exceed (1) the greater of 5% of the total loan amount in the case of a transaction for \$20,000 or more or (2) the lesser of 8% of the total loan amount or \$1,000 (or such other dollar amount as prescribed by federal regulation pursuant to the federal Dodd-Frank Act) in the case of a transaction for less than \$20,000, except that, with respect to all transactions, bona fide loan discount points may be excluded as provided for in Section 35 of this Act, or \$800. The \$800 figure shall be adjusted annually on January 1 by the annual percentage change in the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor. "High risk home loan" does not include a loan that is made primarily for a business purpose unrelated to the residential real property securing the loan or to an open-end credit plan subject to 12 CFR 226 (2000, no subsequent amendments or editions are included).

"Home equity loan" means any loan secured by the borrower's primary residence where the proceeds are not used as purchase money for the residence.

"Lender" means a natural or artificial person who transfers, deals in, offers, or makes a high risk home loan. "Lender" includes, but is not limited to, creditors and brokers who transfer, deal in, offer, or make high risk home loans. "Lender" does not include purchasers, assignees, or subsequent holders of high risk home loans.

"Office" means the Office of Banks and Real Estate.

"Points and fees" means all items considered required to be disclosed as points and fees under 12 CFR 226.32 (2000, or as initially amended pursuant to Section 1431 of the federal Dodd-Frank Act with no subsequent amendments or editions included, whichever is later); the premium of any single premium credit life, credit disability, credit unemployment, or any other life or health insurance that is financed directly or indirectly into the loan; and compensation paid directly or indirectly by a consumer or creditor to a mortgage broker from any source, including a broker that originates a loan in its own name in a table-funded transaction, not otherwise included in 12 CFR 226.4; the maximum prepayment fees and penalties that may be charged or collected under the terms of the credit transaction; all prepayment fees or penalties that are incurred by the consumer if the loan refinances a previous loan made or currently held by the same creditor or an affiliate of the creditor; and premiums or other charges payable at or before closing or financed directly or indirectly into the loan for any credit life, credit disability, credit unemployment, credit property, other accident, loss of income, life, or health insurance or payments directly or indirectly for any debt cancellation or suspension agreement or contract, except that insurance premiums or debt cancellation or suspension fees calculated and paid in full on a monthly basis shall not be considered financed by the creditor. "Points and fees" does not include any insurance premium provided by an agency of the federal government or an agency of a state; any insurance premium paid by the consumer after closing; and any amount of a premium, charge, or fee that is not in excess of the amount payable under policies in effect at the time of origination under Section 203(c)(2)(A) of the National Housing Act (12 U.S.C. 1709(c)(2)(A)), provided that the premium, charge, or fee is required to be refundable on a pro-rated basis and the refund is automatically issued upon notification of the satisfaction of the underlying mortgage loan.

"Reasonable" means fair, proper, just, or prudent under the circumstances.

"Servicer" means any entity chartered under the Illinois Banking Act, the Savings Bank Act, the Illinois Credit Union Act, or the Illinois Savings and Loan Act of 1985 and any person or entity licensed under the Residential Mortgage License Act of 1987, the Consumer Installment Loan Act, or the Sales Finance Agency Act who is responsible for the collection or remittance for, or has the right or obligation to collect or remit for, any lender, note owner, or note holder or for a licensee's own account, of payments, interest, principal, and trust items (such as hazard insurance and taxes on a residential mortgage loan) in accordance with the terms of the residential mortgage loan, including loan payment follow-up, delinquency loan follow-up, loan analysis, and any notifications to the borrower that are necessary to enable the borrower to keep the loan current and in good standing.

"Total loan amount" has the same meaning as that term is given in 12 CFR 226.32 and shall be calculated in accordance with the Federal Reserve Board's Official Staff Commentary to that regulation.

(Source: P.A. 93-561, eff. 1-1-04.)

(815 ILCS 137/30)

Sec. 30. No prepayment Prepayment penalty. A high risk home loan may not contain terms under which a consumer must pay a prepayment penalty for paying all or part of the principal before the date on which the principal is due. For purposes of this Section, any method of computing a refund of unearned scheduled interest is a prepayment penalty if it is less favorable to the consumer than the actuarial method as that



term is defined by Section 933(d) of the federal Housing and Community Development Act of 1992, 15 U.S.C. 1615(d). For any loan that is subject to the provisions of this Act and is not subject to the provisions of the Home Ownership and Equity Protection Act of 1994, no lender shall make a high risk home loan that includes a penalty provision for payment made: (i) after the expiration of the 36-month period following the date the loan was made; or (ii) that is more than:

(1) 3% of the total loan amount if the prepayment is made within the first 12-month period following the date the loan was made;

(2) 2% of the total loan amount if the prepayment is made within the second 12-month period following the date the loan was made; or

(3) 1% of the total loan amount if the prepayment is made within the third 12-month period following the date the loan was made.

(Source: P.A. 93-561, eff. 1-1-04.)

(815 ILCS 137/35 new)

Sec. 35. Bona fide discount points. For the purposes of determining whether the amount of points and fees meets the definition of "high risk home loan" under this Act, either the amounts described in paragraph (1) or (2) of this Section, but not both, shall be excluded:

(1) Up to and including 2 bona fide discount points payable by the consumer in connection with the mortgage, but only if the interest rate from which the mortgage's interest rate will be discounted does not exceed by more than one percentage point:

(A) the average prime offer rate, as defined in Section 129C of the federal Truth in Lending Act (15 U.S.C. 1639); or

(B) if secured by a personal property loan, the average rate on a loan in connection with which insurance is provided under Title I of the National Housing Act (12 U.S.C. 1702 et seq.).

(2) Unless 2 bona fide discount points have been excluded under paragraph (1), up to and including one bona fide discount point payable by the consumer in connection with the mortgage, but only if the interest rate from which the mortgage's interest rate will be discounted does not exceed by more than 2 percentage points:

(A) the average prime offer rate, as defined in Section 129C of the federal Truth in Lending Act (15 U.S.C. 1639); or

(B) if secured by a personal property loan, the average rate on a loan in connection with which insurance is provided under Title I of the National Housing Act (12 U.S.C. 1702 et seq.).

Paragraphs (1) and (2) shall not apply to discount points used to purchase an interest rate reduction unless the amount of the interest rate reduction purchased is reasonably consistent with established industry norms and practices for secondary mortgage market transactions.

(815 ILCS 137/35.5 new)

Sec. 35.5. No balloon payments. No high risk home loan may contain a scheduled payment that is more than twice as large as the average of earlier scheduled payments. This Section does not apply when the payment schedule is adjusted to the seasonal or irregular income of the consumer.

(815 ILCS 137/55)

Sec. 55. Financing of points and fees. No lender shall transfer, deal in, offer, or make a high risk home loan that finances, directly or indirectly, any points and fees. No lender shall transfer, deal in, offer, or make a high risk home loan that finances any prepayment fee or penalty payable by the consumer in a refinancing transaction if the creditor or an affiliate of the creditor is the noteholder of the note being refinanced in excess of 6% of the total loan amount.

(Source: P.A. 93-561, eff. 1-1-04.)

(815 ILCS 137/80)

Sec. 80. Late payment fee. A lender shall not transfer, deal in, offer, or make a high risk home loan that provides for a late payment fee, except under the following conditions:

(1) the late payment fee shall not be in excess of 4% 5% of the amount of the payment past due;

(2) the late payment fee shall only be assessed for a payment past due for 15 days or more;

(3) the late payment fee shall not be imposed more than once with respect to a single late payment;

(4) a late payment fee that the lender has collected shall be reimbursed if the borrower presents proof of having made a timely payment; and

(5) a lender shall treat each payment as posted on the same business day as it was received by the lender, servicer, or lender's agent or at the address provided to the borrower by the lender, servicer, or lender's agent for making payments.

(Source: P.A. 93-561, eff. 1-1-04.)

(815 ILCS 137/80.5 new)

Sec. 80.5. Coordination with subsequent late fees. If a payment is otherwise a full payment for the applicable period, is paid on its due date or within an applicable grace period, and the only delinquency or insufficiency of payment is attributable to any late fee or delinquency charge assessed on any earlier payment, no late fee or delinquency charge may be imposed on the payment.

(815 ILCS 137/80.6 new)

Sec. 80.6. Failure to make installment payment. If, in the case of a loan agreement the terms of which provide that any payment shall first be applied to any past principal balance, the consumer fails to make an installment payment and the consumer subsequently resumes making installment payments but has not paid all past due installments, the creditor may impose a separate late payment charge or fee for any principal due (without deduction due to late fees or related fees) until the default is cured.

(815 ILCS 137/90.5 new)

Sec. 90.5. Modification and deferral fees prohibited. A lender, successor in interest, assignee, or any agent of any of the foregoing may not charge a consumer any fee to modify, renew, extend, or amend a high risk home loan or to defer any payment due under the terms of the loan.

(815 ILCS 137/145)

Sec. 145. Subterfuge prohibited. No lender, with the intent to avoid the application or provisions of this Act, shall (i) divide a loan transaction into separate parts, or (ii) structure a loan transaction as an open-end credit plan or another form of loan, or (iii) perform any other subterfuge.

(Source: P.A. 93-561, eff. 1-1-04.)

Section 20. The Tax Refund Anticipation Loan Disclosure Act is amended by changing Sections 1, 5, 10, and 15 and by adding Sections 20, 25, 30, 35, and 40 as follows:

(815 ILCS 177/1)

Sec. 1. Short title. This Act may be cited as the Tax Refund Anticipation Loan ~~Disclosure~~ Reform Act.  
(Source: P.A. 92-664, eff. 1-1-03.)

(815 ILCS 177/5)

Sec. 5. Definitions. The following definitions apply in this Act:

"Consumer" means any natural person who, singly or jointly with another consumer, is solicited for, applies for, or receives the proceeds of a refund anticipation loan or refund anticipation check.

"Creditor" means any person who makes a refund anticipation loan or who takes an assignment of a refund anticipation loan.

"Facilitator" means a person who individually or in conjunction or cooperation with another person: (i) solicits the execution of makes a refund anticipation loan, processes, receives, or accepts for delivery an application or agreement for a refund anticipation loan or refund anticipation check; (ii) services or collects upon issues a check in payment of refund anticipation loan or refund anticipation check; proceeds, or (iii) in any other manner facilitates acts to allow the making of a refund anticipation loan or refund anticipation check. If there is no third party facilitator because a creditor directly solicits the execution of, receives, or accepts an application or agreement for a refund anticipation loan or refund anticipation check, that creditor shall be considered a facilitator. "Facilitator" does not include a bank, savings bank, savings and loan association, or credit union, or licensee under the Consumer Installment Loan Act operating under the laws of the United States or this State and does not include any person who acts solely as an intermediary and does not deal with the public in the making of the refund anticipation loan.

"Person" means an individual, a firm, a partnership, an association, a corporation, or another entity. "Person" does not, however, mean a bank, savings bank, savings and loan association, or credit union operating under the laws of the United States or this State.

"Refund anticipation check" means a check, stored value card, or other payment mechanism: (i) representing the proceeds of the consumer's tax refund; (ii) which was issued by a depository institution or other person that received a direct deposit of the consumer's tax refund or tax credits; and (iii) for which the consumer has paid a fee or other consideration for such payment mechanism.

"Borrower" means a person who receives the proceeds of a refund anticipation loan.

"Refund anticipation loan" means a loan that is secured by or that the creditor arranges arranged to be repaid directly from the proceeds of the consumer's a borrower's income tax refund or tax credits refunds. "Refund anticipation loan" also includes any sale, assignment, or purchase of a consumer's tax refund at a discount or for a fee, whether or not the consumer is required to repay the buyer or assignee if the Internal Revenue Service denies or reduces the consumer's tax refund.

"Refund anticipation loan fee" means the charges, fees, or other consideration charged or imposed directly or indirectly by the creditor facilitator for the making of or in connection with a refund anticipation

loan. This term includes any charge, fee, or other consideration for a deposit account, if the deposit account is used for receipt of the consumer's tax refund to repay the amount owed on the loan. A "refund anticipation loan fee" does not include charges, fees, or other consideration charged or imposed in the ordinary course of business by a facilitator for services that do not result in the making of a loan, including fees for tax return preparation and fees for electronic filing of tax returns.

"Refund anticipation loan interest rate" means the interest rate for a refund anticipation loan calculated as follows: the total amount of refund anticipation loan fees divided by the loan amount (minus any loan fees), then divided by the number of days in the loan term, then multiplied by 365 and expressed as a percentage. The total amount of the refund anticipation loan fee used in this calculation shall include all refund anticipation loan fees as defined in this Section. If a deposit account is established or maintained in whole or in part for the purpose of receiving the consumer's tax refund to repay the amount owed on a refund anticipation loan: (i) the maturity of the loan for the purpose of determining the refund anticipation loan interest rate shall be assumed to be the estimated date when the tax refund will be deposited in the deposit account; and (ii) any fee charged to the consumer for such deposit account shall be considered a loan fee and shall be included in the calculation of the refund anticipation loan interest rate. If no deposit account is established or maintained for the repayment of the loan, the maturity of the loan shall be assumed to be the estimated date when the tax refund is received by the creditor.

(Source: P.A. 92-664, eff. 1-1-03.)

(815 ILCS 177/10)

Sec. 10. Disclosure requirements. At the time a consumer borrower applies for a refund anticipation loan or check, a facilitator shall disclose to the consumer borrower on a document that is separate from the loan application:

(1) the fee for the refund anticipation loan or refund anticipation check fee schedule;

(1.5) for refund anticipation loans, disclosure of the refund anticipation loan interest rate. The refund anticipation loan interest rate shall be calculated as set forth in Section 5 the Annual Percentage Rate utilizing a 10-day time period;

(2) the estimated fee for preparing and electronically filing a tax return;

(2.5) for refund anticipation loans, the total cost to the consumer borrower for utilizing a refund anticipation loan;

(3) for refund anticipation loans, the estimated date that the loan proceeds will be paid to the consumer borrower if the loan is

approved;

(4) for refund anticipation loans, that the consumer borrower is responsible for repayment of the loan and related fees in the event

the tax refund is not paid or not paid in full; and

(5) for refund anticipation loans, the availability of electronic filing for the income tax return of the consumer borrower and the

average time announced by the federal Internal Revenue Service within which the consumer borrower can expect to receive a refund if the consumer's borrower's return is filed electronically and the consumer borrower does not obtain a refund anticipation loan.

(Source: P.A. 92-664, eff. 1-1-03; 93-287, eff. 1-1-04.)

(815 ILCS 177/15)

Sec. 15. Posting of fee schedule and disclosures. ~~Penalty-~~

(a) A facilitator shall display a schedule showing the current fees for refund anticipation loans, if refund anticipation loans are offered, or refund anticipation checks, if refund anticipation checks are offered, facilitated at the office.

(b) A facilitator who offers refund anticipation loans shall display on each fee schedule examples of the refund anticipation loan interest rates for refund anticipation loans of at least 5 different amounts, such as \$300, \$500, \$1,000, \$1,500, \$2,000, and \$5,000. The refund anticipation loan interest rate shall be calculated as set forth in Section 5 of this Act.

(c) A facilitator who offers refund anticipation loans shall also prominently display on each fee schedule: (i) a legend, centered, in bold, capital letters, and in one-inch letters stating: "NOTICE CONCERNING REFUND ANTICIPATION LOANS" and (ii) the following verbatim statement: "When you take out a refund anticipation loan, you are borrowing money against your tax refund. If your tax refund is less than expected, you will still owe the entire amount of the loan. If your refund is delayed, you may have to pay additional costs. YOU CAN GET YOUR REFUND IN 8 TO 15 DAYS WITHOUT PAYING ANY EXTRA FEES AND TAKING OUT A LOAN. You can have your tax return filed electronically and your refund direct deposited into your own financial institution account without obtaining a loan or paying fees for an extra product."

(d) The postings required by this Section shall be made in no less than 28-point type on a document measuring no less than 16 inches by 20 inches. The postings required by this Section shall be displayed in a prominent location at each office where the facilitator is facilitating refund anticipation loans.

(e) A facilitator may not facilitate a refund anticipation loan or refund anticipation check unless (i) the disclosures required by this Section are displayed and (ii) the fee actually charged for the refund anticipation loan or refund anticipation check is the same as the fee displayed on the schedule.

Any person who violates this Act is guilty of a petty offense and shall be fined \$500 for each offense. In addition, a facilitator who violates this Act shall be liable to any aggrieved borrower in an amount equal to 3 times the refund anticipation loan fee, plus a reasonable attorney's fee, in a civil action brought in the circuit court by the aggrieved borrower or by the Attorney General on behalf of the aggrieved borrower. (Source: P.A. 92-664, eff. 1-1-03.)

(815 ILCS 177/20 new)

Sec. 20. Advertising and marketing.

(a) A facilitator may not market or advertise a refund anticipation loan without including this language verbatim:

"(Name of product) is a loan. You can get your refund in 8 to 15 days without a loan or extra fees if you use e-file and direct deposit."

For print advertisements, this information must be printed in type size one-half as large as the largest type size in the advertisement. For radio and television advertisements, this information must receive at least 7 seconds of airtime.

(b) A facilitator may not market or advertise a refund anticipation check without including this language verbatim:

"The (name of product) costs (fee for RAC). You can get your refund in the same amount of time without this fee if you use e-file and direct deposit."

For print advertisements, this information must be in type size one-half as large as the largest type size in the advertisement. For radio and television advertisements, this information must receive at least 7 seconds of airtime.

(815 ILCS 177/25 new)

Sec. 25. Prohibited activities. No person, including any officer, agent, employee, or representative, shall: Charge or impose any fee, charge, or other consideration in the making or facilitating of a refund anticipation loan or refund anticipation check apart from the fee charged by the creditor or financial institution that provides the loan or check. This prohibition does not include any charge or fee imposed by the facilitator to all of its customers, such as fees for tax return preparation, if the same fee in the same amount is charged to the customers who do not receive refund anticipation loans, refund anticipation checks, or any other tax related financial product.

(b) Fail to comply with any provision of this Act.

(c) Directly or indirectly arrange for any third party to charge any interest, fee, or charge related to a refund anticipation loan or refund anticipation check, other than the refund anticipation loan or refund anticipation check fee imposed by the creditor, including but not limited to: (i) charges for insurance; (ii) attorneys fees or other collection costs; or (iii) check cashing.

(d) Include any of the following provisions in any document provided or signed in connection with a refund anticipation loan or refund anticipation check, including the loan application or agreement:

(i) A hold harmless clause;

(ii) A waiver of the right to a jury trial, if applicable, in any action brought by or against the consumer;

(iii) Any assignment of wages or of other compensation for services;

(iv) A provision in which the consumer agrees not to assert any claim or defense arising out of the contract, or to seek any remedies pursuant to Section 35 of this Act;

(v) A waiver of any provision of this Act. Any such waiver shall be deemed null, void, and of no effect;

(vi) A waiver of the right to injunctive, declaratory, or other equitable relief; or

(vii) A provision requiring that any aspect of a resolution of a dispute between the parties to the agreement be kept confidential. This provision shall not affect the right of the parties to agree that certain specified information is a trade secret or otherwise confidential, or to later agree, after the dispute arises, to keep a resolution confidential.

(e) Take or arrange for a creditor to take a security interest in any property of the consumer other than the proceeds of the consumer's tax refund to secure payment of a refund anticipation loan.

(f) Directly or indirectly, individually or in conjunction or cooperation with another person, engage in the collection of an outstanding or delinquent refund anticipation loan for any creditor or assignee, including soliciting the execution of, processing, receiving, or accepting an application or agreement for a

refund anticipation loan or refund anticipation check that contains a provision permitting the creditor to repay, by offset or other means, an outstanding or delinquent refund anticipation loan for that creditor or any creditor from the proceeds of the consumer's tax refund.

(g) Facilitate any loan that is secured by or that the creditor arranges to be repaid directly from the proceeds of the consumer's State tax refund from the Illinois State treasury.

(815 ILCS 177/30 new)

Sec. 30. Rate limits for non-bank refund anticipation loans.

(a) No person shall make or facilitate a refund anticipation loan for which the refund anticipation loan interest rate is greater than 36% per annum. The refund anticipation loan interest rate shall be calculated as set forth in Section 5. Any refund anticipation loan for which the refund anticipation loan interest rate exceeds 36% per annum shall be void ab initio.

(b) This Section does not apply to persons facilitating for or doing business as a bank, savings bank, savings and loan association, or credit union chartered under the laws of the United States or this State.

(815 ILCS 177/35 new)

Sec. 35. Applicability to certain entities. No obligation or prohibition imposed upon a creditor, a person, or a facilitator by this Act shall apply to a bank, savings bank, savings and loan association, or credit union operating under the laws of the United States or this State.

(815 ILCS 177/40 new)

Sec. 40. Violation. A violation of this Act constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act.

Section 25. The Interest Act is amended by changing Section 4.1a as follows:

(815 ILCS 205/4.1a) (from Ch. 17, par. 6406)

Sec. 4.1a. Charges for and cost of the following items paid or incurred by any lender in connection with any loan shall not be deemed to be charges for or in connection with any loan of money referred to in Section 6 of this Act, or charges by the lender as a consideration for the loan referred to in this Section:

(a) hazard, mortgage or life insurance premiums, survey, credit report, title insurance, abstract and attorneys' fees, recording charges, escrow and appraisal fees, and similar charges.

(b) in the case of construction loans, in addition to the matters referred to in clause

(a) above, the actual cost incurred by the lender for services for making physical inspections, processing payouts, examining and reviewing contractors' and subcontractors' sworn statements and waivers of lien and the like.

(c) in the case of any loan made pursuant to the provisions of the Emergency Home Purchase Assistance Act of 1974 (Section 313 of the National Housing Act, Chapter B of Title 12 of the United States Code), in addition to the matters referred to in paragraphs (a) and (b) of this Section all charges required or allowed by the Government National Mortgage Association, whether designated as processing fees, commitment fees, loss reserve and marketing fees, discounts, origination fees or otherwise designated.

(d) in the case of a single payment loan, made for a period of 6 months or less, a regulated financial institution or licensed lender may contract for and receive a maximum charge of \$15 in lieu of interest. Such charge may be collected when the loan is made, but only one such charge may be contracted for, received, or collected for any such loan, including any extension or renewal thereof.

(e) if the agreement governing the loan so provides, a charge not to exceed the rate permitted under Section 3-806 of the Uniform Commercial Code-Commercial Paper for any check, draft or order for the payment of money submitted in accordance with said agreement which is unpaid or not honored by a bank or other depository institution.

(f) if the agreement governing the loan so provides, for each loan installment in default for a period of not less than 10 days, a charge in an amount not in excess of 5% of such loan installment. Only one delinquency charge may be collected on any such loan installment regardless of the period during which it remains in default. Payments timely received by the lender under a written extension or deferral agreement shall not be subject to any delinquency charge.

Notwithstanding items (k) and (l) of subsection (1) of Section 4 of this Act, the lender, in the case of any nonexempt residential mortgage loan, as defined in Section 1-4 of the Residential Mortgage License Act of 1987, other than a high risk home loan as defined in Section 10 of the High Risk Home Loan Act, shall have the right to include a prepayment penalty that extends no longer than the fixed rate period of a variable rate mortgage provided that, if a prepayment is made during the fixed rate period and not in connection with the sale or destruction of the dwelling securing the loan, the lender shall receive an amount that is no more than:

(1) 3% of the total loan amount if the prepayment is made within the first 12-month

period following the date the loan was made;

(2) 2% of the total loan amount if the prepayment is made within the second 12-month period following the date the loan was made; or

(3) 1% of the total loan amount if the prepayment is made within the third 12-month period following the date the loan was made, if the fixed rate period extends 3 years.

This Section applies to loans made, refinanced, renewed, extended, or modified on or after the effective date of this amendatory Act of the 95th General Assembly.

Where there is a charge in addition to the stated rate of interest payable directly or indirectly by the borrower and imposed directly or indirectly by the lender as a consideration for the loan, or for or in connection with the loan of money, whether paid or payable by the borrower, the seller, or any other person on behalf of the borrower to the lender or to a third party, or for or in connection with the loan of money, other than as hereinabove in this Section provided, whether denominated "points," "service charge," "discount," "commission," or otherwise, and without regard to declining balances of principal which would result from any required or optional amortization of the principal of the loan, the rate of interest shall be calculated in the following manner:

The percentage of the principal amount of the loan represented by all of such charges shall first be computed, which in the case of a loan with an interest rate in excess of 8% per annum secured by residential real estate, other than loans described in paragraphs (e) and (f) of Section 4, shall not exceed 3% of such principal amount. Said percentage shall then be divided by the number of years and fractions thereof of the period of the loan according to its stated maturity. The percentage thus obtained shall then be added to the percentage of the stated annual rate of interest.

(Source: P.A. 95-691, eff. 6-1-08.)

Section 30. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2NNN as follows:

(815 ILCS 505/2NNN new)

Sec. 2NNN. Violations of the Tax Refund Anticipation Loan Reform Act. Any person who violates the Tax Refund Anticipation Loan Reform Act commits an unlawful practice within the meaning of this Act.

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."

#### **AMENDMENT NO. 4 TO SENATE BILL 1692**

AMENDMENT NO. 4. Amend Senate Bill 1692, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 5, line 19, by replacing "loan" with "loan or a consumer credit transaction made by a natural person who provides seller financing secured by a principal residence no more than 3 times in a 12-month period, provided such consumer credit transaction is not made by a person that has constructed or acted as a contractor for the construction of the residence in the ordinary course of business of such person"; and

on page 13, line 18, by deleting "20,"; and

on page 20 by deleting lines 13 through 25; and

on page 21 by deleting lines 1 through 7; and

on page 29, line 3, by deleting "upon"; and

on page 29, line 4, by changing "becoming law" to "on January 1, 2013".

Under the rules, the foregoing **Senate Bill No. 1692**, with House Amendments numbered 2 and 4, 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:

[May 22, 2012]

## SENATE BILL NO. 1808

A bill for AN ACT concerning criminal law.

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

House Amendment No. 1 to SENATE BILL NO. 1808

Passed the House, as amended, May 22, 2012.

TIMOTHY D. MAPES, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 1808**

AMENDMENT NO. 1. Amend Senate Bill 1808 by replacing everything after the enacting clause with the following:

"Section 5. The State Police Act is amended by changing Section 14 as follows:

(20 ILCS 2610/14) (from Ch. 121, par. 307.14)

Sec. 14. Except as is otherwise provided in this Act, no Department of State Police officer shall be removed, demoted or suspended except for cause, upon written charges filed with the Board by the Director and a hearing before the Board thereon upon not less than 10 days' notice at a place to be designated by the chairman thereof. At such hearing, the accused shall be afforded full opportunity to be heard in his or her own defense and to produce proof in his or her defense. Anyone filing a complaint against a State Police Officer must have the complaint supported by a sworn affidavit. Any such complaint, having been supported by a sworn affidavit, and having been found, in total or in part, to contain false information, shall be presented to the appropriate State's Attorney for a determination of prosecution. If a recorded conversation authorized under subsection (q) of Section 14-3 of the Criminal Code of 1961 is used by the complainant as part of the evidence of misconduct against the officer and is found to have been intentionally altered by or at the direction of the complainant to inaccurately reflect the incident at issue, it must be presented to the appropriate State's Attorney for a determination of prosecution.

Before any such officer may be interrogated or examined by or before the Board, or by a departmental agent or investigator specifically assigned to conduct an internal investigation, the results of which hearing, interrogation or examination may be the basis for filing charges seeking his or her suspension for more than 15 days or his or her removal or discharge, he or she shall be advised in writing as to what specific improper or illegal act he or she is alleged to have committed; he or she shall be advised in writing that his or her admissions made in the course of the hearing, interrogation or examination may be used as the basis for charges seeking his or her suspension, removal or discharge; and he or she shall be advised in writing that he or she has a right to counsel of his or her choosing, who may be present to advise him or her at any hearing, interrogation or examination. A complete record of any hearing, interrogation or examination shall be made, and a complete transcript or electronic recording thereof shall be made available to such officer without charge and without delay.

The Board shall have the power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers in support of the charges and for the defense. Each member of the Board or a designated hearing officer shall have the power to administer oaths or affirmations. If the charges against an accused are established by a preponderance of evidence, the Board shall make a finding of guilty and order either removal, demotion, suspension for a period of not more than 180 days, or such other disciplinary punishment as may be prescribed by the rules and regulations of the Board which, in the opinion of the members thereof, the offense merits. Thereupon the Director shall direct such removal or other punishment as ordered by the Board and if the accused refuses to abide by any such disciplinary order, the Director shall remove him or her forthwith.

If the accused is found not guilty or has served a period of suspension greater than prescribed by the Board, the Board shall order that the officer receive compensation for the period involved. The award of compensation shall include interest at the rate of 7% per annum.

The Board may include in its order appropriate sanctions based upon the Board's rules and regulations. If the Board finds that a party has made allegations or denials without reasonable cause or has engaged in frivolous litigation for the purpose of delay or needless increase in the cost of litigation, it may order that party to pay the other party's reasonable expenses, including costs and reasonable attorney's fees. The State of Illinois and the Department shall be subject to these sanctions in the same manner as other parties.

In case of the neglect or refusal of any person to obey a subpoena issued by the Board, any circuit court, upon application of any member of the Board, may order such person to appear before the Board and give testimony or produce evidence, and any failure to obey such order is punishable by the court as a contempt thereof.

[May 22, 2012]

The provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of any order of the Board rendered pursuant to the provisions of this Section.

Notwithstanding the provisions of this Section, a policy making officer, as defined in the Employee Rights Violation Act, of the Department of State Police shall be discharged from the Department of State Police as provided in the Employee Rights Violation Act, enacted by the 85th General Assembly. (Source: P.A. 96-891, eff. 5-10-10.)

Section 10. The Uniform Peace Officers' Disciplinary Act is amended by changing Section 3.8 as follows:

(50 ILCS 725/3.8) (from Ch. 85, par. 2561)

Sec. 3.8. Admissions; counsel; verified complaint.

(a) No officer shall be interrogated without first being advised in writing that admissions made in the course of the interrogation may be used as evidence of misconduct or as the basis for charges seeking suspension, removal, or discharge; and without first being advised in writing that he or she has the right to counsel of his or her choosing who may be present to advise him or her at any stage of any interrogation.

(b) Anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit. Any complaint, having been supported by a sworn affidavit, and having been found, in total or in part, to contain knowingly false material information, shall be presented to the appropriate State's Attorney for a determination of prosecution. If a recorded conversation authorized under subsection (q) of Section 14-3 of the Criminal Code of 1961 is used by the complainant as part of the evidence of misconduct against the officer and is found to have been intentionally altered by or at the direction of the complainant to inaccurately reflect the incident at issue, it must be presented to the appropriate State's Attorney for a determination of prosecution.

(Source: P.A. 97-472, eff. 8-22-11.)

Section 15. The Criminal Code of 1961 is amended by changing Section 14-3 as follows:

(720 ILCS 5/14-3)

Sec. 14-3. Exemptions. The following activities shall be exempt from the provisions of this Article:

(a) Listening to radio, wireless and television communications of any sort where the same are publicly made;

(b) Hearing conversation when heard by employees of any common carrier by wire incidental to the normal course of their employment in the operation, maintenance or repair of the equipment of such common carrier by wire so long as no information obtained thereby is used or divulged by the hearer;

(c) Any broadcast by radio, television or otherwise whether it be a broadcast or recorded for the purpose of later broadcasts of any function where the public is in attendance and the conversations are overheard incidental to the main purpose for which such broadcasts are then being made;

(d) Recording or listening with the aid of any device to any emergency communication made in the normal course of operations by any federal, state or local law enforcement agency or institutions dealing in emergency services, including, but not limited to, hospitals, clinics, ambulance services, fire fighting agencies, any public utility, emergency repair facility, civilian defense establishment or military installation;

(e) Recording the proceedings of any meeting required to be open by the Open Meetings Act, as amended;

(f) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as consumer "hotlines" by manufacturers or retailers of food and drug products. Such recordings must be destroyed, erased or turned over to local law enforcement authorities within 24 hours from the time of such recording and shall not be otherwise disseminated. Failure on the part of the individual or business operating any such recording or listening device to comply with the requirements of this subsection shall eliminate any civil or criminal immunity conferred upon that individual or business by the operation of this Section;

(g) With prior notification to the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded under circumstances where the use of the device is necessary for the protection of the law enforcement officer or any person acting at the direction of law enforcement, in the course of an investigation of a forcible felony, a felony offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons for forced labor or services under Section 10-9 of this Code, an offense involving prostitution, solicitation of a sexual act, or pandering, a felony violation of the Illinois Controlled



Substances Act, a felony violation of the Cannabis Control Act, a felony violation of the Methamphetamine Control and Community Protection Act, any "streetgang related" or "gang-related" felony as those terms are defined in the Illinois Streetgang Terrorism Omnibus Prevention Act, or any felony offense involving any weapon listed in paragraphs (1) through (11) of subsection (a) of Section 24-1 of this Code. Any recording or evidence derived as the result of this exemption shall be inadmissible in any proceeding, criminal, civil or administrative, except (i) where a party to the conversation suffers great bodily injury or is killed during such conversation, or (ii) when used as direct impeachment of a witness concerning matters contained in the interception or recording. The Director of the Department of State Police shall issue regulations as are necessary concerning the use of devices, retention of tape recordings, and reports regarding their use;

(g-5) With approval of the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded in the course of an investigation of any offense defined in Article 29D of this Code. In all such cases, an application for an order approving the previous or continuing use of an eavesdropping device must be made within 48 hours of the commencement of such use. In the absence of such an order, or upon its denial, any continuing use shall immediately terminate. The Director of State Police shall issue rules as are necessary concerning the use of devices, retention of tape recordings, and reports regarding their use.

Any recording or evidence obtained or derived in the course of an investigation of any offense defined in Article 29D of this Code shall, upon motion of the State's Attorney or Attorney General prosecuting any violation of Article 29D, be reviewed in camera with notice to all parties present by the court presiding over the criminal case, and, if ruled by the court to be relevant and otherwise admissible, it shall be admissible at the trial of the criminal case.

This subsection (g-5) is inoperative on and after January 1, 2005. No conversations recorded or monitored pursuant to this subsection (g-5) shall be inadmissible in a court of law by virtue of the repeal of this subsection (g-5) on January 1, 2005;

(g-6) With approval of the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded in the course of an investigation of involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons for forced labor or services, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age. In all such cases, an application for an order approving the previous or continuing use of an eavesdropping device must be made within 48 hours of the commencement of such use. In the absence of such an order, or upon its denial, any continuing use shall immediately terminate. The Director of State Police shall issue rules as are necessary concerning the use of devices, retention of recordings, and reports regarding their use. Any recording or evidence obtained or derived in the course of an investigation of involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons for forced labor or services, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age shall, upon motion of the State's Attorney or Attorney General prosecuting any case involving involuntary servitude, involuntary sexual servitude of a minor, trafficking in persons for forced labor or services, child pornography, aggravated child pornography, indecent solicitation of a child, child abduction, luring of a minor, sexual exploitation of a child, predatory criminal sexual assault of a child, aggravated criminal sexual abuse in which the victim of the offense was at the time of the commission of the offense under 18 years of age, criminal sexual abuse by force or threat of force in which the victim of the offense was at the time of the commission of the offense under 18 years of age, or aggravated criminal sexual assault in which the victim of the offense was at the time of the commission of the offense under 18 years of age, be reviewed in camera with notice to all parties present by the court presiding over the criminal case, and, if ruled by the court to

be relevant and otherwise admissible, it shall be admissible at the trial of the criminal case. Absent such a ruling, any such recording or evidence shall not be admissible at the trial of the criminal case;

(h) Recordings made simultaneously with the use of an in-car video camera recording of an oral conversation between a uniformed peace officer, who has identified his or her office, and a person in the presence of the peace officer whenever (i) an officer assigned a patrol vehicle is conducting an enforcement stop; or (ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

For the purposes of this subsection (h), "enforcement stop" means an action by a law enforcement officer in relation to enforcement and investigation duties, including but not limited to, traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance;

(h-5) Recordings of utterances made by a person while in the presence of a uniformed peace officer and while an occupant of a police vehicle including, but not limited to, (i) recordings made simultaneously with the use of an in-car video camera and (ii) recordings made in the presence of the peace officer utilizing video or audio systems, or both, authorized by the law enforcement agency;

(h-10) Recordings made simultaneously with a video camera recording during the use of a taser or similar weapon or device by a peace officer if the weapon or device is equipped with such camera;

(h-15) Recordings made under subsection (h), (h-5), or (h-10) shall be retained by the law enforcement agency that employs the peace officer who made the recordings for a storage period of 90 days, unless the recordings are made as a part of an arrest or the recordings are deemed evidence in any criminal, civil, or administrative proceeding and then the recordings must only be destroyed upon a final disposition and an order from the court. Under no circumstances shall any recording be altered or erased prior to the expiration of the designated storage period. Upon completion of the storage period, the recording medium may be erased and reissued for operational use;

(i) Recording of a conversation made by or at the request of a person, not a law enforcement officer or agent of a law enforcement officer, who is a party to the conversation, under reasonable suspicion that another party to the conversation is committing, is about to commit, or has committed a criminal offense against the person or a member of his or her immediate household, and there is reason to believe that evidence of the criminal offense may be obtained by the recording;

(j) The use of a telephone monitoring device by either (1) a corporation or other business entity engaged in marketing or opinion research or (2) a corporation or other business entity engaged in telephone solicitation, as defined in this subsection, to record or listen to oral telephone solicitation conversations or marketing or opinion research conversations by an employee of the corporation or other business entity when:

(i) the monitoring is used for the purpose of service quality control of marketing or opinion research or telephone solicitation, the education or training of employees or contractors engaged in marketing or opinion research or telephone solicitation, or internal research related to marketing or opinion research or telephone solicitation; and

(ii) the monitoring is used with the consent of at least one person who is an active party to the marketing or opinion research conversation or telephone solicitation conversation being monitored.

No communication or conversation or any part, portion, or aspect of the communication or conversation made, acquired, or obtained, directly or indirectly, under this exemption (j), may be, directly or indirectly, furnished to any law enforcement officer, agency, or official for any purpose or used in any inquiry or investigation, or used, directly or indirectly, in any administrative, judicial, or other proceeding, or divulged to any third party.

When recording or listening authorized by this subsection (j) on telephone lines used for marketing or opinion research or telephone solicitation purposes results in recording or listening to a conversation that does not relate to marketing or opinion research or telephone solicitation; the person recording or listening shall, immediately upon determining that the conversation does not relate to marketing or opinion research or telephone solicitation, terminate the recording or listening and destroy any such recording as soon as is practicable.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide current and prospective employees with notice that the monitoring or recordings may occur during the course of their employment. The notice shall include prominent signage notification within the workplace.

Business entities that use a telephone monitoring or telephone recording system pursuant to this exemption (j) shall provide their employees or agents with access to personal-only telephone lines which may be pay telephones, that are not subject to telephone monitoring or telephone recording.

For the purposes of this subsection (j), "telephone solicitation" means a communication through the use of a telephone by live operators:

- (i) soliciting the sale of goods or services;
- (ii) receiving orders for the sale of goods or services;
- (iii) assisting in the use of goods or services; or
- (iv) engaging in the solicitation, administration, or collection of bank or retail credit accounts.

For the purposes of this subsection (j), "marketing or opinion research" means a marketing or opinion research interview conducted by a live telephone interviewer engaged by a corporation or other business entity whose principal business is the design, conduct, and analysis of polls and surveys measuring the opinions, attitudes, and responses of respondents toward products and services, or social or political issues, or both;

(k) Electronic recordings, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of a custodial interrogation of an individual at a police station or other place of detention by a law enforcement officer under Section 5-401.5 of the Juvenile Court Act of 1987 or Section 103-2.1 of the Code of Criminal Procedure of 1963;

(l) Recording the interview or statement of any person when the person knows that the interview is being conducted by a law enforcement officer or prosecutor and the interview takes place at a police station that is currently participating in the Custodial Interview Pilot Program established under the Illinois Criminal Justice Information Act;

(m) An electronic recording, including but not limited to, a motion picture, videotape, digital, or other visual or audio recording, made of the interior of a school bus while the school bus is being used in the transportation of students to and from school and school-sponsored activities, when the school board has adopted a policy authorizing such recording, notice of such recording policy is included in student handbooks and other documents including the policies of the school, notice of the policy regarding recording is provided to parents of students, and notice of such recording is clearly posted on the door of and inside the school bus.

Recordings made pursuant to this subsection (m) shall be confidential records and may only be used by school officials (or their designees) and law enforcement personnel for investigations, school disciplinary actions and hearings, proceedings under the Juvenile Court Act of 1987, and criminal prosecutions, related to incidents occurring in or around the school bus;

(n) Recording or listening to an audio transmission from a microphone placed by a person under the authority of a law enforcement agency inside a bait car surveillance vehicle while simultaneously capturing a photographic or video image;

(o) The use of an eavesdropping camera or audio device during an ongoing hostage or barricade situation by a law enforcement officer or individual acting on behalf of a law enforcement officer when the use of such device is necessary to protect the safety of the general public, hostages, or law enforcement officers or anyone acting on their behalf; and

(p) Recording or listening with the aid of any device to incoming telephone calls of phone lines publicly listed or advertised as the "CPS Violence Prevention Hotline", but only where the notice of recording is given at the beginning of each call as required by Section 34-21.8 of the School Code. The recordings may be retained only by the Chicago Police Department or other law enforcement authorities, and shall not be otherwise retained or disseminated; and -

(q) A person who is not a law enforcement officer nor acting at the direction of a law enforcement officer may record the conversation of a law enforcement officer who is performing a public duty in a public place and any other person who is having a conversation with that law enforcement officer if the conversation is at a volume audible to the unassisted ear of the person who is making the recording. For purposes of this subsection (q), "public place" means any place to which the public has access and includes, but is not limited to, streets, sidewalks, parks, and highways (including inside motor vehicles), and the common areas of public and private facilities and buildings.

(Source: P.A. 96-425, eff. 8-13-09; 96-547, eff. 1-1-10; 96-643, eff. 1-1-10; 96-670, eff. 8-25-09; 96-1000, eff. 7-2-10; 96-1425, eff. 1-1-11; 96-1464, eff. 8-20-10; 97-333, eff. 8-12-11.)

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

Under the rules, the foregoing **Senate Bill No. 1808**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

[May 22, 2012]

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. 2545

A bill for AN ACT concerning business.

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

House Amendment No. 2 to SENATE BILL NO. 2545

Passed the House, as amended, May 22, 2012.

TIMOTHY D. MAPES, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 2545**

AMENDMENT NO. 2. Amend Senate Bill 2545 on page 2 by replacing lines 11 through 14 with the following:

""Internet dating service" means a person or entity in the business, for a fee, of providing dating, romantic relationship, or matrimonial services"; and

on page 3, line 8, by changing "include" to "include, but are not limited to".

Under the rules, the foregoing **Senate Bill No. 2545**, with House Amendment No. 2, 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. 2950

A bill for AN ACT concerning safety.

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. 2950

Passed the House, as amended, May 22, 2012.

TIMOTHY D. MAPES, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 2950**

AMENDMENT NO. 1. Amend Senate Bill 2950 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Toxin-Free Toddler Act.

Section 5. Definitions.

"Child" means any person who is less than 3 years of age.

"Children's food or beverage container" means an empty bottle or cup to be filled with food or liquid that is designed or intended by a manufacturer to be used by a child.

"Manufacturer" means any person who makes and places a children's food or beverage container into the stream of commerce.

"Retailer" means any person other than a manufacturer, distributor, or wholesaler who sells at retail children's food or beverage containers. "Sell at retail" has the same meaning as provided under Section 1 of the Retailers' Occupation Tax Act.

"Wholesaler" means any person, other than a manufacturer or retailer, who sells or resells or otherwise places a children's food or beverage container into the stream of commerce.

Section 10. Prohibit Bisphenol A in children's food or beverage containers.

(a) Beginning January 1, 2013, a manufacturer or wholesaler may not sell or offer for sale in this State a children's food or beverage container that contains bisphenol A.

(b) Beginning January 1, 2014, a retailer may not knowingly sell or offer for sale in this State a children's food or beverage container that contains bisphenol A.

[May 22, 2012]

(c) This Section does not apply to the sale of a used children's food or beverage container.

Section 15. Enforcement.

(a) The Attorney General may bring an action in the name of the People of the State of Illinois to enforce the provisions of this Act in the circuit court of any county in which a violation occurs.

(b) When (i) it appears to the Attorney General that a manufacturer, wholesaler, or retailer has engaged in or is engaging in any practice declared to be in violation of this Act, or (ii) the Attorney General receives a written complaint from a consumer of the commission of a practice declared to be in violation of this Act, or (iii) the Attorney General believes it to be in the public interest that an investigation should be made to ascertain whether a person in fact has engaged in or is engaging in any practice declared to be in violation of this Act, the Attorney General may:

(1) Require that person to file, on terms that the Attorney General prescribes, a statement or report in writing under oath or otherwise, as to all information the Attorney General considers necessary.

(2) Examine under oath any person in connection with the conduct of any trade or commerce.

(3) Examine any merchandise or sample thereof, record, book, document, account, or paper the Attorney General considers necessary.

(4) Pursuant to an order of the circuit court, impound any record, book, document, account, paper, or sample of a children's food or beverage container, and retain it in the Attorney General's possession until the completion of all proceedings in connection with which it is produced.

(c) In the administration of this Act, the Attorney General may accept an assurance of voluntary compliance with respect to any practice deemed to be a violation of this Act from any manufacturer, wholesaler, or retailer who has engaged in or is engaging in that practice. Evidence of the violation of an assurance of voluntary compliance shall be prima facie evidence of a violation of this Act in any subsequent proceeding brought by the Attorney General against the alleged violator with regard to the specific violation or violations addressed in the assurance of voluntary compliance.

(d) Whenever the Attorney General has reason to believe that any manufacturer, wholesaler, or retailer has engaged in or is engaging in any practice in violation of this Act and that proceedings would be in the public interest, he or she may bring an action in the name of the People of the State against that manufacturer, wholesaler, or retailer to restrain by preliminary or permanent injunction the use of that practice.

(e) Civil penalties paid under Section 20 shall be deposited into the Attorney General Court Ordered and Voluntary Compliance Payment Projects Fund. Moneys in the Fund shall be used, subject to appropriation, for the performance of any function pertaining to the exercise of the duties of the Attorney General, including, but not limited to, enforcement of any law of this State and conducting public education programs. Any moneys in the Fund that are required by the court or by an agreement to be used for a particular purpose must be used for that purpose, however.

Section 20. Penalties. A manufacturer, retailer, or wholesaler who violates this Act is subject to a civil penalty in an amount not to exceed \$200 for each day that the violation continues.

Section 98. Repeal. This Act shall be repealed if the United States Food and Drug Administration promulgates a final rule amending its food additive regulations in order to prohibit the use of polycarbonate resins in infant feeding bottles and spill-proof cups.

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

Under the rules, the foregoing **Senate Bill No. 2950**, 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. 275

A bill for AN ACT concerning State government.

SENATE BILL NO. 679

A bill for AN ACT concerning regulation.

[May 22, 2012]

Passed the House, May 22, 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. 2494

A bill for AN ACT concerning transportation.

SENATE BILL NO. 2559

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2885

A bill for AN ACT concerning insurance.

Passed the House, May 22, 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 4029

A bill for AN ACT concerning education.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 4029

Concurred in by the House, May 22, 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 4129

A bill for AN ACT concerning public aid.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 4129

Concurred in by the House, May 22, 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 4145

A bill for AN ACT concerning local government.

Which amendment is as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 4145

Concurred in by the House, May 22, 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 adoption of their amendment to a bill of the following title, to-wit:

HOUSE BILL 4190

[May 22, 2012]

A bill for AN ACT concerning State government.  
 Which amendment is as follows:  
 Senate Amendment No. 1 to HOUSE BILL NO. 4190  
 Concurred in by the House, May 22, 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 adoption of their amendment to a bill of the following title, to-wit:  
 HOUSE BILL 4479

A bill for AN ACT concerning regulation.  
 Which amendment is as follows:  
 Senate Amendment No. 1 to HOUSE BILL NO. 4479  
 Concurred in by the House, May 22, 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 adoption of their amendment to a bill of the following title, to-wit:  
 HOUSE BILL 4673

A bill for AN ACT concerning firearms.  
 Which amendment is as follows:  
 Senate Amendment No. 1 to HOUSE BILL NO. 4673  
 Concurred in by the House, May 22, 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 adoption of their amendment to a bill of the following title, to-wit:  
 HOUSE BILL 4687

A bill for AN ACT concerning government.  
 Which amendment is as follows:  
 Senate Amendment No. 3 to HOUSE BILL NO. 4687  
 Concurred in by the House, May 22, 2012.

TIMOTHY D. MAPES, Clerk of the House

### **READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

On motion of Senator Sullivan, **House Bill No. 4074** was taken up, read by title a first time and referred to the Committee on Assignments.

### **LEGISLATIVE MEASURES FILED**

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

Senate Floor Amendment No. 2 to Senate Bill 351  
 Senate Floor Amendment No. 1 to Senate Bill 556  
 Senate Floor Amendment No. 4 to Senate Bill 2534  
 Senate Floor Amendment No. 2 to Senate Bill 2781

[May 22, 2012]

Senate Floor Amendment No. 2 to Senate Bill 2915  
 Senate Floor Amendment No. 1 to Senate Bill 3362  
 Senate Floor Amendment No. 1 to Senate Bill 3595

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. 1 to House Bill 1907  
 Senate Committee Amendment No. 2 to House Bill 5201  
 Senate Committee Amendment No. 2 to House Bill 5602

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

Senate Floor Amendment No. 4 to House Bill 1237  
 Senate Floor Amendment No. 3 to House Bill 1404  
 Senate Floor Amendment No. 3 to House Bill 1489  
 Senate Floor Amendment No. 2 to House Bill 1882  
 Senate Floor Amendment No. 3 to House Bill 2956  
 Senate Floor Amendment No. 2 to House Bill 4110  
 Senate Floor Amendment No. 1 to House Bill 4666  
 Senate Floor Amendment No. 3 to House Bill 5078  
 Senate Floor Amendment No. 2 to House Bill 5495  
 Senate Floor Amendment No. 2 to House Bill 5823  
 Senate Floor Amendment No. 3 to House Bill 5914

At the hour of 4:19 o'clock p.m., Senator Crotty, presiding.

At the hour of 4:39 o'clock p.m., the Chair announced that the Senate stand at ease.

#### AT EASE

At the hour of 4:47 o'clock p.m., the Senate resumed consideration of business.  
 Senator Crotty, presiding

#### REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 22, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

**Agriculture and Conservation: Senate Floor Amendment No. 2 to House Bill 3611; Senate Floor Amendment No. 1 to House Bill 4819.**

**Criminal Law: Senate Floor Amendment No. 4 to House Bill 1237; Senate Floor Amendment No. 2 to Senate Bill 2781; Senate Committee Amendment No. 2 to House Bill 5602.**

**Education: Senate Floor Amendment No. 1 to Senate Bill 3362.**

**Energy: Senate Floor Amendment No. 1 to House Bill 5071.**

**Executive: Senate Floor Amendment No. 1 to Senate Bill 842; Senate Floor Amendment No. 2 to House Bill 1404; Senate Floor Amendment No. 3 to House Bill 1404; Senate Floor Amendment No. 3 to House Bill 1489; Senate Committee Amendment No. 1 to House Bill 1907; Senate Committee Amendment No. 4 to House Bill 1981; Senate Committee Amendment No. 3 to Senate Bill 3773; Senate Committee Amendment No. 4 to Senate Bill 3773; Senate Floor Amendment No. 1 to House**

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**Bill 4521; Senate Committee Amendment No. 1 to House Bill 4940; Senate Floor Amendment No. 3 to House Bill 5078; Senate Committee Amendment No. 2 to House Bill 5201; Senate Floor Amendment No. 3 to House Bill 5866; HOUSE BILL 3816.**

Higher Education: **Senate Floor Amendment No. 3 to House Bill 5914.**

Judiciary: **Senate Floor Amendment No. 4 to Senate Bill 2534; Senate Floor Amendment No. 2 to House Bill 5823.**

Licensed Activities: **Senate Floor Amendment No. 1 to Senate Bill 2915; Senate Floor Amendment No. 2 to Senate Bill 2915; HOUSE BILL 4074.**

Local Government: **Senate Floor Amendment No. 1 to House Bill 3372.**

Pensions and Investments: **Senate Committee Amendment No. 2 to House Bill 3969; Senate Floor Amendment No. 1 to House Bill 4666; Senate Floor Amendment No. 2 to House Bill 5495.**

Revenue: **Senate Floor Amendment No. 1 to Senate Bill 3595; Senate Floor Amendment No. 2 to House Bill 4110.**

State Government and Veterans Affairs: **Senate Floor Amendment No. 2 to Senate Bill 351; Senate Floor Amendment No. 2 to House Bill 1882.**

Transportation: **Senate Committee Amendment No. 1 to Senate Resolution 772; Senate Floor Amendment No. 2 to House Bill 3340.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 22, 2012 meeting, reported the following House Resolution has been assigned to the indicated Standing Committee of the Senate:

Education: **House Joint Resolution No. 79.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 22, 2012 meeting, reported the following Appointment Message has been assigned to the indicated Standing Committee of the Senate:

Executive Appointments: **Appointment Message No. 450.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 22, 2012 meeting, to which was referred **Senate Bill No. 556** on July 23, 2011, 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. 556** was returned to the order of third reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 22, 2012 meeting, to which was referred **House Bill No. 2956** on January 14, 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 **House Bill No. 2956** was returned to the order of second reading.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 22, 2012 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Local Government: **Senate Floor Amendment No. 1 to Senate Bill 556; Senate Floor Amendment No. 3 to House Bill 2956.**

**COMMITTEE MEETING ANNOUNCEMENTS FOR MAY 23, 2012**

The Chair announced the following committee to meet at 9:00 o'clock a.m.:

Judiciary in Room 400

The Chair announced the following committee to meet at 9:01 o'clock a.m.:

Higher Education in Room 409

The Chair announced the following committee to meet at 9:30 o'clock a.m.:

Education in Room 409

The Chair announced the following committee to meet at 9:31 o'clock a.m.:

Transportation in Room 400

The Chair announced the following committee to meet at 10:00 o'clock a.m.:

Local Government in Room 409

The Chair announced the following committee to meet at 10:01 o'clock a.m.:

Criminal Law in Room 212

The Chair announced the following committee to meet at 10:31 o'clock a.m.:

Pensions and Investments in Room 400

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

Licensed Activities in Room 409

The Chair announced the following committees to meet at 3:01 o'clock p.m.:

Executive in Room 212

Revenue in Room 400

The Chair announced the following committee to meet at 4:31 o'clock p.m.:

State Government and Veterans Affairs in Room 409

The Chair announced the following committee to meet at 5:00 o'clock p.m.:

Agriculture and Conservation in Room 409

The Chair announced the following committee to meet at 5:30 o'clock p.m.:

Energy in Room 212

[May 22, 2012]

**LEGISLATIVE MEASURE FILED**

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. 3 to House Bill 5007

At the hour of 4:54 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 8:05 o'clock p.m., the Senate resumed consideration of business.  
Senator Schoenberg, presiding.

**MESSAGES FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

May 22, 2012

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

Dear Mr. Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2012 as the Committee deadline and 3<sup>rd</sup> Reading deadline for the following House Bill 4074.

In addition, I hereby establish May 31, 2012 as the 3<sup>rd</sup> Reading deadline for Senate Bill 556.

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

cc: Senate Republican Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

JOHN J. CULLERTON  
SENATE PRESIDENT

327 STATE CAPITOL  
SPRINGFIELD, IL 62706  
217-782-2728

May 22, 2012

Mr. Tim Anderson

[May 22, 2012]

Secretary of the Senate  
Room 401 State House  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Don Harmon to temporarily replace Senator James Clayborne as Chairman of the Senate Committee on Assignments. In addition, I hereby appoint Senator Maggie Crotty to temporarily replace Senator James Clayborne as a member of the Senate Committee on Assignments and Senator Jeff Schoenberg to temporarily replace Senator Kimberly Lightford as a member of the Senate Committee on Assignments. These appointments will automatically expire upon adjournment of the Senate Committee on Assignments.

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

cc: Senate Minority Leader Christine Radogno

#### **REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Harmon, Chairperson of the Committee on Assignments, during its May 23, 2012 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Human Services:                   **Senate Floor Amendment No. 3 to House Bill 5007.**

#### **COMMITTEE MEETING ANNOUNCEMENT FOR MAY 23, 2012**

The Chair announced the following committee to meet at 9:00 o'clock a.m.:

Human Services in Room 212

At the hour of 8:06 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, May 23, 2012, at 11:00 o'clock a.m.

[May 22, 2012]